

LANE EDUCATION SERVICE DISTRICT	BOARD MEETING
1200 Hwy 99 N	Tuesday, November 4, 2025
Eugene, Oregon 97402	Regular Meeting: 6:00 PM

Work Session: 4:30 P.M
Regular Meeting: 6:00 P.M.

**LANE ESD BOARD MEETING
AGENDA**
Tuesday, November 4, 2025

1. Call Work Session to Order | 4:30 p.m.

Board Chair

2. Superintendent Search | Firms

The Board of Directors of Lane ESD will discuss entering into a search for the agency's next superintendent. Board policy CBB states:

The Board vests the primary responsibility for the administration of Lane ESD to the superintendent. The appointment of the superintendent is, therefore, one of the most important functions the Board can perform.

Whenever the position of superintendent shall be vacant, the Board shall appoint a superintendent and fix his/her salary and term of office.

The Board shall actively seek the best qualified and most capable candidate for the position of chief executive officer of this district. The Board may be aided in this task by the services of professional consultants and the participation of members of the staff, component districts and community.

The Board shall develop and adopt the standards (candidate qualities and work experience), criteria (application, screening and hiring process) and policy directives (promote from within, state and/or national search) to be used in hiring the superintendent or interim superintendent at a meeting open to the public and at which the public has had an opportunity to comment. In doing so, the Board may consider proposals by independent search firms to support this process.

Board of Directors

CBB D1

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- A. Presentation | Northwest Leadership Associates | 4:30 p.m.

Guest

- B. Presentation | Human Capital Enterprises | 5:00 p.m.

Guest

HCE Presentation Slides

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3. Work Session | Adjournment

Board Chair

4. Call Regular Meeting To Order | 6:00 p.m.

Board Chair

5. Welcome

Guests attending the meeting will be introduced.

Board Chair

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

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

Board Member

7. 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.

8. Agenda Review

Board Chair

9. Work Session Debrief | Discussion | Possible Action: Superintendent Search

A. Presentation Discussion | Debrief

B. Possible Action: Search Firm Selection

10. Presentation: Rural District Collaborative Professional Development

The Board of Directors of Lane ESD will hear a presentation from Director of School Improvement Cassadie Mitchell and School Improvement Administrator Maddy Ahearn. They will share information and highlights on the Rural District PD collaborative calendar.

Cassadie Mitchell and Maddy Ahearn

Presentation - Rural District Professional Development
Collaborative

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11. 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 October 7th, 2025
2. Lane ESD Board Special Meeting Minutes of October 28th, 2025
3. Human Resource Report, dated November, 1st, 2025

Board Chair

Draft_LESD Special Board Meeting Minutes - October 28th, 2025 47

HR Board Report - November 2025 50

B. Accept Financial Report

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

Board Chair

September 2025 Financial Report 52

Financial Report _ Example Questions for Finance Director 56

C. Accept Transit Dollar Requests

Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis.

The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

- 51%-80% 10% service fee
- 81%-100% 15% service fee

The following component school districts have submitted Transit Dollar Requests for the 2025-26 School Year, with no districts requesting more than 50% of transit dollars available to them:

- Bethel School District
- Blachly School District
- Creswell School District
- Crow-Applegate-Lorane School District
- Eugene 4J School District
- Fern Ridge School District
- Junction City School District
- Lowell School District
- Marcola School District
- McKenzie School District
- Oakridge School District
- Pleasant Hill School District
- Siuslaw School District
- South Lane School District
- Springfield Public School District

BE IT RESOLVED that the Board of Directors of Lane ESD accepts Transit Dollar Request from Component School Districts for the 2026-27 School Year, as presented.

Board Chair, Superintendent

Bethel -26-27 Transit Dollar Request	57
Blachly - 26-27 Transit Dollar Request	59
Creswell - 26-27 Transit Dollar Request	60

Crow-App.Lorane - 26-27 Transit Dollar Request - signed	61
Eugene School District 4J -26-27 Transit Dollar Request	62
Fern Ridge SD 26-27 Transit Dollar Request	63
Junction City SD 26-27 Transit Dollar Request	64
Lowell - 26-27 Transit Dollar Request - signed	65
Marcola - 26-27 Transit Dollar Request	66
McKenzie 26-27 Lane Transit Dollar Request	67
Oakridge_Meeting Minutes_Transit Dollar_ 25.10	68
Pleasant Hill - 26-27 Lane Transit Dollars Request	71
Siuslaw - 26-27 Transit Dollar Request	72
South Lane - 26-27 Lane Transit Dollar Request	73
Springfield 26-27 Transit Dollar Request	74

D. Assistant Superintendent Contract

In accordance with Board policy and terms of the Assistant Superintendent agreement, Superintendent Scurto completed the evaluation process. Following completion of the evaluation process, Superintendent Scurto requests that the Board consider action to: 1) approve a COLA of 2.5% for the 2025-26 school year, 2) authorize an insurance contribution increase of 3.4%, and 3) extend the Assistant Superintendent's employment contract through the 2027-28 school year.

BE IT RESOLVED that the Board of Directors of Lane ESD accepts the results of the evaluation and approves the 2.5% COLA for Assistant Superintendent for the 2025-26 school year as offered, the insurance contribution increase of 3.4% and a contract extension through the 2027-28 school year.

Superintendent Scurto

E. Superintendent Contract and Retirement Transition

The Board considers action to 1) approve a COLA of 2.0% for the 2025-26 school year, 2) authorize an increased insurance contribution of 3.4%, and 3) approve transitioning the previously extended HSA contribution to an equivalent amount provided as a salary advancement.

These adjustments reflect the Board's continued confidence in

Superintendent Scurto's leadership and are aligned with compensation practices for Lane ESD's employees.

BE IT RESOLVED that the Board of Directors of Lane ESD approves the 2.0% COLA for the Superintendent through the 2025-26 school year, the 3.4% increase to the insurance contribution, and transitioning the previously extended HSA contribution to an equivalent amount provided as a salary advancement.

Board Chair Harris

F. Appoint Budget Committee Member

The budget committee consists of the seven elected Board members and eight members appointed by the Board from component school district boards or designees of component district Boards. The members appointed by the Board shall consist of five members selected by ESD zone and three members selected at large.

On September 9, 2025, the Board identified three vacant budget committee positions as noted below.

Vacant:

Position 5 | Zone 5 | Term Ends: June 30, 2028

Position 6 | At-Large | Term Ends: June 30, 2028

Position 7 | At-Large | Term Ends: June 30, 2028

On October 7th, 2025, the Board reappointed Robin Zygaitis to Position 7 (At-Large) representing Bethel School District for an additional three-year term ending June 30th, 2025.

At this time, we have received a request for reappointment from Jim Chapman, who previously served in Position 5 (Zone 5) representing Lowell School District.

BE IT RESOLVED: that the Board of Directors of Lane ESD reappoint Jim Chapman to Position 5 (Zone 5) representing Lowell School District for an additional three-year term ending June 30th, 2028.

Board Chair

Appoint Budget Committee Member - Zone 5

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G. OSBA Election

The Oregon School Boards Association is organized as one general state association with up to 24 regionally elected representatives established across 14 geographic regions to support member participation and representation.

In odd-numbered years member boards vote to elect regional representatives for even-numbered positions on the OSBA Board of Directors. Member boards also vote to elect all regional representatives on the Legislative Policy Committee.

In even-numbered years member boards vote to elect regional representatives for odd-numbered positions on the OSBA Board of Directors. Member boards also vote on the OSBA Legislative Priorities and Principles.

Resolutions submitted to the membership are also on the ballot along with candidate elections.

Resolution Election

Date Action

Sept 30 All resolutions to be submitted to the membership for a vote must be received at the OSBA offices

Oct 15 Resolution details, along with an official ballot, will be sent to the membership

Oct 15 Voting period opens

Dec 15 Voting period closes

January 1st, 2026: Newly elected officers and OSBA Board members take their seats.

Board Chair

H. 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 G: Personnel

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

These updates were first read at the October 7th, 2025 meeting of the Board of Directors.

Policy Section G : Personnel

GBL: Personnel Records - Adopt with Updates

GBL-AR: Personnel Records - Adopt with Updates

GBLA: Disclosure of Information - Recommend to delete

GBM: Staff Complaints * - Adopt with Updates

GBM-AR: Grievance Procedures - Adopt with Updates

GBMA: Whistle-blower - Adopt with Updates

GBN/JBA: Sexual Harassment.- Adopt with Updates

GBN/JBA - AR(1): Sexual Harassment Complaint Procedure - Adopt

with Updates

GBN/JBA - AR(2) Federal Law (Title IX) Sexual Harassment Complaint Procedure - Adopt with Updates

GBNA: Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying - Staff - Adopt with Updates

GBNA - AR: Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Procedures - Staff - Adopt with Updates

GBNAA/JFCFA: Cyberbullying - Recommend to delete

GBNAA/JHFF: Suspected Sexual Conduct with Students and Reporting Requirements: Adopt with Updates

GBNAA/JHFF - AR: Suspected Sexual Conduct Report Procedures and Form - Adopt with Updates

GC: Licensed Staff Positions - Adopt with Updates

GCA: License Requirements - Adopt with Updates

GCAB: Personal Electronic Devices and Social Media - Staff** -Adopt with Updates

GCBA: Salary Placement - Out of District Experience - Adopt with Updates

GCBAB: Education Advancement on Licensed Salary Schedule - Adopt with Updates

GCBAC: Experience Advancement on Licensed Salary Schedule - Adopt

GCBC[A]/GDBC[A]Continuation Coverage Health Benefits - Adopt with Updates

GBCA/GDBCA: Medical Insurance Coverage for Retiring Employees and

Their Dependents - Recommend to delete

GBCA/GDBCA-AR: Medical Insurance Coverage for Retiring Employees and

Their Dependents - Recommend to delete

GCBCC/GDBCC: Work Schedules and Closures - Adopt with Updates

GCBCC/GDBCC-AR(1): Workweek Schedule - Recommend to delete

GCBCC/GDBCC-AR(2): Work Schedules and Inclement Weather or Other Hazards

Guidelines - Recommend to delete

GCBD/GDBD: Personal Illness and Injury Leave* - Adopt with Updates

GCBD/GDBD-AR(1): Accrual of Sick Leave - Adopt with Updates

GCBD/GDBD-AR(2): Uncompensated Leave - Adopt with Updates

GCBDA/GDBDA: Family and Medical Leave - Adopt with Updates

GCBDA/GDBDA-AR(1): Federal Family and Medical Leave/State Family Medical Leave,

ver.1 - Recommend to delete

GCBDA/GDBDA-AR(1): Family and Medical Leave *, Ver. 2 - Adopt with Updates

GCBDA/GDBDA-AR(2): Request for Family and Medical Leave - ON HOLD per OSBA
GCBDA/GDBDA-AR(3)(A): Certification of Health Care Provider - ON HOLD per OSBA
GCBDA/GDBDA-AR(3)(B): Certification of Health Care Provider - ON HOLD per OSBA
GCBDA/GDBDA-AR(3)(C): Military Family Leave - ON HOLD per OSBA
GCBDA/GDBDA-AR(3)(D): Military Family Leave - ON HOLD per OSBA
GCBDA/GDBDA-AR(4): FMLA/OFLA Eligibility Notice to Employee - ON HOLD per OSBA
GCBDA/GDBDA-AR(5): Sample Designation Letter to Employee - FMLA/OFLA Leave - ON HOLD per OSBA
GCBDA/GDBDA-AR(6): Designation Notice - FMLA/OFLA - ON HOLD per OSBA
GCBDA/GDBDA-AR(7): Fitness-for-Duty Certification - Adopt with Updates
GCBDB/GDBDB: Early Return to Work - Adopt with Updates
GCBDB/GDBDB-AR : Light/Modified Duty Program - Adopt with Updates
GCBDB/GDBDB-AR: Light/Modified Duty Program - Checking with OSBA
GCBDC/GDBDC: Domestic Violence/Harassment/Sexual Assault or Stalking Leave,
Ver. 1 - Recommend to delete
GCBDC/GDBDC: Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave (Safe Leave)* Ver. 2. Adopt with Updates
GCBDC/GDBDC-AR: Request for Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave - Adopt with Updates
GCBDD/GDBDD: Sick Time - PENDING
GCBDE/GDBDE: Jury Duty - Recommend to delete
GCBDE/GDBDE-AR: Jury Duty - Recommend to delete
GCBDF/GDBDF: Paid Family Medical Leave Insurance - Adopt Ver. 1 - *effective* Jan. 1st, 2026
GCBDF/GDBDF: Paid Family and Medical Leave Insurance *- Adopted Ver. 2 - *until* Dec.31st, 2025
GCBDF/GDBDF-AR: Paid Family Medical Leave Insurance (PFMLI): Adopt Ver. 1 - *effective* Jan. 1st, 2026
GCBE/GDBE: Vacation - Recommend to delete
GCBE/GDBE-AR: Staff Vacation - Recommend to delete
GCC: Recruitment of Licensed Staff *- Adopt with Updates
GCCA: Posting of Licensed Staff Vacancies *- Adopt with Updates
GCDA/GDDA: Criminal Records Checks and Fingerprinting, Version 1 - Recommend to delete

GCDA/GDDA: Criminal Records Checks and Fingerprinting * Version 2 - Adopt with Updates
GCDA/GDDA-AR: Criminal Records Checks and Fingerprinting - Recommend to delete
GCI/GDI: Assignments and Transfers - Adopt with Updates
GCJA/GDJA: Telecommuting/Remote Work - Adopt with Updates
GCJA/GDJA-AR: Telecommuting/Remote Work - Adopt with Updates
GCKA/GDKA: Overtime - Recommend to delete
GCKB/GDKB: Meetings - Recommend to delete
GCL: Staff Development - Licensed * Adopt with Updates
GCL-AR: Staff Development - Licensed. - Recommend to delete
GCN/GDN: Evaluation of Staff., Version 1 - Recommend to delete
GCN/GDN: Evaluation of Staff *Version 2 - Adopt with Updates
GCPA: Reduction or Recall of Licensed Staff * - Adopt with Updates
GCPA-AR: : Reduction or Recall of Licensed Staff = Adopt with Updates
GCPB/GDPB: Resignation of Staff *- Adopt with Updates
GCPC/GDPC: Retirement of Staff * - Adopt with Updates
GCPD: Discipline and Dismissal of Licensed Staff * - PENDING
GCPD-AR: Discipline and Dismissal of Licensed Staff *- PENDING
GCQA/GDQA: Outside Activities of Staff - Recommend to delete
GCQA/GDQA: Nonschool Employment - Adopt with Updates
GCQB/GDQB: Research - Adopt with Updates
GCQBA[/GDQBA]: Copyrights and Patents - Adopt with Updates
GCQBA[/GDQBA]-AR: Copyrights and Patents - Adopt with Updates
GCQE: Student Teachers - Adopt with Updates
GCQF: Sabbaticals - Adopt with Updates
GCQF-AR: Sabbaticals - Procedures - Adopt with Updates
GD: Classified Staff/Classified Staff Positions - Adopt with Updates
GDA: Instructional Assistants - Recommend to delete
GDIA: Notice of Employment * - Adopt with Updates
GDL: Staff Development - Classified *- Adopt with Updates
GDO: Promotion of Classified Staff - Adopt with Updates
GDPA: Reduction or Recall of Classified Staff * - Adopt with Updates
GDPA-AR: Reduction or Recall of Classified Staff - Adopt with Updates
GDPB: Resignation of Classified Employees - Adopt with Updates

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

Chair, Superintendent Scurto

2. Section G: Personnel (in part - Section GBLA to GDPB)

Portions of Policy Section G were reviewed on First Read at the October 7th, 2025 Board meeting - sections include: in part - Section GBLA to GDPB

GBL: Personnel Records - Adopt with Updates
GBL-AR: Personnel Records - Adopt with Updates
GBM: Staff Complaints * - Adopt with Updates
GBM-AR: Grievance Procedures - Adopt with Updates
GBMA: Whistle-blower - Adopt with Updates
GBN/JBA: Sexual Harassment.- Adopt with Updates
GBN/JBA - AR(1): Sexual Harassment Complaint Procedure - Adopt with Updates
GBN/JBA - AR(2) Federal Law (Title IX) Sexual Harassment Complaint Procedure - Adopt with Updates
GBNA: Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying - Staff - Adopt with Updates
GBNA - AR: Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Procedures - Staff - Adopt with Updates
GBNAA/JHFF: Suspected Sexual Conduct with Students and Reporting Requirements: Adopt with Updates
GBNAA/JHFF - AR: Suspected Sexual Conduct Report Procedures and Form - Adopt with Updates
GC: Licensed Staff Positions - Adopt with Updates
GCA: License Requirements - Adopt with Updates
GCAB: Personal Electronic Devices and Social Media - Staff** -Adopt with Updates
GCBAA: Salary Placement - Out of District Experience - Adopt with Updates
GCBAB: Education Advancement on Licensed Salary Schedule - Adopt with Updates
GCBAC: Experience Advancement on Licensed Salary Schedule - Adopt
GCBC[A]/GDBC[A]Continuation Coverage Health Benefits - Adopt with Updates
GCBCC/GDBCC: Work Schedules and Closures - Adopt with Updates
G CBD/GDBD: Personal Illness and Injury Leave* - Adopt with Updates
G CBD/GDBD-AR(1): Accrual of Sick Leave - Adopt with Updates
G CBD/GDBD-AR(2): Uncompensated Leave - Adopt with Updates
G CBDA/GDBDA: Family and Medical Leave - Adopt with Updates
G CBDA/GDBDA-AR(1): Family and Medical Leave *, Ver. 2 - Adopt with Updates
G CBDA/GDBDA-AR(7): Fitness-for-Duty Certification - Adopt with Updates G CBD/GDBD: Early Return to Work - Adopt with Updates
G CBD/GDBD-AR : Light/Modified Duty Program - Adopt with Updates
G CBD/GDBD: Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave (Safe Leave)* Ver. 2. Adopt with Updates
G CBD/GDBD-AR: Request for Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave - Adopt with Updates
G CBDF/GDBDF: Paid Family Medical Leave Insurance
Adopt Ver. 1 - effective Jan. 1st, 2026
G CBDF/GDBDF: Paid Family and Medical Leave Insurance *
Adopted Ver. 2 - until Dec.31st, 2025
G CBDF/GDBDF-AR: Paid Family Medical Leave Insurance (PFMLI):
Adopt Ver. 1 - effective Jan. 1st, 2026
GCC: Recruitment of Licensed Staff *- Adopt with Updates
GCCA: Posting of Licensed Staff Vacancies *- Adopt with Updates
GCDA/GDDA: Criminal Records Checks and Fingerprinting * Version 2 - Adopt with Updates
GCI/GDI: Assignments and Transfers - Adopt with Updates
GCJA/GDJA: Telecommuting/Remote Work - Adopt with Updates
GCJA/GDJA-AR: Telecommuting/Remote Work - Adopt with Updates
GCL: Staff Development - Licensed * Adopt with Updates
GCN/GDN: Evaluation of Staff *Version 2 - Adopt with Updates
GCPA: Reduction or Recall of Licensed Staff * - Adopt with Updates
GCPA-AR: : Reduction or Recall of Licensed Staff = Adopt with Updates
GCPB/GDPB: Resignation of Staff *- Adopt with Updates
GCPG/GDPC: Retirement of Staff * - Adopt with Updates
GCQA/GDQA: Nonschool Employment - Adopt with Updates
GCQB/GDQB: Research - Adopt with Updates

GCQBA/[GDQBA]: Copyrights and Patents - Adopt with Updates
GCQBA/[GDQBA]-AR: Copyrights and Patents - Adopt with Updates
GCQE: Student Teachers - Adopt with Updates
GCQF: Sabbaticals - Adopt with Updates
GCQF-AR: Sabbaticals - Procedures - Adopt with Updates
GD: Classified Staff/Classified Staff Positions - Adopt with Updates
GDIA: Notice of Employment * - Adopt with Updates
GDL: Staff Development - Classified *- Adopt with Updates
GDO: Promotion of Classified Staff - Adopt with Updates
GDPA: Reduction or Recall of Classified Staff * - Adopt with Updates
GDPA-AR: Reduction or Recall of Classified Staff - Adopt with Updates
GDPB: Resignation of Classified Employees - Adopt with Updates

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

Superintendent Scurto

Section G_recommended_to_adopt_GA_GBK_KGC

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3. Adopt Policy Deletions| Section G: Personnel - (in part - Section GBLA to GDPB)

A portion of Section G was reviewed. These policy deletions for Section G were presented for first read on October 7th, 2025.

The following policies/administrative rules are recommended for deletion:

GBLA: Disclosure of Information - Recommend to delete
GBNAA/JFCFA: Cyberbullying - Recommend to delete
GBCA/GDBCA: Medical Insurance Coverage for Retiring Employees and Their Dependents - Recommend to delete
GBCA/GDBCA-AR: Medical Insurance Coverage for Retiring Employees and Their Dependents - Recommend to delete
GCBCC/GDBCC-AR(1): Workweek Schedule - Recommend to delete
GCBCC/GDBCC-AR(2): Work Schedules and Inclement Weather or Other Hazards Guidelines - Recommend to delete
GCBDA/GDBDA-AR(1): Federal Family and Medical Leave/State Family Medical Leave, ver. 1 - Recommend to delete
GCBDC/GDBDC: Domestic Violence/Harassment/Sexual Assault or Stalking Leave, Ver. 1 - Recommend to delete
GCBDE/GDBDE: Jury Duty - Recommend to delete
GCBDE/GDBDE-AR: Jury Duty - Recommend to delete
GCBE/GDBE: Vacation - Recommend to delete
GCBE/GDBE-AR: Staff Vacation - Recommend to delete
GCDA/GDDA: Criminal Records Checks and Fingerprinting, Version 1 - Recommend to delete
GCDA/GDDA-AR: Criminal Records Checks and Fingerprinting - Recommend to delete

GCKA/GDKA: Overtime - Recommend to delete
GCKB/GDKB: Meetings - Recommend to delete
GCL-AR: Staff Development - Licensed. - Recommend to delete
GCN/GDN: Evaluation of Staff., Version 1 - Recommend to delete
GCQA/GDQA: Outside Activities of Staff - Recommend to delete
GDA: Instructional Assistants - Recommend to delete

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

Superintendent Scurto

Section G Deleted Chapters_Combined

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12. 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. Policy Updates | First Read

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

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

Superintendent Scurto will introduce policy Section I: Instruction.

Superintendent Scurto

1. Section I | Instruction

Instructional Goals IA - (optional - recommend delete)

Freedom of Expression IB - Adopt with Updates

ESD Calendar/School Year IC/ICA/ID - Adopt with Updates

Religious and Cultural Holidays** ICB Adopt with Updates

Instructional Program Development IF Adopt with Updates

Credit-Related Course Offerings IF-AR Recommend to delete

Instructional Research IFA Adopt with Updates

Research Guidelines IFA-AR - Recommend to delete

Pilot Projects IFBAdopt with Updates

Curriculum Adoption IFD Adopt with Updates

Curriculum Guides and Course Outlines IFE - Adopt with Updates

HIV, AIDS and HBV Health Education IGAEA- HOLD

Drug and Alcohol Prevention, Health Education IGAEB - HOLD

Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education** IGAI - HOLD

Students with Disabilities - Child Identification Procedures IGBA Adopt with Updates

Students with Disabilities - Child Identification Procedures IGBA-AR - Adopt with Updates

Education Records/Records of Students with Disabilities** IGBAB/JO - Adopt with Updates

Education Records/Records of Students with Disabilities Management IGBAB/JO-AR - Adopt with Updates

Special Education - Personnel Development IGBAC - Adopt with Updates

Special Education - Participation in Regular Education Programs IGBAE - Adopt with Updates

Special Education - Participation in Regular Education Programs** IGBAE-AR - Adopt with Updates

Special Education - Individualized Education Program (IEP)** IGBAF - Adopt with Updates

Special Education - Individualized Education Program (IEP)** IGBAF-AR - Adopt with Updates

Special Education - Procedural Safeguards** IGBAG - Adopt with Updates

Special Education - Procedural Safeguards** IGBAG-AR - Adopt with Updates

Special Education - Evaluation Procedures** IGBAH - Recommend to delete

Special Education - Evaluation and Eligibility Procedures** IGBAH-AR - Adopt with Updates

Special Education - Private Schools IGBAI - (Questions for OSBA)

Special Education - Private Schools IGBAI-AR - (Questions for OSBA)

Special Education - Free Appropriate Public Education (FAPE) IGBAJ - Adopt with Updates

Special Education - Free Appropriate Public Education (FAPE) IGBAJ-AR - Adopt with Updates

Special Education - Public Availability of State Application IGBAK - Recommend to delete

Special Education - Public Availability of State Application IGBAK-AR - Recommend to delete

Special Education - Services for Home-Schooled Students with Disabilities IGBAL - HOLD

Talented and Gifted Program and/or Services** IGBB - HOLD

Complaints Regarding the Talented and Gifted Program and/or Services IGBB-AR - HOLD

Talented and Gifted Students - Identification** IGBBA - HOLD

Appeal Procedure for Talented and Gifted Student Identification and Placement** IGBBA-AR - HOLD

Program Exemptions** IGBHD - Adopt with Updates

Bilingual Education** IGBI - Adopt with Updates

Student Fund-Raising Activities IGDF - Adopt with Updates

Student Fund-Raising Activity Request IGDF-AR - Adopt with Updates

Interscholastic Activities** IGDJ - HOLD

Instructional Resources/Instructional Materials IIA - Recommend to delete

Instructional Materials IIA --Adopt with Updates

Instructional Materials IIA-AR(1) - Adopt with Updates

Request for Reconsideration of Instructional Materials Form IIA-AR(2) - Adopt with Updates

Use of Feature Films[,] [or] Videos[or Other Media]** IIABB = Adopt with Updates

Use of Feature Films[,] [or] Videos[or Other Media] IIABB-AR - Adopt with Updates

Special Interest Materials IIAD - Adopt with Updates

Electronic Communications System IIBGA - HOLD

Electronic Communications System IIBGA-AR - HOLD

Off-Campus Student Activities/Field Trips** IIC/IICA - Adopt with Updates

Off-Campus Student Activity/Field Trip Notification Approval Form IIC/IICA-AR - Adopt with Updates

Community Resource Persons IICB - Adopt with Updates

Volunteers IICC - Adopt with Updates

Academic Achievement** IK - Adopt with Updates

Student Progress Reports to Parents** IKAB - Recommend to delete

Graduation Requirements** IKF - HOLD

Graduation Exercises IKFB - HOLD

Credit for Proficiency IKH - HOLD

Artificial Intelligence IKJ - Adopt with Updates

Assessment Program** IL - HOLD

Evaluation of Instructional Programs IM - Recommend to delete

Review of Component District Operations IMA - HOLD

Program Service Evaluation/Program Renewal IMA-AR(1) - HOLD

Resolution Services IMAA - Recommend to delete

Studying Controversial Issues INB - Adopt with Updates

Studying Controversial Issues INB-AR - Adopt with Updates

Superintendent Scurto

Lane ESD Section I OSBA_with edits 11-4-2025

163

D. Pending Policy from Section G: Personnel

GBEA-AR: Workplace Harassment Reporting and Procedure - PENDING

GBEE: Wellness - PENDING

GBEE-AR(1): Wellness - PENDING

GCBDD/GDBDD - PENDING

GCBDA/GDBDA - AR (2) - ON HOLD

GCBDA/GDBDA - AR (3) (A) - ON HOLD

GCBDA/GDBDA - AR (3) (B) - ON HOLD

GCBDA/GDBDA - AR (3) (C) - ON HOLD

GCBDA/GDBDA - AR (3) (D) - ON HOLD

GCBDA/GDBDA - AR (4) - ON HOLD

GCBDA/GDBDA - AR (5) - ON HOLD

GCBDD/GDBDD: Sick Time - PENDING
GCPD: Discipline and Dismissal of Licensed Staff * - PENDING
GCPD-AR: Discipline and Dismissal of Licensed Staff *- PENDING

Superintendent Scurto

13. 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

School Improvement Board Update_11_04_25	414
Special Education Department Board Report _ November 2025 - Google Docs	415
November 2025, IT Board Report	416

14. Board Member Reports and Comments/Agenda Planning

Lane ESD Board, Liaisons, Advisors

Nora Kent Report _ November 25	417
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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

15. Announcements

Board Chair

A. OSBA 79th Annual Fall Convention

Dates: November 6th to 9th, 2025

Superintendent Scurto

16. Adjournment

- The next regular meeting is scheduled to be held Tuesday, December 4th, 2025 at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.

Lane Education Service District

Code: CBB
Adopted: 7/27/93
Revised/Readopted: 1/22/02; 8/27/02; 5/06/25
Orig. Code(s): CBB

Recruitment and Appointment of the Superintendent

The Board considers foremost among its responsibilities, the selection and appointment of a superintendent who can effectively translate into action the Board's policies and the community's aspirations for its schools.

Whenever the position of superintendent shall be vacant, the Board shall appoint a superintendent and fix the salary and term of office.

The Board shall actively seek the best qualified and most capable candidate for the position of chief executive officer of this ESD. The Board may seek the advice and counsel of interested individuals, e.g., staff, component districts and community, or of an advisory committee, or it may hire consultants to assist in screening candidates and to encourage the filing of applications by professional educators who meet the qualifications. Final selection will rest with the Board after a thorough consideration of qualified applicants.

The Board shall develop and adopt the standards (e.g., candidate qualities and work experience), criteria (e.g., application, screening and hiring process) and policy directives (e.g., promote from within, state and/or national search) to be used in hiring the superintendent, or interim superintendent, at a meeting open to the public and at which the public has had an opportunity to comment.

Recruitment procedures shall be prepared in advance of the search and may include the following:

1. The preparation of a written job specification for the position of superintendent;
2. Preparation of written qualifications (in addition to proper state certification);
3. Preparation of informative material describing Lane ESD and its educational goals;
4. The Board will appoint the superintendent by a majority vote of the Board members at a meeting for which notice has been given of the intended action.

The Board secretary shall take and keep minutes of regular Board meetings and executive sessions held during this process.

Any candidate who is hired and who is determined to have misrepresented facts relative to their qualifications for employment or relative to factors upon which a determination of salary is based shall be subject to dismissal. This Board shall consider such misrepresentation sufficient grounds for dismissal.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(7\)\(d\)](#)

[ORS 334.225](#)

Human Capital Enterprises

A Superintendent Search for
Lane Education Service District



HUMAN CAPITAL ENTERPRISES
REDEFINING HUMAN RESOURCES LEADERSHIP



Equity, Fairness, and Principled Search



Kathleen Rodden-Nord



Robyn Bean



Hank Harris



The Lane ESD Search Process



PHASE I: PLANNING

WE PLAN WITH YOU

PHASE II: ENGAGEMENT

WE ENGAGE WITH YOUR CONSTITUENTS

PHASE III: RECRUITING

WE RECRUIT FOR YOU

PHASE IV: SELECTION

OVER MULTIPLE INTERVIEWS, YOU SELECT YOUR NEXT LEADER

PHASE V: TRANSITION

A SEAMLESS TRANSITION TO YOUR NEXT SUPERINTENDENT



What sets us apart?



PHASE I: PLANNING
WE PLAN WITH YOU



What sets us apart?



PHASE II: ENGAGEMENT

WE ENGAGE WITH YOUR CONSTITUENTS



What sets us apart?



PHASE III: RECRUITING
WE RECRUIT FOR YOU



HUMAN CAPITAL ENTERPRISES
REDEFINING HUMAN RESOURCES LEADERSHIP

What sets us apart?



PHASE IV: SELECTION

OVER MULTIPLE INTERVIEWS, YOU SELECT YOUR NEXT LEADER



The Beaverton School District Search Process



[Redacted]

[Redacted]

[Redacted]

[Redacted]

PHASE V: TRANSITION

A SEAMLESS TRANSITION TO YOUR NEXT SUPERINTENDENT



HUMAN CAPITAL ENTERPRISES
REDEFINING HUMAN RESOURCES LEADERSHIP

What sets us apart.

We believe that we provide a superintendent search process that is unmatched in the industry -- and we have a track record to prove it.



**UNMATCHED SUCCESS RATE OF
HIRE AND LONGEVITY**

**WE ARE SUPERINTENDENTS AND HR
LEADERS**

**WE HANDLE THE WORK; YOU FOCUS
ON THE DECISIONS**

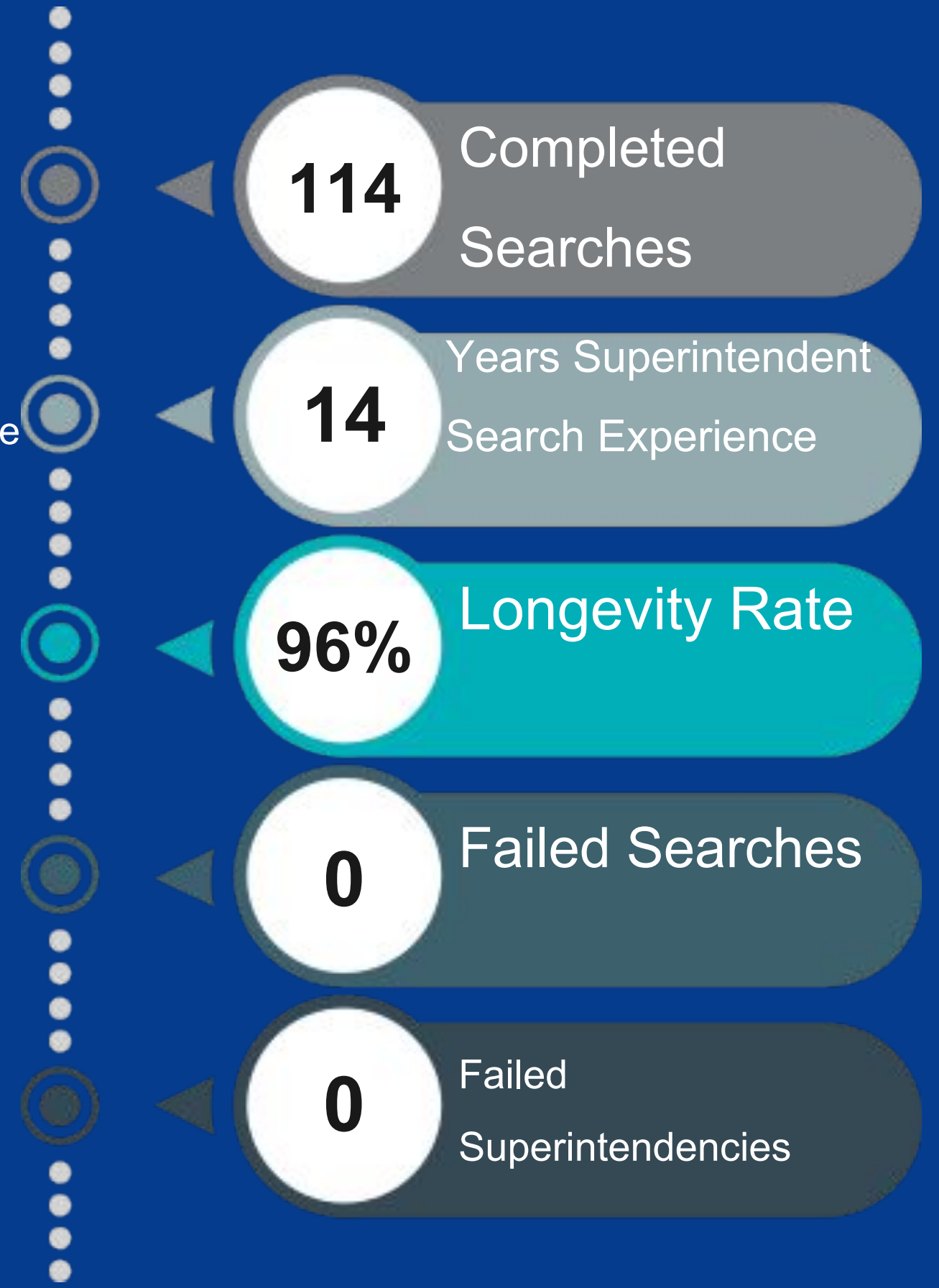
**METICULOUS PROCESS, SEAMLESS
EXPERIENCE**

**HIGH-TOUCH TRUSTED ADVISORS /
EXTRAORDINARY COMMUNICATION.**

**CANDIDATE CARE THAT REFLECTS
YOUR VALUES**

UNMATCHED SUCCESS RATE OF SUPERINTENDENT LONGEVITY

Our record of helping boards place leaders of outstanding talent and commitment is unmatched in the industry.



**WE ARE OREGON
SUPERINTENDENTS**

**WE ARE OREGON HUMAN
RESOURCES LEADERS**

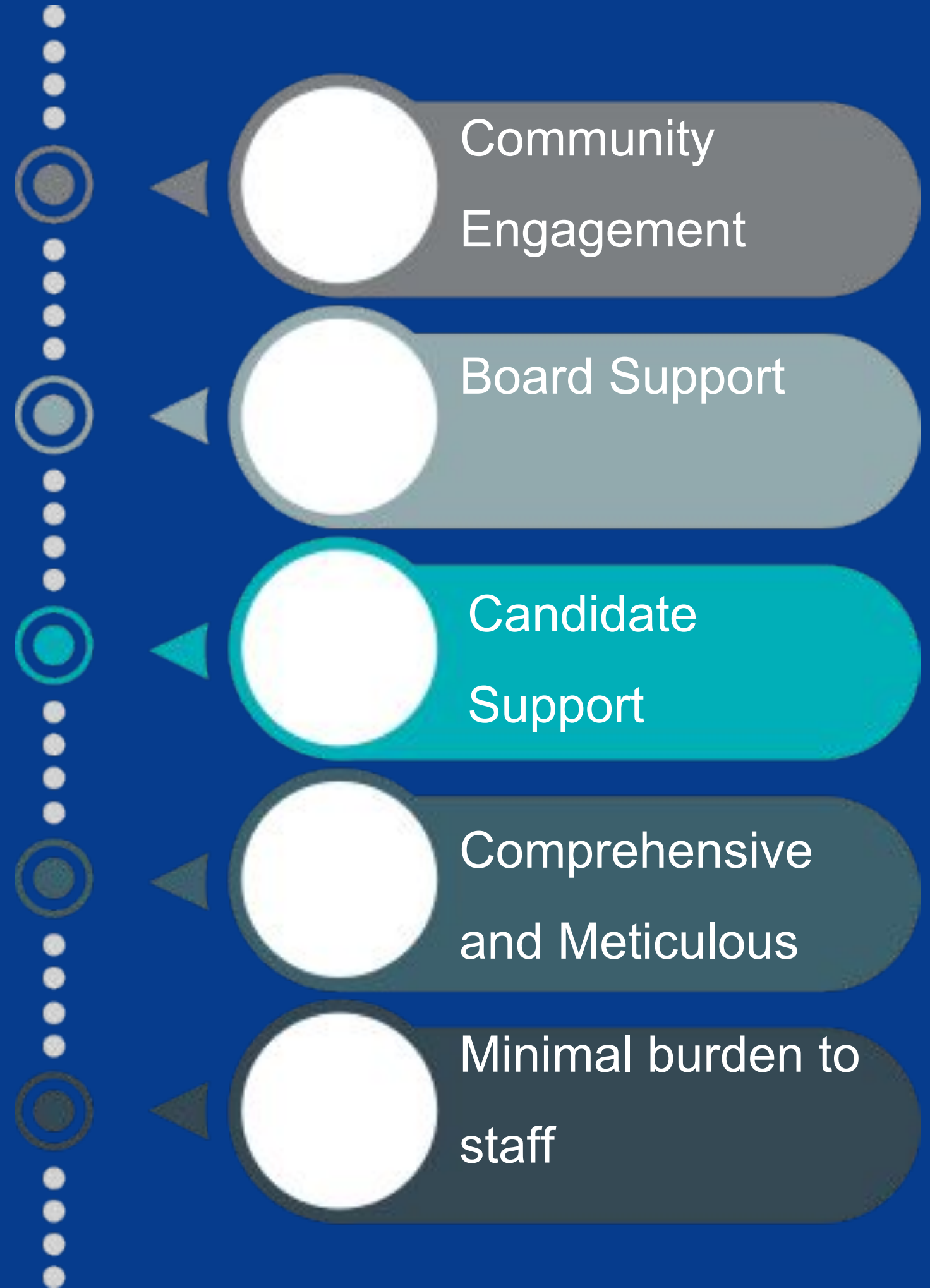
*KATHLEEN: 18 YRS
SUPERINTENDENT*

*ROBYN: 12 YEARS HR LEADER; 4
YEARS SPECIAL ED LEADER*

HANK: 7 YRS HR LEADER



WE HANDLE THE WORK - YOU FOCUS ON THE DECISION



Our firm believes:

**LANE ESD DESERVES A
METICULOUS, PRINCIPLED
SEARCH.**

**TRANSPARENT, PRECISE
COMMUNICATION IS A
CRITICAL FEATURE OF AN
OUTSTANDING SEARCH.**

**YOUR STAFF IS ALREADY
WORKING HARD ENOUGH.**



What sets us apart.

We believe that we provide a superintendent search process that is unmatched in the industry -- and we have a track record to prove it.



**UNMATCHED SUCCESS RATE OF
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EXTRAORDINARY COMMUNICATION.**

**CANDIDATE CARE THAT REFLECTS
YOUR VALUES**



Questions?



Kathleen Rodden-Nord



Robyn Bean



Hank Harris

kathleen@humancapitalenterprises.com

robyn@humancapitalenterprises.com

hank@humancapitalenterprises.com





Rural District Collaborative

Rural District Professional Development Collaborative

Presented by
Maddy Ahearn, School Improvement Administrator





A Groundbreaking Collaboration

Uniting Five Rural Districts for Change

Unified Calendar

- first-ever alignment of professional development calendars across districts,
- allowing for synchronized planning and resource sharing to best support educators.

Cross-District Collaboration

- enabled through the coordination of Lane ESD,
- fosters a network of support and shared expertise among educators,
- breaking down barriers of isolation in rural education.

Lasting Impact

- ensure that educational professionals can engage in consistent learning opportunities,
- enhancing instructional practices and,
- benefiting student outcomes across all five districts.



EXTRA!! EXTRA!!

SINGLETON TURNS TO MINGLETON

AUG 26, 2025

No one has to be alone anymore! Singletons no more! Tuesday, 5 districts gathered together to mingle their ideas with the District Office of Education. The elementary posse gathered together to learn about early implementation. "I'm so excited to have someone to talk to that's not Nic Anonamous."

"5 stars on the cookies from T... don't check the calorie count." table with the beautiful ladies. Overall, what a great day, except for the weird broccoli smell in the hallway.

THE SCOOP SQUAD BREAKING BARRIERS, BUILDING FLUENCY

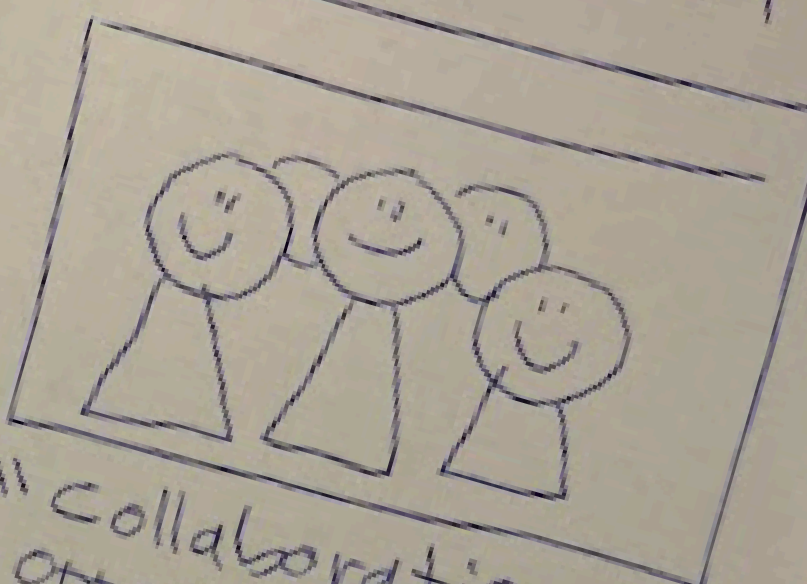


The challenge to include everyone to support fluency

Efforts to support fluency for all students by providing inclusive classroom environments. We are pleased that our breakout sessions are providing great strategy examples." Jocelyn Cain from the other districts have shared some great tools."

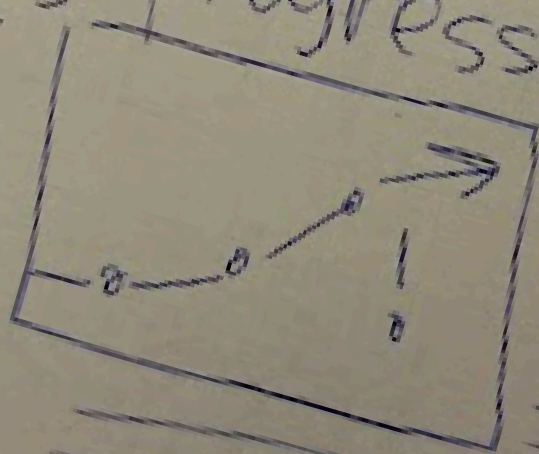
EDUCATOR GAZETTE

Education powerhouses converge!



"collaboration opportunities are promising!"

Amazing progress made!



The data promises success!"

"Upcoming sessions eagerly anticipated."

How did we get here?

2024-2025

Starting with Leaders

Leading for
Equitable Schools

Spring 2025

Aligned Calendars

Commitment to
shared learning

August 2025

Kick off event

Starting Strong

2025-2026

80 hours of PD

Keeping the
momentum



The Four Learning Strands



Administration

66 hours of Admin Leadership focused on strategic decision-making and vision.



Educational Assistants

14 hours for Educational Assistants enhance classroom support and student engagement.



Elementary Teachers

14 hours for Elementary Teachers strengthen early literacy through effective strategies.



Secondary / Specialists

14 hours for Secondary Teachers and Specialists to meet in Professional Learning Communities





Connecting Educators for Greater Success

Breaking down barriers for collaboration



Transforming Education Through Collaboration

*"I've been waiting for an opportunity like this for my entire career!"
20 year Crow teacher*



Connection

Collaboration fosters **shared expertise and consistency** in classrooms.

Community and Student Benefits



- Stronger instructional practices
- Increased teacher retention rates
- Improved student outcomes overall
- Enhanced community engagement initiatives

Sustaining, Growing & Measuring our Service



Sustaining Districts' Commitment to Alignment

We will maintain our collaborative PD calendar.

Growing Customized Collaborative Participation

Engaging more districts in responsive collaborative networks.

Measurement of Outcomes and Impact

Regular evaluations will track our shared progress.

Thank
You

Maddy Ahearn
School Improvement Administrator





LANE EDUCATION SERVICE DISTRICT

1200 Highway 99 North
Eugene, OR 97402

541.461.8200
541.461.8298 [Fax]

www.lesd.k12.or.us

EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

LANE EDUCATION SERVICE DISTRICT

1200 Hwy 99 N
Eugene, Oregon 97402

Board of Directors

October 28th, 2025
Special Meeting: 6:00 PM

1. Call Special Meeting to Order

Chair Leslie Harris called the Special Meeting of the Lane ESD Board of Directors to Order at 6:01 p.m.

2. Welcome

Board Members Present: Board Chair Leslie Harris (remote), Vice Chair Vanessa Truett (remote), Nora Kent (remote), Sherry Duerst - Higgins, Linda Hamilton

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

Guest: Victor Lahr

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

The Statement was read aloud by Board Chair Harris.

4. Agenda Review

The agenda was reviewed and no additional items were added to the agenda.

5. Superintendent Search | Discussion

Chair Harris opened the discussion by providing some background for the Special Meeting. The Special Meeting is to make progress, as much as possible, on the process of selecting a new superintendent.

Chair Harris recalled that at the last meeting, the Board considered several questions relating to:

- 1) The geographical scope of the search (Oregon, Pacific Northwest, national)
- 2) Whether to hire a search firm or whether there was an internal or quasi-internal method?

After the last meeting, Board Chair Harris met with Superintendent Scurto and Executive Assistant Schaad to follow up on information gathered. Chair Harris shared information learned from this meeting.

Timeline: as advised, provided that the Board is not late, the process should be regarded with caution in selecting a search firm - but should also refrain from delaying the process. Ideally, we would hear about the process from the selected firm next week. The hope is that we can avoid having extra meetings.

There were additional points to report out on, specifically addressing the Board's discussion at the October 7th Regular Meeting. At the October 7th meeting, questions were raised as to whether the Board could conduct a superintendent search without hiring a firm. Some considerations included: accessing current Lane ESD administrative staff, HR leadership, as well as, retired HR leadership. Information gathered provided that, while current Lane ESD administrative staff and HR leadership



are willing, the workload of an intense search may be difficult to balance against the existing full time workload and could lend itself to the appearance of a conflict of interest. Further, retired HR leadership has conflicts with the search timeline.

In light of this information, the Board may need to consider looking to hire a search firm for the facilitation of this process.

To address the question regarding whether this process should be facilitated by the Board as a whole or whether a subcommittee should be tasked to move the process forward.

In reviewing funding considerations, Board Chair Harris reported that the Board's budget reflects \$93,000 that is not encumbered. Search firm proposals are coming in under this amount, ranging from \$16,000 to \$30,000.

Board Chair Harris invited discussion from directors.

Director Truett favors a swift and precise approach, while being careful about process. Director Truett further supports that the whole Board should be involved in the search firm hiring process considering the range of experience.

Director Kent: Also favors that the whole Board be involved with the search process, especially if this could mean less meetings and adding a subcommittee may add more meetings. With regards to hiring a search firm, Director Kent asserted that hiring a firm would be the most appropriate step since the budget allows for it.

Director Duerst-Higgins: Voice that the decision process should involve the whole Board should be a part of the process. In reflection of the timeline, ideally, a new superintendent would be identified by March 2026 with first interviews by December.

Director Hamilton: is in support of both a whole board approach and subcommittee. Director Hamilton also shared readiness to proceed with hiring a firm at this Special Meeting, but would support presentations from both search firms at the next regular meeting and then choose.

6. Research | Information Gathering | Follow Up

The Board was presented with information gathered from three superintendent search firms: 1) Human Capital Enterprises, 2) Northwest Leadership Associates and 3) Oregon School Board Association. The Directors discussed some notable details relating to each proposal, cost and possible questions.

Board Chair Harris presented a consideration: whether the Board would like to eliminate a firm, choose a firm now or invite the firms to present at the next meeting opportunity.

The Board discussed the strengths about the proposals. They also included some wonderings.

There was Board consensus to move forward with 1) Human Capital Enterprises and 2) Northwest Leadership Associates and invite both to present/interview at the next Regular meeting, preferably in-person.

7. Possible Item for Action



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

7.A. Move forward with selecting a search firm with a follow-up planning meeting at the November 4th Work Session.

The Board discussed and elected to invite the two remaining firms to present at the next work session.

7.B. Pursue further information from firms, schedule presentations, Q & A or interviews at the November 4th work session.

Board Chair Harris offered that it is very important for the Lane ESD Board to conduct a thorough search to ensure that the final candidate has full faith from the community - but also supports an Oregon only scope.

DIRECTOR HAMILTON MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD proceed to meet with Human Capital Enterprise and Northwest Leadership Associates to determine going forward with our superintendent search.

Director Duerst-Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HARRIS (remote), KENT (remote) AND TRUETT (remote) VOTING YES. (ESD Resolution #26-030)**

The vote passed (5:0:0)

8. Adjournment

The next regular meeting is scheduled to be held Tuesday, November 4th, 2025, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene. Chair Harris adjourned the meeting at **6:48 p.m.**

Minutes Approved:

Leslie Harris, Chairperson

Tony Scurto, Superintendent

HUMAN RESOURCES REPORT TO LANE ESD BOARD

November 1, 2025

CLASSIFIED STAFF (Information)

	Employee ID #	Position	Effective Date	Notes
<i>Appointments</i>	14228	Instructional Assistant, Life Skills	10/29/2025	
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>	14214	Instructional Assistant, Life Skills	10/31/2025	Resignation Termination
	14126	Instucitonal Assistant, Life Skills	10/31/2025	
<i>Change of Status</i>				

LICENSED STAFF (Action)

	Employee ID #	Position	Effective Date	Notes
<i>Appointments</i>	13051	Speech Language Pathologist	10/8/2025	Rehire
	11605	CTE REgional Coordinator	10/27/2025	
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

PROFESSIONAL STAFF (Information)

	Employee ID #	Position	Effective Date	Notes
<i>Appointments</i>				
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>	14056	Systems Engineer, Technology	10/7/2025	Resignation
<i>Change of Status</i>				

MANAGEMENT STAFF (Action)

	Employee ID #	Position	Effective Date	Notes
<i>Appointments</i>	14224	Office Manager, SPED	10/13/2025	
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

VACANCY NOTICES (Information)

Posting #	Position	Closing Date	Notes
966	Speech Language Pathologist (Rural)	9/24/2025	In process
1109	Special Education Consultant (Candidate Pool)	10/31/2025	In process
1113	Teacher Life Skills (Candidate Pool)	6/27/2025	In process

1089	Substitute, Construction Manufacturing Assistant HOPE Factory (Candidate Pool)	Open Pool	In Process
1179	Desktop Support Tech	ASAP	In process
1195	Special Education, Instructional Assistant (Candidate Pool)	Open Pool	In Process
1205	Speech Language Pathologist	10/15/2025	In Process



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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: November 4, 2025

September 2025 Financial Report (Unaudited)

General Fund Financial Report

The Financial Report for the General Fund for the period ending September 30, 2025 follows this report. Year-to-date operating revenues through September 30, 2025 total \$6,164,400 or 18.7% of total budgeted operating revenues as compared to \$5,889,482 or 20.5% through September 30, 2024. As usual, state school fund formula revenue constitutes the majority of funds received. Total projected resources of \$31,913,515 is \$975,973 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 September 30, 2025 total \$4,491,411 or 15.4% of total budgeted operating expenditures as compared to \$3,633,312 or 14.2% through September 30, 2024. Total projected operating expenditures of \$27,954,681 is \$1,137,462, 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. Total projected transfers and transits of \$4,594,191 is \$130,797 more than budgeted, which is due to changes to district service orders after the budget was adopted.

Projected resources and requirements through September 30, 2025 result in an ending fund balance of \$2,718,866, with \$566,466 assigned (reserved) for districts. The remaining ending fund balance of \$2,152,400 is unassigned and represents 6.7% of projected operating revenues. The projected ending fund balance reflects a decrease, or operating deficit, of \$635,356.

Appropriations

A summary of appropriations for all funds for the period ending September 30, 2025 follows this report. At this time, one appropriation in the General Fund is 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%	\$458,315	\$8,211,406	\$8,105,736	\$563,985
Oregon LGIP (4513)	4.60%	\$10,368,534	\$1,427,082	\$6,700,000	\$5,095,616
Oregon LGIP (3676)	4.60%	\$276,934	\$86,413	\$0	\$363,347
Total		\$11,103,783	\$9,724,901	\$14,805,7360	\$6,022,948

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 September 30, 2025.

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

There have been no significant changes to the internal control system, to the accounting system or accounting policies that are significant. The business services department is adequately staffed to allow for proper segregation of duties and I am not aware of any new pronouncements or other financial changes that may require additional staff time to properly implement.

All financial statements that have been provided to the board are accurate and complete to the best of my knowledge and I am aware of no other financial matters that the board should be aware of at this time. I know of no cases of fraud or other misconduct and I have not been asked by the superintendent to do anything that makes me feel uncomfortable or to present any information I feel is inaccurate.

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

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

	Fiscal Year 2024-25					Fiscal Year 2025-26					
	Final Budget	Actuals thru 9/30/2024	% of Budget	Projected thru 6/30/2025	% of Budget	Adopted Budget	Actuals thru 9/30/2025	% 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	\$ 5,482,237	33.8%	\$ 16,547,846	101.9%	\$ 18,679,394	\$ 5,852,033	31.3%	\$ 17,550,140	94.0%	\$ (1,129,254)
Property Taxes Levied by District	9,038,376	14,944	0.2%	8,985,472	99.4%	9,359,045	13	0.0%	9,329,720	99.7%	(29,325)
Other Local Revenues	86,659	2,096	2.4%	30,374	35.1%	47,000	(70)	-0.1%	47,000	100.0%	-
Services Provided to Districts	2,209,514	-	0.0%	1,961,361	88.8%	3,441,349	-	0.0%	3,607,027	104.8%	165,678
Fees Charged to Grants	600,000	164,157	27.4%	787,830	131.3%	700,000	119,345	17.0%	700,000	100.0%	-
Other Revenues	580,000	226,048	39.0%	996,757	171.9%	662,700	193,078	29.1%	679,628	102.6%	16,928
Total Operating Revenues	\$ 28,754,862	\$ 5,889,482	20.5%	\$ 29,309,639	101.9%	\$ 32,889,488	\$ 6,164,400	18.7%	\$ 31,913,515	97.0%	\$ (975,973)
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	\$ 8,599,462	27.4%	\$ 32,019,618	102.1%	\$ 36,038,990	\$ 9,518,622	26.4%	\$ 35,267,737	97.9%	\$ (771,253)
REQUIREMENTS											
Salaries	\$ 11,436,471	\$ 1,624,104	14.2%	\$ 11,229,735	98.2%	\$ 12,931,449	\$ 1,920,723	14.9%	\$ 12,737,477	98.5%	\$ (193,972)
Associated Payroll Costs	7,495,703	893,448	11.9%	6,740,975	89.9%	8,752,295	1,084,436	12.4%	7,877,066	90.0%	(875,230)
Purchased Services	5,695,892	735,219	12.9%	5,696,187	100.0%	6,358,613	1,043,231	16.4%	6,358,613	100.0%	-
Supplies and Materials	662,884	130,157	19.6%	557,323	84.1%	724,853	150,632	20.8%	656,592	90.6%	(68,261)
Capital Outlay	-	-	#DIV/0!	39,123	#DIV/0!	-	-	#DIV/0!	-	#DIV/0!	-
Other Objects	269,700	250,383	92.8%	374,774	139.0%	324,933	292,389	90.0%	324,933	100.0%	-
Total Operating Expenditures	\$ 25,560,650	\$ 3,633,312	14.2%	\$ 24,638,117	96.4%	\$ 29,092,143	\$ 4,491,411	15.4%	\$ 27,954,681	96.1%	\$ (1,137,462)
Transfers											
Interfund Transfers	449,000	429,000	95.5%	449,713	100.2%	452,500	425,000	93.9%	448,500	99.1%	(4,000)
Transits to Districts	3,297,987	-	0.0%	3,577,566	108.5%	4,010,894	-	0.0%	4,145,691	103.4%	134,797
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	\$ 4,062,312	12.9%	\$ 28,665,396	91.4%	\$ 36,038,990	\$ 4,916,411	13.6%	\$ 32,548,872	90.3%	\$ (3,490,118)
ENDING FUND BALANCE	-	\$ 4,537,150		\$ 3,354,222		-	\$ 4,602,211		\$ 2,718,866		
Assigned for Districts				\$ 1,074,947					\$ 566,466		
Unassigned Fund Balance				\$ 2,279,275	7.8%				\$ 2,152,400	6.7% *	
<i>* Percent of Operating Revenues</i>				\$ 3,354,222					\$ 2,718,866		

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

		Fiscal Year 2025-26						
		Adopted Budget	Actuals thru 9/30/2025	% of Budget	Projected thru 6/30/2026	% of Budget	BUDGET VARIANCE	NOTES
GENERAL FUND	100							
Instruction		14,163,749	1,576,866	11.1%	13,426,866	94.8%	736,883	+
Support Services		14,928,394	2,914,544	19.5%	14,527,814	97.3%	400,580	+
Transfers of Funds		452,500	425,000	93.9%	448,500	99.1%	4,000	+
Apportionment of Funds by ESD		4,010,894	-	0.0%	4,145,691	103.4%	(134,797)	-
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	4,916,411	13.6%	32,548,871	90.3%	3,490,119	+
SPECIAL REVENUE FUND	200							
Instruction		3,739,197	712,757	19.1%	3,361,525	89.9%	377,672	+
Support Services		15,187,528	2,254,450	14.8%	15,051,095	99.1%	136,433	+
Enterprise and Community Services		80,000	29	0.0%	29	0.0%	79,971	+
Apportionment of Funds by ESD		22,548,273	28,238	0.1%	22,028,238	97.7%	520,035	+
Total		41,554,998	2,995,475	7.2%	40,440,888	97.3%	1,114,110	+
DEBT SERVICE FUND	300							
Support Services		5	0	3.0%	1	14.0%	4	+
Debt Service		954,698	-	0.0%	954,697	100.0%	1	+
Total		954,703	0	0.0%	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	-	0.0%	135,839	100.0%	0	+
Total		275,000	17,584	6.4%	261,205	95.0%	13,795	+
INTERNAL SERVICE FUND	600							
Support Services		545,020	149,203	27.4%	284,203	52.1%	260,817	+
Total		545,020	149,203	27.4%	284,203	52.1%	260,817	+
GRAND TOTAL	ALL	79,368,711	8,078,673	54.6%	34,048,979	42.9%	4,878,846	

EXAMPLE QUESTIONS ASKED BY BOARD MEMBERS OF A BUSINESS MANAGER DURING A FINANCIAL REVIEW SESSION:

- Are the books balanced and reconciled?
- Are all cash and investment accounts reconciled to the general ledger?
- Does the adopted budget reflect expected expenditures?
- Have payroll reports been filed and have all payroll liabilities been paid timely?
- Have all federal and state reimbursement requests as well as required financial reporting forms been filed timely?
- Are there any suspected cases of fraud that we need to be aware of?
- Are there any suspected changes to the internal control system?
- Have there been any significant changes to the internal control system?
- Is the business office adequately staffed to allow for proper segregation of duties?
- Have there been any changes to the accounting system or accounting policies that are significant?
- Has the accounting software and related IT systems been subject to review by an IT professional to ensure seamless backup in the event of a malware, ransomware, or other compromise of computer security?
- Are there any other financial-related matters we should be aware of?
- Are there any new pronouncements on the horizon that may require additional staff time or disbursement of funds to properly implement?
- Are all financial statements that have been provided to the Board accurate and complete to the best of your knowledge?
- Have you been asked by the Superintendent to do anything that makes you uncomfortable or to present any information you feel is inaccurate?



October 22, 2025

RESOLUTION NO. 25-26: 10

BE IT RESOLVED, That the Board of Directors, School District No. 52, Lane County, hereby issues a Notice of Intent to Maintain Participation in the Formal Governance of Lane Education Service District by Requesting 50% or Less in ADMw Transit Dollars for fiscal year 2026-2027, as per the attached form.

ATTEST *Kraig Sproles*
Clerk – Kraig Sproles

Caleb Clark
Chair – Caleb Clark

MOVED BY Robin Zygaitis
SECONDED BY Debi Farr
DATE 10.22.2025
RESOLUTION: Passed / Failed

BOARD MEMBERS	AYE	NAY	ABSTAIN	ABSENT
Debi Farr	✓			
Ashley Espinoza	✓			
Brian Hynd	✓			
Caleb Clark	✓			
Curt Nordling	✓			
Robin Zygaitis	✓			
Drae Charles	✓			

**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**


Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis.

The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Bethel School District #52

District Representative: Kraig Sproles, Superintendent

Signature: 

Date Submitted: October 23, 2025

Select One

X	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
	<p>100% <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i></p>

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

- 51%-80% 10% service fee*
- 81%-100% 15% service fee*

**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

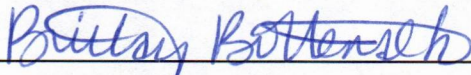
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The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Blachly School District #90

District Representative: Superintendent Brittany Bottensek

Signature: 

Date Submitted: 10/8/25

Select One

<input checked="" type="checkbox"/>	<p>Not to Exceed 50% The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</p>
<input type="checkbox"/>	<p>More than 50% and less than 100% The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</p>
<input type="checkbox"/>	<p>100% The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</p>

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

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The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Creswell School District #40

District Representative: Kandice Worsham (Board Chair)

Signature: Kandice Worsham

Date Submitted: 10-13-2025

Select One

X	<p>Not to Exceed 50% The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</p>
	<p>More than 50% and less than 100% The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</p>
	<p>100% The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</p>

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

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The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District:

Crow - Applegate - Lorane
D 2 A

District Representative:

Heidi Brown

Signature:

Heidi Brown

Date Submitted:

9/16/25

Select One

<input checked="" type="checkbox"/>	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
<input type="checkbox"/>	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
<input type="checkbox"/>	<p>100% <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i></p>

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

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The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Eugene School District 4J
Board approved on Oct. 22, 2025

District Representative: Dr. Miriam Mickelson, Superintendent

Signature: Miriam M. Mickelson

Date Submitted: Oct. 27, 2025

Select One

<input checked="" type="checkbox"/>	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
<input type="checkbox"/>	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
<input type="checkbox"/>	<p>100% <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i></p>

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**


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The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Fern Ridge School Dist 28J

District Representative:  BOARD CHAIR

Signature:  SUPERINTENDENT

Date Submitted: 10-21-25

Select One

<input checked="" type="checkbox"/>	<p>Not to Exceed 50% The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</p>
<input type="checkbox"/>	<p>More than 50% and less than 100% The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</p>
<input type="checkbox"/>	<p>100% The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</p>

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

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The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Junction City SD #69

Date of Board Action: October 27, 2025

District Representative: Kristina Holton, Board Chair

Signature: 

Date Submitted: October 27, 2025

Select One

X	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
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Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**


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The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Lowell School District #71

District Representative: Scott Yakovich, Superintendent

Signature: 

Date Submitted: October 27, 2025

Select One

<input checked="" type="checkbox"/>	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
<input type="checkbox"/>	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
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Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27

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The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Marcola School District 79J - 2094

District Representative: Terry Augustadt

Signature: *Terry Augustadt*

Date Submitted: 10/13/2025

Select One

✗	Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i>
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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

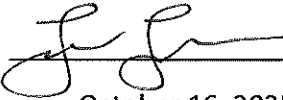
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The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: McKenzie School District #68
51187 Blue River Drive, Finn Rock, OR 97488

District Representative: Lane Tompkins, Superintendent

Signature: 
October 16, 2025

Date Submitted: _____

Select One

X	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
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**Oakridge Board of Directors
Regular Board Meeting Minutes
October 13, 2025
6:00pm**

1. Call Meeting to Order

Present: Chair Pope, Vice-Chair Curtis, Director Wright, Superintendent Dave McGrath, Principal Tina Maher, Principal Angelica Mountainspring-Wood, Director of Student Support Joseph Brissette, Cathy Korth, Board Secretary Susan Hardy, retired Board Member

1.1 Pledge of Allegiance – Chair Pope called the Meeting to order at 6:00pm and led with the Pledge of Allegiance.

2. Changes or additions to the Agenda – No changes

3. Action Items

3.1 Consent Agenda

Director Wright moves to approve Consent Agenda

Director Samuelson seconds

Motion passes with all Directors present voting Yes

3.2 Transit Dollars (Action)

Superintendent McGrath explained the Lane ESD asked the Board to make a motion stating that Oakridge School District will not be using Transit Dollars.....

Director Samuelson moves to state that

Oakridge School District will

not be using Lane ESD Transit Dollars;

Vice-Chair Curtis seconds the Motion

Motion passes with all Directors present voting Yes

3.3 Truck Surplus (Action)

3.4 Approve courses for the lateral movement of T. Scott's teaching area as per OTA Contract (Action)

4. Announcements/Correspondence .

5. Public Comment

No public comment. No public online.

6. Information/Reports.

6.1 Superintendent Report – Superintendent McGrath .

6.2 OES Report – Principal Tina Maher –

6.3 OJSHS Report – Principal Angelica Mountainspring-Wood –

6.4 Director of Special Ed Report - Director Angelica Mountainspring-Wood

6.5 Equity Committee Review/Report– Director Angelica Mountainspring-Wood

6.6 Director of Student Support Report – Director Joseph Brissette

6.7 Division 22 Report – Director Joseph Brissette

7. Policies

7.1 - (1st Read)

1st Read Policies were reviewed

7.2 - (2nd Read)

JFCEB – Personal Electronic Devices

JFCEB – Personal Electronic Devices and Social Media (Version 1) [Delete]

JFCEB – Personal Electronic Devices and Social Media (Version 2) [Delete]

JFCEB – Personal Electronic Devices and Social Media (Version 3) [Delete]

JFCEB-AR Request for Personal Electronic Devices Exception

JFCEB-AR – Personal Electronic Devices and Social Media – [Delete]

DJCA Personal Services Contract [Delete]

DJCA-AR Personal Services Contract [Delete]

7.3 Distribute Policies for review for 1st read at the October 13th, 2025 Board Meeting - TBD

8. New Business - No new business

9. Executive Session Pursuant to ORS 192.660(2)(a)(b)(h) Pursuant to ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent, and (2)(a) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a

public officer, employee, staff member or individual agent who does not request an open hearing.

Board leaves Regular Board Meeting at _____ pm and enters into Executive Session at _____ pm. Board adjourned Executive Session at _____ pm and convened Regular Session at _____ pm

10. Next Meeting

The next Regular Board Meeting is November 10, 2025 at 6:00pm

11. Adjourn

Adjourned Regular Meeting at _____ pm.

APPROVED:

CSK

Board Chair


Superintendent

**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

Pursuant to ORS 334.177, as amended by 2013 House Bill 3401, a component school district board may request that a percentage of the state formula revenue received by Lane ESD be distributed to the school district for any purpose identified by the school district board. The request for these "Transit Dollars" will be distributed on an ADMw basis.

The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District:	Pleasant Hill School District No. 1
Date of Board Action:	October 20, 2025
District Representative:	Jim Crist, Superintendent
Signature:	
Date Submitted:	10.21.25

Select One

X	Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i>
	More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i>
	100% <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i>

Withdrawal of Transit Funds: Districts electing to withdraw transit funds in excess of 50% will be assessed a fee on services ordered from the ESD as follows:

- 51%-80% 10% service fee*
- 81%-100% 15% service fee*

**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

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The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Lane County School Dist No 97J
dba Siuslaw School District

District Representative: Andrew S. GURZESKOWIAK

Signature: 

Date Submitted: 10/9/2025

↳ Approved by Board of Directors 10/8/25

Select One

<input checked="" type="checkbox"/>	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
<input type="checkbox"/>	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
<input type="checkbox"/>	<p>100% <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i></p>

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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

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The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: South Lane SD 45j3

District Representative: Todd A. Miller

Signature: 

Date Submitted: 10-6-2025

Select One

<input checked="" type="checkbox"/>	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
<input type="checkbox"/>	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
<input type="checkbox"/>	<p>100% <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i></p>

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**Lane Education Service District
School District Transit Dollar Request for Fiscal Year 2026-27**

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The ORS requires that the component school district Board submit the request to the Lane Education Service District Board no later than November 1, 2025. The percentage of funds requested may affect the school district's ability to participate in the formal governance of Lane Education Service District.

The following school district requests the amount of funds identified below for Fiscal Year 2026-27.

Name (Number) of District: Springfield Public Schools SD#19

District Representative: Superintendent Todd Hamilton

Signature: 

Date Submitted: 14 OCTOBER 2025

Select One

X	<p>Not to Exceed 50% <i>The school district may request up to 50% of their funds without having any impact on their ability to participate in the formal governance of Lane ESD.</i></p>
	<p>More than 50% and less than 100% <i>The school district may request up to 99% of their funds but may only act in an advisory capacity for decisions made in relation to the governance of Lane ESD. This precludes the school district from voting for the Lane ESD local service plan.</i></p>
	<p>100% <i>The school district may request up to 100% of their funds and be considered withdrawn from Lane ESD. This precludes the school district from voting for the Lane ESD local service plan. See ORS 334.015</i></p>

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- 81%-100% 15% service fee*



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

Prepared for: Lane ESD Board of Directors
Prepared by: Olivia Meyers Buch, Executive Director of Business Services
Meeting Date: November 4, 2025

Appoint Budget Committee Member

The budget committee consists of the seven elected Board members and eight members appointed by the Board from component school district boards or designees of component district Boards. The members appointed by the Board shall consist of five members selected by ESD zone and three members selected at large.

On September 9, 2025, the Board identified three vacant budget committee positions (Positions 5-7). The vacancies were advertised through a news item on the ESD's website and the ESD's regular communication channels with districts. Committee members completing terms are eligible for re-appointment should they be interested.

On October 7, 2025, the Board reappointed Robin Zygaitis to Position 7 (At Large) representing Bethel School District for an additional three-year term ending June 30, 2028.

Table with 5 columns: Position, Appointed Member, Zone, Component District, Term Ends. Rows include positions 5 (Vacant), 6 (Vacant), and 7 (Robin Zygaitis).

At this time, we have received a request for reappointment from Jim Chapman, who previously served in Position 5 (Zone 5) representing Lowell School District.

Action Requested

Reappoint Jim Chapman to Position 5 (Zone 5) representing Lowell School District for an additional three-year term ending June 30, 2028.

Lane Education Service District

Code: GAB
Adopted: 1/25/94
Revised/Readopted: 1/22/02; 10/26/10
Orig. Code(s): GAB

Position Job Descriptions

Position descriptions serve to:

1. Describe all essential functions ~~To describe the primary duties and accountabilities~~ that the individual who holds the position must be able to perform unaided ~~with or with the assistance of a~~ without reasonable accommodation;
2. Describe attendance standards;
3. ~~To identify the knowledge, skill and training~~ Help applicants determine the qualifications needed to fill a position;
4. ~~(Does #1 above take care of this one?) To identify the authority, responsibilities, relationships, physical demands and working conditions associated with the position;~~
- 5.4. To help ~~Help~~ Lane ESD administrators determine which candidates to recommend for appointment; and
- 6.5. ~~To assist~~ Assist administrators in the evaluation of the employee's performance responsibilities.

"Essential functions," as used in this policy means, the fundamental job duties of the employment position. A job function may be considered essential for reasons, including but not limited to the following:

1. The function may be essential because the reason the position exists is to perform the function;
2. The function may be essential because of the limited number of employees available among whom the performance of the job function can be distributed; and/or
3. The function may be highly specialized so that the individual is hired for their expertise or ability to perform the particular function.

"Attendance standards," as used in this policy means, the regular work hours of the position, including leave and vacation provisions available through policy and/or collective bargaining agreements and any special attendance needs of the position as determined by the ESD.

Position descriptions will be developed in accordance with ESD procedures. Each position description shall be dated and signed by the employee, supervisor and assistant superintendent. Position descriptions will be reviewed as part of the evaluation process. Job descriptions will be developed under the supervision of the superintendent for each position in the ESD. Each job description shall be dated; as job descriptions are reviewed and/or revised, new dates will be affixed.

Job Position descriptions will be coded and retained in a file titled *Job Position Descriptions for the Lane Education Service District*. The file will be available for inspection by any ESD employee or patron as a public document. Each employee shall receive a copy of their job his/her position description. [Each employee shall affix their signature and date after having read the job description.]

Job descriptions will be reviewed [annually][as needed]. Initial or revised job descriptions will be approved by the superintendent.

END OF POLICY

Legal Reference(s):

[ORS 342.850\(2\)\(b\)\(A\)](#)

[OAR 581-024-0245](#)

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).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212 (2012).

Title II of the Genetic Information Nondiscrimination Act of 2008.

Section 503 of the Rehabilitation Act of 1973.

Americans with Disabilities Act Amendments Act of 2008.

Lane Education Service District

Code: GAB-AR(1)
Adopted: 2/11/94
Revised/Readopted: 9/25/01
Revised/Reviewed:
Orig. Code(s): GAB-AR(1)

Position Job Descriptions

(This generally does not rise to the level of an AR; usually considered an internal procedure. Does it still reflect current practice? The three ARs (GAB-AR(1), (2), (3)) are all covering the same topic, i.e., job descriptions; if keeping, consider merging them together into one AR after they are updated. Or, could they be put into a job description manual/internal procedure document?)

The following procedures will be followed for the development or revision of ~~position-job~~ descriptions:

1. Proposed ~~position-job~~ descriptions or proposed changes in existing ~~position-job~~ descriptions may be initiated by supervisory personnel but shall be submitted through the lines of authority to the appropriate director;
2. The director, following review and approval, shall submit the ~~position-job~~ description, along with other required position classification information, to the human resources office;
3. The superintendent or assigned staff member shall review and modify ~~position-job~~ descriptions as necessary to meet applicable district, state and federal requirements;
4. The human resources ~~director-secretary will shall distribute prepare~~ copies of the ~~position-job~~ description for the ~~human resources~~ office file, ~~position-job~~ description manuals, and for distribution to the appropriate supervisors and directors;
5. The director of the appropriate division shall initiate and coordinate the job classification review procedure appropriate to the new or modified ~~position-job~~ description;
6. ~~Position Job~~ descriptions for new positions or changes of existing ~~position-job~~ descriptions shall be subject to review and approval by the superintendent or assigned staff member;
7. All ~~position-job~~ descriptions are to be reviewed ~~as needed annually~~ as a part of the evaluation process.

Lane Education Service District

Code: GAB-AR(2)
Adopted: 4/23/02
Readopted: 12/9/03; 10/28/08
Revised/Reviewed:
Orig. Code(s): GAB-AR(2)

Classified Personnel ~~Job Position~~ Description Review

(See comments in AR(1). This would not need to be an AR. Covered by collective bargaining?)

A group known as the classified personnel position description review panel will review classified employee positions by:

- Analyzing new positions and recommending assignment within the classified personnel classification system;
- Reviewing existing positions which have been substantially modified and recommending assignment within the classified personnel classification system;
- Serving in an advisory capacity to the superintendent in the area of classified personnel classification.

The panel shall be comprised of two classified employees selected by the Lane County Education Association and two ESD administrative personnel selected by the superintendent. An additional classified employee and one additional administrative employee will be selected to serve as alternates. The term of service on the panel will be staggered to ensure that at least one classified member and one administrative member will have prior experience.

The panel will apply the assessment criteria approved by the superintendent for the purpose of job classification review. In addition, comparisons of salary and pay prevailing for other comparable positions in the ESD and/or local school districts will be considered. If comparable positions are not present in the ESD or local school districts, similar assignments in other ESD's and/or local public agencies will be studied.

A member of the panel may not vote when his/her position or a position in his/her area of responsibility is under review. In such instances, an alternate will take his/her place on the panel.

The assistant superintendent will call meetings of the panel, maintain records and provide appropriate communications but will not participate in the deliberations. Responsibility for facilitating the meetings of the panel will be rotated among the members.

A minimum of three affirmative votes is required to pass any motion.

The panel will meet as requested by the assistant superintendent to accomplish the purposes previously stated.

The following procedures will be followed for the development and review of new position descriptions:

1. Upon approval by the superintendent, the director responsible for a newly approved position will provide the assistant superintendent with the information necessary to develop a job description consistent with the approved format;
2. The assistant superintendent will direct that a job description be created in the approved format. Several Lane ESD personnel will be trained to write job descriptions and only they will be assigned this responsibility;
3. Upon completion of the initial draft, the assistant superintendent and responsible director will confer and suggest modifications, if necessary;
4. After the job description has received the approval of both the assistant superintendent and responsible director, the assistant superintendent will convene the classified personnel position description review panel;
5. Testimony may be presented at the review session verbally or in writing in support of or in opposition to the proposed position;
6. The panel will make a written recommendation for placement in the classification system to the assistant superintendent within five working days following the review session;
7. The assistant superintendent will render a decision(s) on the panel's recommendation(s) within five working days. The assistant superintendent may accept or reject the recommendation(s). In the event a recommendation is rejected, the assistant superintendent will reconvene the panel, identify concerns with the panel's recommendation, and direct the members to reconsider their recommendation. In the event agreement cannot be reached, a final decision regarding placement of the position in the classification system will rest with the superintendent;
8. The documentation for each review will be on file in the office of the assistant superintendent;
9. The panel will normally complete its review and recommendation to the assistant superintendent within 30 days of the approval of the job description;
10. No personnel will be hired for the new position until the job classification process is completed;
11. Classified employees hired to a new job classification are probationary in the new position for a period of nine months from the date of transfer.

The following procedures will be followed for the review of existing position descriptions:

1. When two or more existing jobs are combined and/or there is a substantial addition/deletion of duties and/or responsibilities in an existing job, the affected employee or his/her director may request a review of the position's classification. The request is submitted to the assistant superintendent;
2. All requests for review must be made in writing on the appropriate form and provide sufficient information necessary to evaluate the legitimacy of the request;
3. In the event the affected employee initiates the request, the employee's director must indicate support for the request before it can be considered for review. Within 15 working days following receipt of such request, the affected director must forward the request to the assistant superintendent with his/her recommendation for and must communicate that recommendation to the employee;

Classified Personnel Position Description Review – GAB-AR(2)

4. If there is a positive recommendation for review as well as documented and substantial change in the duties and responsibilities of a position, the assistant superintendent will direct that a revised job description be created in the approved format. Several Lane ESD personnel will be trained to write job descriptions and only they will be assigned this responsibility;
5. Upon completion of the initial draft, the assistant superintendent will ask the responsible director and employee to review the draft for accuracy and suggest modifications, if necessary;
6. After the job description has received the approval of the assistant superintendent, responsible director and employee, the assistant superintendent will convene the classified personnel position description review panel;
7. Testimony may be presented at the review session verbally or in writing in support of or in opposition to a change in classification;
8. The panel will make a written recommendation for placement in the classification system to the assistant superintendent within five working days following the review session. It is understood that salaries, as a consequence of a recommended change in classification, may either be increased or decreased;
9. The assistant superintendent will render a decision(s) on the panel's recommendation(s) within five working days. The assistant superintendent may accept or reject the recommendation(s). In the event a recommendation is rejected, the assistant superintendent will reconvene the panel, identify concerns with the panel's recommendation and direct the members to reconsider their recommendation. In the event agreement cannot be reached, a final decision regarding placement of the position in the classification system will rest with the superintendent;
10. The documentation for each review will be on file in the office of the assistant superintendent;
11. The panel will normally complete its review and recommendation to the assistant superintendent within 30 days of the approval of the revised job description.

It is understood that changes in job classification may result in a salary increase. In such cases, the director responsible for the position will also be responsible for allocating funds from his/her departmental budget for this purpose.

Employees who are hired to a new position and/or classification after January 31 of any given year will remain at the new range and step placement thus achieved throughout the subsequent fiscal year, unless he/she is again promoted to a new job and/or classification.

If the panel recommendation results in placement to a higher salary range, the change of status will be implemented retroactive to the submission date of the request. If the panel recommendation results in a placement to a lower salary range, the change of status will be effective July 1 of the new fiscal year.

Lane Education Service District

Code: GAB-AR(3)
Adopted: 2/11/94
Revised/Readopted: 4/23/02, 10/28/08
Orig. Code(s): GAB-AR(3)

Internal Employee Hired to New ~~Job Position~~ Classification

(Already in staff handbook? Collective bargaining agreements?)

Employees hired to a new job classification are probationary in the new position for a period of six months from the date of change of status and will be evaluated prior to the end of the nine-month period.

Advancement to regular status in the new job classification is contingent upon a satisfactory evaluation.

Employees who are hired to a new job classification prior to January 31 of any fiscal year shall be eligible for advancement to the next step in the new salary schedule range at July 1 of the next fiscal year.

Employees who are hired to a new position and/or classification after January 31 of any given year will remain at the new range and step placement through the subsequent fiscal year.

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Lane Education Service District

Code: GBA
Adopted: 1/25/94
Revised/Readopted: 9/25/01; 8/27/02; 2/22/05;
1/22/08; 10/28/08; 11/16/10;
4/07/20; 12/07/21
Orig. Code(s): GBA

Equal Employment Opportunity

Equal employment opportunity and treatment shall be practiced by the ESD regardless of race¹, color, national origin, religion, sex, sexual orientation, gender identity, age, marital status, pregnancy, childbirth or a related medical condition², veterans' status³, service in uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability⁴ if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The superintendent will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act (ADA), and Section 504 of the Rehabilitation Act. The superintendent will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The superintendent may develop other specific recruiting, interviewing and evaluation procedures as are necessary to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 408.235	ORS 659A.030
ORS 243.317 - 243.323	ORS 659.805	ORS 659A.040 - 659A.052
ORS 326.051	ORS 659.850	ORS 659A.082
ORS 334.125(5)	ORS 659A.003	ORS 659A.109
ORS 342.934	ORS 659A.006	ORS 659A.112
ORS 408.225	ORS 659A.009	ORS 659A.147
ORS 408.230	ORS 659A.029	ORS 659A.233

¹ Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

² This unlawful employment practice related to pregnancy, childbirth or a related medical condition as described in House Bill 2341 (2019) (added to ORS 659A) applies to employers who employ six or more persons.

³ The ESD grants a preference in hiring and promotion to veterans and disabled veterans. A veteran is eligible to use the preference any time when applying for a position at any time after discharge or release from service in the Armed Forces of the United States.

⁴ This unlawful employment practice related to disability as described in ORS 659A.112 applies to employers who employ six or more persons (ORS 659A.106).

ORS 659A.236	OAR 581-021-0045	OAR 839-006-0440
ORS 659A.309	OAR 581-024-0245	OAR 839-006-0450
ORS 659A.321	OAR 839-003-0000	OAR 839-006-0455
ORS 659A.409	OAR 839-003-0000	OAR 839-006-0460
ORS 659A.820	OAR 839-006-0435	OAR 839-006-0465

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e. et. seq. (2018).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2018); 29 C.F.R Part 1626 (2019).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 794 (2018); 34 C.F.R. Part 104 (2019).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).
The Vietnam Era Veterans’ Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018).
Chevron USA Inc. v. Echazabal, 536 U.S. 736 (2002).
Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4303 (2018).

Lane Education Service District

Code: GBC
Adopted: 10/28/08
Revised/Readopted 7/13/10; 10/26/10; 9/23/14;
3/29/16; 2/05/19
Orig. Code(s): GBC

Staff Ethics

I. Prohibited Use of Official Position for Financial Gain

No ESD employee will attempt to use their ESD position to obtain financial gain or avoidance of financial detriment for themselves, relatives, members of household or for any business with which the employee, a household members or relative is associated, if the financial gain or avoidance of financial detriment would not otherwise be available but for the ESD employee's employment with the ESD.

This prohibition does not apply to any part of an official compensation package, as approved by the Board, honorarium, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the \$50 gift limit for one who has a legislative or administrative interest in any matter subject to the decision or vote of the ESD employee.

The employee may receive ESD or school logo apparel as part of the employee's compensation package.

ESD employees will not engage in, or have a personal financial interest in, any activity that raises a reasonable question regarding the use of their official position in regards to their duties and responsibilities as ESD employees. This would also apply to any personal financial benefit for the ESD employee's relative or member of household of the employee, or any business with which the ESD employee or a relative or member of the household of the ESD employee is associated.

This means that:

1. Employees, relatives or members of the ESD employee's household will not use the employee's position to obtain financial gain or avoidance of financial detriment from students, parents or staff;
2. Any device, publication or any other item developed during the employee's paid time shall be ESD property;
3. Employees will not further personal gain through the use of confidential information gained in the course of or by reason of position or activities in any way;
4. No ESD employee may serve as a Board or budget committee member in the ESD;
5. An employee will not perform any duties related to an outside job during his/her regular working hours or during the additional time needed that he/she needs to fulfill the position's responsibilities; nor will an employee use any ESD facilities, equipment or materials in performing outside work;
6. If an employee authorizes a public contract, the employee may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

If an ESD employee has a potential or actual conflict of interest, the ESD employee must notify their/his/her supervisor in writing of the nature of the conflict and request that the supervisor dispose of the

matter giving rise to the conflict. This must be done on each occasion the ESD employee is met with a conflict of interest.

“Potential conflict of interest” means any action or any decision or recommendation by an ESD employee that could result in a financial benefit or detriment for self or relatives or for any business with which the ESD employee or relatives are associated, unless otherwise provided by law.

“Actual conflict of interest” means any action or any decision or recommendation by an ESD employee that would result in a financial benefit or detriment for self or relatives or for any business with which the ESD employee or relatives are associated, unless otherwise provided by law.

In order to avoid violation of nepotism provisions and ESD policy, ESD employees must abide by the following when an employee’s relative or member of the household of the ESD employee, is seeking and/or holds a position with the ESD:

1. An ESD employee may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless they comply with the conflict of interest requirements of Oregon Revised Statute (ORS) Chapter 244. This rule does not apply to employment decisions regarding unpaid volunteer position, unless it is a Board-related position;
2. An ESD employee may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. An employee may still serve as a reference, provide a recommendation, or perform other acts that are part of the normal job functions of the employee;
3. More than one member of an employee’s family may be hired as a regular ESD employee. In accordance with Oregon law, however, the ESD may refuse to hire individuals, or may transfer current employees, in situations where an appointment would place one family member in a position of exercising supervisory, appointment or grievance adjustment authority over another member of the same family. Employees who are members of the same family may not be assigned to work in the same building except by the superintendent’s approval.

~~In the conflict of interest context:~~

“Member of household” means any person who resides with the employee.

“Relative” means: the spouse¹, parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~ daughter-in-law of the employee; or the parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~ daughter-in-law of the spouse of the employee. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides benefits² to the employee, or who receives any benefit from the employee’s public employment.

II. Gifts

ESD employees must comply with the following rules involving gifts:

Employees are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the ESD employee. All gift-related provisions apply to the

¹ The term spouse includes domestic partner.

² Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

employee, their relatives, and members of their household. The \$50 gift limit applies separately to the employee, and to the employee's relatives or members of household, meaning that the employee and each member of their household and relative can accept up to \$50 each from the same source/gift giver. A gift may be received by the ESD employee from, but not limited to, another ESD employee, a student or parent of a student or a vendor. Except for exclusions in ORS 244.040(2), an item received by an employee from the ESD is prohibited.

"Gift" means something of economic value given to an employee without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

"Relative" means: the spouse³, parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~ ~~daughter-in-law of the employee~~; or the parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~ ~~daughter-in-law of the spouse of the employee~~. Relative also includes any individual for whom the employee has a legal support obligation, whose employment provides benefits⁴ to the employee, or who receives any benefit from the employee's public employment.

"Member of the household" means any person who resides with the employee.

Determining the Source of Gifts

Employees, the employee's relatives or members of the employee's household should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the employee's personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the ESD employee. If the giver does not have a legislative or administrative interest, the \$50 limit does not apply and the employee need not keep track of it, although they are advised to do so anyway in case of a later dispute.

Determining Legislative and Administrative Interest

A "legislative or administrative interest" means an economic interest, distinct from that of the general public, in any action subject to the official decision of an employee.

A "decision" means an act that commits the ESD to a particular course of action within the employee's scope of authority and that is connected to the source of the gift's economic interest. A decision is not a recommendation or work performed in an advisory capacity. If a supervisor delegates the decision to a subordinate but retains responsibility as the final decision maker, both the subordinate and supervisor's actions would be considered a "decision."

Determining the Value of Gifts

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

"Fair market value" is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the employee does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

³ Ibid. p. 2

⁴ Ibid. p. 23

1. In calculating the per person cost at receptions or meals the payor of the employee's admission or meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the employee is \$25. This example requires that the employee does not claim the charitable contribution on personal tax returns.

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the employee's meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
 - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
 - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
 - c. The source calculates the actual amount spent on the employee.

Upon request by the employee, the source will give notice of the value of the merchandise, goods, or services received.

Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale Value

Employees may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

Entertainment

Employees may not accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision of the employee unless:

1. The entertainment is incidental to the main purpose of another event (i.e. a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
2. The employee is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when an employee appears at an entertainment event for a "ceremonial purpose" at the invitation of the source of the entertainment who requests the presence of the employee at a special occasion associated with the entertainment. Examples of an appearance by an employee at an entertainment event for a ceremonial purpose include: throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

Exceptions

The following are exceptions to the ethics rules on gifts that apply to employees.

1. Gifts from relatives and members of the household to the employee are permitted in an unlimited amount; they are not considered gifts under the ethics rules;
2. Informational or program material, publications, or subscriptions related to the recipient's performance of official duties;
3. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative or administrative interest, with the following exceptions.

Organized Planned Events. Employees are permitted to accept payment for travel conducted in the employee's official capacity, for certain limited purposes:

- a. Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (1) The employee is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the ESD; AND
 - (a) The giver is a unit of a:
 - (i) Federal, state, or local government;
 - (ii) An Oregon or federally recognized Native American Tribe; OR
 - (iii) Nonprofit corporation.
 - (2) The employee is representing the ESD:
 - (a) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - (b) Officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the superintendent.*

The purpose of the exception in a. above is to allow employees to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.

4. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the employee is representing the ESD.

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal.
5. Food or beverage consumed by employee acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(7)(b)(I)(i);
6. Waiver or discount of registration expenses or materials provided to employee at a continuing education event that the employee may attend to satisfy a professional licensing requirement;
7. An item received by the employee as part of the usual or customary practice of the employee's private business, employment or position as a volunteer that bears no relationship to the employee's position;
8. Reasonable expenses paid to employee for accompanying students on an educational trip.

Honoraria

An employee may not solicit or receive, whether directly or indirectly, honoraria for the employee or any relative or member of the household of the employee if the honoraria are solicited or received in connection with the official duties of the employee.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token, or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation, or expertise of the employee.

END OF POLICY

Legal Reference(s):

[ORS 244.010 - 244.400](#)
[ORS 332.016](#)

[ORS 659A.309](#)

[OAR 199-005-0001 - 199-020-0020](#)
[OAR 584-020-0040](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

Lane Education Service District

Code: GBC-AR
Adopted: 10/28/08
Revised/Reviewed: 4/28/09; 6/22/10; 9/23/14;
1/08/19
Orig. Code(s): GBC-AR

Staff Ethics

ESD employees are allowed financial benefits as identified in Oregon Revised Statute (ORS) 244.040(2), such as their official compensation package, reimbursed expenses, limited honoraria and unsolicited awards for professional achievement. ESD employees are prohibited from using or attempting to use ~~their~~ their ESD position to obtain a financial gain or to avoid a financial detriment for the ESD employee, a relative or member of the household of the employee, or any business with which the employee or a relative or member of the household of the employee is associated, if the opportunity for financial gain or avoidance of a financial detriment would not otherwise be available but for the employee's position with the ESD. Specifically, this means that:

1. Employees will not use ESD equipment for personal use, unless it is available to a significant segment of the general public. This includes, but is not limited to, the personal use of the ESD's:
 - a. Fax machine¹;
 - b. Phones to make long distance personal calls;
 - c. ESD vehicles;
 - d. Professional technology equipment (e.g., wood shop, automotive shop, CAD); and
 - e. Athletic facilities (e.g., pool or weight room).

Further, the ESD's supplies, facilities, equipment, employees, records or any other public resources are not to be used to engage in private business interests. For example, the ESD's computer cannot be used to sell products on an auction website during school hours.

2. When employees are traveling on official ESD business, any gift given because of this travel must be either declined or passed on to the ESD for use for future ESD travel. For example, if the hotel where the employee is staying gives the employee a free night's stay on a future visit, this must be declined or given back to the ESD for future ESD travel. The frequent flyer miles earned when traveling on official ESD business can only be used for ESD travel. If the employee's spouse is traveling with the employee, the employee is responsible for all additional charges (i.e., additional room charge).
3. Employees may not use personal credit cards for ESD travel or other ESD business and receive incentives such as cash reimbursements, frequent flyer miles and other benefits based upon the dollar amount of purchases made.
4. Employees may not use discounts offered by private companies for the employee's personal benefit if the discount is only offered because of the employee's official position. For example, an office supplies store provides all teachers a 10 percent discount. Because the teachers are receiving this discount only because of their official position, they cannot use the discount to purchase personal

¹ The ESD could establish a fee schedule that would allow only ESD employees to pay for the personal use of the ESD fax machines. If the ESD established a fee schedule for the use of fax machines the fee schedule must be equal to or exceed the prevailing rates offered at commercial businesses.

items. Teachers may use the discount to purchase items for ESD use. Employees can also accept the discount if it is also available to a substantial segment of the population who are not public officials.

5. Employees may accept free passes to ESD extracurricular events if they are attending these events in their official capacity (i.e., chaperoning, ticket sales or managing concession sales). In order to promote employee participation in extracurricular activities, the ESD may include free passes in employees' official compensation packages or employees may be reimbursed by the ESD for the cost of admission.
6. The employee's ESD position is not to be used to take official action that could have a financial impact on a private business with which the employee, a relative or member of the employee's household are associated. For example, if the employee's ~~sibling~~brother owns a pest-control business which is seeking a contract with the ESD, and the employee is part of the decision-making process, the employee must declare an actual conflict of interest, in writing, describing the nature of the employee's conflict, and provide this to the employee's supervisor.
7. Confidential information gained as an ESD employee is not to be used to obtain a financial benefit for the employee, a relative or member of the employee's household or a business with which any are associated. For example, the employee should not use the information that a student in ~~their~~her class is falling behind in math to provide the parents a referral to the employee's ~~sibling~~sister's tutoring business.
8. ESD employees who mentor student teachers may not receive direct payments from sponsoring colleges or universities. The payment may be provided by the college or university to the ESD, which can then distribute the compensation to the teachers as an element of their official compensation package.
9. ESD employees must follow Oregon Government Ethics Commission guidelines for outside employment if the employee acts as a chaperone for student group trips on personal time and the ESD employee accepts compensation in the form of travel expenses from a private business or organization. Specifically, ESD employees must conduct all activities related to the trip on personal time and cannot use the classroom or school environment to plan the off-campus trip. Employees may use ESD facilities for this purpose only if they comply with the ESD's public use of facilities policy. It is not an ethics violation for the employee to accept reasonable expenses for accompanying students on an education trip.

These restrictions do not apply if the teacher is chaperoning students on a fact-finding mission that is officially sanctioned by the Board.

Lane Education Service District

Code: GBDA
Adopted: 1/22/08
Revised/Readopted: 12/03/19
Orig. Code: GBDA

Expression of Milk or Breast-feed in the Workplace

good

When possible an employee must give reasonable notice of the intent to express milk or breast-feed to the supervisor. The ESD shall provide the employee a reasonable rest period to express milk or breast-feed each time the employee has a need to express milk or breast-feed. If feasible, the employee will take the rest period at the same time as the rest periods or meal periods provided by the ESD.

The ESD will make a reasonable effort to provide a location, other than a public restroom or toilet stall, in close proximity to the employee's work area, where an employee can express milk or breast-feed in private, concealed from view and without intrusion by other employees or the public. "Close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. If a private location is not within close proximity to the employee's work area, the ESD may not include the time taken to travel to and from the location as part of the break period.

An employee who expresses milk during work hours may use the available refrigeration to store the expressed milk. The ESD must allow the employee to bring a cooler or other insulated food container to work for storing the expressed milk and ensure there is adequate space in the workplace to accommodate the employee's cooler or insulated food container.

~~This policy and the list of designated locations is published in the employee handbook.~~ The list of designated locations is available upon request in the ESD's central office and the central office of each facility.

This policy only applies to employees who are expressing milk or breast-feeding for children 18 months of age or younger.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)
[ORS 334.125](#)

[ORS 653.077](#)
[ORS 653.256](#)

[OAR 839-020-0051](#)

Lane Education Service District

Code: GBE
Adopted: 2/24/15
Orig. Code(s): GBE

Staff Health and Safety *

good

The Board directs the superintendent to take appropriate means to provide for the health and safety of all employees while engaged in the performance of their duties. The input of staff will be encouraged in the development of ESD health and safety plans.

The superintendent will develop a ESD plan for dealing with hazardous chemicals in the workplace. This plan will include proper labeling, storage and disposal of all such materials.

The superintendent will develop ESD-wide training activities to deal with the use of hazardous chemicals. Training will include the identification, use, storage and disposal techniques needed to assure safety of staff and students.

In meeting the requirements of the law, employees will be trained to recognize and respond appropriately to the presence of hazardous chemicals. All personnel who may be exposed to hazardous materials during the performance of their duties or in an emergency will be so informed and trained to appropriately deal with these materials.

The superintendent will provide staff members with the Safety Data Sheets (SDS), which must accompany any hazardous substance used in the school setting.

END OF POLICY

Legal Reference(s):

ORS 243.650	OAR 437-002-0140	OAR 437-002-0368
ORS 329.095	OAR 437-002-0144	OAR 437-002-0377
ORS 453.001 to -453.275	OAR 437-002-0145	OAR 437-002-0390
OAR 437-001-0760	OAR 437-002-0180 to -0182	OAR 437-002-0391
OAR 437-002-0020 to -0075	OAR 437-002-0360	OAR 581-024-0275

Lane Education Service District

Code: GBA
Adopted: 1/25/94
Revised/Readopted: 9/25/01; 8/27/02; 2/22/05;
1/22/08; 10/28/08; 11/16/10;
4/07/20; 12/07/21
Orig. Code(s): GBA

Equal Employment Opportunity

Equal employment opportunity and treatment shall be practiced by the ESD regardless of race¹, color, national origin, religion, sex, sexual orientation, gender identity, age, marital status, pregnancy, childbirth or a related medical condition², veterans' status³, service in uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability⁴ if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The superintendent will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act (ADA), and Section 504 of the Rehabilitation Act. The superintendent will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The superintendent may develop other specific recruiting, interviewing and evaluation procedures as are necessary to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 408.235	ORS 659A.030
ORS 243.317 - 243.323	ORS 659.805	ORS 659A.040 - 659A.052
ORS 326.051	ORS 659.850	ORS 659A.082
ORS 334.125(5)	ORS 659A.003	ORS 659A.109
ORS 342.934	ORS 659A.006	ORS 659A.112
ORS 408.225	ORS 659A.009	ORS 659A.147
ORS 408.230	ORS 659A.029	ORS 659A.233

¹ Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

² This unlawful employment practice related to pregnancy, childbirth or a related medical condition as described in House Bill 2341 (2019) (added to ORS 659A) applies to employers who employ six or more persons.

³ The ESD grants a preference in hiring and promotion to veterans and disabled veterans. A veteran is eligible to use the preference any time when applying for a position at any time after discharge or release from service in the Armed Forces of the United States.

⁴ This unlawful employment practice related to disability as described in ORS 659A.112 applies to employers who employ six or more persons (ORS 659A.106).

ORS 659A.236	OAR 581-021-0045	OAR 839-006-0440
ORS 659A.309	OAR 581-024-0245	OAR 839-006-0450
ORS 659A.321	OAR 839-003-0000	OAR 839-006-0455
ORS 659A.409	OAR 839-003-0000	OAR 839-006-0460
ORS 659A.820	OAR 839-006-0435	OAR 839-006-0465

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e. et. seq. (2018).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2018); 29 C.F.R Part 1626 (2019).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 794 (2018); 34 C.F.R. Part 104 (2019).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).
The Vietnam Era Veterans’ Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018).
Chevron USA Inc. v. Echazabal, 536 U.S. 736 (2002).
Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4303 (2018).

Lane Education Service District

Code: GBEA
Adopted: 1/25/94
Revised/Readopted: 9/25/01; 4/07/20; 12/07/21;
2/07/23
Orig. Code(s): GBEA

Workplace Harassment

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between ESD employees or between an ESD employee and the ESD in the workplace or at a work-related event that is off ESD premises and coordinated by or through the ESD, or between an ESD and an ESD employee off ESD premises. Elected school board members, volunteers and interns are subject to this policy.

Any ESD employee who believes they have been a victim of workplace harassment may file a report with the ESD employee designated in the administrative regulation GBEA-AR - Workplace Harassment Reporting and Procedure, may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The ESD employee making the report is advised to document any incidents of workplace harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault¹ or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or 659A.112 (discrimination in employment based on disability).

The ESD, upon receipt of a report from an ESD employee who believes they are a victim of workplace harassment, shall provide information about legal resources and counseling and support services, including any available employee assistance services. The ESD employee receiving the report, whether a supervisor of the employer or the ESD employee designated to receive reports, is advised to document any incidents of workplace harassment, and shall provide a copy of this policy and accompanying administrative regulation to the victim upon their disclosure about alleged workplace harassment.

All incidents of behavior that may violate this policy shall be promptly investigated.

Any person who reports workplace harassment has the right to be protected from retaliation.

¹ “Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

The ESD may not require or coerce an ESD employee to enter into a nondisclosure² or nondisparagement³ agreement.

The ESD may not enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a nondisparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between ESD employees or between an ESD employee and the ESD, in the workplace or at a work-related event that is off ESD premises and coordinated by or through the ESD, or between an ESD employee and employer off ESD premises.

The ESD may enter into a settlement agreement, separation or severance agreement that includes one or more of the following provisions only when an ESD employee claiming to be aggrieved by workplace harassment requests to enter into the agreement: 1) a nondisclosure or nondisparagement provision; 2) a provision that prevents disclosure of factual information relating to the claim of workplace harassment; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with the ESD as a term or condition of the agreement. The agreement must provide the ESD employee at least seven days after signing the agreement to revoke it.

If the ESD determines in good faith that an employee has engaged in workplace harassment, the ESD may enter into a settlement, separation or severance agreement that includes one or more of the provisions described in the previous paragraph.

It is the intent of the Board that appropriate corrective action will be taken by the ESD to stop workplace harassment, prevent its recurrence and address negative consequences. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional workplace harassment awareness training, as appropriate. Other individuals (e.g., board members and volunteers) whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.

The ESD shall make this policy available to all ESD employees and shall be made a part of ESD orientation materials provided and copied to new ESD employees at the time of hire.

The superintendent will establish a process of reporting incidents of workplace harassment and the prompt investigation.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 659A.006	ORS 659A.112
ORS 243.317 - 243.323	ORS 659A.029	ORS 659A.370
ORS 659A.001	ORS 659A.030	ORS 659A.375
ORS 659A.003	ORS 659A.082	ORS 659A.820

² A “nondisclosure” agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

³ A “nondisparagement” agreement or provision prevents either party from making disparaging statements about the other party.

[ORS 659A.875](#)
[ORS 659A.885](#)

[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

Lane Education Service District

Code: GBEB
Adopted: 6/28/94
Revised/Readopted: 9/25/01; 12/06/17
Orig. Code(s): GBEB

Communicable Disease –~~Staffin~~ Schools

The ESD shall provide reasonable protection against the risk of exposure to communicable disease for ~~students and~~ employees while engaged in the performance of their duties. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the *Communicable Disease Guidance for Schools* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA).

Employees shall comply with all other measures adopted by the ESD and with all rules adopted by the Oregon Health Authority, Public Health Division and the local health department.

~~An employee who knows that he or she has or has been exposed to any restrictable disease, may not attend work unless authorized by Oregon law. When an administrator has reason to suspect that any employee has or has been exposed to any restrictable disease and exclusion is required, the administrator shall send the employee home. If the disease is a reportable disease, the administrator will report the occurrence to the local health department. Employees shall provide services to students as required by law.~~

An employee ~~for or student~~ may not attend work ~~for or school, respectively,~~ while in a communicable stage of a restrictable disease or when an administrator has reason to suspect the employee ~~for or student~~ has or has been exposed to any disease for which exclusion is required in accordance with law. The ESD may provide an educational program in an alternative setting. Services will be provided to students as required by law.

The ESD shall protect the confidentiality of an employee's ~~and student's~~ health condition and record to the extent possible and consistent with federal and state law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator ~~may~~ shall inform the appropriate employees with a legitimate educational interest ~~to protect against the risk of exposure.~~

~~The ESD will include, as part of its general emergency plans, a description of the actions to be taken by the ESD staff in buildings and by the ESD in response to medical emergencies.~~

~~Employees who have the responsibility to work with or to provide services to persons other than students, shall provide the services to all such persons as required by law.~~

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

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

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[ORS 431.150 - 431.157](#)

[ORS 433.001 - 433.004](#)

[ORS 433.010](#)

[ORS 433.110](#)

[ORS 433.235 - 433.284](#)

[OAR 333-018](#)

[OAR 333-019-0010](#)

[OAR 333-019-0014](#)

[OAR 581-024-0275](#)

[OAR 581-024-0280](#)

[OAR 581-022-2220](#)

[OAR 581-022-2225](#)

OREGON DEPARTMENT OF EDUCATION AND OREGON HEALTH AUTHORITY, *Community Disease Guidance for Schools*.
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34
C.F.R. Part 99 (2023).
Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -1320d-8 (2018); 45 C.F.R. Parts 160, 164
(2023).

Lane Education Service District

Code: GBEB-AR
Adopted: 7/18/94
Revised/Readopted: 9/25/01; 8/27/02; 11/07/17;
8/04/20
Revised/Reviewed:
Orig. Code(s): GBEB-AR

Communicable Diseases – Staffin Schools

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

1. “Restrictable diseases” are defined by rule¹ and include but are not limited to COVID-19², chickenpox, diphtheria, hepatitis A, hepatitis E, measles, mumps, pertussis, rubella, Salmonella enterica serotype Typhi infection, scabies, Shiga-toxicogenic Escherichia coli (STEC) infection, shigellosis and infectious tuberculosis, and may include a communicable stage of hepatitis B infection in a child who, if, in the opinion of the local health officer, ~~the person~~ poses an unusually high risk to other children~~others~~ (e.g., ~~a child that~~ exhibits uncontrollable biting or spitting). Restrictable disease also includes any other communicable disease identified in an order issued by the Oregon Health Authority or the local public health officer as posing a danger to the public’s health. ~~A disease is considered to be a restrictable disease if it is listed in Oregon Administrative Rule (OAR) 333-019-0010, or it has been designated to be a restrictable disease by the local public health administrator after determining that it poses a danger to the public’s health.~~
2. “Susceptible” for a child means lacking documentation of immunization required under OAR 333-050-0050, or if immunization is not required, lacking evidence of immunity to the disease.
3. “Susceptible” for a school~~“Susceptible” for an employee~~ means lacking evidence of immunity to the disease.
4. “Reportable diseases” means a disease or condition, the reporting of which enables a public health authority to take action to protect or to benefit the public health.

Restrictable Diseases

1. An employee of the ESD will not attend or work at an ESD school or facility while in a communicable stage of a restrictable disease, ~~including a communicable stage of COVID-19²~~, unless authorized to do so under Oregon law. When an administrator has reason to suspect that an employee has a restrictable disease, the administrator shall send ~~them~~ the employee home.
2. An administrator shall exclude ~~a~~ susceptible ~~an~~ employee if the administrator has reason to suspect ~~they have~~ that an employee has or has been exposed to measles, mumps, rubella, diphtheria,

¹ OAR 333-019-0010 lists restrictable diseases.

² Added per OAR 333-019-1000(2).

³ “Communicable stage of COVID-19” means having a positive presumptive or confirmed test of COVID-19.

pertussis, hepatitis A, or hepatitis B, unless the local health officer determines that exclusion is not necessary to protect the public's health. The administrator or designee will ~~may~~ request the local health officer to make a determination as allowed by law. If the disease is reportable, the administrator will report the occurrence to the local health department.

3. ~~An administrator shall exclude an employee if the administrator has been notified by a local public health administrator or local public health officer that the employee has had a substantial exposure to an individual with COVID-19 and exclusion is deemed necessary by same.~~
- 4.3. An employee will be excluded in such instances until such time as the employee presents a certificate from a physician, a physician assistant licensed under Oregon Revised Statute (ORS) 677.505 - 677.525, a nurse practitioner licensed under ORS 678.375 - 678.390, local health department nurse or school nurse stating that the employee does not have or is not a carrier of any restrictable disease.
- 5.4. ~~An exclusion administrator may allow attendance of an employee restricted for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting may be if the restriction has been removed by a school nurse or health care provider.~~
- 6.5. More stringent exclusion standards for employees from school or work may be adopted by the local health department ~~or by the ESD through policy adopted by the Board.~~
7. ~~The ESD's emergency plan shall address the ESD's plan with respect to a declared public health emergency at the local or state level.~~

Reportable Diseases Notification

1. All employees shall comply with all reporting measures adopted by the ESD and with all rules set forth by Oregon Health Authority, Public Health Division and the local health department.
2. An administrator may seek confirmation and assistance from the local health officer to determine the appropriate ESD response when the administrator is notified that an employee or a student has been exposed to a restrictable disease ~~which that~~ is also a reportable disease.
3. ~~[ESD staff with impaired immune responses, that are of childbearing age or some other medically fragile condition, should consult with a medical provider for additional guidance⁴.]~~
4. An administrator shall determine other persons who may be informed of an employee's communicable disease, or that of a student's when a legitimate educational interest exists or for health and safety reasons, in accordance with law.

Equipment and Training

1. The administrator or designee shall, ~~on a case by case basis~~, determine what equipment and/or supplies are necessary in a particular classroom or other setting in order to prevent disease transmission.

⁴ Refer to *Communicable Disease Guidance for Schools* published by the Oregon Health Authority and the Oregon Department of Education.

2. The administrator or designee shall consult with the ESD's [school] nurse or other appropriate health officials to provide special training in the methods of protection from disease transmission.
3. All ESD personnel will be instructed annually to use the proper precautions pertaining to blood and body fluid exposure per the Occupational Safety and Health Administration (OSHA). ~~(See policy EBBAA).~~

Lane Education Service District

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

Staff/Student/Parent Relations**

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

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

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

~~Noncustodial parents will not be granted visitation or telephone access to the student during the school day. The student will not be released to the noncustodial parent unless allowed by court order.~~

In the case of joint custody, the ESD district will adhere to all conditions specified and ordered by the court. ~~The ESD may request in writing any special requests or clarifications in areas concerning the student and the ESD's relationship and responsibilities.~~

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

END OF POLICY

Legal Reference(s):

[ORS 107.101](#) [ORS 107.106](#) [ORS 109.056](#)
[ORS 107.102](#) [ORS 107.154](#) [ORS 163.245 - 163.257](#)

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

Lane Education Service District

Code: GBI
Adopted: 10/28/08
Orig. Code(s): GBI

Gifts and Solicitations

Students and their parents shall be discouraged from giving gifts to ESD employees. The Board welcomes, as appropriate, the writing of letters by students to staff members expressing gratitude and appreciation.

Individual employees ~~[will refrain from]~~ ~~[will limit]~~ giving gifts¹ to staff members who exercise any direct or indirect administrative or supervisory jurisdiction over them. Collecting money for group gifts is discouraged except in special circumstances such as bereavement, serious illness or ~~for~~ retirement gifts. Staff-initiated "sunshine funds" are exempt from this policy.

~~[No staff member may solicit funds in the name of the ESD [or school] through the use of, including but not limited to, internet-sourced crowdfunding or other similar types of fund raising[, without the approval of the {superintendent} {principal}.~~

Individual employees need to be accountable for maintaining integrity and avoid accepting anything of value offered by another for the purpose of influencing ~~their~~^{his/her} professional judgment.

All employees are prohibited from accepting items of material value from companies or organizations doing business with the ESD. ~~["Material value" is defined as \$50 from a single source in a single year.]~~

No organization may solicit funds from staff members within the schools, nor may anyone distribute flyers or other materials related to fund drives through the ESD without the superintendent's approval. Staff members may not be made responsible or assume responsibility for collecting money or distributing any fund-drive literature within the ESD without the superintendent's approval.

The soliciting of staff by sales people, other staff or agents during on-duty hours is prohibited. Any solicitation should be reported at once to the administrator or supervisor. Advertising is not allowed in the ESD without the superintendent's approval.

END OF POLICY

Legal Reference(s):

[ORS 244.010 to-244.400](#)
[ORS 339.880](#)

[OAR 199-005-0005 to-199-020-0020](#)
[OAR 584-020-0000 to-0045](#)

¹ "Gift" means something of economic value given to a public official or the public official's relative or household member without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or the relatives or household members of public officials on the same terms and conditions; and something of economic value given to a public official or the public official's relative for valuable consideration less than that required from others who are not public officials. See ORS Chapter 244 for gift definition exceptions.

Lane Education Service District

Code: GBJ
Adopted: 12/11/01
Orig. Code(s): GBJ

Weapons - Staff

Lane ESD employees, ESD contractors and/or their employees and ESD volunteers shall not possess a dangerous or deadly weapon or firearm on ESD property or at ESD-sponsored events. This prohibition includes those who may otherwise be permitted by law to carry such weapons.

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. "Dangerous weapon" - any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. "Deadly weapon" - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. "Firearm" - any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm silencer or any other destructive device including any explosive, incendiary or poisonous gas.

Weapons under the control of law enforcement personnel are permitted.

The superintendent will ensure notice of this policy is provided.

Employees in violation of this policy will be subject to discipline up to and including dismissal. Individuals contracting with the ESD and volunteers will be subject to appropriate sanctions. A referral to law enforcement may be made.

END OF POLICY

Legal Reference(s):

[ORS 161.015](#) [ORS 166.210 to -166.370](#) [ORS 334.125](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2012).
Doe v. Medford Sch. Dist. 549C, 232 Or. App. 38, 221 P3d 787 (2009).

Lane Education Service District

Code: GBK/KGC
Adopted: 6/14/11
Revised/Readopted: 2/05/19
Orig. Code(s): GBK/KGC

Prohibited Use, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems**

The Board establishes a school and working environment that is free of smoke, aerosols and vapors containing inhalants.

The use, distribution or sale of tobacco products or inhalant delivery systems by staff on ESD property, including parking lots, at ESD-sponsored events, in ESD-owned, rented or leased vehicles or otherwise, while on duty on or off ESD premises is prohibited. Use, distribution or sale of tobacco products or inhalant delivery systems by all others on ESD property, in ESD vehicles or at ESD-sponsored events, on or off ESD premises, on all ESD grounds, including parking lots, is prohibited. Staff and/or all others authorized to use any private vehicle to transport ESD students to ESD-sponsored activities are prohibited from using tobacco products or inhalant delivery systems in those vehicles while students are under their care.

For the purpose of this policy, "tobacco products" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff, in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

For the purpose of this policy, "inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device or a component of a device; or a substance in any form sold for the purpose of being vaporized or aerosolized by a device whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

Clothing, bags, hats and other personal items used by staff to display, promote or advertise tobacco products or inhalant delivery system are prohibited on all ESD grounds, including parking lots, at ESD-sponsored activities or in ESD vehicles. Advertising is prohibited in all ESD-sponsored publications in all ESD buildings, on ESD grounds, including parking lots and at all ESD-sponsored events. ESD acceptance of gifts or funds from the tobacco product or inhalant delivery system industries is similarly prohibited. The ESD will not contract with other public or private alternative schools that allow the use of tobacco products or inhalant delivery systems on campus.

Staff violations of this policy will lead to disciplinary action up to and including dismissal.

Violations by all others will result in appropriate sanctions as determined and imposed by the superintendent or Board.

Prohibited Use, Distribution or Sale of Tobacco Products
and Inhalant Delivery Systems** – GBK/KGC

Information about community resources and/or cessation programs to help staff ~~will~~ may be provided.

The superintendent shall consult with local officials to promote enforcement of law that prohibits the use or possession of tobacco products or inhalant delivery systems by persons under 21 years of age on or off ESD grounds or at ESD-sponsored activities.

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

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[ORS 336.227](#)

[ORS 339.883](#)

[ORS 431A.175](#)

[ORS 433.835 to -433.990](#)

[OAR 581-021-0110](#)

[OAR 581-053-0230\(9\)\(s\)](#)

[OAR 581-053-0330\(1\)\(m\)](#)

[OAR 581-053-0430\(12\)](#)

[OAR 581-053-0531\(11\)](#)

Pro-Children Act of 1910094, 20 U.S.C. §§ 6081-6084 (2012).

Lane Education Service District

Code: GBA-AR
Revised/Reviewed:

Veterans' Preference

Oregon's veterans' preference law requires the ESD to grant a preference to qualified and eligible veterans and disabled veterans at each stage in the hiring and promotion process. To be **qualified** for veterans' preference, a veteran or disabled veteran must meet the minimum and any other special qualifications required for the position sought. To be **eligible** for veterans' preference¹ a veteran or disabled veteran must provide certification they are a veteran or disabled veteran as defined by Oregon law².

The ESD is not obligated to hire or promote a qualified and eligible veteran or disabled veteran. The ESD is obligated to interview all minimally qualified veterans or disabled veterans and to hire or promote a qualified or eligible veteran or disabled veteran if the individual is equal to or better than the top candidate after the veterans' preference has been applied.

A veteran may submit a written request to the ESD for an explanation of the reasons why they were not selected for the position. The ESD shall provide the reasons for not selecting the candidate when requested.

Recruitment Procedures

All job postings or announcements will include a concise list of minimum and any special qualifications required for the position. Job postings will include a statement that the ESD's policy is to provide veterans and disabled veterans with preference as required by law, and the job posting will require applicants to provide certification of eligibility for preference, in addition to other requested materials.³

Selection Procedures⁴

Step 1: Before the review of any applications the [human resource director] will establish an evaluation scoring guide based on the minimum and any special qualifications listed in the job posting.

¹ See Oregon Revised Statute (ORS) 408.225.

² See Oregon Revised Statute (ORS) 408.225 and OAR 839-006-0040 for definitions of veteran and disabled veteran.

³ See Verification of Veteran's Preference (OAR 839-006-0465). An applicant claiming veteran's or disabled veteran's preference will submit a copy of their Certificate of Release or Discharge from Active Duty (DD Form 214 or 215) or a certification that the veteran is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification. A disabled veteran may also submit a copy of their letter from the U.S. Department of Veterans Affairs, unless the information is included in the DD Form 214/215 or a certification that the veteran is expected to be medically separated from active duty under honorable conditions not later than 120 days after the submission of the certification.

⁴ If the ESD chooses not to use a scored system, the law requires that the ESD give special consideration in the ESD's hiring decision to veterans and disabled veterans and the ESD will need to be able to demonstrate the method used for providing special consideration. ORS 408.230(2)(c).

Step 2: The [human resource director] will review the application materials using the evaluation scoring guide to determine which applicants meet the minimum and any special qualifications listed in the job posting. In assessing the applicant materials of a veteran or disabled veteran the [human resource director] shall evaluate whether the skill experience obtained in the military are transferable to the posted position. Any applicants that do not meet the minimum and any special qualifications shall be removed from the applicant pool.

Step 3: Based on Step 2, the [human resource director] determines who will be interviewed. All qualified and eligible veterans or disabled veterans shall be given an opportunity to interview.

Step 4: Interview questions and scoring sheets will be developed and each scoring sheet must be completed after each interview by the interviewers.

Step 5: Following completion of the interviews, the [human resource director] shall complete the selection matrix and score the applicants based on the scoring sheets completed during interviews. Veterans' preference shall be applied by adding 5 percentage points to an eligible veteran and 10 percentage points to an eligible disabled veteran.

Step 6: The [human resource director] makes the offer to the applicant with the highest final score. The ESD is not obligated to hire or promote a qualified and eligible veteran or disabled veteran. The ESD is obligated to hire or promote a qualified or eligible veteran or disabled veteran if they are equal or better than the top candidate after the veterans' preference has been applied.

A veteran may request a written explanation of the reasons why they were not selected for the position. Upon written request, the ESD shall provide the reasons for not selecting the candidate.

Filing a Complaint

A veteran or disabled veteran is encouraged to contact the [human resource office] if they have any concerns or questions concerning the application of or the process used for veterans' preference.

A veteran or disabled veteran claiming to be aggrieved by a violation of Board policy GBA - Equal Employment Opportunity or this administrative regulation, may file a written complaint with the Civil Rights Division of the Bureau of Labor and Industries (BOLI) in accordance with Oregon Revised Statute (ORS) 659A.820.

Lane Education Service District

Code: GBEC
Adopted:

Drug-Free Workplace *

The ESD shall provide a drug-free workplace. (Version 2)

The purpose of this policy is to promote safety, health and efficiency by prohibiting the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol in the

This policy applies to all employees, including, but not limited to, those exempt, unclassified, management ~~secret~~ classified and temporary employees who are paid directly or indirectly from funds received under a federal grant or contract

The ESD shall provide to each employee a copy of this policy.

An employee shall not unlawfully manufacture, distribute, dispense, possess or use a controlled substance or alcohol in the workplace.

No ESD employee shall knowingly sell, market or distribute steroid or performance enhancing substances to kindergarten through grade 12 students with whom the employee has contact as part of employee's ESD duties; or knowingly endorse or suggest the use of such drugs.

An employee shall, as a condition of employment, abide by the provisions of this policy.¹

Definitions

1. "Controlled substance" shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or other controlled substance.
2. "Alcohol" shall include any form of alcohol for consumption, including beer, wine, wine coolers or liquor.
3. "Conviction" means a finding of guilt (including a plea of no contest) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
4. "Criminal drug statute" means a Federal or State criminal statute involving the manufacture, distribution, dispensation, possession or use of any controlled substance[or alcohol].

¹ ESDs directly receiving grants or contracts from the federal government are required to meet this obligation.

5. “Drug-free workplace” means a site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance[or alcohol].

Sanctions and Remedies²

The ESD, upon determining that an employee has engaged in the unlawful manufacture, distribution, dispensation or possession of a controlled substance or alcohol, or upon having reasonable suspicion (under the section below), of an employee’s unlawful use of a controlled substance or alcohol in the workplace, shall, pending any criminal drug statute conviction for a violation occurring in the workplace, take appropriate action which may include transfer, granting of leave with or without pay or suspension with or without pay.

Within 30 calendar days of learning of an employee’s criminal drug statute conviction for a violation occurring in the workplace, the ESD shall:

1. Take appropriate action, which may include discipline up to and including termination; and/or
2. Require satisfactory participation by the employee in a drug-abuse assistance or rehabilitation program approved for such purpose by a federal, state or local health, law enforcement or other appropriate agency.

Basis for Reasonable Suspicion of Employee Use of Controlled Substance/Alcohol

Reasonable suspicion of employee use of an unlawful controlled substance or alcohol shall be based upon any of the following:

1. Observed abnormal behavior or impairment in mental or physical performance (e.g., slurred speech, difficulty walking);
2. Direct observation of use in the workplace;
3. The opinion of a medical professional;
4. Reliable information concerning use in the workplace, the reliability of any such information shall be determined by the employer;
5. A work-related accident in conjunction with a basis for reasonable suspicion as listed above.

Employee Assistance Program

An employee having a drug or alcohol problem is encouraged to seek assistance, on a confidential basis, under the Employee Assistance Program if such program is provided by the employer.

The ESD shall, upon employee request, grant leave with or without pay to permit an employee to participate in a drug abuse assistance or rehabilitation program.

² Ibid. p. 1

Establishment of Drug-Free Awareness Program

The ESD shall establish a drug-free awareness program to inform employees of the:

1. Dangers of drug abuse in the workplace;
2. Existence of, and content of this policy for maintaining a drug-free workplace;
3. Availability of drug-counseling, rehabilitation and employee assistance programs; and
- 4.1. Penalties that may be imposed for drug abuse violations occurring in the workplace.

Notification by Employee of Conviction³

An employee shall, as a condition of employment, notify the ESD school in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction.

Notification by the ESD of an Employee Conviction

The ESD shall notify the appropriate federal granting or contracting agency, in writing, of an employee's criminal drug statute conviction for a violation occurring in the workplace no later than 10 calendar days after receiving notice of such conviction.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)
[ORS 342.721](#)
[ORS 342.723](#)

[ORS 342.726](#)
[ORS Chapter 475](#)
[ORS 657.176](#)

[ORS 659A.127](#)
[OAR 581-022-2210](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701-707 (2012); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 85.600-85.645 (2016).
Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.1-1308.15 (2016).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).

³ Ibid. p. 1

Lane Education Service District

Code: GA
Adopted: 5/24/94
Readopted: 9/25/01
Orig. Code(s): GA

Human Resources Policy Goals

The Board recognizes its responsibility to promote the professional growth of Lane ESD personnel and to provide for the general welfare of staff.

The Board's human resources goals include:

- Recruiting, selecting and employing the most qualified personnel to staff the system;
- Providing appropriate compensation and benefit programs for all employees;
- Providing a staff development program for all employees that includes in-service training programs as needed;
- Conducting an effective employee evaluation program to meet or exceed the law;
- Encouraging the development and maintenance of good employee morale;
- Providing additional personnel policies as appropriate relating to statute and/or human relationship needs.

END OF POLICY

Legal Reference(s):

[ORS 334.125 \(5\)](#)
[ORS 342.850](#)
[OAR 581-024-0245](#)

Lane Education Service District

Code: _____ GB
Adopted: _____ 1/25/94
Revised/Readopted: _____ 9/25/01
Orig. Code(s): _____ GB

General Hiring Practices

(See policy GBC – Staff Ethics)

The ESD may hire a member of ~~an individual employee's family or bona fide dependent of an employee~~ of the ESD in a position in which ~~there would be no direct supervision, appointment or grievance adjustment authority exercised by either employee relative to the other.~~

An employee may directly supervise a family member under the following limited circumstances after careful consultation with staff:

- ~~1. There is not a suitable number of qualified applicants;~~
- ~~2. The relative or dependent is exceptionally well-qualified when compared to other applicants;~~
- ~~3. It is unlikely any other equally qualified or superior candidate can be located within a reasonable period of time by reasonable recruitment methods;~~
- ~~4. Alternative means of evaluation and/or grievance adjustment are available, feasible and reasonably likely to work effectively.~~

As used in this policy, "member of the family" means ~~the spouse, domestic partner, daughter, daughter-in-law, son, son-in-law, mother, mother-in-law, father, father-in-law, brother, brother-in-law, sister, sister-in-law, aunt, uncle, niece, nephew, stepparent or stepchild of the individual employee.~~

END OF POLICY

Legal Reference(s):

~~ORS 342.169~~
~~ORS 653.305 – 653.326~~
~~ORS 659A.309~~
~~OAR 581-022-0705 (4)~~



Lane Education Service District

Code: GBA-AR(1)
Adopted: ~~2/11/94~~
Revised/Readopted: ~~9/25/01~~
Orig. Code(s): ~~GBA-AR(1)~~

Affirmative Action Plan

(Still applicable? What do current hiring practices say on this?)

Board policy provides the expectation that "It shall be the responsibility of the affirmative action officer to coordinate all implementing activities." To assure compliance with the intent of this policy, the affirmative action officer shall:

1. At least annually convene the affirmative action committee to review the agency's long and short-term goals;
2. ~~Assure the committee representation includes a cross section of all levels who have authority for hiring and/or making recommendations for hiring, including but not limited to:~~
 - a. ~~Directors of each service area;~~
 - b. ~~A representative of the supervisory staff;~~
 - e. ~~A representative of the confidential staff.~~
3. ~~At the meeting, review the affirmative action policy and formulate long and short-term goals which address the intent of the Board policy;~~
4. ~~Each year thereafter, evaluate the goals established the previous year and develop new job goals or reaffirm current goals for the succeeding year;~~
5. ~~Assure all applicants for employment, all current employees, all persons responsible for hiring within Lane ESD and all employee associations are informed of the ESD's equal opportunity employment policy;~~
6. ~~Provide, upon employment, to each new employee a copy of the district policy and affirmative action plan;~~
7. ~~Provide a written report to the superintendent to be shared with the Board.~~

~~From time to time, studies regarding hiring practices may be necessary for the committee to assess future goals and directions.~~



Lane Education Service District

Code: GBA-AR(3)
~~Adopted: 1/10/96~~
~~Readopted: 9/25/01, 3/17/09~~
~~Orig. Code(s): GBA-AR(3)~~

References

(Internal hiring procedure)

Board policy guarantees to ~~all persons equal access to employment with Lane ESD and sets a standard for~~ employees to be informed ~~and knowledgeable. Checking references of candidates is basic in making good~~ employment decisions. ~~ESD managers should consult with human resources office staff or the~~ superintendent when questions ~~about reference writing or checking occur. Legal advice may be required.~~

Legal Framework

~~A “qualified privilege” exists for making remarks about a person that could be considered defamatory. This protects persons who are involved in giving or getting employment references. A two-part test applies:~~

- ~~1. The person giving the reference must be a representative of an employer who speaks or writes in good faith, and has a public or private duty, or a legal, oral or social obligation to do so; and~~
- ~~2. The person receiving the information must have a corresponding duty or interest in the information.~~

~~Satisfying both portions of the test allows the management staff making the reference check to enjoy the “qualified privilege” from defamation charges.~~

Giving References for Current or Former Employees

- ~~1. Human resources office staff and other ESD managers who rely on the contents of the personnel file in making employment decisions are similarly protected.~~
- ~~2. Lane ESD management staff are expected to review employee’s performance reviews in making reference comments.~~
- ~~3. When a person leaves ESD employment, human resources office staff will secure authorization from the person to release personnel file information to potential employers who ask for recommendations.~~
- ~~4. For former employees who have no reference authorization form on file, the human resources office will request a copy of the signed authorization to release information from the prospective employer. If there is no authorization, human resources office staff will contact the former employee and request such authorization in writing. Copy of the authorization will be retained in the personnel file.~~
- ~~5. No performance information shall be given in reference checking without contacting the human resources office. All contacts to ESD employees regarding reference checks for former or current ESD employees shall be referred to the human resources office.~~

Human resources office staff will then review the file of former employees to determine the authorization status given by the former employee.

6. Reference checks about former employees who do not authorize the sharing of personnel file information will be limited to dates of employment and job assignments.
7. Reference checks about former employees who do authorize sharing of personnel file information will be made either by human resources office staff or by ESD management staff.
8. Current ESD employees will be contacted by human resources office staff to obtain authorization to release personnel file information and references from current management staff. A copy of the release form will be completed and filed in the personnel file.

Checking References on Applicants

1. ESD management staff are expected to do a thorough check of references of prospective employees and keep a record of the people contacted and the information received from each contact. Information may be gathered from the references listed by the prospective employee or from others who may have information regarding the person's performance.
2. If a candidate should ask about the information given by a reference, the candidate should be directed to the reference source. The ESD manager should not attempt to paraphrase the reference giver's comments to the candidate.
3. Notes made on reference checking need to be included in the completed application file for each position.

Lane Education Service District

Code: GBE-AR
Adopted: 12/01/20
Orig. Code(s): GBE-AR

Footwear

(This usually does not rise to the level of a board AR. Can this be moved to the staff handbook?)

Lane Education Service District is committed to providing a safe and healthy work environment. As part of that commitment and due to the risk of slips, trips and falls resulting in personal injury, certain footwear is prohibited in the work environment. All footwear must be appropriate for the environment and the employee's job requirements. For example, open toe shoes or "flip flops" are inappropriate for agency work environments and create safety hazards for the wearer. Therefore, Lane Education Service District reserves the right to determine whether a particular style of footwear is appropriate for the workplace and/or job requirements.

Footwear Safety Best Practices

To ensure safety, footwear should be free of defects or contamination. Employees should:

- Decontaminate work shoes or boots that come in contact with hazardous substances.
- Keep footwear clean, particularly treads on soles.
- Check footwear periodically to make sure there are no rips, holes or other defects and for adequate tread remaining.

All Staff

Bare feet are not allowed. Footwear with laces must remain tied at all times.

Footwear worn in classrooms must be sturdy, provide a firm base and good support as well as have slip-resistant soles. Footwear worn in classroom settings should be closed toe, regardless of the wearer's responsibilities or purpose for being there.

The following shoes will NOT be allowed to be worn while in a classroom, as they are considered a risk factor for trips and falls:

- Rubber shoes Both with and without perforations in the shoe.
- Flip flops or similar sandals with or without elevated heels.
- Any shoe with an open heel and no strap to secure the foot.
- Shoes with a heel in excess of 2 inches.
- Footwear that does not provide stability or where the foot raises out of the foot bed of the shoe with walking.

The following shoes are allowed in classrooms, with good professional taste expected:

- Tennis shoes
- Nursing or other healthcare shoes
- ~~Loafers with non-slip soles~~
- ~~Shoes with closed toe and/or strap heel~~

Facilities Staff

~~Facilities Department staff are required to wear close-toed footwear that provide a firm base and good support as well as having slip-resistant soles. Facilities Department staff are required to wear studded "traction footwear" over shoe devices when working outdoors in icy winter season conditions, such as when performing manual snow removal, exterior facility maintenance, etc. Approved traction footwear devices will be provided to affected employees at no cost.~~

~~Non-specialty footwear worn by those walking or working outdoors while in the scope of their job responsibilities must be appropriate for the conditions. For example, to help prevent slips and falls, boots or other appropriate footwear must be worn outdoors during inclement weather and/or while navigating snowy or slippery surfaces and must have an aggressive sole tread.~~

~~Staff who report to work in footwear that is considered unsafe may be sent home. Repeat issues with unsafe footwear may result in disciplinary action.~~

Lane Education Service District

Code: GBEB
Adopted: 6/28/94
Revised/Readopted: 9/25/01
Orig. Code(s): GBEB

~~HIV, AIDS and HBV – Employees~~

Lane ESD will strictly adhere in its policies and procedures to the Oregon Revised Statutes and Oregon Administrative Rules as they relate to employees infected with HIV, AIDS and/or HBV¹.

The ESD recognizes that an employee has no obligation under any circumstance to report his/her condition to the ESD and the employee has a right to continue working.

~~If the employee reports his/her condition to the ESD, strict adherence to written guidelines outlined by the employee shall be followed.~~

These guidelines shall identify who may have the information, who will give the information, how the information will be given, when and where the information will be given. All such information will be held in confidence.

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

~~The ESD shall also develop policies and/or procedures for rumor control, infection control and public relations/media. Accommodations for an employee infected with HIV, AIDS and HBV shall be the same as with any other illness.~~

END OF POLICY

Legal Reference(s):

[ORS 242.650](#)
[ORS 342.850 \(7\)](#)
[ORS 433.008](#)
[ORS 433.045](#)
[ORS 433.260](#)

[OAR 333-012-0270](#)
[OAR 333-017-0000 \(40\)](#)
[OAR 333-018-0000](#)
[OAR 333-018-0005](#)
[OAR 333-019-0015](#)

[OAR 581-024-0275](#)
[OAR 581-024-0280](#)

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

Lane Education Service District

Code: GBEBA-AR
Adopted: 7/18/94
Readopted: 9/25/01
Orig. Code(s): GBEBA-AR

~~HIV, AIDS and HBV – Employees~~

As a general rule, employees with HIV should not pose a health risk to students, to other employees or to community members. As a general rule, employees with HIV should be allowed to continue employment.

Decisions regarding the assignment of a staff member with HIV will be made on a case-by-case basis, taking into consideration all available information on the specific case at hand.

~~If an employee with HIV notifies the superintendent of his/her medical condition, the superintendent will immediately constitute a team to review the employee's assignment to determine if such assignment may create a health risk for other persons. The team members will include:~~

- ~~1. The employee;~~
- ~~2. The employee's physician;~~
- ~~3. The employee's supervisor;~~
- ~~4. A medically trained professional;~~
- ~~5. Representative(s) of the district office;~~
- ~~6. A public health agency representative.~~

~~The superintendent shall also report the disease to the local health department by the most direct means available.~~

~~Factors that the team should review, but not be limited to, are assignments that include application of first-aid assignments that include personal hygiene care, or any other factors that could transmit blood or body fluids from one person to another. Periodic review of the employee's medical condition should be scheduled. The team will make its recommendations to the superintendent.~~

~~If reassignment of the employee is advised by the team, the action taken will follow review and reconsideration of policies, regulations and practices that govern such reassignments for medical reasons, including the use of appropriate sick leaves and disability leaves.~~

~~The employee's right to privacy and confidentiality of medical records will be preserved. Only as much information as necessary will be communicated to the community and staff so that news is managed and the credibility and trustworthiness of the district is preserved.~~

These guidelines will be revised to conform with new medical information and guidelines published by county and state health departments. Such publications should be the basis for annual training provided for employees.

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Lane Education Service District

Code: GBEBAA/JHCCBA/EBBAB
Adopted: 6/28/94
Readopted: 9/25/01, 8/27/02
Orig. Code(s): GBEBAA/JHCCBA/EBBAB

HBV/Bloodborne Pathogens

~~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).~~

¹Bloodborne 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).

END OF POLICY

Legal Reference(s):

- [QAR 437-002-0360](#)
- [QAR 437-002-0377](#)
- [QAR 437-002-1030](#)
- [QAR 437-002-1035](#)

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Lane Education Service District

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

Bloodborne Pathogen Exposure Control Plan For Compliance with OR-OSHA Standard – OAR 437-002-0360 to -0375

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

~~“Blood”: Human and 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.

“Sterilize”: The use of a physical or chemical procedure to destroy all microbial life including highly-resistant bacterial endospores.

“Standard Precautions”: An approach to infection control. All human blood and certain human fluids are treated as if known to be infectious for HIV, HBV and other bloodborne pathogens.

“Work Practice Controls”: Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

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BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN

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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.~~

~~2. 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 seeping 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.

3. Needles

Contaminated needles or other contaminated sharps will not be bent, recapped, removed, sheared or purposely broken. OR OSHA allows an exception to this if the procedure would require that the contaminated needle be recapped or removed and no alternative is feasible and the action is required by the medical procedure. If such action is required, then the recapping or removal of the needle must be done by a mechanical device or a one-handed technique. Empty immunization vials will be disposed of in the sharps container.

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.

4.

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.

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.

5.

6. Personal Protective Equipment (PPE)

Da. General: Supervisors are responsible for ensuring that latex gloves are provided without cost to employees. The nature of anticipated exposure to body fluids at a school requires latex gloves (and when applicable, a vinyl apron) to be the only personal protective equipment that is generally needed. If the employee's clothing should become contaminated with body fluids, the employee will be given time to change clothing. Soiled clothing will be placed in a plastic bag and sent home with the owner and handled in accordance with standard precautions.

~~A CPR mask with a one-way valve will be provided at each instructional site.~~

~~b. PPE Use (Personal Protective Equipment): Supervisors will ensure that the employee uses appropriate PPE unless it is shown that the employee temporarily and briefly declined to use PPE when under rare and extraordinary circumstances it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstances will be investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future.~~

~~c. PPE Accessibility: Supervisors will ensure that appropriate PPE in the appropriate sizes is readily accessible at the work site or is issued without cost to employees. Hypoallergenic gloves, glove liners, powderless gloves or other similar alternatives will be readily accessible to those employees who are allergic to the gloves normally provided.~~

~~d. PPE Cleaning, Laundering and Disposal: All personal protective equipment will be cleaned, laundered and/or disposed of by the employer at no cost to the employees. All repairs and replacements of PPE will be made by Lane ESD at no cost to the employees. All garments which are penetrated by blood will be removed immediately or as soon as feasible. All PPE will be removed prior to leaving the work area.~~

~~When PPE is removed, it will be placed in an appropriately designated area or container for storage, washing, decontamination or disposal. Reusable items, such as CPR masks and vinyl aprons will be sanitized using a freshly made 1:10 (one part bleach, nine parts cool water) bleach solution.~~

~~e. Gloves: Gloves will be worn when it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, nonintact skin or mucous membranes; when handling or touching contaminated items or surfaces.~~

~~Disposable latex gloves are not to be washed or decontaminated for re-use and are to be replaced as soon as practical if they are torn, punctured or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured or exhibit other signs of deterioration or when their ability to function as a barrier is compromised. Disposable latex gloves will be removed by grasping the cuff and pulling them wrong side out. Soiled gloves will be placed in the plastic bag with other contaminated waste material, double bagged and disposed of according to state and local regulations.~~

f. Eye and Face Protection: A CPR mask with a one-way valve is to be used in the event of cardiac or respiratory arrest. Ordinary school activities do not require other masks, goggles or face shields to prevent splashes, splatter or droplets of blood.

D 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.~~

~~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 laundered according to standard precautions.~~

12. Hepatitis B Vaccine and Exposure Evaluation and Follow-Up

a. General: Lane ESD will make available the Hepatitis B vaccine and post-exposure follow-up to all employees who have occupational exposure as determined by the district and/or to all employees who have had an exposure incident.

~~Lane ESD will ensure that all medical evaluations and procedures including the Hepatitis B vaccine and vaccination series and post exposure follow up including prophylaxis, are:~~

- (1) Made available at no cost to the employee;
- (2) Made available to the employee at a reasonable time and place;
- (3) Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed health care professional;
- (4) Provided according to the recommendations of the U.S. Public Health Service.

All laboratory tests will be conducted by an accredited laboratory at no cost to the employee.

- b. Hepatitis B Vaccination: The human resources administrator is in charge of the Hepatitis B vaccination program, if any are needed.

Hepatitis B vaccination will be made available after the employee has received the training in occupational exposure and within 10 working days of initial assignment to all employees who have occupational exposure, unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune or the vaccine is contraindicated for medical reasons.

~~Participation in a pre-screening program will not be a prerequisite for receiving Hepatitis B vaccination.~~

~~If the employee initially declines Hepatitis B vaccination, but at a later date, while still covered under the standard, decides to accept the vaccination, the vaccination will be made available.~~

~~All employees who decline the Hepatitis B vaccination offered will sign the OR-OSHA required declination statement indicating their refusal. (See Hepatitis B Declination Statement form, page 11-20). 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.~~

- 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;~~

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- (5) Results of the source individual's testing will be made available to the exposed employee and the employee will be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual;
- (6) The exposed employee's blood will be collected and tested for HBV and HIV status as soon as possible after exposure and consent is obtained. The employee will have the option of having the blood sample preserved for up to 90 days to allow the employee time to consider the ramifications of testing. Any employee who wants to participate in the medical evaluation program must agree to have blood drawn.

~~All employees who incur an exposure incident will be offered post-exposure evaluation testing and treatment in accordance with OR OSHA standard. All post-exposure follow-up will be performed by a physician under contract with Lane ESD.~~

~~d. Information Provided to the Health Care Professional: The human resources administrator will ensure that the physician responsible for the employee's Hepatitis B (HBV) vaccination is provided with the following:~~

- ~~(1) A copy of OAR 437-002-0360 with confidentiality being emphasized;~~
- ~~(2) A written description of the exposed employee's duties as they related to the exposure incident;~~
- ~~(3) Written documentation of the route of exposure and circumstances under which exposure occurred;~~
- ~~(4) Results of the source individual's blood testing, if available;~~
- ~~(5) All medical records relevant to the appropriate treatment of the employee including HBV vaccination status, the staff member's current emergency information record and the most recent medical occurrences.~~

~~e. Health Care Professional's Written Opinion: The human resources administrator will obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation. The information in the report will be confidential. The health care professional's written opinion for post-exposure follow-up will be limited to the following information:~~

- ~~(1) A statement that the employee has been informed of the results of the evaluation;~~
- ~~(2) A statement that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment;~~
- ~~(3) Whether the Hepatitis B vaccination is recommended;~~
- ~~(4) Whether the employee has received the Hepatitis B vaccination.~~

~~NOTE: All other findings remain confidential and will not be included in the written report.~~

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 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 signs and symptoms of bloodborne diseases;
- d. An explanation of the modes of transmission of bloodborne pathogens;
- e. An explanation of Lane ESD Bloodborne Pathogen Exposure Control Plan and a method for obtaining a copy;
- f. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials;
- g. An explanation of the use and limitations of methods to reduce exposure, for example: engineering controls, work practices and personal protective equipment (PPE);
- h. Information of the types, use, location, removal, handling, decontamination and disposal of PPE's;
- i. An explanation of the rationale for selection of PPE's;
- j. Information regarding the Hepatitis B vaccination including efficacy, safety, method of administration, benefits and that it will be offered free of charge;
- k. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials;
- l. An explanation of the procedures to follow if an exposure incident occurs including the method of reporting and medical follow-up;
- m. Information regarding the post exposure evaluation and follow up required after an employee exposure incident;
- n. 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;

D

- (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.~~

~~e. 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.~~

Outside contractors will be responsible for meeting OR-OSHA requirements for their employees.

~~19. Outside Contractors~~

**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 by 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: _____ Grade: _____	School: _____
DOB: _____ SS#: _____	Classroom/Site: _____
Home Address: _____	Home Address: _____
Parent/Guardian: _____	Date Referred to Physician: _____
Home Phone: _____ Work Phone: _____	Documents Sent to Physician (check below)
Physician Name: _____	Bloodborne Pathogen Exposure Report <input type="checkbox"/>
Physician Phone: _____	Hepatitis B Vaccination Consent/Waiver <input type="checkbox"/>
Physician Address: _____	Source Individual Consent/History <input type="checkbox"/>
	OR-OSHA Regulation <input type="checkbox"/>
Hepatitis B Status, if known: _____	
Parent Notified (date/time): _____	
Consent Form Sent: _____	
Consent Form Obtained: _____	
Consent Refused: _____	
Employee Notified of Refusal: _____	
Follow-Up _____	Follow-Up _____

D

Date:

HBsAg +

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Date:

LANE EDUCATION SERVICE DISTRICT

SOURCE INDIVIDUAL HISTORY AND CONSENT

I hereby authorize an exchange of information to occur between the agencies/physicians listed below. I am aware that _____ 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:

D

I authorize a release of any or all information contained in the record of:

Name:

E

School: _____

Phone:

Other Names Used:

L

E

Signature of Parent or Guardian

Date

Dr. _____: This student or employee is a source individual of a bloodborne pathogen or other potentially infectious body fluid exposure incident. The above named employee, parent or guardian has been notified of OAR 437-002-0360 to 0375, Exposure guideline on bloodborne pathogens. Please return the following medical information.

Results of:

HBsAg: _____

Date:

HIV:

D _____ Date: _____

M.D. Signature _____ Date _____

E **LANE EDUCATION SERVICE DISTRICT**
SOURCE INDIVIDUAL REFUSAL FOR BLOOD TESTING
Lane Education Service District
1200 Highway 99 North
PO Box 2680
Eugene OR 97402

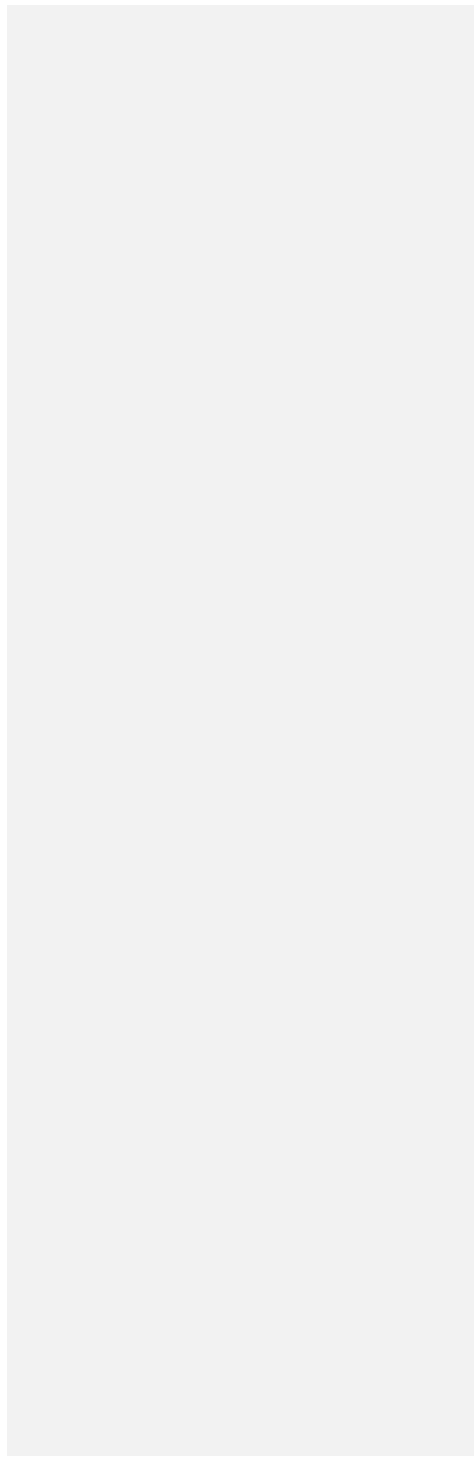
Source Individual Name: **L** _____

E _____ DOB: _____

Parent/Guardian: _____

T _____
_____ Phone: _____

Address: _____
E _____



Date Employee Exposed: _____

D _____
_____ Date Parent/Guardian Notified:

E _____
School Health Officer 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.

E _____
Signature _____ Date _____

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**LANE EDUCATION SERVICE DISTRICT
BLOODBORNE PATHOGENS TRAINING SESSION ATTENDANCE ROSTER**

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Conducted By:

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ATTENDEES

NAME

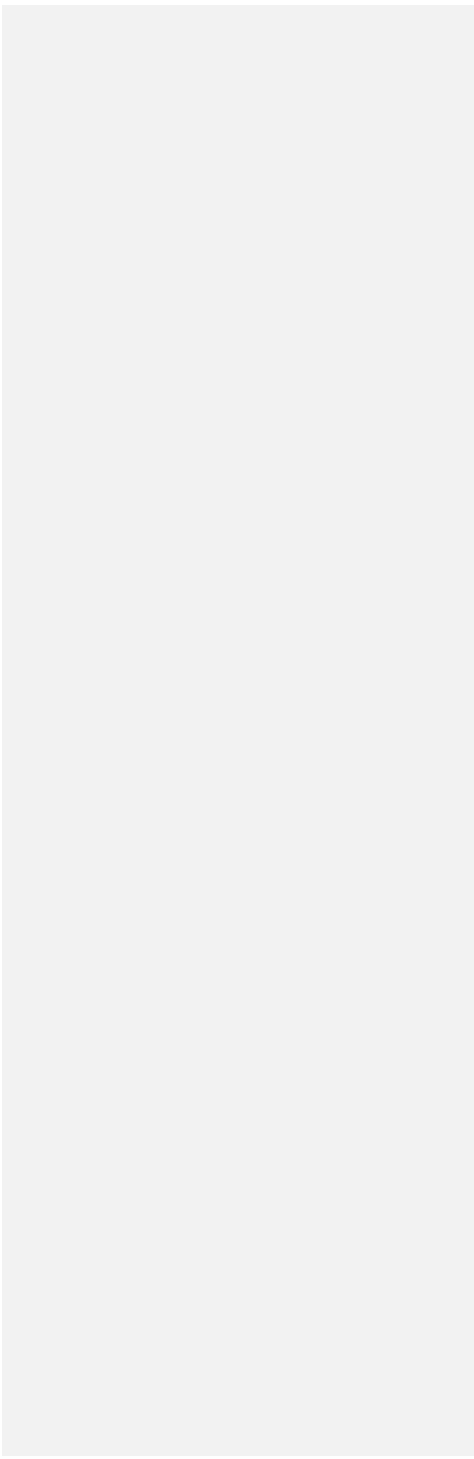
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NOTE: Training summary of contents and qualification of person(s) conducting training attached. This record will be maintained for three years from the above date of training session and copies may be made available to the appropriate OR-OSHA representative upon request.

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PHYSICIAN'S STATEMENT AND WRITTEN OPINION

Lane Education Service District
1200 Highway 99 North
PO Box 2680
Eugene OR 97402

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

- Is Hepatitis B vaccination indicated? YES NO
- If so, was vaccination given? YES NO

DATE GIVEN: _____

If yes, projected date for next dose: _____

- Are there any medical contraindications? YES NO

If yes, please explain: _____

- Was HBIG given? YES NO

If yes, date received: _____

Antibody Testing

- Date blood drawn: _____
- Baseline Hepatitis B result: _____
- 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.

Physician's Signature _____

Date _____

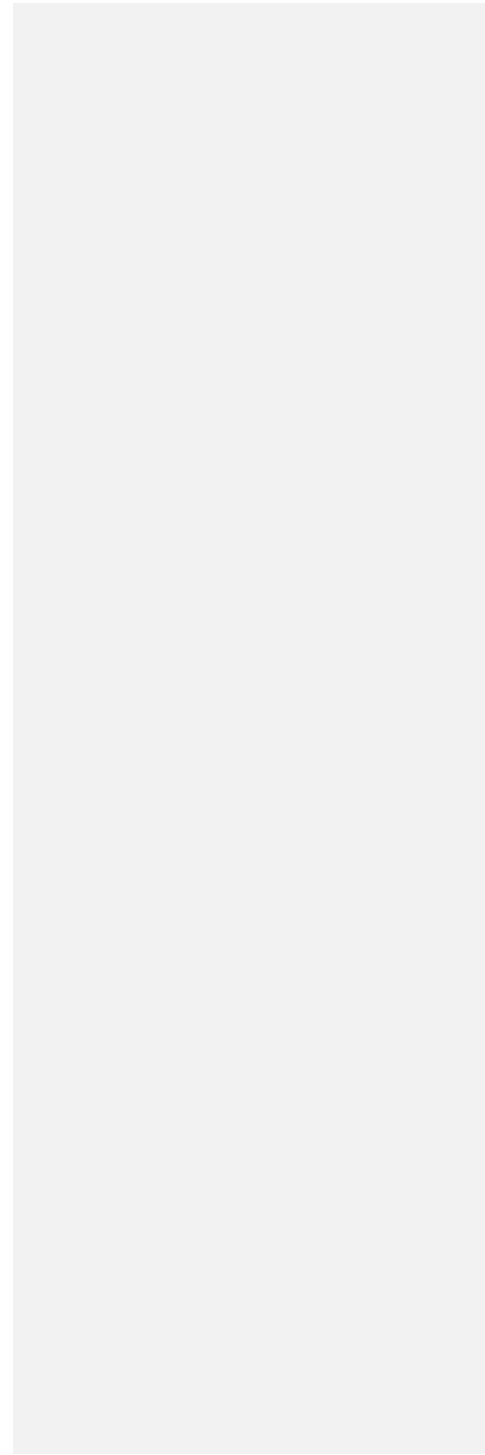
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LANE EDUCATION SERVICE DISTRICT
ACCIDENTAL BODY FLUID EXPOSURE LOG

Facility Name: _____

Facility Address: _____

School Health Official: _____

Name of Exposed: _____

_____ Student Staff DOB: _____

Source Individual, if known: _____

Reported By: _____

_____ Title: _____

_____ Date: _____

Description of Incident: _____ Time: _____

Was consultation with health care provider sought: YES NO

If so, name of health care provider: _____

Recommendation of health care provider:

D

Facility Name:

Facility Address:

School Health Official:

E

Name of Exposed:

L

Student Staff DOB:

Reported By:

Source Individual, if known:

E

Title:

Time:
Date:

T

Description of Incident:

Was consultation with health care provider sought: YES NO

E

D		

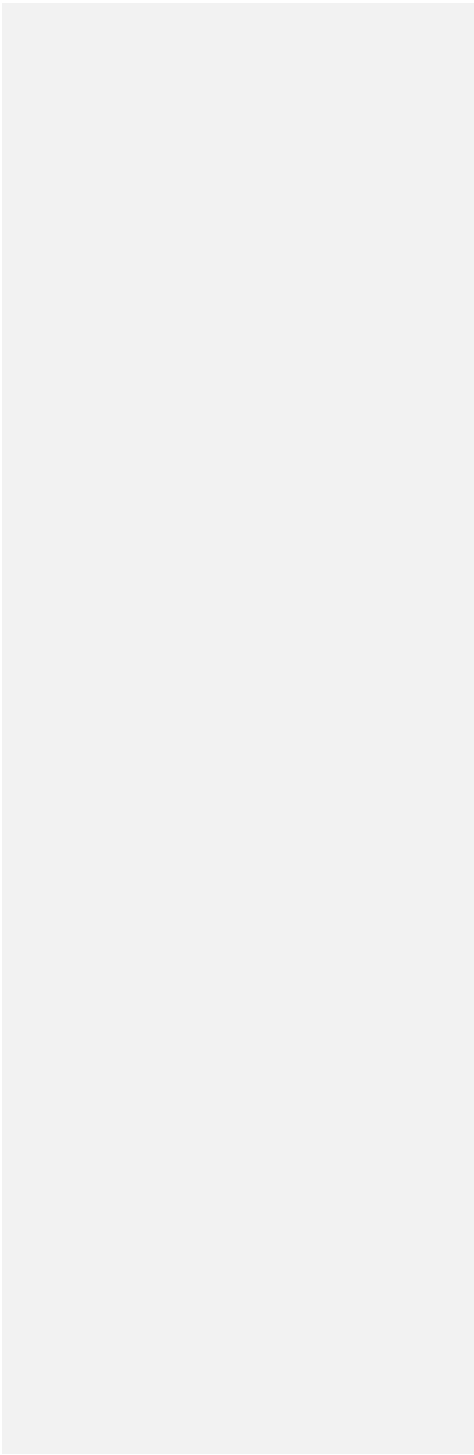
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Lane Education Service District

Code: GBEC/JHCCC/EBBAA
Adopted: 6/28/94
Revised/Readopted: 9/25/01
Orig. Code(s): GBEC/JHCCC/EBBAA

~~Infection Control - HIV, AIDS, HBV~~

~~(See proposed EBBAA.)~~

Lane ESD shall use standard precautions for infection control at all times. Each employee or student is therefore treated as though an HIV, AIDS or 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 Health Division in delivering HIV, AIDS and HBV education.~~

~~END OF POLICY~~

Legal Reference(s):

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

[OR 581-022-0705](#)
[OR 581-022-1440](#)

[OR 581-024-0275](#)
[OR 581-053-0517 \(13\)\(e\)\(e\)](#)

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

Lane Education Service District

Code: GBEBD/JHCCD
Adopted: 6/28/94
Revised/Readopted: 9/25/01
Orig. Code(s): GBEBD/JHCCD

~~HIV, AIDS and HBV Rumor Control – Employees~~

~~Lane ESD shall use a two-pronged approach for rumor control related to HIV, AIDS and HBV¹ before a rumor begins and during an “active” rumor.~~

~~In preparation for rumor control, the ESD shall annually notify employees, students, parents, media and the general public through handbooks and newspaper articles of confidentiality and individual rights requirements placed upon districts. The requirements are outlined in Oregon Revised Statutes and Oregon Administrative Rules. Individual rights include the right an employee or a student may have to continue working or attending school.~~

~~The ESD shall emphasize that if an employee or the student (parent/guardian) chooses not to divulge an HIV, AIDS or HBV condition, the ESD will have no information except to reiterate the requirements in the law regarding confidentiality and individual rights. This will be stated routinely and in cases of an “active” rumor.~~

~~If the employee or student (parent/guardian) wishes to divulge information and continues working or attending school, the ESD shall meet with the infected party or representative to develop a written procedure. This procedure will minimally outline what information will be given, who will give the information, when and where the information will be given, how the information will be given and who will receive the information. The procedures will be signed for approval by the infected party or representative.~~

~~The ESD shall appoint an ESD spokesperson who shall be responsible for responding to employees, students, parents, media and the general public.~~

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

~~END OF POLICY~~

Legal Reference(s):

[ORS 433.008](#)
[ORS 433.045](#)

[OAR 333-012-0270](#)
[OAR 333-018-0000](#)
[OAR 333-018-0005 \(1\)\(a\)](#)

-0030
[OAR 581-015-0005](#)

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

Lane Education Service District

Code: GBEBE/JHCCE/KBCAA
Adopted: 6/28/94
Revised/Readopted: 9/25/01
Orig. Code(s): GBEBE/JHCCE/KBCAA

~~News/Media - HIV, AIDS or HBV~~

N/A

Lane ESD shall assign an ESD spokesperson who shall develop news releases or conduct news conferences regarding unreported or identified HIV, AIDS or HBV¹ cases.

The release/news conference shall stress:

- ~~1. ESD's and school districts are not informed of a person infected with HIV, AIDS or HBV unless the infected person or his/her parent or guardian releases the information;~~
- ~~2. ESD's and school districts, if informed, may not release the information unless the infected person or parent or guardian gives permission for such release;~~
- ~~3. ESD's and school districts may not prevent an employee from working if he/she is able to perform his/her job responsibilities. Students have a right to continue to attend school.~~

~~If a news conference is held, the ESD shall ask the local health department or other health authorities to assist the ESD spokesperson with the news conference.~~

~~END OF POLICY~~

~~Legal Reference(s):~~

~~[ORS 326.565](#)
[ORS 326.575](#)
[ORS 332.061](#)
[ORS 336.187](#)
[ORS 342.850 \(7\)](#)
[ORS 433.008](#)
[ORS 433.045](#)~~

~~[OAR 333-012-0270](#)
[OAR 333-018-0000](#)
[OAR 333-018-0005](#)
[OAR 333-018-0030](#)
[OAR 581-015-0005](#)
[OAR 581-022-1440](#)~~

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

Lane Education Service District

Code: GBEC
Adopted: 1/25/94
Readopted: 9/25/01
Orig. Code(s): GBEC

Drug-Free Workplace (Version 1)

~~†Lane ESD prohibits the manufacturing, distributing, dispensing, possessing and/or use of controlled substance or alcohol in the workplace. The term "controlled substance" shall mean illegal drugs and shall include any narcotic drug, hallucinogenic drug and amphetamine, barbiturate, marijuana or any other controlled substance. Workplace shall mean the site of the performance of work done for the ESD in the employee's course and scope of employment, including but not limited to work at any ESD building during the time of employment or within any ESD approved vehicle (including the employee's own vehicle) used to transport students to and from school, ESD program or ESD sponsored activities or during any other use for ESD purposes, as well as any non-ESD property during any ESD-sponsored event, function or activity, whether or not there are students present. This policy shall not apply to social functions where alcoholic beverages are served.~~

~~An individual is considered to be under the influence of alcohol, intoxicants and/or a controlled substance when, in the district's determination based upon testing conducted by and interpreted by trained medical personnel, the alcohol, intoxicant or controlled substance is at a level that it may impair the individual's ability to safely and/or efficiently perform assigned work OR prevent the employee from presenting a positive role model to students.~~

~~The superintendent or designee will provide for the removal of the employee from the workplace and provide for transportation to employee's home or other location as deemed appropriate.~~

~~Any employee who is under the treatment of a physician and who must bring prescription medicines (or those drugs that ordinarily require prescription in the United States, but may be purchased over the counter in some foreign countries) to the workplace shall have a dated copy of the physician's prescription available for immediate inspection. The district reserves the right to examine the contents of any medication in the hands of the employee that is required to be prescribed in the United States, for the sole purpose of verifying the identification of the drug in an approved testing laboratory.~~

~~†As a condition of employment, employees must abide by this policy and inform the district within five days of any criminal drug conviction that occurred as a result of activities in the workplace.~~

~~The ESD shall provide a drug-free awareness program during its annual in-service. The program shall include information about the dangers of drug abuse in the workplace, a copy of the district's policy and the availability of drug counseling, rehabilitation from outside sources and the ESD's employee assistance programs. The program shall also include the consequences of violating the ESD's policy.~~

~~†Districts directly receiving grants or contracts of \$25,000 or more from the federal government are required to meet this obligation.~~

The ESD shall make a good faith effort to continue to maintain a drug-free workplace.

¹Violation of this policy may result in discipline up to and including discharge or a requirement that the employee participate satisfactorily in a drug abuse assistance or rehabilitation program.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)
[ORS 342.721](#)
[ORS 342.723](#)

[ORS 342.726](#)
[ORS Chapter 475](#)
[ORS 657.176](#)

[ORS 659A.127](#)
[OAR 581-022-2210](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 701-707 (2012); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 85.600-85.645 (2016); Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.1-1308.15 (2016); Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).

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Lane Education Service District

Code: GBEE-AR(2)
Adopted: 9/11/96
Revised/Readopted: 9/25/01
Orig. Code(s): GBEE-AR(2)

Lane ESD Sunshine Fund Guidelines

(Does not rise to level of board AR. Internal procedure. Save and make available internally? Staff handbook?)

1. The superintendent may assign responsibility for managing the Sunshine fund account to a member of the staff.
2. Funds for the Sunshine fund account come from sales commissions from staff-room vending machine receipts, commissions from paper recycling and other approved wellness committee fund raising.
3. Sunshine fund money can be used for "staff morale" gifts for individual staff members, of the type for which a collection from the staff might otherwise be made, and for wellness/social events that are planned to benefit the entire staff.

This is not meant to totally replace staff collections, usually by someone within the person's service area, for special gifts for such events as baby showers, retirement presentations or bridal showers.

~~4. The following guidelines are for expenditures for individual staff members:~~

~~a. Occasions upon which flowers or other gifts are sent:~~

~~Staff or Board member's extended illness or hospitalization (accident or surgery); birth or adoption; death in immediate family of staff or Board member.~~

~~b. Occasions upon which cards are sent:~~

~~Extended illness or hospitalization of immediate family of staff or Board member.~~

~~c. Occasions upon which refreshments (e.g., cake) are provided:~~

~~Going away parties (resignations/retirements)~~

~~Service area administrative assistants are responsible for notifying the Sunshine fund manager whenever an occasion for use of the fund arises within their division.~~

~~5.~~

Lane Education Service District

Code: GBHA
Adopted: 9/27/94
Readopted: 9/25/01
Orig. Code(s): GBHA

Parental/Family Relationship**

(See policy GBH/JECAC)

In determining whether a person is acting in a parental relationship to a student, Lane ESD shall examine the facts and circumstances of each case.

Characteristics that describe a parental relationship include:

- ~~1. Whether the person has physical custody and control of the student;~~
- ~~2. Whether the person supplies the student with food, clothing, shelter or other incidental necessities;~~
- ~~3. Whether the person provides the student with care, education and discipline;~~
- ~~4. Whether the person may authorize ordinary medical, dental, psychiatric, psychological, hygienic or other remedial care and treatment for the student and, in an emergency where the student's safety appears to urgently require it, whether the person may authorize surgery or other extraordinary care.~~

~~END OF POLICY~~

Legal Reference(s):

~~ORS 329.145~~

~~ORS 339.15~~

~~ORS 419B.373~~

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: IA
Adopted:

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Instructional Goals (OPTIONAL – recommend delete)

(Optional. Most is from ORS 329.025.)

In establishing an effective educational program as part of the students' total education, the ESD recognizes the importance of developing a partnership that promotes the involvement of staff, parents and the community [through such means as 21st Century Schools Councils, local school committees and advisory committees].

The ESD is committed to a continual process of collaborative decision making and goal setting that

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supports the following characteristics:

1. Provides equal and open access and educational opportunities for all students regardless of their linguistic background, culture, race, sex, sexual orientation, gender, capability or geographic location;

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and recognizes individual differences at all instructional levels;

2. Assumes that all students can learn and establishes high, specific skill and knowledge expectations

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3. Provides special education, compensatory education, linguistically and culturally appropriate education and other specialized programs to all students who need those services;

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4. Supports the physical and cognitive growth and development of students; communication;

5. Provides students with a solid foundation in the skills of reading, writing, problem solving and

6. Provides opportunities for students to learn, think, reason, retrieve information, use technology and work effectively alone and in groups;

7. Provides for rigorous academic content standards and instruction in mathematics, science, language arts, history, geography, economics, civics, physical education, health, the arts and world languages;

8. Provides students with an educational background to the end that they will function successfully in a

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constitutional republic, a participatory democracy and a multicultural nation and world;

9. Provides students with the knowledge and skills that will provide the opportunities to succeed in the world of work, as members of families and as citizens;

10. Provides students with the knowledge and skills that lead to an active, healthy lifestyle; choices;

E

11. Provides students with the knowledge and skills to take responsibility for their decisions and

12. Provides opportunities for students to learn through a variety of teaching strategies;

13. Emphasizes involvement of parents and community in the total education of students;

10/05/21 | LF

Instructional Goals IA

1-2

14. Transports students safely to and from school;
15. Ensures that the funds allocated to schools reflect the uncontrollable differences in costs facing each ESD;
16. Ensures that local schools have adequate control of how funds are spent to best meet the needs of students in their communities;
17. Provides for a safe, educational environment;
18. Provides increased learning time;
19. Provides each student an education experience that supports students' academic growth beyond proficiency in academic content standards and encourages their attainment of challenging and aspirational individual goals[.]; [and]
20. [Utilizes valid and reliable data for evaluating the success of curriculum, instruction, resource allocation and school improvement.]

END OF POLICY

Legal Reference(s):

[ORS 329.025](#)

[ORS 329.125](#)

[ORS 336.067](#)

[ORS 336.067-022-2030](#)

[OAR 581-022-2315](#)

House Bill 2056 (2021).

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Lane Education Service District

Code:
Adopted:
10/05/21 | LF

Instructional Goals IA
2-2

IB
10/26/93
Readopted: 6/26/01
Orig. Code(s): IB

Freedom of Expression

The Board seeks to educate young people in the democratic tradition, to foster recognition of individual freedom and social responsibility, and to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Freedom of expression includes the right and responsibility of educators and students to study, investigate, present, interpret and discuss all facts and ideas relevant to the subject matter of the classroom and appropriate to the maturity, intellectual and emotional capacities of the students. Freedom of expression will be guaranteed to Lane ESD school teachers to create a classroom atmosphere that allows students to raise questions dealing with critical issues.

Teachers are responsible for exercising judgment in selecting issues of educational value for discussion.

Students are required to exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 334.125(7)	ORS 659.850
ORS 329.025	ORS 339.880	OAR 581-021-0050
ORS 332.072	ORS 339.885	OAR 581-021-0055

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2018).
Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).
U.S. CONST. amend. I; U.S. CONST. amend. XIV. OR.
CONST., art. I, § 8.

Freedom of Expression IB
1-1

Lane Education Service District

IC/ICA/ID

10/26/93

Code:
Revised/Readopted: 6/26/01

Adopted:
Orig. Code(s): IC/ICA/ID

~~Instructional Day/Year/Calendar~~ ESD Calendar/School Year

~~The Board recognizes that the preparation of a calendar for the instructional year of the schools is necessary for orderly educational planning and for the efficient operation of the district.~~

The Board shall annually establish ~~annually~~ the school calendar that includes the number of days and number of hours when classrooms shall be in session for instructional purposes. The specific calendar in each case shall be that of the school and district in which the classroom is located or shall be the calendar established by the ESD generally. The calendar will meet state requirements.

The superintendent shall prepare ~~each year~~ a calendar ~~which~~ that accommodates the calendars of the host schools as well as the needs of the ESD. The calendar shall be prepared in consultation with appropriate staff members and shall be presented to the Board for adoption.

The Board reserves the right to alter the school calendar ~~when advisable in the best interests of the students involved~~, but shall not in so doing disturb coordination with calendars for host schools nor exceed the total number of instructional and duty days originally adopted.

Days lost may be made up to ensure that the required number of student days/hours are met by the district.

END OF POLICY

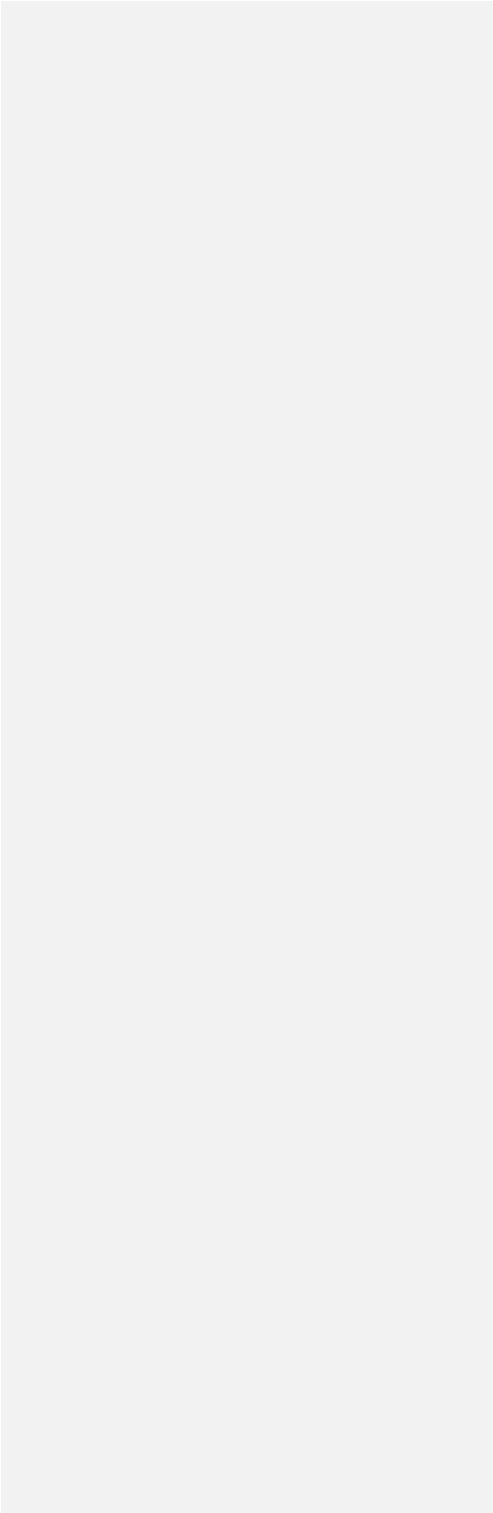
Legal Reference(s):

[ORS 187.010](#) [ORS 334.125\(7\)](#) [OAR 581-022-46202320](#) [ORS 243.650](#) [ORS 336.010](#)

Lane Education Service District

Code:
Adopted:

~~Instructional Day/Year/Calendar~~ ESD Calendar/School Year – IC/ICA/ID
1-1



Lane Education Service District

Code:

Adopted:

ICB

12/08/23

Orig. Code(s):

ICB

Religious and Cultural Holidays**

Accommodation for Religious Instruction and Cultural Observance

The ESD recognizes each student's individual right to free exercise of religion. The ESD may accommodate students' religious or cultural¹ observance, while neither promoting one religion or culture over another nor preferring religion over non-religion. Specific requests for religious or cultural accommodation should be directed to the student's teacher, principal or program supervisor in accordance with Board policy IGBHD - Program Exemptions.

Release Time for Religious and Instruction and Cultural Holidays

The ESD will permit elementary and secondary school students to be released from school each week consistently for religious instruction in accordance with Oregon law.

Accommodation of Absences for Religious and Cultural Reasons

Any student unable to attend classes on a particular day due to religious beliefs or cultural observance shall be excused from attendance requirements for that day. No such absence shall be counted against a student in determining eligibility for educational benefits, exclusion from programs, reduction of grades or failure.

Scheduling Around Major Religious and Cultural Holidays

For purposes of this policy, "major religious or cultural holidays"² are holidays, observance of which: (1) is common among adherents of a student's religion or culture; (2) include ritual or worship obligations or

¹ An example of a major non-religious cultural holiday would be the Chinese New Year.

² ESDs are encouraged to engage with the community to identify holidays that are observed by students, staff and community members that would be considered major religious or cultural holidays.

practices that cannot reasonably be fulfilled during school activities;³ and (3) fulfillment of such obligations or practices would necessarily conflict with scheduled school activities.⁴

1. Schoolwide and Gradewide Events. Schools should avoid scheduling important events that by their nature cannot be made up (such as picture day, open house, prom, graduation, and Outdoor School) on days that conflict with major religious or cultural holidays that may impact student attendance or participation. Such events shall be scheduled on major religious or cultural holidays only if such

scheduling is reasonably necessary to carry out the proper functioning of a school program or course of study, to avoid an unreasonable burden on other students, or if such scheduling is outside the control of school employees.

The ESD will make a good faith effort to identify major religious or cultural holidays observed in the local community by consulting generally accepted sources of information. Students and families may request that one or more holidays from their religious or cultural tradition be included on the ESD's list of major religious or cultural holidays under this policy.

2. Field Trips, Cocurricular and Extracurricular Activities. When scheduling other special events such as field trips, try-outs, plays, concerts and major cocurricular and extracurricular activities, staff must consider the potential for students to experience conflicts on major religious or cultural holidays. Staff will inform students and parents of plans as far in advance as possible, so that conflicts with major religious or cultural holidays can be avoided, if it is possible to do so without making burdensome demands on programs or other students, and otherwise accommodated if not. Parents and students are encouraged to communicate their need for accommodation to the school, for major religious or cultural holidays not already recognized by the ESD.

The field trip approval process will include a question about scheduling and major religious or cultural holidays. For a field trip to be scheduled on a major religious or cultural holiday, an administrator must review and approve the request. Administrator approval is also required to schedule a major cocurricular or extracurricular activity on a major religious or cultural holiday when scheduling is within the control of the school or ESD.

3. Tests and Assignments. Any tests and assignments a student misses because of religious instruction or religious or cultural observances shall be given to the student at another time. Teachers shall provide students a meaningful opportunity and reasonable time to make up missed classwork, tests, quizzes, and final exam reviews, and to complete homework due on that day or the following school day. When scheduling tests, staff must consider the potential for students to experience conflicts on major religious or cultural holidays. Make-up opportunities will not be required of a student on the school day immediately after a student is absent from school to observe a major religious or cultural holiday.

³ For example, holiday-related dietary restrictions may still be observed while at school, but group prayer or ritual hymns may not. ⁴ If such obligations occur in the evening, then there would be no constraints on scheduling such activities during the school day, so long as the students will be timely released to engage in such evening activities.

4. Final Exams. Final exams are scheduled based on the ESD-adopted calendar. The Board should consider the likely resulting exam schedule and possible conflicts with major religious or cultural holidays as they consider calendar options.

Communication

The superintendent will prepare guidelines implementing this policy, including a list of major religious holidays and cultural holidays, which will be communicated to staff. School staff will be informed at least twice per year of dates of major religious or cultural holidays. Parents will be informed at least annually about this policy and their student’s right to request accommodation. Information including a list of major religious or cultural holidays will be made available on the ESD website. Parents are encouraged to communicate their student’s need for accommodation to the school.

The superintendent shall reconsider the scope of this policy and recommend changes to the Board as needed if the total number of school days identified as major religious or cultural holidays is likely to impose an unreasonable burden on the ESD’s ability to schedule important school events.

END OF POLICY

Legal Reference(s):		
ORS 334.125	ORS 336.635	OAR 581-022-2050
ORS 336.035(2)		OAR 581-022-2110
ORS 336.465	OAR 581-002-0035	OAR 581-022-2505
ORS 336.615	OAR 581-021-0009	
ORS 336.625	OAR 581-021-0071	

Lane Education Service District

Code: IF
Adopted: 10/26/903
Readopted: 6/26/01; 8/27/02
Orig. Code(s): IF; IM

Instructional Program Development

The Board recognizes its responsibility for the improvement and growth of the instructional programs. To this end, the programs shall be evaluated, adapted and developed on a continuing basis and in accordance with a plan for curriculum growth.

~~The Board reserves the right to review all program curriculum and to direct a continuing program of curriculum review and modification.~~

As educational leader of the district ESD, the superintendent shall be responsible to the Board for the development of program curriculum implementation of an instructional services planning process which ensures the participation of representatives of the component school districts and staff members. ~~He/She shall establish procedures for curriculum development which ensure the participation of appropriate representatives of component districts, staff members and the utilization of all available resources, as appropriate.~~ Activities will include identifying appropriate instructional programs, determining priorities for addressing needs and assisting, as needed, the State Board of Education in providing state level services to component school districts.

~~The Board reserves the right to review program curriculum and to direct such modification as may be deemed appropriate.~~

(moved from policy IM) The purposes of evaluation of instruction will be to:

1. Determine Lane ESD and component districts' educational needs and provide information for planning;
2. Indicate instructional strengths and weaknesses;
3. Check on the suitability of programs within the community;
4. Show the relationship between achievement and the system's stated goals;
5. Provide data for public information.

The Board will rely on the professional staff to provide continuous evaluation of the educational program and instructional processes. The Board may participate with the professional staff in such evaluation. It may also arrange for evaluations to be conducted by outside agencies.

Appropriate research studies will be periodically reviewed to determine recent trends and developments in evaluation techniques.

END OF POLICY

R7/01/17 | PH

Instructional Program Development – IF
1-2

Legal Reference(s):

[ORS 243.650](#)
[ORS 334.125\(4\)](#)
[ORS 336.035](#)
[ORS 336.067](#)

[OAR 581-022-2000](#)
[OAR 581-022-2030](#)
[OAR 581-022-2250](#)
[OAR 581-022-2310](#)
[OAR 581-022-2315](#)

[OAR 581-024-0215](#)
[OAR 581-024-0231](#)
[OAR 581-024-0240](#)

R7/01/17 | PH

Instructional Program Development – IF
2-2

Lane Education Service District

Code: IF-AR
Adopted: 4/13/95
Revised/Readopted: 6/26/01
Orig. Code(s): IF-AR

Credit-Related Course Offerings (PROPOSED Delete)

(Still needed as an AR? This usually does not rise to the level of an AR. Is it already in the curriculum outline? If keeping as an AR, any changes to make?)

Some in-service opportunities available through Lane ESD are conducted over a period of days or weeks and require such extensive teacher time and study that the in-service activity could be considered to qualify for college or university credit.

Any course offered through the ESD which carries such credit shall meet the following criteria:

1. Approval to offer a course for credit will be granted by the appropriate director, contingent upon agreement by the college/university. Responsibility for negotiating with the college for the credit will reside with the director or an ESD employee designated by the director;
2. A completed Request for College Credit will be submitted to the appropriate division director;
3. The form will supply information relative to credit hours, course description, course objectives, evaluations, etc.;
4. Course credit will be granted through an accredited college or university. Class hours per credit will be based upon the course requirement standards of the accrediting institution;
5. Participants will bear all credit related costs involved in the program other than use of ESD facilities and the time of ESD employees serving in their ESD assignment.

Request for College Credit

Course Title:

____ Instructor of Record:

____ Number of Credits:

____ Location:

____ Dates:

____ Times:

____ (For workshops with several sessions, list specific dates and times.)

Course Description:

____ (Include also course syllabus)

Pre-requisite:

Course Goals/Performance Objectives:

____ At the completion of the course, participants will be able to: (list)

Course Requirements:

____ (Based upon standards of accrediting institution.)

____ Number of hours in class:

____ Required reading (indicate before, during or after course dates):

____ Approximate number of hours of reading:

Written assignment(s) (indicate during or after course dates):

____ Approximate number of hours to complete: _____

____ Text: _____

Project: _____

Approximate number of hours to complete: _____

Other: _____

Grade Option: P/NP Graded Optional (either)

Student Evaluation:

Describe how grade will be determined. Indicate weight of each component of grade.

Course Evaluation:

Describe how course will be evaluated.

Lane Education Service District

Code: IFA
Adopted: 7/12/94
Revised/Readopted: 6/26/01
Orig. Code(s): IFA

Instructional Research

The ~~district~~ ESD may be involved in research for the purposes of gaining information to advise the Board regarding policy matters, to help staff make effective decisions, and to advance the level of knowledge in the field of public education. The ~~district~~ ESD is committed to the position that planning and decision making be supported by information developed through objective research or similar processes.

The superintendent will establish formal procedures through which ~~district~~ ESD personnel and agencies or individuals from outside the ~~district~~ ESD can propose to do educational research within the ~~district~~ ESD.

The objectives for such proposals will include:

1. Inducing change in programs and services under conditions which are conducive to the overall growth of ESD programs;
2. Gathering objective information which may lead to changes in ~~district~~ policies or procedures;
3. Encouraging and coordinating creative efforts so that duplications, conflict and redundant efforts may be avoided;
4. Facilitating the teaching-learning process and developing greater effectiveness in teaching;
5. Creating a climate for professional growth through creativity and innovation;
6. Establishing criteria for change in educational practices through innovative development and creativity.

Proposals to involve the ~~district~~ ESD in research require prior approval from the superintendent or designee. The basic premise for involving the ESD in research is the ability of the ESD to use results.

All research proposals and practices shall comply with the U.S. Department of Health and Human Services policy on Protection of Human Subjects (DHHS Policy 45 CFR Part 46, August 19, 1981).

END OF POLICY

Legal Reference(s):

[ORS 329.704](#)

[ORS 334.125](#)

[OAR 581-024-0231](#)

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

3/03/17 | PH

Instructional Research – IFA

1-1

Lane Education Service District

Code: IFA-AR
Adopted: 8/17/94
Readopted: 6/26/01
Orig. Code(s): IFA-AR

~~Research Guidelines (PROPOSED DELETE)~~

~~(Still use this procedure? Is this AR the best place? Any change in practice to make?)~~

~~To assist in keeping research focused on the needs of Lane ESD, the superintendent will appoint a Research Review Committee. The purpose of the Research Review Committee is to advise the superintendent regarding proposals to do research in the district and to monitor approved research projects.~~

~~The Research Review Committee will review each research proposal. The following criteria shall be used in considering each proposal:~~

- ~~1. The privacy and dignity of all individuals (i.e., students, parents, teachers, administrators) must be assured in the study;~~
- ~~2. The study must comply with federal and state law and ESD policy and administrative rules;~~
- ~~3. The study must not be detrimental, either physically or psychologically, to any of the participants;~~
- ~~4. The study must contain full disclosure of the treatment to which the participants will be subjected;~~
- ~~5. The study must be designed so as to pose a question and to present a tenable solution;~~
- ~~6. The study is in an area of inquiry in which the resulting information is relevant to ESD programs;~~
- ~~7. The proposal must meet generally accepted criteria for quality research within the field of inquiry;~~
- ~~8. The proposal must adequately protect the rights of individuals who may be involved in the research.~~

~~Consent of students' parents shall be obtained for any testing beyond that which is normally required for all similar students in the district.~~

~~Student records and data reported in any study shall be handled in such a way that the information shall not be personally identifiable.~~

Research Guidelines – IFA-AR

1-7

~~All instructional materials to be used in connection with a study—including teacher manuals, films, tapes and other supplementary items—shall be made available to and by the ESD for inspection by the parents of students engaged in the study.~~

~~Participation of ESD staff and students in any non-ESD originated study shall be voluntary. In studies initiated by the district ESD, full staff participation may be necessary and cooperation of all ESD personnel may be required.~~

~~In order to facilitate review of the proposal by all members of the committee, one complete, formal copy of the proposal, as well as five summaries (as outlined in items 1-11, below) should be submitted. The committee will establish a regular time to meet once each month for the purpose of reviewing new proposals and for receiving a status report on projects in progress. The committee will make a determination at each meeting on the status of each approved project. The status designation will be: (1) continuing; (2) completed; (3) recommendation for termination.~~

~~All initial proposals must be processed by the Research Review Committee before any action is taken. After the committee has reviewed the study, its recommendation will be forwarded to the superintendent. The superintendent will notify the person who has submitted the proposal in writing whether or not approval has been granted to conduct the study. Once this written approval is given, the researcher may conduct the research, filing a monthly status report with the Research Review Committee.~~

~~Individuals interested in doing research through Lane ESD are to observe the following format in submitting their proposal:~~

- ~~1.— Name, address, telephone number and affiliation of person submitting the proposal;~~
- ~~2.— Title of proposed research;~~
- ~~3.— Statement of purpose (the questions proposed to be answered by the study);~~
- ~~4.— Design and implementation:
 - ~~a.— Statement of problem;~~
 - ~~b.— Experimental hypotheses to be tested;~~
 - ~~c.— Dependent variables;~~
 - ~~d.— Independent variables;~~
 - ~~e.— How the variables are to be measured;~~
 - ~~f.— Design;~~
 - ~~g.— Experimental procedure:
 - ~~(1)— Apparatus to be used;~~
 - ~~(2)— Steps necessary to complete the study (State in clear sequence); (3)
—— Process for gathering and analyzing results.~~~~
 - ~~h.— Other related research in this field.~~~~

5. ~~If any nonstandard instrument is to be used, a sample must accompany the request. If instrument is standardized, supporting documentation must be provided;~~
6. ~~If direct involvement of students will be required, restrictions or qualifications relative to type of students must be noted. The proposal must also describe how the project will comply with district policy on protection of human subjects;~~
7. ~~If direct involvement of staff of Lane ESD is required, specific staff members must be identified, as well as the amount of time each is to be involved, extent of involvement and any other information helpful to understanding the approach and how the project will comply with district policy on protection of human subjects;~~
8. ~~A statement detailing how the results of the study could be valuable to Lane ESD;~~
9. ~~If ESD funds are to be used, the amount and the period of time during which they will be spent must be specified;~~
10. ~~If ESD facility space is to be used, the amount, location and duration of use must be specified;~~
11. ~~All proposals must follow the style of the American Psychological Association (APA) as presented published in the *Publication Manual of the APA American Psychological Association*, 2nd Edition, 1974 as of the date of the proposal, or other style manual appropriate to the content area.~~

~~No names of individuals or schools will be permitted to be published in studies approved by the district ESD unless permission is granted in writing by the individual or school district. It is also understood that the [director] of any project that is approved will, upon termination of the project, send a final copy of the completed research project, including a summary report of no more than three pages, to the chairperson of the Research Review Committee for submission to the members of the committee.~~

~~Following a determination by the Research Review Committee, all proposals must also be approved by the ESD superintendent and any participating district(s).~~

~~Additional information may be obtained by contacting the Chairperson, Lane ESD Research Review Committee:~~

~~Send research requests to:~~

~~Chair, Research Review Committee
Lane Education Service District
1200 Highway 99 North
P.O. Box 2680
Eugene, OR 97402
Telephone: (503) 461-8200~~

~~**BACKGROUND INFORMATION, RESEARCH REVIEW COMMITTEE Sections Taken From:
Department of Health and Human Services, Part 46 Protection of
Human Subjects**~~

~~§46.111 Criteria for Research Review Committee (RRC) Institutional Review Board (IRB) approval of research.~~

~~(A) In order to approve research covered by this policy the RRC IRB shall determine that all of the following requirements are satisfied:~~

- ~~(1) Risks to subjects are minimized: (a) by using procedures which are consistent with sound research design and which that do not unnecessarily expose subjects to risk, and (b) whenever appropriate, by using procedures already being performed on the subjects for diagnostic or treatment purposes.~~
- ~~(2) Risks to subjects are reasonable in relation to anticipated benefits, if any, to subjects, and the importance of the knowledge that may reasonably be expected to result. In evaluating risks and benefits, the IRB should consider only those risks and benefits that may result from the research (as distinguished from risks and benefits of therapies subjects would receive even if not participating in the research). The IRB should not consider possible long-range effects of applying knowledge gained in the research (e.g., the possible effects of the research on public policy) as among those research risks that fall within the purview of its responsibility.~~
- ~~(3) Selection of subjects is equitable. In making this assessment the RRC IRB should take into account the purposes of the research and the setting in which the research will be conducted. The IRB and should be particularly cognizant of the special problems of research involving that involves a category of subjects who are vulnerable populations, such as children, mentally disabled persons to coercion or undue influence, such as children, prisoners, individuals with impaired decision making capacity, or economically or educationally disadvantaged persons.~~
- ~~(4) Informed consent will be sought from each prospective subject or the subject's legally authorized representative, in accordance with, and to the extent required by, § 46.116.~~
- ~~(5) Informed consent will be appropriately documented or appropriately waived in accordance with § 46.117.~~
- ~~(6) When appropriate, the research plan makes adequate provision for monitoring the data collected to ensure the safety of subjects.~~
- ~~(7) When appropriate, there are adequate provisions to protect the privacy of subjects and to maintain the confidentiality of data. When some or all of the subjects are likely to be vulnerable to coercion or undue influence, such as children, mentally disabled persons, or economically or educationally disadvantaged persons, additional safeguards have been included in the study to protect the rights and welfare of these subjects. The Secretary of HHS will, after consultation with the Office of Management and Budget's privacy office and other Federal departments and agencies that have adopted this policy, issue guidance to assist IRBs in assessing what provisions are adequate to protect the privacy of subjects and to maintain the confidentiality of data.~~

~~(8) For purposes of conducting the limited IRB review required by § 46.104(d)(7), the IRB need not make the determinations at paragraphs (a)(1) through (7) of this section, and shall make the following determinations:~~

~~(i) Broad consent for storage, maintenance, and secondary research use of identifiable private information or identifiable biospecimens is obtained in accordance with the requirements of § 46.116(a)(1)-(4), (a)(6), and (d);~~

~~(ii) Broad consent is appropriately documented or waiver of documentation is appropriate, in accordance with § 46.117; and~~

~~(iii) If there is a change made for research purposes in the way the identifiable private information or identifiable biospecimens are stored or maintained, there are adequate provisions to protect the privacy of subjects and to maintain the confidentiality of data;~~

~~(b) When some or all of the subjects are likely to be vulnerable to coercion or undue influence, such as children, prisoners, individuals with impaired decision-making capacity, or economically or educationally disadvantaged persons, additional safeguards have been included in the study to protect the rights and welfare of these subjects.~~

~~§46.116. General requirements for informed consent.~~

~~No investigator may involve a human being as a subject in research covered by this policy unless the investigator has obtained the legally effective informed consent of the subject or the subject's legally authorized representative. An investigator shall seek such consent only under circumstances that provide the prospective subject or the representative sufficient opportunity to consider whether or not to participate and that minimize the possibility of coercion or undue influence. The information that is given to the subject or the representative shall be in language understandable to the subject or the representative. No informed consent, whether oral or written, may include any exculpatory language through which the subject or the representative is made to waive or appear to waive any of the subject's legal rights, or releases or appears to release the investigator, the sponsor, the institution or its agents from liability for negligence. Requirements for informed consent is outlined in Title 45 CFR Part 46, § 46.116.~~

~~§ 46.117 Documentation of informed consent.~~

~~(A) Informed consent shall be documented by the use of a written consent form approved by the RRC and signed by the subject or the subject's legally authorized representative. A copy shall be given to the person signing the form. Documentation requirements for informed consent is outlined in Title 45 CFR Part 46, § 46.117~~

~~§46.408 Requirements for permission by parents or guardians and for assent by children~~

~~Definitions:~~

- (1) ~~Children are persons who have not attained the legal age for consent to treatments or procedures involved in the research.~~
- (2) ~~Assent means a child's affirmative agreement to participate in research. Mere failure to object should not, absent affirmative agreement, be construed as assent.~~
- (3) ~~Permission means the agreement of parent(s) or guardian to the participation of their child or ward in research.~~
- (4) ~~Parent means a child's biological or adoptive parent.~~
- (5) ~~Guardian means an individual who is authorized to consent on behalf of a child to general medical care.~~

(A) ~~In addition to the determinations required under other applicable sections of this subpart, The RRC/IRB shall determine that adequate provisions are made for soliciting the assent of the children, when in the judgment of the RRC/IRB the children are capable of providing assent. In determining whether children are capable of assenting, the RRC/IRB shall take into account the ages, maturity, and psychological state of the children involved. This judgment may be made for all children to be involved in research under a particular protocol, or for each child, as the RRC deems appropriate. If the RRC determines that the capability of some or all of the children is so limited that they cannot reasonably be consulted, the assent of the children is not a necessary condition for proceeding with the research. This judgment may be made for all children to be involved in research under a particular protocol, or for each child, as the IRB deems appropriate. If the IRB determines that the capability of some or all of the children is so limited that they cannot reasonably be consulted or that the intervention or procedure involved in the research holds out a prospect of direct benefit that is important to the health or well-being of the children and is available only in the context of the research, the assent of the children is not a necessary condition for proceeding with the research. Even where the IRB determines that the subjects are capable of assenting, the IRB may still waive the assent requirement under circumstances in which consent may be waived in accord with § 46.116 of the pre-2018 Requirements or of the 2018 Requirements, as applicable.~~

(B) ~~The RRC shall determine that adequate provisions are made for soliciting the permission of each child's parents or guardian. Where parental permission is to be obtained, both parents must give their permission unless one parent is deceased, unknown, incompetent, or not reasonably available, or when only one parent has legal responsibility for the care and custody of the child. In addition to the determinations required under other applicable sections of this subpart, the IRB shall determine, in accordance with and to the extent that consent is required by § 46.116 of the pre-2018 Requirements or the 2018 Requirements, as applicable, that adequate provisions are made for soliciting the permission of each child's parents or guardian. Where parental permission is to be obtained, the IRB may find that the permission of one parent is sufficient for research to be conducted under § 46.404 or § 46.405. Where research is covered by §§ 46.406 and 46.407 and permission is to be obtained from parents, both parents must give their permission unless one parent is deceased, unknown, incompetent, or not reasonably available, or when only one parent has legal responsibility for the care and custody of the child.~~

~~(C) In addition to the provisions for waiver contained in § 46.116 of the pre-2018 Requirements or the 2018 Requirements, as applicable, if the IRB determines that a research protocol is designed for conditions or for a subject population for which parental or guardian permission is not a reasonable requirement to protect the subjects (for example, neglected or abused children), it may waive the consent requirements in § 46.116 of the pre-2018 Requirements or 2018 Requirements, as applicable, and paragraph (b) of this section, provided an appropriate mechanism for protecting the children who will participate as subjects in the research is substituted, and provided further that the waiver is not inconsistent with Federal, State, or local law. The choice of an appropriate mechanism would depend upon the nature and purpose of the activities described in the protocol, the risk and anticipated benefit to the research subjects, and their age, maturity, status, and condition.~~

~~(D) Permission by parents or guardians shall be documented in accordance with procedures established by the RRC and to the extent required by § 46.117 of the pre-2018 requirements or the 2018 requirements, as applicable.~~

~~(E) When the RRC/IRB determines that assent is required, it shall also determine whether and how assent must be documented.~~

Lane Education Service District

Code:

Adopted:

IFB

10/26/93

Readopted:

6/26/01

Orig. Code(s):

IFB

Pilot Projects

A pilot project is defined as an educational practice conducted in a controlled environment for a period of time sufficient to test the applicability and viability of that practice for fulfilling present and future needs of the ~~district~~ESD.

Requests for permission to conduct such projects must be submitted to the superintendent and must be approved by the Board. Pilot projects are subject to compliance with state and federal laws and to Board policy and administrative ~~rule~~regulations.

END OF POLICY

Legal Reference(s):

~~ORS 329.675 – 329.745~~ [ORS 334.125](#)

Family Educational Rights and Privacy Act, 20 U.S.C. ~~§Section~~-1232g; 34 C.F.R. Part 99-(2000).
Protection of Pupil Rights, 20 U.S.C. ~~§Section~~-1232h | 34 C.F.R. Part 98-(2000).

Lane Education Service District

Code:

Adopted:

Pilot Projects IFB

IFD

6/26/01

Orig. Code(s):

IFD

Curriculum Adoption

The Board believes it is necessary to continually develop and modify ~~all district~~ the ESD's curricula to meet changing needs in technology and ~~fields of content~~ knowledge and to ~~assure the full, rounded and continuing development of students~~ help students develop critical skills and knowledge. While keeping with the requirements of state law, the Board authorizes the superintendent to review the curricula periodically and to advise the Board on needed changes.

The Board retains its full rights and responsibilities under the laws and regulations of the state of Oregon with regard to adopting curriculum.

The ~~district~~ ESD will coordinate curriculum development with component school districts, where appropriate.

END OF POLICY

Legal Reference(s):

[ORS 334.125 \(4\)\(a\), \(7\)](#)
[ORS 334.175](#)

[ORS 336.035](#)
[OAR 581-022-11302000](#)

[OAR 581-022-12102030](#)
[OAR 581-024-0231](#)

Curriculum Adoption IFD

IFE

12/7/93

Revised/Readopted: 6/26/01

Orig. Code(s):

IFE

Lane Education Service District

Code:
Adopted:

Curriculum Guides and Course Outlines

Curriculum guides will be available for each subject or course offered in by the districtESD. The guides will include the appropriate benchmarks consisting of the Essential Learning Skills and Common Knowledge and Skills to meet academic content standards adopted by the State Board of Education, except that the curriculum for students who are on individualized education programs (IEP's) will be determined by each student's individual program IEP, as developed by their IEP team.

Information regarding subject area goals and objectives will be available to all students and interested district patrons.

END OF POLICY

Legal Reference(s):

[ORS 332.075\(1\)](#)
[ORS 334.125](#)
[ORS 336.035](#)
[OAR 581-021-0045](#)

[OAR 581-021-0046](#)
[OAR 581-022-2000](#)
[OAR 581-022-2030](#)
[OAR 581-022-2250](#)
[OAR 581-022-2300](#)

[OAR 581-022-2305](#)
[OAR 581-022-2310](#)
[OAR 581-022-2315](#)

Curriculum Guides and Course Outlines IFE

Lane Education Service District

Code: IGAEA
Adopted: 10/24/00 Revised/Readopted:
6/26/01

Orig. Code(s): **D** IGAEA

HIV, AIDS and HBV Health Education (HOLD)

(See policy IGAI)

The Board wants the schools to play an important role in reducing the fears about HIV/AIDS/HBV⁴ and in reducing the risk behaviors that lead to infection by educating students with current, factual information

E about the disease, i.e., how it attacks the body's system and how it is (and is not)

transmitted. AIDS is a deadly disease; there is no known cure. The Board believes the best course of action is to attempt to contain or to reduce the spread of the disease by creating an informed public; one that is aware of the physiological and psychological aspects of the disease.

A curriculum shall be developed cooperatively by parents, teachers, administration, local health department staff and others. The curriculum shall present current, accurate information to help students learn infection control for preventing the spread of the HIV/AIDS/HBV-causing virus and to assist them in making decisions about protecting their health and the health of others. The curriculum shall stress the

⁴ HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

value of abstinence.



The Board-adopted curriculum will be reviewed and updated biennially.

The age-appropriate curriculum shall be taught annually in grades K-12.



The district will designate a staff person to facilitate communications between the Oregon Health Division and Oregon Department of Education and teaching staff regarding this program.

The district shall develop procedures for parent notification, exemption and alternative credit.

Parents of minor students shall be notified in advance that the materials regarding HIV/AIDS/HBV will be taught. Any parent may request his/her student be excused from the class under the provisions set forth in Oregon Revised Statutes and Oregon Administrative Rules.

Lane ESD staff working in component school districts, their students and parents shall comply with

component district policies and procedures.



END OF POLICY

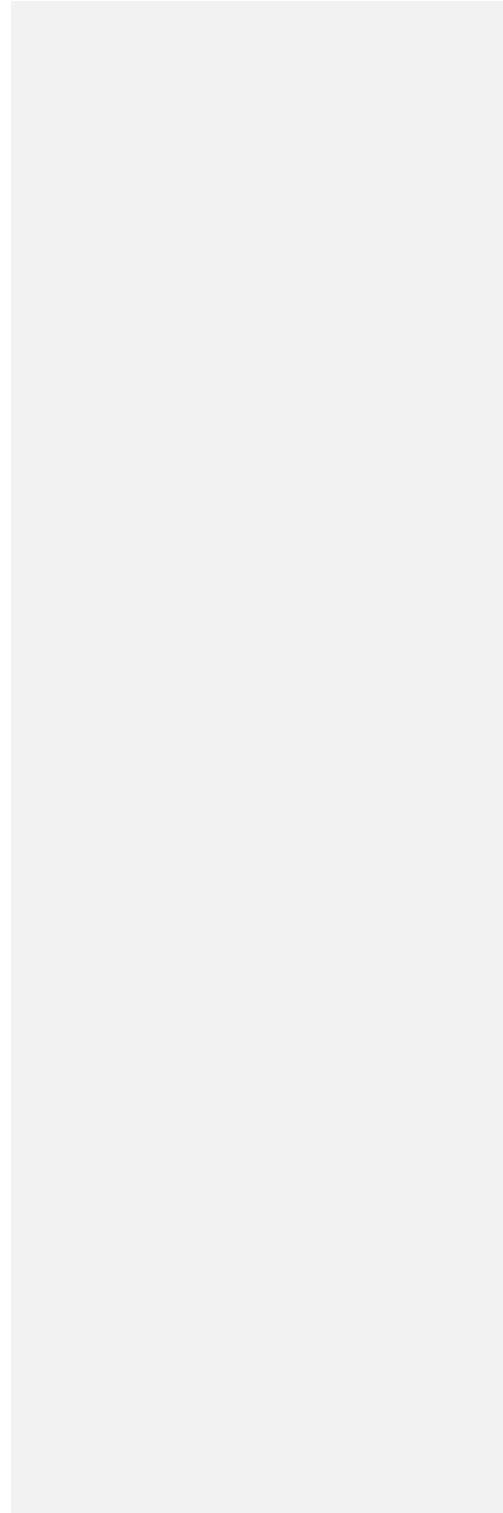
Legal Reference(s):

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[ORS 336.455 - 336.475](#)

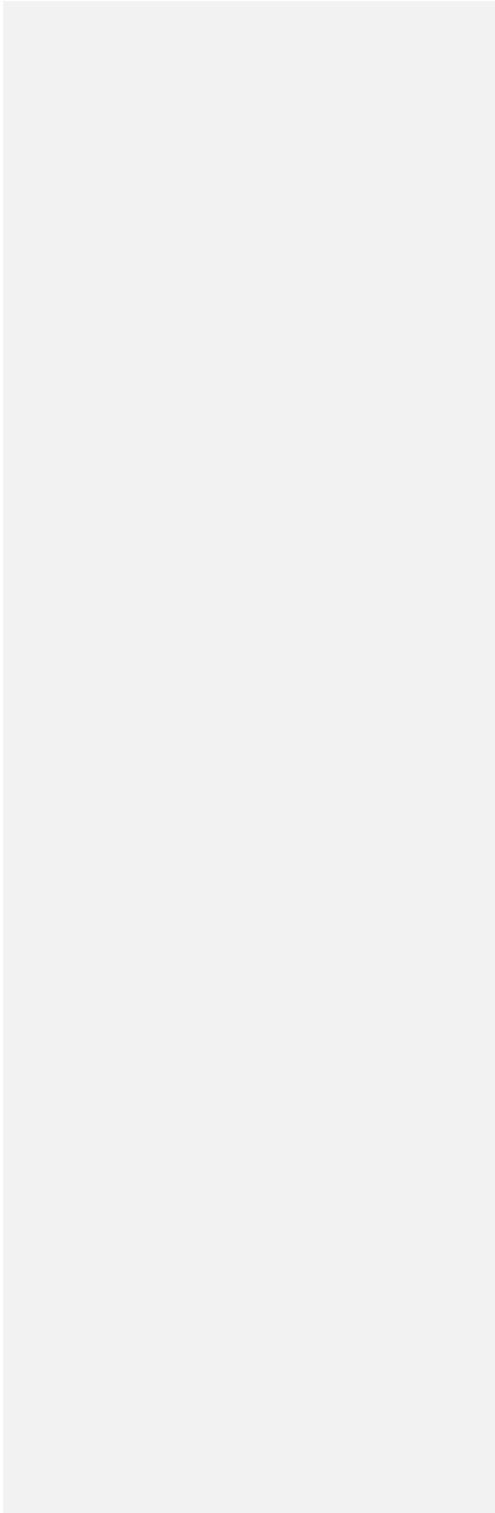
[ORS 336.035 \(2\)](#)

[OAR 581-022-0705](#)



[OAR 581-022-1440](#)
[OAR 581-022-1910](#)

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Lane Education Service District

Code: IGAEB
Adopted: 10/26/93 Revised/Readopted:
6/26/01

Orig. Code(s): **D** IGAEB

Drug and Alcohol Prevention, Health Education (HOLD)

(See policy IGAI)

The district will not tolerate the possession, selling, use or influence of alcohol, tobacco and illegal or harmful drugs (illicit drugs, nontherapeutic use of prescribed drugs, misuse of solvents and other

E dangerous substances) by students in the schools, on district grounds or during district-

sponsored activities.

Given the extensive use and the formal and informal promotion of alcohol, tobacco and drug use in our society, the district has an obligation to provide drug education that emphasizes prevention, to describe intervention and referral procedures, and to outline consequences.

Lane ESD encourages student activities that promote an alcohol, tobacco and drug-free environment.

Drug Prevention Program



The district will implement a developmentally-appropriate alcohol-, tobacco- and drug-prevention curriculum (in cooperation with component school districts). Instruction will be integrated in course offerings as appropriate and will be consistent with the Common Curriculum Goals.



The district is committed to an aggressive intervention and referral program to eliminate alcohol, tobacco, and illegal and harmful drug use.

The program shall include training for staff and a compilation of information on ESD, component school district and community resources and procedures including emergency medical care for responding to substance-related incidents.

Parents, students and staff shall annually receive handbooks which include information and detailed Each year students and parents shall receive a student/parent handbook explaining student conduct '



procedures regarding the district s intervention/referral program.

expectations and possible disciplinary actions. Students violating the code of conduct prohibiting possession, use, and/or selling alcohol and illegal and harmful drugs may be required to obtain a drug and alcohol assessment.

When a student appears to have broken the law relating to the possession, selling or use of alcohol,

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tobacco and illegal or harmful drugs, proper authorities will be called to take appropriate action.

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

END OF POLICY

Legal Reference(s):

[ORS 163.575](#)

[ORS 336.067](#)

[ORS 336.222](#)

[ORS Chapter 475](#)

[ORS 809.260](#)

[OAR 581-021-0050](#)

[OAR 581-021-0055](#)

[OAR 581-022-0413](#)

[OAR 581-022-1210](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701 -707; 34 CFR Part 85, Subpart F.
Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V; 21 CFR 1308.11 -1308.15 (2001).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.

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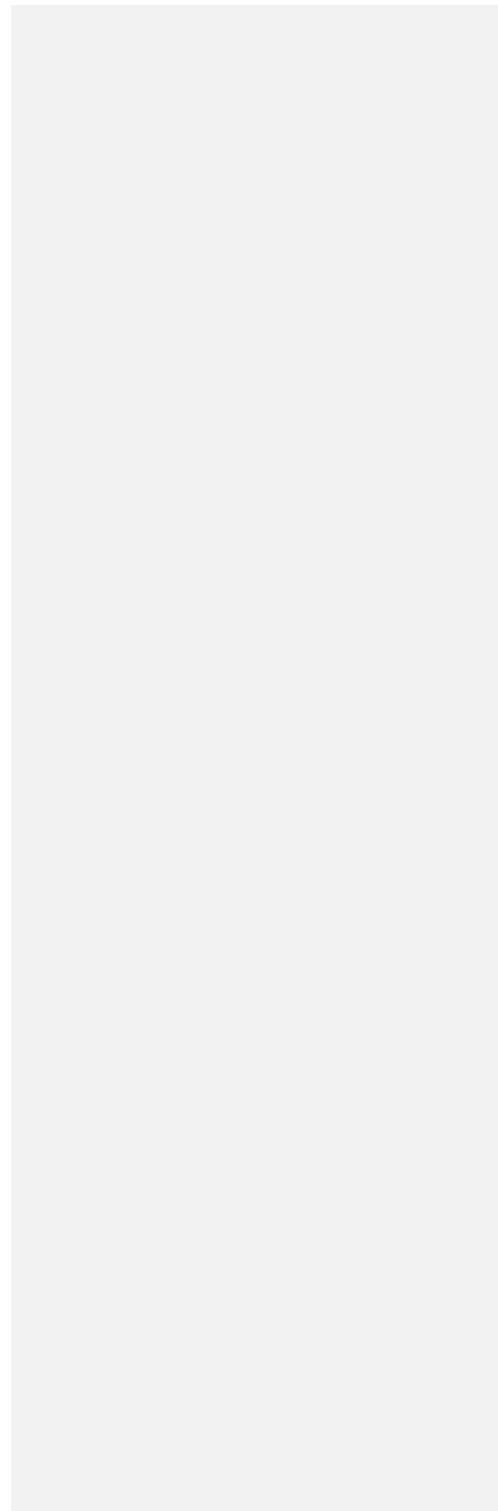
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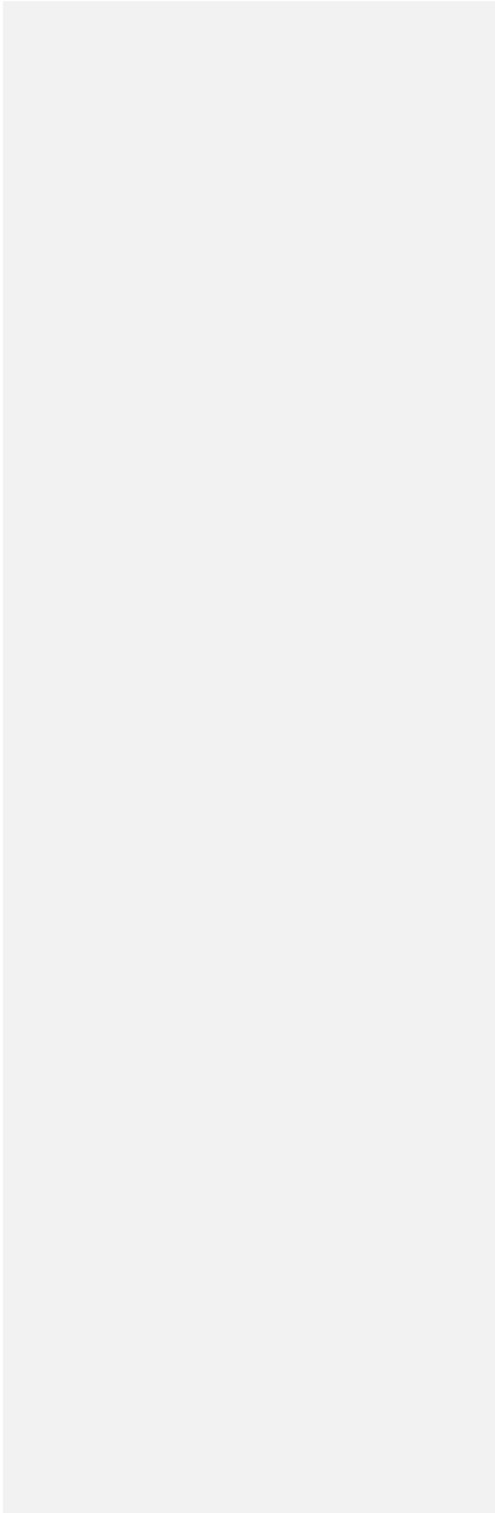
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Drug and Alcohol Prevention, Health Education IGAEB
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Lane Education Service District

Code: IGAI

Adopted: **P**

Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education** (HOLD) (Highly recommended for ESDs that operate a school)

sexuality, HIV/AIDS and sexually transmitted infections and disease prevention in elementary and

R The ESD shall provide an age-appropriate, comprehensive plan of instruction focusing on

human secondary schools as an integral part of health education and other subjects. Course material and instruction for all human sexuality education courses that discuss human sexuality shall enhance a student's understanding of sexuality as a normal and healthy aspect of human development. A part of the comprehensive plan of instruction shall provide age-appropriate child sexual abuse prevention instruction

sessions annually; one instruction session is equal to one standard class period. In addition,

the HIV/AIDS for students in kindergarten through grade 12. The district must provide a minimum of four instructional

and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students in grades 6 through 8 and at least twice during grades 9 through 12.

Parents, teachers, school administrators, local health departments staff, other community representatives

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and persons from the medical community who are knowledgeable of the latest scientific information and effective education strategies shall develop the plan of instruction aligned with the Oregon Health Education Standards and Benchmarks.

HR8/08/22 | LF

Human Sexuality, AIDS/HIV, Sexually Transmitted
Diseases, Health Education** – IGAI

1-3

accordance with new scientific information and effective educational strategies. **O** The

Board shall approve the plan of instruction and require that it be reviewed and update biennially in

Parents of minor students shall be notified in advance of any human sexuality, AIDS/HIV instruction. Any parent may request that their child be excused from that portion of the instructional program under the procedures set forth in Oregon Revised Statute (ORS) 336.035(2).

The comprehensive plan of instruction shall include the following information that: **S**

1. Promotes abstinence for school age youth and mutually monogamous relationships with an uninfected partner for adults;

2. Allays those fears concerning HIV that are scientifically groundless; **E**

3. Is balanced and medically accurate;

4. Provides balanced and accurate information and skills-based instruction on risks and benefits of

contraceptives, condoms and other disease reduction measures; **D**

5. Discusses responsible sexual behaviors and hygienic practices which may reduce or eliminate unintended pregnancy, exposure to HIV, hepatitis B/C and other sexually transmitted infections and diseases;

6. Stresses high-risk behaviors such as the sharing of needles or syringes for injecting illegal drugs and controlled substances;

7. Discusses the characteristics of the emotional, physical and psychological aspects of a healthy

P relationship;

8. Discusses the benefits of delaying pregnancy beyond the adolescent years as a means to better ensure a healthy future for parents and their children. The student shall be provided with statistics

based on the latest medical information regarding both the **R** health benefits and the

possible side effects of all forms of contraceptives including the success and failure rates for prevention of pregnancy, sexually transmitted infections and diseases;

9. Stresses that HIV/STDs and Hepatitis B/C can be serious possible hazards of sexual contact;
10. Provides students with information about Oregon laws that address young people's rights and

responsibilities relating to childbearing and parenting; **O**,

11. Advises students of consequences of having sexual relations with persons younger than 18 years of

age to whom they are not married; respectful and healthy decisions; **P**

12. Encourages family communication and involvement and helps students learn to make responsible,
13. Teaches that no form of sexual expression or behavior is acceptable when it physically or emotionally harms oneself or others and that it is wrong to take advantage of or exploit another person;

14. Teaches that consent is an essential component of healthy sexual behavior. Course material shall

O promote positive attitudes and behaviors related to healthy relationships and sexuality,

and encourage active student bystander behavior;

15. Teaches students how to identify and respond to attitudes and behaviors which contribute to sexual

violence; **S**,

16. Validates the importance of one's honesty, respect for each person's dignity and well-being, and responsibility for one's actions;

17. Uses inclusive materials and strategies that recognizes different sexual orientations, gender

identities and gender expression; **E**

18. Includes information about relevant community resources, how to access these resources and the laws that protect the rights of minors to anonymously access these resources; and

19. Is culturally inclusive.

The comprehensive plan of instruction shall emphasize skill-based instruction that: **D**

1. Assists students to develop and practice effective communication skills, development of self-esteem and ability to resist peer pressure;

2. Provides students with the opportunity to learn about and personalize peer, media, technology and community influences that both positively and negatively impact their attitudes and decisions

P related to healthy sexuality, relationships and sexual behaviors, including decisions to abstain from sexual intercourse;

3. Enhances students' ability to access valid health information and resources related to their sexual health;

5. Is research based, evidence based or best practices; and **R** 4. Teaches how to develop and communicate sexual and reproductive boundaries;
6. Aligns with the Oregon Health Education Content Standards and Benchmarks.

All sexuality education programs emphasize that abstinence from sexual intercourse, when practiced sexually transmitted HIV and hepatitis B/C infection and other sexually transmitted infections and

O consistently and correctly, is the only 100 percent effective method against unintended pregnancy, diseases.

Abstinence is to be stressed, but not to the exclusion of contraceptives and condoms for preventing diseases. Such courses are to acknowledge the value of abstinence while not devaluing or ignoring those

P unintended pregnancy, HIV infection, hepatitis B/C infection and other sexually transmitted infections and students who have had or are having sexual relationships. Further, sexuality education materials, including instructional strategies, and activities must not, in any way use shame or fear-based tactics.

Materials and information shall be presented in a manner sensitive to the fact that there are students who

O have experienced, perpetrated or witnessed sexual abuse and relationship violence.

The ESD's health and sexuality education will provide information on menstrual health and will be inclusive and affirming of transgender, non-binary, intersex, and two spirit/indigiqueer students; be positive and not fear- or shame-based; be age-appropriate; be medically-accurate; be culturally responsive; and be accessible for students with disabilities.

S

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[ORS 336.455 - 336.474](#)

[OAR 581-022-2030](#)

[ORS 336.035](#)

[ORS 339.370 - 339.400](#)

E

[OAR 581 -022-2050](#)

[ORS 336.059](#)

[OAR 581-021-0009](#)

[OAR 581-022-2220](#)

[ORS 336.107](#)

[OAR 581-021-0593](#)

D

Lane Education Service District

Code: IGBA
Adopted: 12/06/17
Revised/Readopted: 2/05/19
Orig. Code(s): IGBA

Students with Disabilities - Child Identification Procedures

(Required only if the ESD is a contractor for ODE direct service programs such as EI/ECSE or correctional education.)

The ESD implements an ongoing system to locate, identify and evaluate all children birth to age 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education (EI/ESCE) or special education services. For preschool children the ESD is responsible for the evaluation(s) used to determine eligibility; the designated referral and evaluation agency { EC CARES } is

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responsible for determining the eligibility of children for EI/ECSE services in accordance with Oregon Administrative Rule (OAR) 581-015-2100. The ESD identifies all children with disabilities, regardless of the severity of their disabilities, including those who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Indian preschool children living on reservations;
4. Suspected of having a disability even though they are advancing from grade to grade;
5. Home schooled;
6. Resident and nonresident students, including residents of other states, attending a private school (religious or secular) located within the boundaries of the ESD;
7. Attending a component district charter school;
8. Below the age of compulsory school attendance who are not enrolled in a public or private school program; or
9. Above the age of compulsory school attendance who have not graduated from high school with a regular high school diploma and have not completed the school year in which they reach their 21st birthday.

The ESD determines residency in accordance with Oregon Revised Statutes (ORS) Chapter 339 and, for the purposes of public charter school students with disabilities, in accordance with ORS Chapter 338 and ORS Chapter 339. The ESD enrolls all students who are five on or before September 1 of the current school year. Students with disabilities are eligible to enroll in the ESD through the school year in which they reach the age of 21 if they have not graduated with a regular high school diploma.

The ESD shall annually submit data to the Oregon Department of Education (ODE) regarding the number of resident students with disabilities who have been identified, located and evaluated and are receiving special education and related services. The ESD conducts an annual count of the total number of private

R6/21/18 | RS Students with Disabilities - Child Identification Procedures – IGBA school children attending private schools located within the boundaries of the ESD, and a count of all children with disabilities attending private schools located within the boundaries of the ESD, in accordance with OAR 581-015-2465. The ESD reports any additional data to ODE as required by the ODE to meet the requirements of federal or state law and the applicable reporting dates.

END OF POLICY

Legal Reference(s):

ORS 332.075	ORS 343.517	OAR 581-015-2190
ORS 338.165	ORS 343.533	OAR 581-015-2195
ORS 339.115 - 339.137		OAR 581-015-2315
ORS 343.151	OAR 581-015-2040	OAR 581-015-2480
ORS 343.157	OAR 581-015-2045	OAR 581-021-0029
ORS 343.193	OAR 581-015-2080	OAR 581-022-2315
ORS 343.221	OAR 581-015-2085	

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412(a)(3) (2012).
Early Intervention Program for Infants and Toddlers with Disabilities, 34 C.F.R. Part 303 (2017).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.111 (2017).

R6/21/18 | RS Students with Disabilities - Child Identification Procedures – IGBA

Lane Education Service District

Code: IGBA-AR

Adopted: **P**

Students with Disabilities - Child Identification Procedures

Propose adopt

(Required if ESD is contractor for ODE direct service programs EI/ECSE)

1. The ESD's **R**child find efforts include:
 - a. Public awareness. ESD child find activities involve local media resources and direct contact activities, such as presentations at community meetings, business group meetings, services agencies or advocacy organizations.
 - (1) The ESD provides information about special education services in the ESD's service

area and the ESD's special education referral process to public and private facilities

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located in the ESD's service area, including day care centers, homeless shelters, group homes, local or regional correctional facilities, hospitals, medical offices and other facilities that serve children birth to 21 years of age.

- (2) The ESD provides information about special education services and how to make a

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referral to any migrant education programs operating in the district.

- b. Notice of confidentiality. Before any major child find activity, the ESD publishes notice in newspapers or other media, or both, informing parents that confidentiality requirements apply to these activities. Circulation for this notice must be adequate to inform parents within the
- c. Staff awareness. The ESD ensures that staff are knowledgeable of the characteristics of

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district's jurisdiction.

disabilities and the referral procedures for students, including preschool children, suspected of having disabilities.

- d. Communication to parents. ESD staff shall inform parents about the availability of special education services in the ESD's service area and provide them with information about intervention/early childhood special education services (EI/ECSE) and the designated referral

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initiating referral for special education evaluation, including the information about early and evaluation agencies with which the ESD collaborates.

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2. Private School Children with Disabilities another state, that are enrolled by their parents in private

schools located within the boundaries **E**

a. The ESD's child find system applies to children, including those children who are residents of of the ESD.

b. The ESD's child find activities for private school students enrolled by their parents in private schools are similar to, and completed within a comparable time period, as child find activities for students in component district public schools. students, including individual evaluations, in

determining whether it has spent a proportionate **D**

c. The ESD does not include the cost of conducting child find activities for private school share of its federal Individuals with Disabilities Education Act (IDEA) funds on parentallyplaced school students with disabilities.

d. The ESD consults with private school representatives and parents of private school students with disabilities about how to carry out these child find activities, including:

- (1) How private school children suspected of having a disability can participate equitably; and
- (2) How parents, teachers and private school officials will be informed of the process.

P

e. The ESD child find process for parentally-placed private school students ensures the equitable participation of parentally-placed private school students with disabilities and an accurate count of such children.

3. Home-Schooled Students with Disabilities

- a. The component district collaborates with the ESD that serves the component district to ensure that the component district responds promptly to information about home-schooled students with suspected disabilities.
- b. The ESD collaborates with home schooling organizations in the ESD's jurisdiction and provides information about special education services in the ESD's service area and how to make a referral.
- c. If the ESD has reason to suspect that a home-schooled student has a disability, the ESD will obtain parent consent for initial evaluation.

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Lane Education Service District

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

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 primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers and his/her parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post high school education.~~

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 may impose certain restrictions and/or penalties until fees, fines or damages are paid. Records requested by another district to determine a student’s appropriate placement may not be withheld. 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.~~

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.

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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;

R7/01/17 | PH

Education Records/Records of Students with Disabilities** IGBAB/JO

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.

~~Regarding records to be released to ESD officials within the agency, the~~ 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 rule 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).

R7/01/17 | PH

Education Records/Records of Students with Disabilities** IGBAB/JO

Lane Education Service District

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

Education Records/Records of Students with Disabilities Management (propose adopt)

1. Student 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 ~~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 ESD.
- e. Records that only contain information relating to activities in which an individual engaged after ~~the individual/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 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:

- 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 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 student or student's parent(s) may, at their/his/her expense, choose to have those records reviewed by a physician or other appropriate professional and have those records reviewed by a 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 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) 192.345504(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' Student's 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 his/her 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:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;

- (3) 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
- (4) 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 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. 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 recordkeeping 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(s) or an eligible student;
- b. The ESD official 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 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) he/she 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 his/her 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 his/her 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, choose to be assisted or represented by one or more individuals to assist or represent them 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 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~~ ~~he/she disagrees~~ with the decision of the panel. If a statement is placed in an education record, the district/ESD will ensure that the statement:

- a. 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
- b. 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:

- a. Amend the record accordingly; and
- b. 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 districts⁵ 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.

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

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: IGBAC
Adopted: 6/26/01
Orig. Code(s): IGBAC

Special Education - Personnel Development (propose adopt)

~~The ESD contributes to and uses the comprehensive system of personnel development established by the Oregon Department of Education, as appropriate.~~

~~ESD personnel are appropriately and adequately prepared to implement special education and related services that are consistent with Teacher Standards and Practices Commission requirements.~~

Consistent with Teacher Standards and Practices Commission (TSPC) requirements, the ESD's personnel are appropriately and adequately prepared to implement special education and related services, and have the content knowledge and skills to serve children with disabilities.

The ESD takes measurable steps to recruit, hire, train and retain personnel, who are appropriately licensed by TSPC, to provide special education and related services to children with disabilities.

The ESD's plan for providing personnel development programs in the ESD district is found in Board policy GCL - ~~Professional~~ Staff Development - Licensed.

END OF POLICY

Legal Reference(s):

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.156(d) and § 300.207 (2017). Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412(a)(14)(D) and § 1413(a)(3) (2012).

Lane Education Service District

Code: IGBAE
Adopted: 6/26/01
Orig. Code(s): IGBAE

Special Education - Participation in Regular Education Programs (propose adopt)

{Required if ESD is contractor for ODE direct service programs}

The ESD ensures that to the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated with students who are nondisabled.

Special classes, separate schooling or other removal of students with disabilities from the regular educational environment occurs only if when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

END OF POLICY

Legal Reference(s):

[ORS 343.223](#)

[OAR 581-015-2045](#)

[OAR 581-015-2060](#)

[OAR 581-015-2050](#)

[OAR 581-015-2065](#)

[OAR 581-015-2040](#)

[OAR 581-015-2055](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.114-330.118 (2006).

Special Education - Participation in Regular Education Programs – IGBAE

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Lane Education Service District

Code: IGBAE-AR

Adopted: **P**

Special Education - Participation in Regular Education Programs**

(propose adopt)

(Required if the ESD is a contractor for ODE direct service programs)

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1. Placement Decisions of the Student **R**

a. The placement decision for each eligible student is:

(1) Made by a group of persons, including the parents, and other persons knowledgeable about the student, the meaning of the evaluation data and the placement options;

(3) Determined at least annually, every 365 days; **O** (2) Made in conformity with the requirements of least restrictive environment; (4) Based on the student's individualized education program (IEP); and (5) As close as possible to the student's home.

b. The student is educated in the school that he/she would attend if nondisabled unless the

c. The ESD ensures that: **P** services identified in the IEP cannot feasibly be provided in this setting.

(1) A continuum of placement options is available to meet the needs of students with disabilities for special education and related services and to the extent necessary to implement the individualized education program for each student with a

disability; **O**

(2) The continuum of placement options includes instruction in regular classes (with special education and related services and/or supplementary aids and services as identified on the IEP), special classes, special schools, home instruction and instruction in hospitals and institutions;

(3) Placement options, including instruction in regular classes, special classes, special extent

necessary to implement the IEP for each student with a disability. **S**

schools, home instruction and instruction in hospitals and institutions are available to the

d. Placement teams, including the parent, select the least restrictive environment for each student, using the following decision-making process:

(1) Completion of the IEP, including determining the student's special education and related

services, and determining the extent to which these services can be provided to the

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student in the regular class;

(2) If all IEP services cannot be provided in the regular class, identifying those that must be provided outside the regular class; however, the ESD will not remove a student from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum;

- (3) For those services that must be provided outside the regular class, identifying where, on

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- the continuum from least to most restrictive, the services can be provided;
- (4) Placement is in the school the student would attend if not disabled, unless another arrangement is required for implementation of the IEP;

Special Education - Participation in Regular Education Programs** – IGBAE-AR
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(5) In selecting the student's placement, the placement team considers and documents:

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(a) All placement options considered, including placement options requested by the parent;

(b) Potential benefits of placement options that are considered;

(c) Any potential harmful effects on the student or on the quality of services that he or she needs; and

(d) Modifications and services considered to maintain the student in the least restrictive placement before concluding that a more restrictive setting is necessary.

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(6) The placement team documents the placement selected, and provides a copy of the determination to the parent;

(7) If the selected placement is a change from previous placement, the ESD provides the parent with prior written notice of the change in placement; and written

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notice of refusal.

(8) If the parent requests a specific placement that the team rejects, the ESD provides a prior

2. Youth Incarcerated in Adult Correctional Facilities

For students otherwise entitled to a free appropriate public education (FAPE), the placement team

penological interest that cannot be otherwise accommodated P . The requirements

related to least may modify the student's placement if the state has demonstrated a bona fide security or compelling restrictive environments do not apply with respect to these modifications.

3. Nonacademic Settings appropriate and necessary by the student's IEP team, to provide nonacademic

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and

a. The ESD takes steps, including providing the supplementary aids and services determined

extracurricular services and activities in the manner necessary to afford students with disabilities an equal opportunity for participation in those services and activities.

b. Nonacademic and extracurricular services and activities include all those available to nondisabled students and may include:

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- (1) Counseling services;
- (2) Athletics;
- (3) Transportation;
- (4) Health services;
- (5) Recreational activities;

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- (6) Special interest groups or clubs;
- (7) Referrals to agencies that provide assistance to individuals with disabilities; and (8)

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Employment of students.

Special Education - Participation in Regular Education Programs** IGBAE-AR
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Lane Education Service District

Code: IGBAF
Adopted: 6/26/01
Revised/Readopted: 2/07/23
Orig. Code(s): IGBAF

Special Education - Individualized Education Program (IEP)** **(propose adopt)**

{Required only if ESD is contractor for ODE direct service programs}

In cooperation with a component school district an individualized education program (IEP) shall be developed and implemented for each student with disabilities in the ESD, (kindergarten through 21 years of age), including those who are placed in or referred to a private school or facility by the ESD or receive related services from the ESD. The ESD is responsible for initiating and conducting the meetings to develop, review and revise the IEP of a student with disabilities. The ESD will ensure that one or both parents are present at each meeting or are afforded the opportunity to participate and are given a copy of the IEP. A meeting to develop an IEP shall be held within 30 calendar days of a determination that the student needs special education and related services, once every 365 days thereafter and when considering a change in the IEP or placement.

If a student is to be placed or referred to a private school or facility or attends a private or parochial school, the ESD will ensure that a representative of the private school or facility attends the IEP meeting. If the representative of the private school or facility is unable to attend the IEP meeting, the ESD shall use other methods to ensure participation including but not limited to, individual or conference telephone calls or individual meetings.

END OF POLICY

Legal Reference(s):

ORS 343.151	OAR 581-015-2200	
ORS 343.155	OAR 581-015-2205	OAR 581-015-2230
ORS 343.321 - 343.333	OAR 581-015-2210	OAR 581-015-2235
	OAR 581-015-2215	OAR 581-015-2055
OAR 581-015-2000	OAR 581-015-2220	OAR 581-015-2600
OAR 581-015-2190	OAR 581-015-2225	OAR 581-015-2065
OAR 581-015-2195	OAR 581-015-2229	OAR 581-015-2265

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.5-300.6, 300.22-300.24, 300.34, 300.43, 300.105-106, 300.112, 320.325, 300.328, 300.501 (2006).

Special Education - Individualized Education Program (IEP)** – IGBAF 1-

1

Lane Education Service District

Code: IGBAF-AR
Adopted: 2/23/16
Revised/Readopted: 1/03/23
Orig. Code(s): IGBAF-AR

Special Education - Individualized Education Program (IEP)** (propose adopt)

{Required only if ESD is contractor for ODE direct service programs}

1. General IEP Information

- a. The ESD ensures that an IEP is in effect for each eligible student:
 - (1) Before special education and related services are provided to a student;
 - (2) At the beginning of each school year for each student with a disability for whom the ESD is responsible; and
 - (3) Before the ESD implements all the special education and related services, including program modifications, supports and/or supplementary aids and services, as identified on the IEP.
- b. The ESD uses:
 - (1) The Oregon standard IEP; or
 - (2) An IEP form that has been approved by the Oregon Department of Education.
- c. The ESD develops and implements all provisions of the IEP as soon as possible following the IEP meeting.
- d. The IEP will be accessible to each of the student's regular education teacher(s), the student's special education teacher(s) and the student's related services provider(s) and other service provider(s).
- e. The ESD takes steps to ensure that parent(s) are present at each IEP meeting or have the opportunity to participate through other means.
- f. The ESD ensures that each teacher and service provider is informed of:
 - (1) Their specific responsibilities for implementing the IEP specific accommodations, modifications and/or supports that must be provided for, or on behalf of the student; and
 - (2) Their responsibility to fully implement the IEP including any amendments the ESD and parents agreed to make between annual reviews.

The ESD takes whatever action is necessary to ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

- g. The ESD provides a copy of the IEP to the parents at no cost.

2. IEP Meetings

- a. The ESD conducts IEP meetings within 30 calendar days of the determination that the student is eligible for special education and related services.
- b. The ESD convenes IEP meetings for each eligible student periodically, but not less than once per year.
- c. At IEP meetings, the team reviews and revises the IEP to address any lack of expected progress toward annual goals and in the general curriculum, new evaluation data or new information from the parent(s), the student's anticipated needs, or the need to address other matters.
- d. Between annual IEP meetings, the ESD and the parent(s) may amend or modify the student's current IEP without convening an IEP team meeting using the procedures in the Agreement to Amend or Modify IEP subsection.
- e. When the parent(s) requests a meeting, the ESD will either schedule a meeting within a reasonable time or provide timely written prior notice of the district's refusal to hold a meeting.
- f. If an agency other than the ESD fails to provide agreed upon transition services contained in the IEP, the district convenes an IEP meeting to plan alternative strategies to meet the transition objectives and, if necessary, to revise the IEP.

3. IEP Team Members

- a. The ESD's IEP team members include the following:
 - (1) The student's parent(s);
 - (2) The student, if the purpose of the IEP meeting is to consider the student's postsecondary goals and transition services (beginning for IEPs in effect at age 16), or for younger students, when appropriate;
 - (3) At least one of the student's special education teachers or, if appropriate, at least one of the student's special education providers;
 - (4) At least one of the student's regular education teachers if the student is or may be participating in the regular education environment. If the student has more than one regular education teacher, the ESD will determine which teacher or teachers will participate;
 - (5) A representative of the district (who may also be another member of the team) who is qualified to provide or supervise the provision of special education and is knowledgeable about ESD resources. The representative of the ESD will have the authority to commit district resources and be able to ensure that all services identified in the IEP can be delivered;
 - (6) An individual, who may also be another member of the team, who can interpret the instructional implications of the evaluation results; and
 - (7) At the discretion of the parent or ESD, other persons who have knowledge or special expertise regarding the student.

c.

b. Student participation:

- (1) Whenever appropriate, the student with a disability is a member of the team.
- (2) If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, the ESD includes the student in the IEP team meeting.
- (3) If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, and the student does not attend the meeting, the ESD will take other steps to consider the student's preferences and interests in developing the IEP.

Participation by other agencies:

- (1) With parent or adult student written consent, and where appropriate, the ESD invites a representative of any other agency that is likely to be responsible for providing or paying for transition services if the purpose of the IEP meeting includes the consideration of transition services (beginning at age 16, or younger if appropriate); and
- (2) If the ESD refers or places a student in an ESD, state operated program, private school or other educational program, IEP team membership includes a representative from the appropriate agencies. Participation may consist of attending the meeting, conference call or participating through other means.

4. Agreement for Nonattendance and Excusal

- a. The ESD and the parent may consent to excuse an IEP team member from attending an IEP meeting, in whole or in part, when the meeting involves a discussion or modification of team member's area of curriculum or service. The ESD designates specific individuals to authorize excusal of IEP team members.
- b. If excusing an IEP team member whose area is to be discussed at an IEP meeting, the ESD ensures:
 - (1) The parent and the ESD consent in writing to the excusal;
 - (2) The team member submits written input to the parents and other members of the IEP team before the meeting; and
 - (3) The parent is informed of all information related to the excusal in the parent's native language or other mode of communication according to consent requirements.

5. IEP Content

- a. In developing the IEP, the ESD considers the student's strengths, the parent's concerns, the results of the initial or most recent evaluation, and the academic, developmental and functional needs of the student.
- b. The ESD ensures that IEPs for each eligible student includes:
 - (1) A statement of the student's present levels of academic achievement and functional performance that:

- (a) Includes a description of how the disability affects the progress and involvement in the general education curriculum;
 - (b) Describes the results of any evaluations conducted, including functional and developmental information;
 - (c) Is written in language that is understood by all IEP team members, including parents;
 - (d) Is clearly linked to each annual goal statement;
 - (e) Includes a description of benchmarks or short term objectives for children with disabilities who take alternative assessments aligned to alternate achievement standards.
- (2) A statement of measurable annual goals, including academic and functional goals, or for students whose performance is measured by alternate assessments aligned to alternate achievement standard, statements of measurable goals and short term objectives. The goals and, if appropriate, objectives:
- (a) Meet the student's needs that are present because of the disability, or because of behavior that interferes with the student's ability to learn, or impedes the learning of other students;
 - (b) Enable the student to be involved in and progress in the general curriculum, as appropriate; and
 - (c) Clearly describe the anticipated outcomes, including intermediate steps, if appropriate, that serve as a measure of progress toward the goal.
- (3) A statement of the special education services, related services, supplementary aids and services that the ESD provides to the student:
- (a) The ESD bases special education and related services, modifications and supports on peer-reviewed research to the extent practicable to assist students in advancing toward goals, progressing in the general curriculum and participating with other students (including those without disabilities), in academic, nonacademic and extracurricular activities.
 - (b) Each statement of special education services, related or supplementary services, aids, modifications or supports includes a description of the inclusive dates, amount or frequency, location and who is responsible for implementation.
- (4) A statement of the extent, if any, to which the student will not participate with nondisabled students in regular academic, nonacademic and extracurricular activities.
- (5) A statement of any individual modifications and accommodations in the administration of state or districtwide assessments of student achievement.
- (a) A student will not be exempt from participation in state or districtwide assessment because of a disability unless the parent requests an exemption;
 - (b) If the IEP team determines that the student will take the alternate assessment instead of the regular statewide or a districtwide assessment, a statement of why

c. the student cannot participate in the regular assessment and why the alternate assessment is appropriate for the student.

(6) A statement describing how the ESD will measure student's progress toward completion of the annual goals and when periodic reports on the student's progress toward the annual goals will be provided.

6. ~~Individualized COVID-19 Recovery Services~~⁶

~~Individualized COVID-19 Recovery Services are defined as those services determined necessary for eligible students based on the unique needs that arise from their disability due to the impact of the COVID-19 pandemic, which may include but are not limited to:~~

- a. ~~Special education and related services;~~
- b. ~~Supplementary aides and services;~~

- ~~_____~~
~~— Additional or intensified instruction;~~
- d. ~~Social emotional learning support; and~~
- e. ~~Peer or adult support.~~

~~The IEP team for each eligible student shall consider the need for Individualized COVID-19 Recovery Services at least at each initial IEP meeting and each regularly scheduled annual review meeting.~~

- a. ~~IEP teams shall consider the impact COVID-19 on the eligible student's ability to engage in their education, develop and re-establish social connections with peers and school personnel, and adapt to the structure of in-person learning.~~
- b. ~~For initial IEPs, IEP teams shall also review the impact of COVID-19 on the eligible student's initial evaluation timeline and eligibility determination in considering the need for Individualized COVID-19 Recovery Services.~~
- c. ~~For annual reviews, IEP teams shall also consider the impact of COVID-19 on the implementation of the eligible student's IEP considering the need for Individualized COVID-19 Recovery Services.~~

~~Any member of the IEP team, including parents and eligible students, may request that the IEP team meet to review the need for Individualized COVID-19 Recovery Services at any time.~~

- a. ~~IEP teams are not required to meet more than once annually to consider the need for Individualized COVID-19 Recovery Services unless updated information indicates the eligible student's circumstances have changed or there is reason to suspect that the eligible~~

⁶ The requirements of this section are in effect until July 1, 2023 unless extended by the State Board of Education.

student may need any additions or modifications to their Individualized COVID-19 Recovery Services.

- b. IEP teams that considered the need for Individualized COVID-19 Recovery Services at an initial IEP or annual review meeting on or after June 24, 2021 shall review the need for Individualized COVID-19 Recovery Services at the next annual review, but are not required to do so before then unless the eligible student's circumstances have changed or there is reason to suspect that the eligible student may need any additions or modifications to their Individualized COVID-19 Recovery Services.

When Individualized COVID-19 Recovery Services are recommended, the eligible student's IEP must be updated to reflect the recommendation.

The district or program shall provide written notice to the parents of each eligible student regarding the opportunity for the IEP team to meet to consider Individualized COVID-19 Recovery Services.

After each determination is made, the district or program shall provide written notice to the parent and/or adult student with a disability regarding the determination of need for Individualized COVID-19 Recovery Services. This notice shall include the following documentation:

- a. A statement of the Individualized COVID-19 Recovery Services recommended based on the meaningful input of all IEP team members, including parents and eligible students, as appropriate;
- b. The projected dates for initiation and duration of Individualized COVID-19 Recovery Services
- c. The anticipated frequency, amount, location, and provider of the services described in item a. above and whether these services are being provided within the standard instructional day for the eligible student.

If the district and parent hold an IEP meeting to discuss the need for Individualized COVID-19 Recovery Services and do not reach an agreement regarding such services, the district and parent may request a Facilitated IEP meeting. If the district and the parent choose to participate in a Facilitated IEP meeting, the district shall notify ODE.

Nothing in this section shall affect or otherwise alter a parent's right to seek mediation under OAR 581-015-2335, request a due process hearing under OAR 581-015-2345, a complaint under OAR 581-015-2030, or other parental rights under the procedural safeguards.

- 7. Nothing in this section relieves the district of its duty to create an appropriate IEP for every eligible student, regardless of whether the eligible student requires Individualized COVID-19 Recovery Services.

8.6. Agreement to Amend or Modify IEP

c.

Between annual IEP meetings, the ESD and the parent may agree to make changes in the student's current IEP without holding an IEP meeting. These changes require a signed, written agreement between the ESD and the parent.

- a. The ESD and the parent record any amendments, revisions or modifications on the student's current IEP. If additional IEP pages are required these pages must be attached to the existing IEP.
- b. The ESD files a complete copy of the IEP with the student's education records and informs the student's IEP team and any teachers or service providers of the changes.
- c. The ESD provides the parent prior written notice of any changes in the IEP and upon request, provides the parent with a revised copy of the IEP with the changes incorporated.

9.7. IEP Team Considerations and Special Factors

- a. In developing, reviewing and revising the IEP, the IEP team considers:
 - (1) The strengths of the student and concerns of the parent for enhancing the education of the student;
 - (2) The results of the initial or most recent evaluation of the student;
 - (3) As appropriate, the results of the student's performance on any general state or districtwide assessments;
 - (4) The academic, developmental and functional needs of the child.
- b. In developing, reviewing and revising the student's IEP, the IEP team considers the following special factors:
 - (1) The communication needs of the student; and
 - (2) The need for assistive technology services and/or devices.As appropriate, the IEP team also considers the following special factors:
 - (1) For a student whose behavior impedes their learning or that of others, strategies, positive behavioral intervention and supports to address that behavior;
 - (2) For a student with limited English proficiency, the language needs of the student as those needs relate to the IEP;
 - (3) For a student who is blind or visually impaired, instruction in Braille and the use of Braille unless the IEP team determines (after an evaluation of reading and writing skills, needs and media, including evaluation of future needs for instruction in Braille or the use of Braille, appropriate reading and writing), that instruction in Braille or the use of Braille is not appropriate;
 - (4) For a student who is deaf or hard of hearing, the student's language and communication needs, including opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the student's language and communication mode;

- (5) If a student is deaf, deafblind, or hard of hearing, the district will provide information about relevant services and placements offered by the school district, the education service district, regional programs, and the Oregon School for the Deaf; and
 - (6) A statement of any device or service needed for the student to receive a free appropriate public education (FAPE).
- d. In addition to the above IEP contents, the IEP for each eligible student of transition age includes:
- (1) Beginning not later than the first IEP in effect when the student turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)), and updated annually thereafter, the IEP must include:
 - (a) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training education, employment, and where appropriate, independent living skills; and
 - (b) The transition services (including courses of study) needed to assist the student in reaching those goals.

Regarding employment planning, the parent shall be provided information about and opportunities to experience employment services provided by Oregon Vocational Rehabilitation or the Oregon Office of Developmental Disability Services. These services must be provided in a competitive integrated employment setting, as defined by Oregon Administrative Rule (OAR) ~~411441~~-345-0020. Information about these services shall also be provided to the parent by the district at each annual review for IEPs to be in effect when the child turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)).
 - (2) At least one year before a student reaches the age of majority (student reaches the age of 18, or has married or been emancipated, whichever occurs first), a statement that the ESD has informed the student that all procedural rights will transfer at the age of majority; and
 - (3) If identified transition service providers, other than the ESD, fail to provide any of the services identified on the IEP, the ESD will initiate an IEP meeting as soon as possible to address alternative strategies and revise the IEP if necessary.
- e. To promote self-determination and independence, the district shall providing the student and the Student's parents with information and training resources regarding supported decisionmaking as a less restrictive alternative to guardianship, and with information and resources regarding strategies to remain engaged in the student's secondary education and post-school outcomes. The district shall provide this information at each IEP meeting that includes discussion of post-secondary education goals and transition services.

~~10.8~~ Incarcerated Youth

- a. For students with disabilities who are convicted as adults, incarcerated in adult correctional facilities and otherwise entitled to FAPE, the following IEP requirements do not apply:

- c.
 - (1) Participation of students with disabilities in state and districtwide assessment; and
 - (2) Transition planning and transition services, for students whose eligibility will end because of their age before they will be eligible to be released from an adult correctional facility based on consideration of their sentence and eligibility for early release.
- b. The IEP team may modify the student's IEP, if the state has demonstrated a bona fide security or other compelling interest that cannot be otherwise accommodated.

~~H~~.9. Extended School Year Services

- a. The ESD makes extended school year (ESY) services available to all students for whom the IEP team has determined that such services are necessary to provide FAPE. b. ESY services are:
 - (1) Provided to a student with a disability in addition to the services provided during the typical school year;
 - (2) Identified in the student's IEP; and (3) Provided at no cost to the parent.
- c. The ESD does not limit consideration of ESY services to particular categories of disability or unilaterally limit the type, amount or duration of service.
- d. The ESD provides ESY services to maintain the student's skills or behavior, but not to teach new skills or behaviors.
- e. The ESD's criteria for determining the need for extended school year services include:
 - (1) Regression (a significant loss of skills or behaviors) and recoupment time based on documented evidence; or
 - (2) If no documented evidence, on predictions according to the professional judgment of the team.
- f. "Regression" means significant loss of skills or behaviors in any area specified on the IEP as a result of an interruption in education services.
- g. "Recoupment" means the recovery of skills or behaviors specified on the IEP to a level demonstrated before the interruption of education services.

~~12~~.10. Assistive Technology

- a. The ESD ensures that assistive technology devices or assistive technology services, or both, are made available if they are identified as part of the student's IEP. These services and/or devices may be part of the student's special education, related services or supplementary aids and services.
- b. On a case-by-case basis, the ESD permits the use of district-purchased assistive technology devices in the student's home or in other settings if the student's IEP team determines that the student needs access to those devices to receive a free appropriate public education. In these situations, ESD policy will govern liability and transfer of the device when the student ceases to attend the district.

~~13~~.11. Transfer Students

- a. In state:

If a student with a disability (who had an IEP that was in effect in a previous district in Oregon) transfers into the district and enrolls in a district school within the same school year, the district (in consultation with the student's parents) provides a free appropriate public education to the student (including services comparable to those described in the student's IEP from the previous district), until the district either:

- (1) Adopts the student's IEP from the previous district; or
- (2) Develops, adopts and implements a new IEP for the student in accordance with all of the IEP provisions.

- b. Out of state:

If a student transfers into the district with a current IEP from a district in another state, the district, in consultation with the student's parents, will provide a free appropriate public education to the student, including services comparable to those described in the student's IEP from the previous district, until the district:

- (1) Conducts an initial evaluation (if determined necessary by the district to determine Oregon eligibility) with parent consent and determines whether the student meets eligibility criteria described in the OARs.
- (2) If the student is eligible under Oregon criteria, the district develops, adopts and implements a new IEP for the student using the Oregon Standard IEP or an approved alternate IEP.
- (3) If the student does not meet Oregon eligibility criteria, the district provides prior written notice to the parents explaining that the student does not meet Oregon eligibility criteria and specifying the date when special education services will be terminated.

~~14~~.12. Abbreviated School Day

“Abbreviated school day” means any school day during which a student with a disability receives instruction or educational services for fewer hours than the majority of other students who are in the same grade within the student’s resident school district.

“Abbreviated school day program” means an education program:

- a. In which an ESD restricts access for a student with a disability to hours of instruction or educational services to less than the number of hours of instruction or educational services that are provided to the majority of other students who are in the same grade within the student’s resident school; and
- b. That results in a student with a disability having an abbreviated school day for more than 10 school days per school year.

Abbreviated school day programs are only allowed when all requirements in state law are met.⁷ Informed and written consent from the parent or foster parent is necessary prior to implementing an abbreviated school day program. A parent or a foster parent may, at any time, revoke consent for the placement of a student on an abbreviated school day program. Revoking consent or objecting to an abbreviated school day program shall be in writing. Abbreviated school day programs limitations do not apply to students who are exempt per ORS 343.331.

⁷ See ORS 343.324.

Lane Education Service District

Code: IGBAG
Adopted: 6/26/01
Orig. Code(s): IGBAG

Special Education - Procedural Safeguards** (propose adopt)

~~For early intervention and early childhood special education students and students served in long-term care programs operated by the ESD, the ESD is responsible for providing written notices to parents.~~

~~For all other students served in an ESD program, the component district provides written notice to the parent of a student or eligible student, within a reasonable period of time, when the district proposes to initiate or change, or refuses to initiate or change, the identification, evaluation or educational placement of the student, or the provision of a free appropriate public education.~~

~~Parents of students with disabilities may request a due process hearing if the district refuses to initiate or change the identification, evaluation or educational placement of the student or to provide a free appropriate public education to the student.~~

~~During the pendency of any administrative or judicial proceeding concerning the identification, evaluation or educational placement of a student or the provision of a free appropriate public education, unless the~~

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Special Education - Individualized Education Program (IEP)** – IGBAF-AR

12-10

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district and parents of the student agree otherwise, the student involved must remain in his/her present educational placement, which may be an ESD program. In the case of an application for initial admission to school, the student, with the consent of the parents, shall be placed in a program provided or selected by the district until the completion of all proceedings, which may include an ESD program.

The placement may be changed to an interim alternative education setting offered by the ESD for up to 45 days, due to a weapon, illegal drug or controlled substance incident or due to the substantial likelihood of injurious behavior. However, the ESD has the responsibility to determine if the student's needs can be met in one of the ESD programs. **Procedural Safeguards – General**

The ESD ensures that students with disabilities and their families are afforded their procedural safeguards related to:

1. Access to students' educational records;
2. Parent and adult student participation in special education decisions;
3. Transfer of rights to students who have reached the age of majority;
4. Prior written notice of proposed district actions;
5. Consent for evaluation and for initial placement in special education⁸;

⁸ If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the ESD: 1) must not continue to provide special

6. Independent educational evaluation;
7. Dispute resolution through mediation, state complaint investigation, resolution sessions and due process hearings;
8. Discipline procedures and protections for students with disabilities, including placements related to discipline;
9. Placement of students during the pendency of due process hearings;
10. Placement of students by their parents in private schools;
11. Civil actions; and
12. Attorney's fees.

Procedural Safeguards Notice

1. The ESD provides to parents a copy of the *Notice of Procedural Safeguards*, published by the Oregon Department of Education (ODE), at least once per year and upon initial referral or parent request for special education evaluation and when the parent requests a copy. The ESD also gives a copy to the student at least a year before the student's 18th birthday or upon learning that the student is considered emancipated.
2. The ESD provides the *Notice of Procedural Safeguards* in the parent's native language or other mode of communication unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the ESD takes steps to ensure that the notice is translated orally or by other means understandable to the parent and that the parent understands the content of the notice. The ESD maintains written evidence that it meets these requirements.

Parent or Adult Student Meeting Participation

1. The ESD provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, IEP and educational placement of the student, and the provision of FAPE to the student.
2. The ESD provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
 - a. States the purpose, time and place of the meeting and who is invited to attend;
 - b. Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
 - c. Advises that the team may proceed with the meeting even if the parents are not in attendance;

education and related services; 2) may not use mediation or due process procedures to obtain an agreement or ruling that the

services may be provided to the child; 3) the ESD will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the child because of the failure to provide the child with further special education and related services; and 4) the ESD is not required to convene an IEP team meeting or develop an individualized education program (IEP) for the child for further provision of special education or related services.

- d. Advises the parents or adult students who to contact before the meeting to provide information if they are unable to attend; and
 - e. Indicates if one of the meeting's purposes is to consider transition services or transition service needs. If so:
 - (1) Indicates that the student will be invited; and
 - (2) If considering transition services, identifies any agencies invited to send a representative (with parent or adult student consent).
3. The ESD takes steps to ensure that one or both parents of a child with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
- a. Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - b. Scheduling the meeting at a mutually agreed upon time and place.
4. If neither parent can attend, the ESD will use other methods to ensure an opportunity to participate, including, but not limited to, individual or conference phone calls or home visits.
5. The ESD may conduct an evaluation planning or eligibility meeting without the parent or adult student if the district provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.

END OF POLICY

Legal Reference(s):

ORS 343.155	OAR 581-015-2030	OAR 581-015-2325
ORS 343.165	OAR 581-015-2090	OAR 581-015-2330
ORS 343.177	OAR 581-015-2095	OAR 581-015-2345
ORS 343.181	OAR 581-015-2190	OAR 581-015-2360
	OAR 581-015-2195	OAR 581-015-2385
OAR 581-001-0005	OAR 581-015-2305	
OAR 581-015-2000	OAR 581-015-2310	

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.500 - 300.505, 300.515, 300.517 (2006).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300 (2008).

Lane Education Service District

Code: IGBAG-AR
Adopted: 9/24/12
Revised/Readopted: 11/07/17; 1/08/19
Orig. Code(s): IGBAG-AR

Special Education - Procedural Safeguards** (propose adopt)

1. Procedural Safeguards
 - a. The ESD provides procedural safeguards to:
 - (1) Parents, guardians (unless the guardian is a state agency) or persons in parental relationship to the student;
 - (2) Surrogate parents; and
 - (3) Students who have reached the age of 18, the age of majority, or are considered emancipated under Oregon law and to whom rights have transferred by statute, identified as adult students (called “eligible students”).
 - b. The ESD gives parents a copy of the *Procedural Safeguards Notice*, published by the Oregon Department of Education (ODE):
 - (1) At least once a year; and
 - (2) At the first referral or parental request for evaluation to determine eligibility for special education services;
 - (3) When the parent (or adult student) requests a copy;
 - (4) To the parent and the student one year before the student’s 18th birthday or upon learning that the student is emancipated.
 - c. The *Procedural Safeguards Notice* is:
 - (1) Provided written in the native language or other communication of the parents (unless it is clearly not feasible to do so) and in language clearly understandable to the public.
 - (2) If the native language or other mode of communication of the parent is not a written language, the ESD takes steps to ensure that:
 - (a) The notice is translated orally or by other means to the parent in ~~their~~ ~~his~~ ~~her~~ native language or other mode of communication;

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- (b) The parent understands the content of the notice; and
- (c) There is written evidence that the ESD has met these requirements.

2. Content of Procedural Safeguards Notice

The procedural safeguards notice includes all of the content provided in the *Procedural Safeguards Notice* published by ODE.

3. Parent or Adult Student Meeting Participation

- a. The ESD provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, individualized education program (IEP) and educational placement of the student, and the provision of a free appropriate public education (FAPE) to the student.
- b. The ESD provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
 - (1) States the purpose, time and place of the meeting and who is invited to attend;
 - (2) Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
 - (3) Advises the parents or adult student that the team may proceed with the meeting even if they are not in attendance;
 - (4) Advises the parent or adult students who to contact before the meeting to provide information if they are unable to attend; and
 - (5) Indicates if one of the meeting's purposes is to consider transition services or transition service needs. If so:
 - (a) Indicates that the student will be invited; and
 - (b) Identifies any agencies invited to send a representative.
- c. The ESD takes steps to ensure that one or both of the parents of a student with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
 - (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - (2) Scheduling the meeting at a mutually agreed on time and place.
- d. If neither parent can participate, the ESD will use other methods to ensure participation, including, but not limited to, individual or conference phone calls or home visits.
- e. The ESD may conduct an evaluation planning or eligibility meeting without the parent or adult student if the ESD provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.
- f. The ESD may conduct an IEP or placement meeting without the parent or adult student if the ESD is unable to convince the parents or adult students that they should participate. Attempts to convince the parent to participate will be considered sufficient if the ESD:
 - (1) Communicates directly with the parent or adult student and arranges a mutually agreeable time and place and sends written notice to confirm the arrangement; or
 - (2) Proposes a time and place in the written notice stating that a different time and place might be requested and confirms that the notice was received.
- g. If the ESD proceeds with an IEP meeting without a parent or adult student, the ESD must have a record of its attempts to arrange a mutually agreed upon time and place such as:

- (1) Detailed records of telephone calls made or attempted and the results of those calls;
- (2) Copies of correspondence sent to the parents and any responses received; and
- (3) Detailed records of visits made to the parents' home or place of employment and the results of those visits.

- h. The ESD takes whatever action is necessary to ensure that the parent or adult student understands the proceedings at a meeting, including arranging for an interpreter for parents or adult students who are deaf or whose native language is other than English.
- i. After the transfer of rights to an adult student at the age of majority, the ESD provides written notice of meetings to the adult student and parent, if the parent can be reasonably located. After the transfer of rights to an adult student at the age of majority, a parent receiving notice of an IEP meeting is not entitled to attend the meeting unless invited by the adult student or the ESD.
- j. An IEP meeting does not include:
 - (1) Informal or unscheduled conversations involving ESD personnel;
 - (2) Conversations on issues such as teaching methodology, lesson plans or coordination of service provision if those issues are not addressed in the student's IEP; or
 - (3) Preparatory activities that ESD or public personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

4. Surrogate Parents

- a. The ESD protects the rights of a student with a disability, or suspected of having a disability, by appointing a surrogate parent when:
 - (1) The parent cannot be identified or located after reasonable efforts;
 - (2) The student is a ward of the state or an unaccompanied homeless youth and there is reasonable cause to believe that the student has a disability, and there is no foster parent or other person available who can act as the parent of the student; or
 - (3) The parent or adult student requests the appointment of a surrogate parent.
- b. The ESD secures nominations of persons to serve as surrogates. The ESD appoints surrogates within 30 days of a determination that the student needs a surrogate, unless a surrogate has already been appointed by juvenile court.
- c. The ESD will only appoint a surrogate who:
 - (1) Is not an employee of the ESD or ODE;
 - (2) Is not an employee of any other agency involved in the education or care of the student;
 - (3) Is free of any personal or professional interest that would interfere with representing the student's special education interests; and
 - (4) Has the necessary knowledge and skills that ensure adequate representation of the student in special education decisions. The ESD will provide training, as necessary, to ensure that surrogate parents have the requisite knowledge.
- d. The ESD provides all special education rights and procedural safeguards to appointed surrogate parents.

- e. A surrogate will not be considered an employee of the ESD solely on the basis that the surrogate is compensated from public funds.

- f. The duties of the surrogate parent are to:
 - (1) Protect the special education rights of the student;
 - (2) Be acquainted with the student's disability and the student's special education needs;
 - (3) Represent the student in all matters relating to the identification, evaluation, IEP and educational placement of the student; and
 - (4) Represent the student in all matters relating to the provision of FAPE to the student.

- g. A parent may give written consent for a surrogate to be appointed.
 - (1) When a parent requests that a surrogate be appointed, the parent shall retain all parental rights to receive notice and all of the information provided to the surrogate. When the ESD appoints a surrogate at parent request, the ESD will continue to provide to the parent a copy of all notices and other information provided to the surrogate.
 - (2) The surrogate, alone, shall be responsible for all matters relating to the special education of the student. The ESD will treat the surrogate as the parent unless and until the parent revokes consent for the surrogate's appointment.
 - (3) If a parent gives written consent for a surrogate to be appointed, the parent may revoke consent at any time by providing a written request to revoke the surrogate's appointment;

- h. An adult student to whom rights have transferred at age of majority may give written consent for a surrogate to be appointed. When an adult student requests that a surrogate be appointed, the student shall retain all rights to receive notice and all of the information provided to the surrogate. The surrogate, alone, shall be responsible for all matters relating to the special education of the student. The ESD will treat the surrogate as the adult student unless and until the adult student revokes consent for the surrogate's appointment. If an adult student gives written consent for a surrogate to be appointed, the adult student may revoke consent at any time by providing a written request to revoke the surrogate's appointment.

- i. The ESD may change or terminate the appointment of a surrogate when:
 - (1) The person appointed as surrogate is no longer willing to serve;
 - (2) Rights transfer to the adult student or the student graduates with a regular diploma;
 - (3) The student is no longer eligible for special education services;
 - (4) The legal guardianship of the student is transferred to a person who is able to carry out the role of the parent;
 - (5) A foster parent or other person is identified who can carry out the role of parent;
 - (6) The parent, who previously could not be identified or located, is now identified or located;
 - (7) The appointed surrogate is no longer eligible;
 - (8) The student moves to another district; or
 - (9) The student is no longer a ward of the state or unaccompanied homeless youth.

- j. The ESD will not appoint a surrogate solely because the parent or student to whom rights have transferred is uncooperative or unresponsive to the special education needs of the student.

5. Transfer of Rights at Age of Majority

- a. When a student with a disability reaches the age of majority, marries or is emancipated, rights previously accorded to the student's parents under the special education laws, transfer to the student. A student for whom rights have transferred is considered an "adult student" under OAR 581-015-2000(1).
- b. The ESD provides notice to the student and the parent that rights (accorded by statute) will transfer at the age of majority. This notice is provided at an IEP meeting and documented on the IEP:
 - (1) At least one year before the student's 18th birthday;
 - (2) More than one year before the student's 18th birthday, if the student's IEP team determines that earlier notice will aid transition; or
 - (3) Upon actual knowledge that within a year the student will likely marry or become emancipated before age 18.
- c. The ESD provides written notice to the student and to the parent at the time of the transfer.
- d. These requirements apply to all students, including students who are incarcerated in a state or local adult or juvenile correctional facility or jail.
- e. After transfer of rights to the student, the ESD provides any written prior notices and written notices of meetings required by the special education laws to the adult student and to the parent if the parent can be reasonably located.
- f. After rights have transferred to the student, receipt of notice of an IEP meeting does not entitle the parent to attend the meeting unless invited by the student or the ESD.
- g. To promote self-determination and independence, the district shall provide to student and the student's parents with information and training resources regarding supported decision-making as a less restrictive alternative to guardianship, and with information and resources regarding strategies to remain engaged in the student's secondary education and post-school outcomes. The district shall provide this information at each IEP meeting that includes discussion of postsecondary goals and transition services.

6. Prior Written Notice

- a. The ESD provides prior written notice to the parent of a student, or student, within a reasonable period of time, before the ESD:
 - (1) Proposes to initiate or change, the identification, evaluation or educational placement of the student, or the provision of FAPE to the child; or
 - (2) Refuses to initiate or change the identification, evaluation or educational placement of the student, or the provision of FAPE to the child.
- b. The content of the prior written notice will include:

- (1) A description of the action proposed or refused by the ESD;
- (2) An explanation of why the ESD proposed or refused to take the action;
- (3) A description of each evaluation procedure, test, assessment, record or report used as a basis for the proposal or refusal;
- (4) A statement that the parents of a student with a disability have procedural safeguards and, if this notice is not an initial referral for evaluation, how a copy of the *Procedural Safeguards Notice* may be obtained;
- (5) Sources for parents to contact to obtain assistance in understanding their procedural safeguards;
- (6) A description of other options the IEP team considered and the reasons why those options were rejected; and
- (7) A description of other factors that are relevant to the agency’s proposal or refusal. c.

The prior written notice is:

- (1) Written in language understandable to the general public; and
- (2) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so;
- (3) If the native language or other mode of communication of the parent is not a written language, the ESD shall take steps to ensure that:
 - (a) The notice is translated orally or by other means to the parent in the parent’s native language or other mode of communication;
 - (b) The parent understands the content of the notice; and
 - (c) There is written evidence that the requirements of this rule have been met.

7. Consent⁹ – Initial Evaluation

- a. The ESD provides notice and obtains informed written consent from the parent or adult student before conducting an initial evaluation to determine whether a student has a disability (as defined by Oregon law) and needs special education. Consent for initial evaluation is not consent for the ESD to provide special education and related services.
- b. The ESD makes reasonable efforts to obtain informed consent from a parent for an initial evaluation to determine a child’s eligibility for special education services. If a parent does not provide consent for an initial evaluation or does not respond to a request for consent for an initial evaluation, the ESD may, but is not required to, pursue the initial evaluation of the child through mediation or due process hearing procedures. The ESD does not violate its child find obligations if it declines to pursue the evaluation using these procedures.

8. Consent – Initial Provision of Special Education Services

⁹ “Consent” means that the parent or adult student a) has been fully informed, in ~~their~~^{his/her} native language or other mode of communication, of all information relevant to the activity for which consent is sought and b) understands and agrees in writing to the carrying out of the activity for which ~~their~~^{his/her} consent is sought. Consent is voluntary on the part of the parent and meeting the requirements of consent provision for OAR 581-015-2090, IDEA and FERPA.

- a. The ESD provides notice and obtains informed written consent from the parent or adult student before the initial provision of special education and related services to the student.
- b. The ESD makes reasonable efforts to obtain informed consent, but if a parent or adult student does not respond or refuses consent for initial provision of special education and related services, the ESD does not convene an IEP meeting, develop an IEP or seek to provide special education and related services through mediation or due process hearing procedures. The ESD will not be considered to be in violation of the requirement to make FAPE available to the student under these circumstances. The ESD stands ready to serve the student if the parent or adult student later consents.

9. Consent – Re-evaluation

- a. The ESD obtains informed parent consent before conducting any re-evaluation of a child with a disability, except:
 - (1) The ESD does not need written consent for a re-evaluation if the parent does not respond after reasonable efforts to obtain informed consent. However, the ESD does not conduct individual intelligence tests or tests of personality without consent.
 - (2) If a parent refuses to consent to the re-evaluation, the ESD may, but is not required to, pursue the re-evaluation by using mediation or due process hearing procedures.
- b. A parent or adult student may revoke consent at any time before the completion of the activity for which they have given consent. If a parent or adult student revokes consent, that revocation is not retroactive.

10. Consent – Other Requirements

- a. The ESD documents its reasonable efforts to obtain parent consent, such as phone calls, letters and meeting notes.
- b. If a parent of a student who is home schooled or enrolled by the parents in a private school does not provide consent for the initial evaluation or the re-evaluation, or if the parent does not respond to a request for consent, the ESD:
 - (1) Does not use mediation or due process hearing procedures to seek consent; and (2) Does not consider the child as eligible for special education services.
- c. If a parent or adult student refuses consent for one service or activity, the ESD does not use this refusal to deny the parent or child any other service, benefit or activity, except as specified by these rules and procedures.
- d. If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the ESD:

- (1) May not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services;
- (2) May not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child;
- (3) The ESD will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and
- (4) The ESD is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education or related services.

11. Exceptions to Consent

- a. The ESD does not need written parent or adult student consent before:
 - (1) Reviewing existing data as part of an evaluation or re-evaluation;
 - (2) Administering a test or other evaluation administered to all students without consent unless, before administration of that test or evaluation, consent is required of parents of all students;
 - (3) Conducting evaluations, tests, procedures or instruments that are identified on the student's individualized education program (IEP) as a measure for determining progress; or
 - (4) Conducting a screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation.
- b. The ESD does not need written parent consent to conduct an initial special education evaluation of a student who is a ward of the state and not living with the parent if:
 - (1) Despite reasonable efforts to do so, the ESD has not been able to find the parent;
 - (2) The parent's rights have been terminated in accordance with state law; or
 - (3) The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.
- c. The ESD does not need written parental consent if an administrative law judge (ALJ) determines that the evaluation or re-evaluation is necessary to ensure that the student is provided with a free appropriate public education.

12. Independent Educational Evaluations (IEE)

- a. A parent of a student with a disability has a right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the ESD.
- b. If a parent requests an independent educational evaluation at public expense, the ESD provides information to parents about where an independent educational evaluation may be obtained, and the ESD criteria applicable for independent educational evaluations.

- c. If a parent requests an independent educational evaluation at public expense, the ESD, without unnecessary delay, either:
 - (1) Initiates a due process hearing to show that its evaluation is appropriate; or
 - (2) Ensures that an independent educational evaluation is provided at public expense unless the ESD demonstrates in a hearing that the evaluation obtained by the parent did not meet ESD criteria.
- d. The ESD criteria for independent educational evaluations are the same as for ESD evaluations including, but not limited to, location, examiner qualifications and cost.
 - (1) Criteria established by the ESD do not preclude the parent's access to an independent educational evaluation.
 - (2) The ESD provides the parents the opportunity to demonstrate the unique circumstances justifying an IEE that does not meet the ESD's criteria.
 - (3) A parent may be limited to one independent educational evaluation at public expense each time the ESD conducts an evaluation with which the parent disagrees.
- e. If a parent requests an independent educational evaluation, the ESD may ask why the parent disagrees with the public evaluation. The parent may, but is not required to provide an explanation. The ESD may not:
 - (1) Unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation;
 - (2) Except for the criteria listed above in c., impose conditions or timelines related to obtaining an IEE at public expense.
- f. The ESD considers an independent educational evaluation submitted by the parent, in any decision made with respect to the provision of a free appropriate public education to the student, if the submitted independent evaluation meets ESD criteria.

13. Dispute Resolution – Mediation

- a. The ESD or parent may request mediation from ODE for any special education matter, including before the filing of a complaint or due process hearing request.
- b. The ESD acknowledges that:
 - (1) Mediation must be voluntary on the part of the parties, must be conducted by a qualified and impartial mediator who is trained in effective mediation techniques and may not be used to deny or delay a parent's right to a due process hearing or filing a complaint.
 - (2) Each mediation session must be scheduled in a timely manner and must be held in a location that is convenient to the parties to the dispute.
 - (3) An agreement reached by the parties to the dispute in the mediation process must be set forth in a legally binding written mediation agreement that:
 - (a) States the terms of the agreement;

- (b) States that all discussions that occurred during the mediation process remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding; and
 - (c) Is signed by the parent and a representative of the ESD who has the authority to bind the ESD to the mediation agreement.
- (4) Mediation communication is not confidential if it relates to child or elder abuse and is made to a person who is required to report abuse, or threats of physical harm, or professional conduct affecting licensure.
- (5) The mediation agreement is enforceable in any state court of competent jurisdiction or in a district court of the United States.

14. Dispute Resolution – Complaint Investigation

- a. Any organization or person may file a signed, written complaint with the State Superintendent of Public Instruction alleging that a district or an ESD is violating or has violated the Individuals with Disabilities Education Act (IDEA) or associated regulations within one year

before the date of the complaint. Upon receiving a parent complaint, the ODE forwards the complaint to the district or ESD along with a request for an ESD response to the allegations in the complaint.

- b. Upon receiving a request for response from ODE, the ESD responds to the allegations and furnishes any requested information or documents within 10 business days.
- c. The ESD sends a copy of the response to the complainant. If ODE decides to conduct an onsite investigation, ESD personnel participate in interviews and provide additional documents as needed.
- d. The ESD and the complainant may attempt to resolve a disagreement that led to a complaint through mediation. If they decide against mediation, or if mediation fails to produce an agreement, ODE will pursue the complaint investigation.
- e. If ODE substantiates some or all of the allegations in a complaint, it will order corrective action. The ESD satisfies its corrective action obligations in a timely manner.
- f. If the ESD disagrees with the findings and conclusions in a complaint final order, it may seek reconsideration by ODE or judicial review in county circuit court.

15. Due Process Hearing Requests

- a. The ESD acknowledges that parents may request a due process hearing if they disagree with an ESD proposal or refusal relating to the identification, evaluation, educational placement or provision of a free appropriate education to a student who may have a disability and be eligible for special education.
- b. The ESD may request a due process hearing regarding the identification, evaluation, educational placement or provision of a free appropriate education to a student who may have a disability and be eligible for special education.
- c. When requesting a due process hearing, the ESD or the attorney representing the ESD provides notice to the parent and to ODE.

- d. The party, including the ESD, that did not file the hearing request must, within 10 days of receiving the request for a hearing, send to the other party a response that specifically addresses the issues raised in the hearing request.
- e. If the parent had not yet received prior written notice of the ESD's proposal or refusal, the ESD, within 10 days of receiving the hearing request for a due process hearing, sends to the parent a response that includes:
 - (1) An explanation of why the ESD proposed or refused to take the action raised in the hearing request;
 - (2) A description of other options that the ESD considered and the reasons why those options were rejected;
 - (3) A description of each evaluation procedure, assessment, record or report the ESD used as the basis for the proposed or refused action; and
 - (4) A description of the factors relevant to the ESD's proposal or refusal.

16. Resolution Session

- a. Within 15 days of receiving a due process hearing request, the ESD will hold a resolution session with the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request.
- b. This meeting will include a representative of the ESD who has decision-making authority for the ESD.
 - (1) The ESD will not include an attorney unless the parent brings an attorney.
 - (2) The ESD will provide the parent with an opportunity for the parent to discuss the hearing request and related facts so that the ESD has an opportunity to resolve the dispute.
 - (3) The ESD and parent may agree in writing to waive the resolution meeting. If so, the 45day hearing timeline will begin the next business day, unless the ESD and parent agree to try mediation in lieu of the resolution session.

17. Time Limitations and Exception

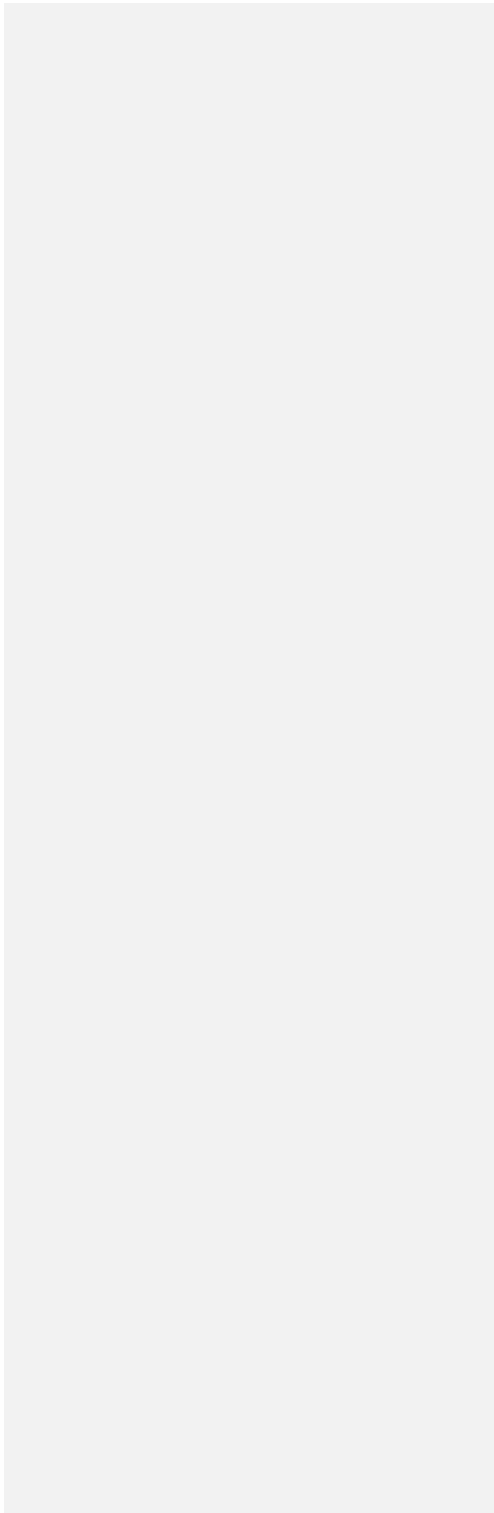
- a. A parent must request a due process hearing within two years after the date of the ESD act or omission that gives rise to the parent's hearing request.
- b. This timeline does not apply to a parent if the ESD withheld relevant information from the parent or incorrectly informed the parent that it had resolved the problem that led the parent's hearing request.

18. Hearing Costs

- a. The ESD reimburses ODE for costs related to conducting the hearing, including pre-hearing conferences, scheduling arrangement and other related matters.
- b. The ESD provides the parent with a written or, at the option of the parent, an electronic verbatim recording of the hearing, within a reasonable time of the close of the hearing
- c. The ESD does not use IDEA funds to pay attorney's fees or other hearing costs.

19. Discipline and Placement in Interim Alternative Setting

See Board policy JGDA/GEA - Discipline of Students with Disabilities.



Lane Education Service District

Code: IGBAH
Adopted: 6/26/01
Revised/Readopted: 12/06/17; 2/05/19
Orig. Code(s): IGBAH

Special Education - Evaluation Procedures (propose adopt)**

(Required only if ESD is contractor for ODE direct service programs)

Consistent with its child find and parent consent obligations, the ESD responds promptly to requests initiated by a parent or public agency for an initial evaluation to determine if a child is a child with a disability.

A full and individual evaluation of a student's educational needs that meet the criteria established in the Oregon Administrative Rules will be conducted before determining eligibility and before the initial provision of special education and related services to a student with a disability. The ESD implements an ongoing system to locate, identify and evaluate all children birth to 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services.

The ESD identifies all children with disabilities, regardless of the severity of their disabilities, including children who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Indian preschool children living on reservations;
4. Suspected of having a disability even though they are advancing from grade to grade;
5. Home schooled;
6. Resident and nonresident students, including residents of other states, attending a private school (religious or secular) located within the boundaries of the district;
7. Attending a district charter school;
8. Below the age of compulsory school attendance who are not enrolled in a public or private school program; and
9. Above the age of compulsory school attendance who have not graduated from high school with a regular high school diploma and have not completed the school year in which they reach their 21st birthday.

The ESD is responsible for evaluating and determining eligibility for special education services for schoolage children. The ESD is responsible for evaluating children who may be eligible for early intervention/early childhood special education services (EI/ECSE). The ESD's designated referral and evaluation agency is responsible for determining eligibility.

Before conducting any evaluation or re-evaluation, the ESD:

1. Plans the evaluation with a group that includes the parent(s);
2. Provides prior written notice to the parent(s) that describes any proposed evaluation procedures the agency proposes to conduct as a result of the evaluation planning process; and
3. Obtains informed written consent for evaluation.

The ESD conducts a comprehensive evaluation or re-evaluation before:

1. Determining that a child has a disability;
2. Determining that a child continues to have a disability;
3. Changing the child's eligibility;
4. Providing special education and related services;
5. Terminating the child's eligibility for special education, unless the termination is due to graduation from high school with a regular diploma or exceeding the age of eligibility for a free appropriate public education.

Upon completion of the evaluation, the ESD provides the parent or eligible child a copy of the evaluation report at no cost. The evaluation report describes and explains the results of the evaluation. Upon completion of the eligibility determination, the ESD provides the parent or eligible child documentation of eligibility determination at no cost.

The ESD ensures that assessments and other evaluation materials, including those tailored to assess specific areas of education need, used to assess a child are:

1. Selected and administered so as not to be racially or culturally discriminatory;
2. Provided and administered in the child's native language or other mode of communication and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally unless it is clearly not feasible to do so;
3. Used for purposes for which assessments or measures are valid and reliable;
4. Administered by trained and knowledgeable personnel; and
5. Administered in accordance with any instructions provided by the producer of such assessments.

Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.

A student must meet the eligibility criteria established in the Oregon Administrative Rules.

The ESD conducts re-evaluations:

1. When the educational or related service needs, including improved academic achievement and functional performance of the children warrant a re-evaluation;
2. When the child's parents or teacher requests a re-evaluation; and
3. At least every three years, unless that parent and the district agree that a re-evaluation is unnecessary.

The ESD does not conduct re-evaluation more than once a year, unless the parent and district agree otherwise.

If a parent has previously revoked consent for special education and related services and subsequently requests special education and related services, the ESD will conduct an initial evaluation of the student to determine eligibility for special education.

END OF POLICY

Legal Reference(s):

[ORS 343.155](#)
[ORS 343.157](#)

[ORS 343.164](#)
[ORS 581-015-2000](#)

[OAR 581-015-2095](#)
[OAR 581-015-2105 - 2190](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300, 300.530-300.534, 300.540-300.543, 300.7 (2017).

Lane Education Service District

Code: IGBAH-AR

Adopted: **P**

Special Education - Evaluation and Eligibility Procedures** (propose adopt) |

1. Request for Initial Evaluation

a. Consistent with its child find and parent consent obligations, the ESD responds **R**

promptly to requests initiated by a parent or public agency for an initial evaluation to determine if a child is a child with a disability.

b. Upon receiving a request from a parent or public agency for an initial evaluation, the ESD designates a team to determine whether an initial evaluation will be conducted.

(1) The ESD team includes the parent and at least two professionals, at least one of whom is with disabilities.

a. specialist knowledgeable and experienced in the evaluation and education of

children **O**

(a) The team may make the decision to evaluate with or without a meeting. (b) The ESD documents team members' input, including parents, whether the ESD

convenes a meeting. **P**

c. If a meeting is held, the ESD invites parents to participate.

- d. If the ESD agency refuses an evaluation requested by the parent, the ESD provides the parent with prior written notice of its refusal to conduct an evaluation.
- e. The ESD acknowledges the parent’s rights to challenge its refusal to conduct an evaluation.

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- 2. The initial evaluation consists of procedures:
 - a. To determine if the child has a disability; and
 - b. To identify the child’s educational needs.
- 3. The ESD conducts the initial evaluation within 60 school days of receiving parental consent for

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evaluation unless:

- a. The ESD and the parents agree in writing to extend the timeline for an evaluation to determine eligibility for specific learning disabilities;
- b. The child moves from another district during the evaluation, the ESD is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and the ESD agree in

writing to a specific time when the evaluation will be completed; or

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- c. The parent repeatedly fails or refuses to produce the child for evaluation.

4. Re-evaluation

- a. The ESD conducts re-evaluations: achievement and functional performance of the child,

warrant an evaluation; **D** (1) When the educational or related service needs,

including improved academic

- (2) When the child’s parents or teacher request a re-evaluation; and
- (3) At least every three years, unless that parent and the ESD agree that a re-evaluation is unnecessary.

- b. The ESD does not conduct re-evaluation more than once a year, unless the parent and the ESD agree otherwise.

5. Evaluation Planning

P a. As part of an initial evaluation (if appropriate) and as part of any re-evaluation, the child's including the parents and other qualified professionals as appropriate, must review existing individualized education program (IEP) or individualized family service plan (IFSP) team, information on the child including:

- (1) Evaluations and information provided by the child's parents;
- (2) Current classroom-based, local or state assessments and classroom-based observations;

- (3) **R** Observations by teachers and related service providers ; and
- (4) Medical, sensory, and health information.

b. On the basis of that review and input from the child's parents, identify what additional data if any is needed to determine:

- (1) Whether the child has a disability;
- (3) Whether the child needs or continues to need early intervention/early childhood special

- (2) **O** The child's present levels of academic achievement and related development needs;
- (4) education services (EI/ECSE) or special education and related services; and For re-evaluation, whether the child needs any additions or modifications to the special education and related services or, for a preschool child, any additions or modification to ECSE services:

and **P**

- a To enable the child to meet the measurable annual goals in the child's IEP or IFSP;
- b To participate, as appropriate, in the general education curriculum or, for preschool children, appropriate activities.

6. Evaluation Procedures

- a. The ESD assesses the child in all areas related to the suspected disability, including, if

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appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

- b. The evaluation is sufficiently comprehensive to identify all of the child's special education and related needs, whether or not commonly linked to the disability category in which the child has and strategies to gather relevant functional, developmental and academic information

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about the **S** been classified.

- c. The evaluation includes information provided by the parent and a variety of assessment tools child that assist in determining:

- (1) Whether the child has a disability; and
- (2) The content of the child's IEP, including information related to enabling the child to be

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participate in appropriate activities).

involved in and progress in the general education curriculum (or for a preschool child, to

- d. The ESD ensures that assessments and other evaluation materials, including those tailored to assess specific areas of educational need, used to assess a child:

- (1) Are selected and administered so as not to be discriminatory on a racial or cultural basis;
- (2) Are provided and administered in the child's native language or other mode of

communication and in the form most likely to yield accurate information on what the

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child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to do so;

- (3) Are used for the purposes for which the assessments or measures are valid and reliable;
- (4) Are administered by trained and knowledgeable personnel; and

- (5) Are administered in accordance with any instructions provided by the producer of the assessments. a child with impaired sensory, manual or speaking skills, the assessment results accurately

P e. The ESD selects and administers assessments to ensure that if an assessment is administered to

reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills (unless those skills are the factors that the test purports to measure).

- f. The ESD uses technically sound instruments that may assess the relative contribution of whether a child is a child with a disability and for determining an appropriate educational

R cognitive factors and behavioral factors in addition to physical or developmental factors.

- g. The ESD does not use any single measure of assessment as the sole criterion for determining program for the child.

7. Requirements if Additional Evaluation Data is not Needed to Determine Eligibility

- a. If the child's IEP or IFSP team determines that no additional data is needed to determine whether or not the child is or continues to be a child with a disability, and to determine the

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child's educational and developmental needs, the ESD provides prior written notice of that decision, the reasons for it, and the right of parents to request an assessment.

- b. When the IEP or IFSP team determines that no additional data is needed to determine eligibility, the ESD does not conduct an assessment of the child unless requested to do so by

8. Evaluation Procedures for Transfer Students **P** the parents.

When a child with disabilities transfers from one district to another district in the same school year, the ESD coordinates with the previous district to complete any pending assessment as quickly as possible.

9. Eligibility Determination

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- a. Once evaluation is completed, the ESD designates an eligibility team to determine whether the child is eligible for special education services.
- b. This team includes:
 - (1) Two or more professionals, one of whom will be knowledgeable and experienced in

evaluating and teaching students with the suspected disability; and

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- (2) The student's parent(s).
- c. For consideration of eligibility in the area of specific learning disabilities, the ESD eligibility team includes:

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- (1) A group of qualified professionals and the parent;
 - (2) The child's regular classroom teacher or, if the child does not have a regular classroom teacher, a regular classroom teacher qualified to teach a child of his or her age, or for a child of less than school age, a preschool teacher; and
 - (3) A person qualified to conduct individual diagnostic examinations of children, such as a
- d. In interpreting evaluation data, each ESD team carefully considers and documents information

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school psychologist, speech-language pathologist or other qualified professional.

from a variety of sources, including but not limited to, aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background and adaptive behavior and all required elements of the evaluation.

- e. Each eligibility team prepares a written eligibility statement that includes:
 - (1) Identification of the evaluation data considered in determining the child's eligibility, including the required evaluation components for the disability under consideration; (2) A determination of whether the child meets the minimum evaluation criteria for one or

- P** (3) A determination of whether the primary basis for the suspected disability is: more of the disability categories in Oregon Administrative Rule;
- a A lack of appropriate instruction in reading (including the essential components of reading) or math; or
 - (b) Limited English proficiency.
- R** (4) A determination of whether the child's disability has an adverse impact on the child's
- (5) A determination of whether, as a result of the disability, the child needs special education services;
 - (6) The signature of every team member and an indication of whether each agrees with the eligibility determination;
 - (7)

includes additional specific documentation as required by Oregon Administrative Rule. For a child

suspected of having a specific learning disability, the team's written report

- f. The team does not find a child eligible as a child with a disability if the determinant factor for that eligibility decision is:

- (2) Limited English proficiency; and **P** (1) Lack of appropriate instruction in reading, including the essential components of reading instruction or lack of appropriate instruction in math; or
- (3) The child does not otherwise meet the eligibility criteria found in Oregon Administrative Rule for the category(ies) of disability under consideration.

- g. The team finds a child eligible if the child has a disability and needs special education and
- h. A child may have disabilities in more than one disability category, but the team needs to find

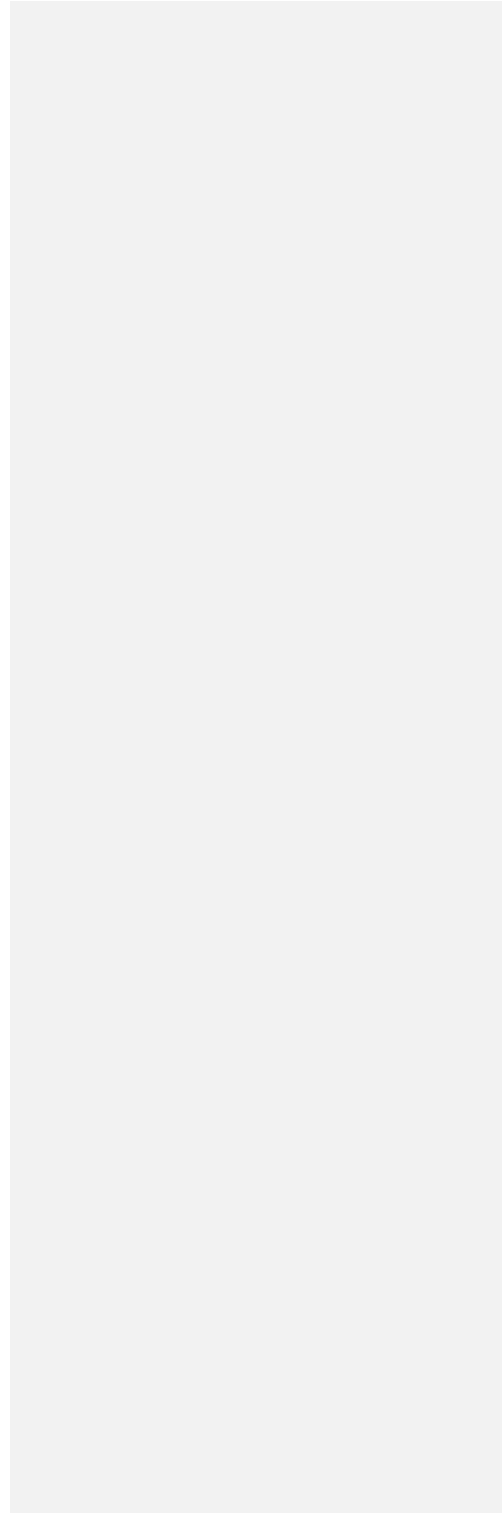
O related services, even though the child is advancing from grade to grade.

the child eligible in only one category. However, the ESD evaluates the child in all areas special education needs related to the suspected disability or disabilities, and the child's IEP addresses all of the child's

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Lane Education Service District

Code: IGBAI

Adopted: **P**

Special Education - Private Schools (Hold) (Required if the ESD has Early Intervention or other classes)

groups of private school students: those referred or placed by the district or component district and those

R Individuals with Disabilities Education Act (IDEA) requires special education services for two different enrolled by parents. The law, rules and requirements for these groups of students are vastly different. It is the policy of the ESD to implement differentiated procedures and services for these groups.

The ESD shall ensure that a student with a disability who is placed in or referred to a private school or the

parents, is provided an education **O** that meets the standards that apply to education provided by the ESD facility by the district or component district is provided special education and related services at no cost to and has all of the rights of a student with a disability who is served by the ESD.

If a student with a disability has a free appropriate public education available to him/her and the parents

education, including special education and **P** related services, at the private school.

choose to place the student in a private school, the ESD is not required to pay the cost of the student's

All parentally-placed private school students attending a private school within the ESD's boundaries will be included in the ESD's special education private school student count and the private school students for whom the ESD may provide services.

END OF POLICY

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Legal Reference(s):

S

[OAR 581-015-2280](#) [OAR 581-015-2480](#) [ORS 343.155](#) [OAR 581-015-2270](#)

[OAR 581-015-2470](#)
[OAR 581-015-2080](#) [OAR 581-015-2450](#) [OAR 581-015-2515](#) [OAR 581-015-2085](#) [OAR 581-015-2455](#) [OAR 581-021-0029](#) [OAR 581-015-2265](#) [OAR 581-015-2460](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.221, 300.380 **E** -300.382 (2006).

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Special Education - Private Schools – IGBAI 1-1

Lane Education Service District

Code: IGBAI-AR

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Adopted:

Special Education - Private Schools (hold)
(Required if the ESD has Early Intervention or other classes)

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Approved Private Schools

1. Obligations of the district:
 - a. The ESD ensures that parents are included in any decision about their child's evaluation, eligibility, placement or provision of services.
 - b. If the ESD refers a student with a disability to, or places such a student in, a private school or the student receives an education that meets the standards of the state in a private preschool,

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- facility as a means of providing special education and related services, the ESD ensures that school or facility approved by the Oregon Department of Education (ODE) to provide such education in conformance with an individualized education program (IEP), and at no cost to the parents, and has all the rights of a student with a disability who is served by the district.
- c. Before placing a student with a disability in an approved private school or preschool, the ESD ensures that the program has current Oregon Department of Education approval to provide

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- special education and related services.
- d. The ESD or public agency fulfills all federal and state requirements relating to the evaluation, the IEP/individualized family service plan (IFSP) development and placement when determining whether to place the child in an approved private preschool or school for special education services.
 - e. For each student age three through 21, the ESD's or public agency's placement team, free

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- appropriate public education in the least restrictive environment. including the parent, determines whether placement in an approved private school constitutes a (1) When proposing to place a child with a disability in an approved private school or preschool, the ESD ensures that school-age students are district residents or preschoolage children are eligible to receive EI/ECSE or special education services. includes a

representative of the approved private school or preschool. If a representative **S** (2)

The ESD initiates and conducts an individualized education program team meeting that of the approved private school or preschool, or other member of the IEP/IFSP team is unable to attend the IEP/IFSP meeting, the ESD and the parent may agree to use alternative means of meeting participation such as individual or conference telephone calls, or video conferences.

(3) After the ESD initially places a student in an approved private school or preschool, any

of the ESD or public agency, unless the ESD or public agency requests by written **E**

in subsequent meetings to review or revise an IEP/IFSP or placement are the responsibility

agreement that the approved private school or preschool initiate and conduct meetings to review and revise the IEP or IFSP.

(4) The ESD may, by written agreement, request that the approved private school or preschool initiate and conduct meetings to review and revise the IEP or IFSP. Under such an agreement the ESD remains responsible for ensuring the private school or

preschool meets: **D**

- (a) All federal and state requirements related to these meetings; and
- (b) Ensures the participation of parents and the ESD or public agency representative.

Special Education - Private Schools – IGBAI-AR

1-2

(5) The private school or preschool may not determine or implement program changes without the participation and agreement of the parents and the ESD or public agency representative. private school or preschool at no cost to the parent. (6) The

P district in which the child resides provides transportation to and from the approved (7) The ESD or public agency terminates the placement of students in a private school or preschool if ODE suspends, revokes or refuses to renew the approval of a private school or preschool.

- (a) **R** The ESD ensures that every student with a disability who is placed in or referred to special education and related services; a private school, preschool or facility by the district as a means of providing
 - (i) Receives education and services that constitute a free appropriate public education in the least restrictive environment at no cost to the parents;
 - (ii) **O** Is provided an education that meets the standards that apply to education
 - (iii) Has all of the rights of a student with a disability who is served by the public provided by the public agency; and agency.
 - (b) The ESD ensures that all applicable federal and state requirements relating to the evaluation, eligibility, IEP/IFSP development, placement and procedural
 - (c) The ESD initiates and conducts an IEP/IFSP meeting at which an IEP/IFSP is
- P** safeguards are followed when determining whether the student will be placed in an approved private school for special education services. developed based upon the needs of the student before determining placement of a student with a disability in an approved private school or preschool.

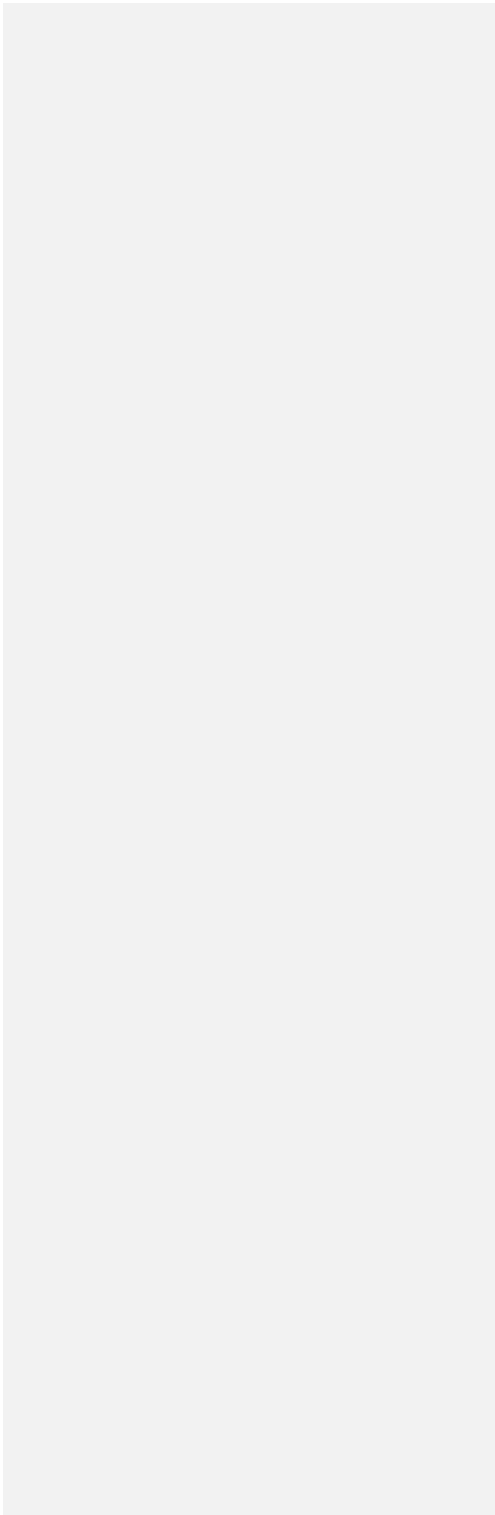
2. Out-of-State Placements for Special Education

- a. The ESD ensures that any private educational institution located outside the state of Oregon
 - O** with which it contracts to provide special education and related services to Oregon students is approved by the state educational agency of the state in which the educational institution is located. If the state does not have a formal approval process, the educational institution shall meet whatever requirements apply for private schools to serve publicly placed
 - S** students in that request.
- state.
- b. The ESD maintains documentation of such approval and makes it available to ODE upon
- c. The ESD makes contractual agreements for out-of-state placements for the provision of special education and related services when, in accordance with applicable federal and state law, the ESD has:

(2) The placement team has determined that no appropriate in **E**-state placement

options are (1) Developed an individualized education program; available. **D**

Special Education - Private Schools IGBAI-AR
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Lane Education Service District

Code: IGBAJ
Adopted: 10/26/93
Revised/Readopted: 6/26/01; 2/25/14; 12/06/17;
2/05/19
Orig. Code(s): IGBAJ

Special Education - Free Appropriate Public Education (FAPE) (propose adopt)

(Required only if ESD is contractor for ODE direct service programs)

1. The ESD admits all resident school-age children with disabilities and makes special education and related services available at no cost to those:
 - a. Who have reached five years of age but have not yet reached 21 years of age on or before September 1 of the current school year, even if they are advancing from grade to grade;
 - b. Who have not graduated with a regular high school diploma;
 - c. Who have been suspended or expelled in accordance with special education discipline provisions; or
 - d. Who reach age 21 before the end of the school year. These students remain eligible until the end of the school year in which they reach 21.
2. The ESD determines residency in accordance with Oregon law.
3. The ESD takes steps to ensure that its children with disabilities have available to them the variety of educational programs and services available to nondisabled children in the area served by the component district and provides a continuum of services to meet the individual special education needs of all resident children with disabilities, and children with disabilities who are enrolled in public charter schools located in the district.
4. The ESD may, but is not required to, provide special education and related services to a student who has graduated with a regular diploma.
5. State law prohibits the ESD from recommending to parents, or requiring a child to obtain, a prescription for medication to affect or alter thought processes, mood or behavior as a condition of attending school, receiving an evaluation to determine eligibility for early childhood special education or special education, or receiving special education services.
6. If the individualized education program (IEP) team determines that placement in a public or private residential program is necessary to provide FAPE, the program, including nonmedical care and room and board, must be at no cost to the parents of the child.

END OF POLICY

Legal Reference(s):

ORS 338.165	OAR 581-015-2020	OAR 581-015-2530
ORS 339.115	OAR 581-015-2035	OAR 581-015-2600
ORS 343.085	OAR 581-015-2040 - 2065	OAR 581-015-2605
ORS 343.224	OAR 581-015-2050	OAR 581-021-0029

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.17, 300.101-110, 300.113, 300.300 (2017).

Special Education - Free Appropriate Public Education (FAPE)** – IGBAJ

1-1

Lane Education Service District

Code: IGBAJ-AR
Adopted: 9/24/12
Revised/Readopted: 6/26/01; 8/27/02; 7/24/12;
9/24/12; 1/08/19
Orig. Code(s): IGBAJ-AR

Special Education - Free Appropriate Public Education (FAPE) (propose adopt)

1. FAPE and Age Ranges

The ESD provides special education and related services to all resident school-age students with disabilities, as provided below:

- a. "School-age children" are children who have reached 5 years of age but have not yet reached 21 years of age on or before September 1 of the current school year.
- b. The ESD will admit an otherwise eligible student who has not yet reached 21 years of age on or before September 1 of the current school year.
- c. An otherwise eligible person whose 21st birthday occurs during the school year will continue to be eligible for FAPE for the remainder of the school year.
- d. The ESD provides FAPE to students with disabilities who have been suspended or expelled from school in accordance with the special education discipline rules.

2. Nonacademic Services

- a. The ESD provides equal opportunity for students with disabilities for participation in nonacademic and extracurricular services and activities.
- b. Nonacademic and extracurricular services and activities may include meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the ESD, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the ESD and assistance in making outside employment available.

- c. The ESD ensures that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of each individual child.

3. Graduation

- a. A student graduating with a regular high school diploma is no longer entitled to FAPE.
- b. The component district provides prior written notice a reasonable time before a student with a disability graduates with a regular high school diploma.
- c. The ESD is not required to conduct a reevaluation before terminating eligibility due to graduation with a regular high school diploma.
- d. Graduation with an alternative document:
 - (1) The component district may award an alternative document meeting the criteria of the State Board of Education alternative document to a student with a disability.
 - (2) Graduation with an alternative document does not terminate eligibility, require an evaluation or require prior written notice.
- e. The ESD may, but is not required to, provide special education and related services to a student who has graduated with a regular diploma.

4. Incarcerated Youth

- a. The ESD has a plan, approved by the local Board, to provide or cause to be provided, appropriate education for children placed in a local or regional correctional facility located in the ESD's service area.
- b. The ESD provides FAPE for students with disabilities ages 18 through 21 incarcerated as adults in an adult correctional facility if, in the last educational setting before their incarceration:
 - (1) Were identified as students eligible for special education; and (2) Had an individualized education program (IEP).
- c. The ESD's provisions of FAPE do not include:
 - (1) The requirements relating to participation of children with disabilities in statewide and district assessments.
 - (2) For students whose eligibility for services will end before their release, the requirements related to transition planning and transition service do not apply. The ESD makes this determination based on considerations of the sentence and eligibility for early release. Requirements relating to transition planning and transition services, with respect to the students whose eligibility will end, because of their age, before they will be eligible to be released from adult correctional facilities based on consideration of their sentence and eligibility for early release.
 - (3) The IEP team may modify the student's IEP or placement if the state has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated. Least restrictive environment requirements do not apply with respect to these modifications.

- (4) The public agency responsible for the special education of students in an adult correctional facility is not required to provide notice of meetings to the parent after rights transfer to the student.

5. Residential Placement

If the IEP team determines that placement in a public or private residential program is necessary to provide FAPE to a student with a disability, the ESD ensures that the program, including nonmedical care and room and board, is provided at no cost to the parents of the student.

6. Physical Education

- a. The ESD makes physical education services, specially designed if necessary, available to every child with a disability receiving FAPE, unless the school enrolls children without disabilities and does not provide physical education to children without disabilities in the same grade.
- b. The ESD provides the opportunity to each child with a disability to participate in the regular physical education program available to nondisabled children unless the child needs specially designed physical education as prescribed in the child's IEP.
- c. If specially designed physical education is included in the child's IEP, the ESD must provide the services directly or make arrangements for those services to be provided through other public or private programs.
- d. If the child with a disability is enrolled full time in a separate facility, the ESD must ensure that the child receives appropriate physical education services.

7. Public Charter Schools

- a. The ESD serves children with disabilities attending public charter schools sponsored by the component district in the same manner and in accordance with applicable laws and rules governing the ESD's provision of services to children with disabilities in its other schools.
- b. The component district convenes an IEP meeting as soon as possible following notification by the public charter school that a student with a disability has enrolled.
- c. The ESD provides supplementary and related services onsite at a component district public charter school to the same extent to which the ESD has a policy or practice of providing such services on the site to its other public schools.
- d. The ESD ensures that resident children attending public charter schools not sponsored by the district are provided special education and related services in accordance with Oregon Revised Statute (ORS) 338.165.
- e. If a child with a disability enrolls in a public charter school, the public charter school is considered the school the child would attend if not disabled. Enrollment in any public charter school is by parent choice. Enrollment in any out-of-district public charter school does not require an interdistrict transfer agreement.

8. Recovery of Funds for Misclassified Students

The ESD ensures that students identified on the special education child count under Part B of the Individuals with Disabilities Education Act (IDEA) are limited to students who:

- a. Meet eligibility requirements under Oregon Administrative Rule (OAR) 581-015-2130 to - 2180;
- b. Have a current IEP that is being implemented;
- c. Are receiving a FAPE;
- d. Are enrolled in the component district.

9. Students with Disabilities under IDEA Enrolled in Public Benefits or Insurance

An ESD may use the State's Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for special education and related services required under IDEA and permitted under the benefits or insurance programs as specified below.

With regard to services required to provide FAPE to a child with disabilities under IDEA, an ESD:

- a. May not require parents to sign up for or enroll in public benefits or insurance programs in order for their child with disabilities to receive FAPE under the IDEA, but may pay the cost that the parent otherwise would be required to pay; and
- b. May not use the child's benefits under a public insurance program if that use would:
 - (1) Decrease available lifetime coverage or any other insurance benefit;
 - (2) Result in the paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time the child is in school;
 - (3) Increase premiums or lead to the discontinuation of insurance; or
 - (4) Risk loss of eligibility for home and community-based waiver, based on aggregate health-related expenditures; **and**

Prior to accessing a student's or parent's public benefits or insurance for the first time, and annually thereafter, the ESD must provide prior written notification to the student's parents and must obtain written consent that:

- a. States the personally identifiable information that may be disclosed (e.g. records or information about the services that may be provided to the student);
- b. States the purpose of the disclosure (e.g. billing for services under IDEA);
- c. Names the agency to which the disclosure may be made (e.g. Medicaid);
- d. Specifies that the parent understands and agrees that the public agency may access the parent's or student's public benefits or insurance to pay for services under IDEA;
- e. Acknowledges the district may not require parents to incur an out-of-pocket expense (i.e. payment of a deductible or co-payment incurred in filing a claim for special education or related service), but may pay the cost that the parent otherwise would be required to pay; and
- f. Acknowledges the district may not use the student's benefits under a public insurance program if that use would:

- (1) Decrease available lifetime coverage of any other insured benefit;
- (2) Result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the student outside of the time the student is in school;
- (3) Increase premiums or lead to the discontinuation of insurance; or
- (4) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.

10. Accessible Materials

- a. The ESDs must ensure the timely provision of print instructional materials, including textbooks that comply with the National Instructional Materials Accessibility Standards (NIMAS) for students who are blind or print disabled.
 - b. The ESDs must ensure the timely provision of instructional materials in accessible formats to children who need instructional materials in accessible formats, including those children who are not blind or print disabled.
11. Extended School Year (ESY) services as per administrative regulations, Special Education - Individualized Education Program (IEP) - IGBAF-AR.
12. Assistive technology devices or services as per administrative regulations, Special Education - Individualized Education Program (IEP) - IGBAF-AR.

Lane Education Service District

Code: IGBAK
Adopted: 10/26/93
Readopted: 6/26/01; 6/24/08; 12/06/17
Orig. Code(s): IGBAK

Special Education - Public Availability of State Application **(propose adopt)**

The superintendent will be responsible for ensuring that all documents relating to the ESD's eligibility for funds under Part B of the Individuals with Disabilities Education Act (IDEA) are available to parents of children with disabilities and to the general public for inspection, review and comment.

1. In complying with this requirement, the ESD does not release or make public personally identifiable information.
2. Information available for public review includes, but is not limited to:
 - a. How the ESD implements policies, procedures and programs for special education, consistent with state and federal requirements;
 - b. Performance of students with disabilities on statewide assessments;
 - c. Results of the state's general supervision and monitoring of ESD programs for special education, including the timeliness and accuracy of required data submissions;
 - d. ESD achievement of performance targets established in the State Performance Plan (SPP);
 - e. Financial information related to revenue and expenditures for students with disabilities, including but not limited to, ESD information about:
 - (1) Identifying the excess costs of educating students with disabilities;
 - (2) Maintaining the financial support for programs and services for students with disabilities (Maintenance of Effort (MOE)); and
 - (3) Describing available schoolwide programs under Title I of the Elementary and Secondary Education Act (ESEA) or the Every Student Succeeds Act (ESSA);
 - (4) Documenting the annual ESD application for IDEA funds; and
 - (5) Reporting of official audits, complaints and due process hearings.
 - f. ESD dispute resolution information, including the resolution of state complaints and due process hearings.

END OF POLICY

Legal Reference(s):

State-Administered Programs, 34 C.F.R. § 76.304 (2017).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.212 (2017). Every Student Succeeds Act, 20 U.S.C. § 6314 (2012).

Lane Education Service District

Code: IGBAK-AR
Adopted: 10/12/94 Revised/Readopted:
6/26/01

Orig. Code(s): **D** IGBAK-AR

Special Education - Public Availability of State Application (delete)

1. The district shall provide opportunities for the public to review and comment on any special education program application, evaluation, periodic program plan, reports and all other documents

E related to the ESD’s eligibility under IDEA. Public input shall be reported at a

regularly scheduled Board meeting.

2. The district shall provide notice that such items will be on the agenda prior to the Board meeting.
3. The district may provide the public the opportunity to review and comment on any special education program application, evaluation, periodic program plan and report at local special education

advisory council meetings or special meetings set up specifically to discuss one of these documents.

E T E

Special Education - Public Availability of State Application – IGBAL-AR

Lane Education Service District

Code: IGBAL
Adopted: 6/26/01
Orig. Code(s): IGBAL

Special Education - Services for Home-Schooled Students with Disabilities **(hold)**

Notice Requirements

If the ESD receives notice that a parent intends to home school a student with a disability, the ESD shall offer an opportunity for an individualized education program (IEP) meeting to consider providing special education and related services in conjunction with home schooling and shall provide written notice to the parent that a free appropriate public education will be provided if the student enrolls in the district. This notice shall be provided annually as long as:

1. The student remains eligible for special education; and
2. The student is exempt from compulsory education as a home-schooled student; and 3.
The student is not receiving special education and related services from the district.

The superintendent will notify the resident district if the ESD receives notice that a parent intends to home school a child with a disability.

END OF POLICY

Legal Reference(s):

[ORS 339.020](#)
[ORS 339.030 \(3\)](#)
[ORS 339.035](#)
[ORS 343.165](#)

[OAR 581-015-2000\(30\)](#)

[OAR 581-015-2090](#)
[OAR 581-015-2115](#)
[OAR 581-015-2120](#)
[OAR 581-015-2125](#)
[OAR 581-015-2130 to -2180](#)
[OAR 581-015-2210](#)

[OAR 581-015-2260](#)
[OAR 581-015-2310](#)
[OAR 581-021-0026 to -0029](#)

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

R8/30/05 | JN

Special Education - Services for Home-Schooled
Students with Disabilities – IGBAL

Lane Education Service District

Code: IGBB

Adopted: **P**

Talented and Gifted Program and/or Services (hold)**

(This policy is required if the ESD operates a school.)

R strengths and needs of students identified as talented and gifted. Talented and gifted students demonstrate The ESD is committed to an educational program that recognizes, identifies and serves the unique exceptional performance when compared to applicable development or learning progressions, with consideration given for variations in student's opportunity to learn and to culturally relevant indicators of ability.

through 12. [(See Board policy IGBBA **O** – Talented and Gifted Students – Identification**)]The ESD will The ESD Board directs the superintendent to develop a process for talented and gifted students in grades K develop a written plan of instruction for talented and gifted students[in accordance with law.] [that:

1. Includes a statement of the ESD policy on the education of talented and gifted students (this policy);
2. Identifies and assesses special talented and gifted programs and services available in the

school; **P**

3. States goals related to providing such programs and services, including timelines for achievement;
4. Describes the programs and services intended to accomplish stated goals; and services for their

child; **O**

5. Describes how the ESD provides parents an opportunity to discuss and to provide input on programs
6. Describes how the ESD will evaluate progress of the plan; and
7. States the name and contact information for the ESD’s talented and gifted coordinator.¹]

[The ESD shall submit such plan to the Oregon Department of Education (ODE) as directed. **S**]

[The plan will be provided at the school or the ESD office, when requested, and will be published on the ESD’s website. The ESD website shall provide the name and contact information of the ESD’s coordinator of special education and programs for talented and gifted.] [The ESD will annually report the name and

E contact information of the ESD’s TAG coordinator to ODE.]

[The ESD may also identify and provide programs for students who demonstrate outstanding ability or potential in creative ability in using original or nontraditional methods in thinking and producing; leadership ability in motivating the performance of others in educational or noneducational settings; and\or

ability in the visual or performing arts, such as dance, music or art.] **D**

[~~Complaints regarding programs~~ and/or services can be filed in accordance with Board policy KL – Public Complaints, beginning at [Step 2]. The superintendent or designee may choose to convene a committee in making a decision.] OR [Complaints regarding programs and/or services can be filed in accordance with

¹ For the list of complete requirements of the plan, see ORS 343.397(1).

the procedure in the accompanying administrative regulation, IGBB-AR - Complaints Regarding the Talented and Gifted Program and/or Services.]

END OF POLICY

Legal Reference(s):

[ORS 343.391 - 343.401](#)
[ORS 343.407 - 343.413](#)

[OAR 581-022-2325](#)
[OAR 581-022-2330](#)

[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

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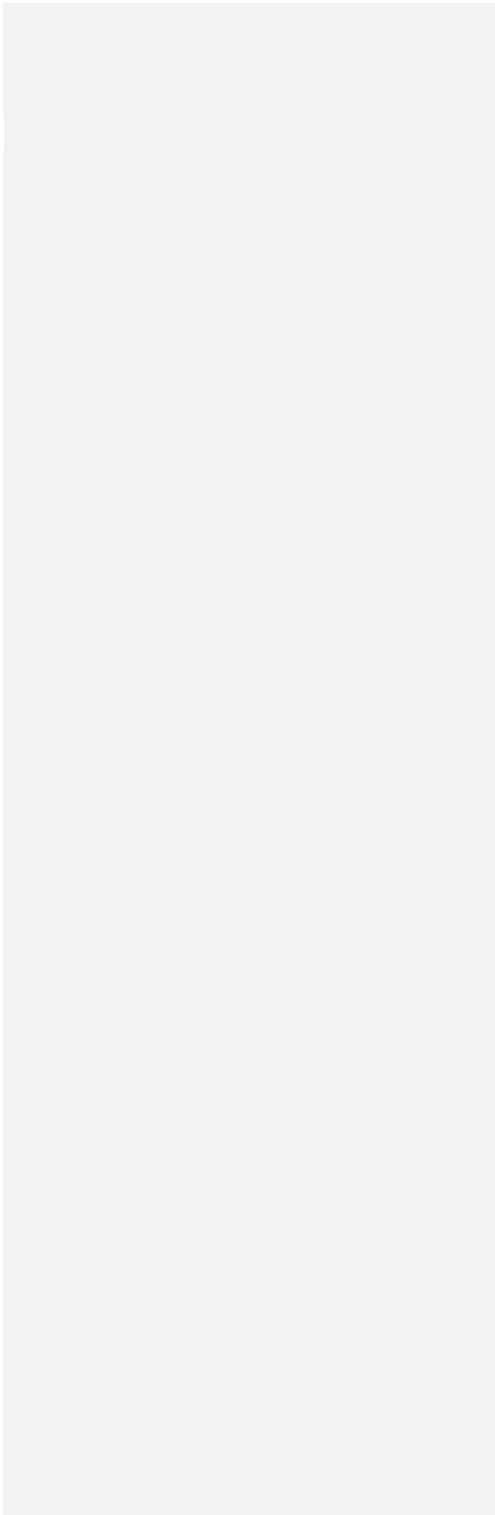
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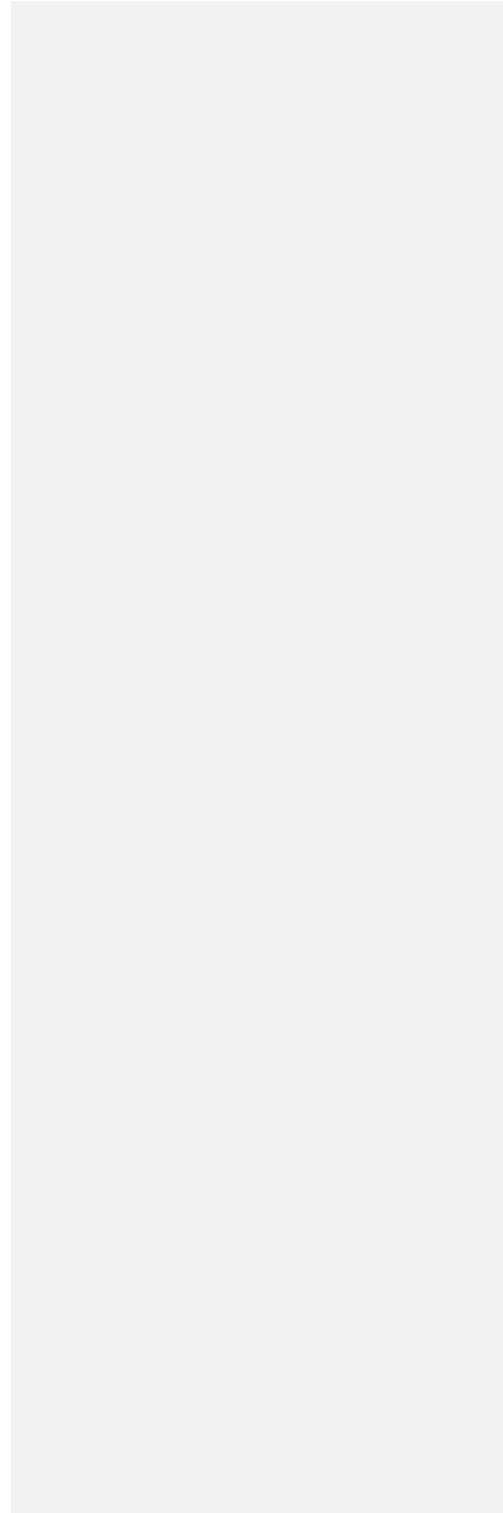
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CR8/08/22 | LF

Talented and Gifted Program and/or Services** – IGBB
2-2



Lane Education Service District

Revised/Reviewed: **P**

Code: **IGBB-AR**

Complaints Regarding the Talented and Gifted Program and/or Services

(This administrative regulation is required if the ESD operates a school.) [\(Hold for timelines\)](#) |

programs and services (**R** “TAG”): The following procedure will be utilized when complaints arise regarding the ESD’s talented and gifted

All complaints regarding TAG will be reported to the [superintendent or designee]. A form is available, but not required. The [superintendent or designee] may use the form to document and gather relevant information.

1. Upon receipt of a TAG complaint (**O**), the [superintendent or designee] shall arrange for a review committee consisting of the [TAG coordinator/teacher, the program supervisor, a counselor and a school psychologist].

2. The review committee shall meet within [two] working days of when the complaint (**P**

was received and review all pertinent information. A recommendation from the review committee

will be submitted to the [superintendent] within [10] working days of receiving the original complaint.

The committee may recommend that:

a. The programs or services are appropriate;

b. The programs or services are not appropriate.

The review committee's recommendation will be submitted to the superintendent.

The superintendent shall review the committee's recommendation and make a decision. The

recommendation.

superintendent's decision will issue a decision within [10] working days of receiving the

3. If dissatisfied with the superintendent's decision, the complainant may submit an appeal to the Board within [five] working days of receiving the decision. The Board will review the findings and conclusion to determine what action is appropriate. The Board may use executive session if the

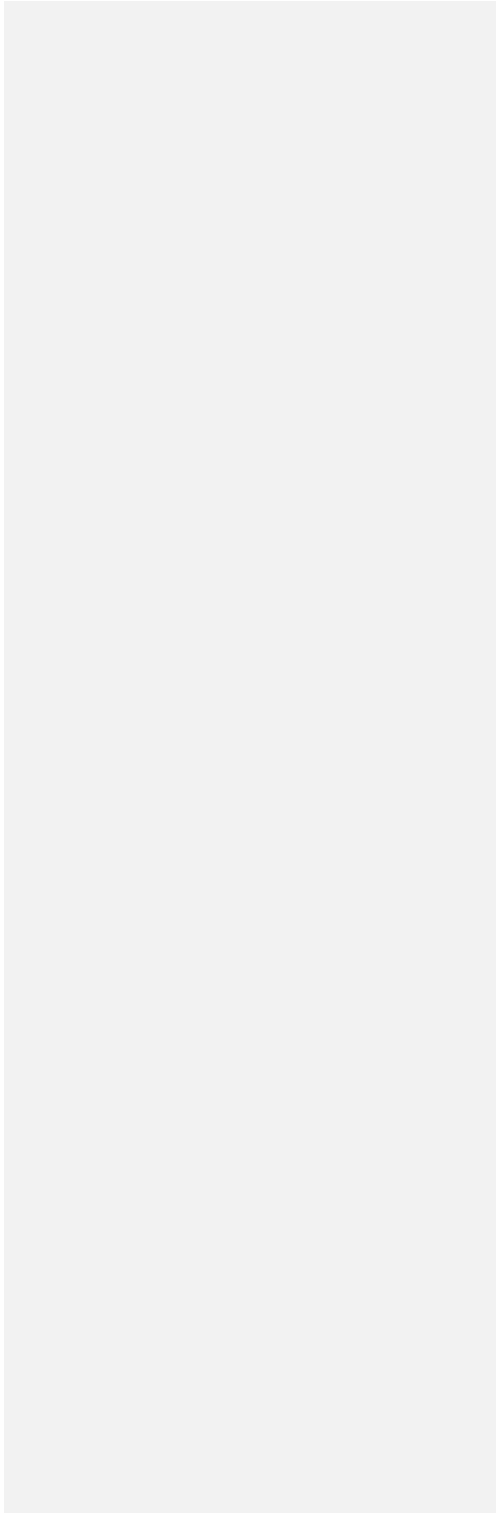
allegation in the complaint and contain reasons for the Board's decision. The Board's

final decision subject matter qualifies under Oregon law. The Board's decision will be final and will address each will be issued in writing or electronic form.

If the complainant, who is [a student,] a parent or guardian of a student attending a school operated by the ESD or a person who resides in the ESD, remains dissatisfied and has exhausted local procedures, may Administrative Rule¹⁰ s (OAR) 581-002-0001 – 581-002-0023. The ESD shall provide a copy of the

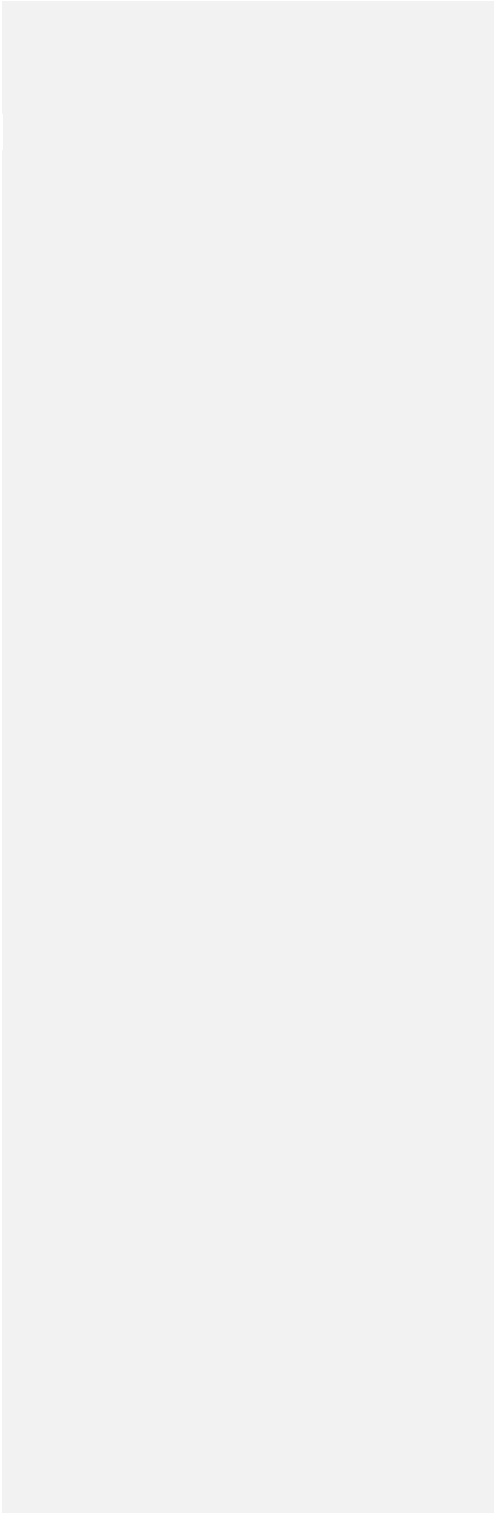
OAR s appeal the ESD's final decision to the Deputy Superintendent of Public Instruction under Oregon upon request.

¹⁰ An appeal must meet the criteria found in OAR 581-002-0005(1)(a).



{²} Timelines may be extended upon written agreement between the ESD and the complainant.

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² {For ESD information. The ESD's complaint process should align with OAR 581-022-2370 and consider an appeal process to ODE in OAR 581-002-0005.}

[Name of ESD]
[Address]

P TALENTED AND GIFTED PROGRAMS AND/OR SERVICES COMPLAINT FORM

Name _____

Address _____

Phone (Daytime) _____ (Evenings) _____

Date of complaint _____

1. What is the nature of your complaint?

2. What is the ESD currently doing?

3. In your opinion, in what way is this situation a violation of state standards?

4. What do you feel the ESD should be doing?

5. Other pertinent comments

Signature: _____

D

Lane Education Service District

Code: IGBBA

Adopted: P

Talented and Gifted Students – Identification** **(Hold)**

(This policy is required if the ESD operates a school.)

R
superintendent [or designee] [after due consideration of the input of staff, parents and the community] to In order to serve talented and gifted (“TAG”) students in grades K through 12, the ESD directs the establish an identification process.

This process shall include at a minimum:

student demonstrates a pattern of exceptional performance and/or achievement that is relevant to the

- O
1. Use of evidence-based practices that include a variety of tools and procedures to determine if a identification of TAG students under ORS 343.395.
 2. Collection and use of multiple modes and methods of qualitative and quantitative evidence to allow

appropriate members of a student P’s identification team to make a determination about the

identification and eligibility of the students for TAG services, supports and/or programs; with no single test or piece of evidence eliminating a student from eligibility.

3. Use of methods and practices that minimize or seek to eliminate the effects of bias in assessment and identification of students from historically underrepresented populations including, but not limited

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to:

- a. Students who are racially/ethnically diverse;
- b. Students experiencing disability;
- c. Students who are culturally and/or linguistically diverse;
- d. Students experiencing poverty; and

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- e. Students experiencing high mobility.

4. Incorporate assessments, tools and procedures that will inform the development of an appropriate plan of instruction for students who are identified as TAG and describe how information from the assessments, tools and procedures used in the identification for TAG students will be used to support development of the plan of instruction.

5. Identify how the educational record under ORS 326.565 of the student being considered will

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document and reflect the record of the team's decision and the procedures and data used by the team to make the decision. The ESD will provide professional development for staff assigned the

responsibility for identification of **D** talented and gifted students.

[The identification team may use sources of evidence described in OAR 581-022-2325(3) to provide students with multiple opportunities to demonstrate a pattern or preponderance of evidence of talent or giftedness.]

[Academic evidence reviewed shall align to the full depth, breadth, and complexity of Oregon’s content standards and benchmarks. Standardized assessments used for academic/achievement-based identification shall include technical documentation demonstrating alignment or documentation of intended use for the

include technical documentation demonstrating alignment to research **P**-based best practices inclusive of purpose of TAG identification. Standardized assessments used for intellectually gifted identification shall students from underrepresented populations.]

When a student is identified for TAG, the ESD shall inform parents of the programs and services available

proposed for their student. The instruction **R** provided shall be designed to accommodate the student’s to their student and provide an opportunity for parents to provide input to, and discuss TAG instruction assessed levels of learning and accelerated rates of learning. Parents may request the withdrawal of their student from TAG at any time.

If a parent is dissatisfied with the identification process or placement of their student, they may submit an

designee]] [the accompanying administrative regulation, IGBBA **O**-AR – Appeal Procedure for Talented and appeal through [Board policy KL - Public Complaints and begin at [Step 2] with the superintendent [or Gifted Student Identification and Placement**].

After exhausting the ESD’s appeal procedure and receiving the ESD’s final decision, a parent may appeal the decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR)

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581-002-0001 – 581-002-0023. The ESD shall provide a copy of the OARs upon request.

END OF POLICY

Legal Reference(s):

[ORS 343.395](#)

[ORS 343.411](#)

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[OAR 581-022-2330](#)

[ORS 343.407](#)

[OAR 581-021-0030](#)

[OAR 581-022-2370](#)

[ORS 343.409](#)

[OAR 581-022-2325](#)

[OAR 581-022-2500](#)

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CR8/08/22 | LF

Talented and Gifted Students – Identification** – IGBBA
2-2

Lane Education Service District

Revised/Reviewed: P

Code: IGBBA-AR

Appeal Procedure for Talented and Gifted Student Identification and Placement**

(hold)

(This administrative regulation is required if the ESD operates a school.)

identification process and/or placement of their student in the ESD program for talented and gifted (TAG)

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The ESD Board has established an appeal process for a parent to utilize if they are dissatisfied with the students, and wish to request reconsideration. The ESD’s desire and intent is to reach satisfactory solutions during the informal process:

Informal Process

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1. A parent will contact the [TAG coordinator/teacher] to request reconsideration.
2. The [TAG coordinator/teacher] will confer or meet with a parent, and may include any additional appropriate persons (e.g., principal, counselor, teacher, etc.), within five [working] [school] days of the request. Information pertinent to the selection or placement will be shared.

3. If an agreement cannot be reached, the parent may initiate the

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Formal Process.

Formal Process

1. A parent shall submit a written request for reconsideration of the identification and/or placement to the [program supervisor] within five working days of the conference identified above. days and shall

forward copies of the request and acknowledgment to the [TAG coordinator/teacher].

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2. The [program supervisor] shall acknowledge in writing the receipt of the request within five working
3. The [program supervisor, TAG coordinator/teacher] and other appropriate administrator shall review the student's file and earlier decisions within 10 working days of the original request presented in the previous step. Additional data may be gathered to support or change the earlier decision. A parent

may be provided an opportunity to present additional evidence.

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4. If deemed necessary, a formal hearing will be conducted by the ESD hearings officer utilizing the appropriate procedures.
5. A decision will be made by the [program supervisor] within [20] working days after receipt of the written request for reconsideration from the parent. The parent shall be notified of the decision in

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writing and the decision shall be forwarded to the superintendent.

6. The decision may be appealed to the ESD Board through Board policy KL – Public Complaints and may begin at Step 3.
7. If the parent is still dissatisfied, the parent may file an appeal to the Deputy Superintendent of Public

shall provide a copy of the OARs upon request.

D

Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023. The ESD

Lane Education Service District

Code:

Adopted:

IGBHD

6/26/01

Revised/Readopted: 12/05/23

Orig. Code(s): IGBHD

Program Exemptions** (propose adopt)

The ESD may excuse students from a state-required program or learning activity for reasons of religion, disability¹¹ or for other reasons deemed appropriate by the ESD. Requests for excusal or accommodation must be in writing and must include the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. Requests may be filed by the student's parent or guardian, or by a student who is 18 years of age or older or who is an emancipated minor. Requests must be submitted to the teacher and program supervisor.

The ESD will determine if credit will be granted for any alternative activity.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[OAR 581-021-0009](#)
[OAR 581-022-2050](#)

[OAR 581-022-2110](#) [OAR 581-022-2505](#)

IGBI 6/26/01

Revised/Readopted: 12/06/17; 12/07/21

Orig. Code(s): IGBI

Bilingual Education** (Propose adopt)

Students whose primary language is other than English will be provided appropriate assistance until they are able to use English in a manner that allows effective, relevant participation in regular classroom instruction and other educational activities.

¹¹ If the ESD receives a request for a disability accommodation, the ESD should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.

Lane Education Service District

Code:

Adopted:

Parents who are not able to use English in a manner that allows effective, relevant participation in educational planning for their student will be provided with relevant written, verbal or signed communication in a language they can understand.

END OF POLICY

Legal Reference(s):

[ORS 336.079](#)

[OAR 581-021-0046](#)

[OAR 581-022-2310](#)

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

Every Student Succeeds Act, 20 U.S.C. §§ 6801-7014 (2018).

IGDF
10/26/93
Readopted: 6/26/01
Orig. Code(s): IGDF

Bilingual Education** – IGBI

Lane Education Service District

Code:

Adopted:

Student Fund-Raising Activities (adopt w/ changes)

All fund raising must be approved by the superintendent and supervised by the appropriate staff member.

Activities that include fund raising for charitable or other causes not relating to school activities, must obtain prior approval from ~~the principal,~~ ~~and~~ ~~the superintendent.~~

~~A student or staff member may not solicit funds in the name of a school operated by the ESD or in the name of the ESD through the use of internet-based or crowd-funding types of fund raising, without the approval of the principal and superintendent.~~

Fund-raising projects involving the sale of products must also be approved by the activity sponsor and by the ~~appropriate administrator~~ ~~program supervisor~~ before the activity is initiated. Solicitation of funds is expressly prohibited without the superintendent's consent.

If fund raising consists of selling food and beverage items to students during the regular or extended school day, the food and beverage items must comply with state and federal nutrition standards, rules and laws. This does not apply to food and beverage items sold at school-related or nonschool-related events for which parents and other adults are a significant part of the audience.

END OF POLICY

Legal Reference(s):

[ORS 336.423](#)
[ORS 339.880](#)

[OAR 137-025-0020 to -0530](#)
[OAR 581-022-2260\(2\)](#)

[OAR 581-024-0240](#)

Federal Smart Snacks in School Rules 7 C.F.R. Part 210.11 (2017).

HR7/01/17 | PH

Student Fund-Raising Activities – IGDF

IGDF-AR
12/08/93
Readopted: 6/26/01
Orig. Code(s): IGDF-AR

Student Fund-Raising Activity Request (propose adopt)

Please fill out all sections and return to the appropriate administrator [program supervisor] or designee 30 days prior to initiating the fund-raising activity.

Date: _____

Name of individual, group or activity making this fund-raising activity request: _____

Reason for the fund raiser (please be specific): _____

Description of fund raiser¹ (i.e., what is the product, when will it be sold, where will it be sold, who will it be sold to, etc.): _____

Start and end dates for the fund raiser: _____

Anticipated revenue: _____

If this is a joint fund raiser, write down the name(s) of the partner(s): _____

Signature of Individual _____ Signature - Representative of Organization _____

- Approved – Date: _____
- Not Approved – Date: _____

Reason for Denial: _____

Signature of Principal or Designee Date _____

Signature of [Superintendent] Date _____

Lane Education Service District

Code:

Adopted:

¹ If fund raising consists of selling food and beverage items to students during the regular or extended school day, the food and beverage items must comply with state and federal nutrition standards, rules and laws. This does not apply to food and beverage items sold at school-related or non-school-related events for which parents and other adults are a significant part of the audience. (ORS 336.423)

HR4/28/16 | PH

Student Fund-Raising Activity Request – IGDF-AR

1-2 Lane Education Service District

Fund-Raising Activity Verification Form

Date: _____

From _____ To _____

To Whom it May Concern:

Lane ESD does hereby authorize:

(name of individual receiving authorization)

to sell _____
(name of product/item for sale)

for the purpose of raising funds for:

(funds to be used for)

from (dates) _____ to _____

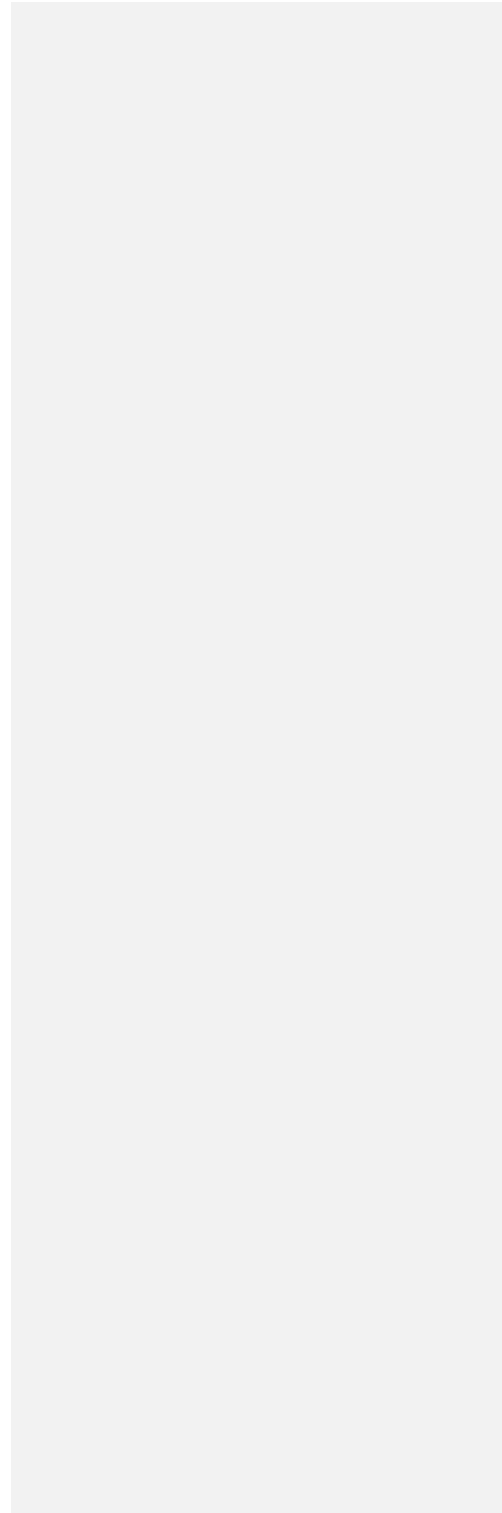
(Signature of Person Authorizing Sales)

(Date)

(Signature of Fund-Raiser Coordinator)

(Date)

Any questions regarding this fund-raising activity should be directed to the person authorizing sales.



Lane Education Service District

Code: IGDJ

Adopted: **P**

Interscholastic Activities** **(Hold)**

{OAR 581-022-2308(2) requires ESDs **that offer interscholastic activities** to have a policy for addressing discrimination by voluntary organizations that administer or facilitate scheduling and programming of interscholastic activities. If the ESD offers

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such activities, additional language can be added to this policy regarding those activities. The ESD could also include language regarding student participation in interscholastic activities within the district in which they reside.}

[The Board expects administrators, coaches, advisors, student participants, and others associated with the interscholastic activities¹² programs and events to conduct themselves in a manner that is consistent with the letter and spirit of policies, rules, and regulations of the ESD and any associated voluntary

organization¹³. Each will be held accountable for their actions. **O**]

The ESD [and its school[s]] may only be members of and pay fees, if any, to a voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities if the organization:

1. Implements and adheres to equity **P** focused policies that:

¹² Interscholastic activities includes: for students any grade from kindergarten through grade 12, athletics, music, speech and other similar or related activities; for students in any grade from kindergarten through grade eight, activities that are offered only before or after regular school hours and that may, but are not required to, involve interaction among other schools.

¹³ Includes a voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities.

- a. Address the use of derogatory or inappropriate names, insults, verbal assaults, profanity, or ridicule that occurs at an interscholastic activity, including by spectators of the interscholastic activity;
- b. Prohibit discrimination; religious belief and consistent with any safety and health

requirements; and **O**

- c. Permit a student to wear religious clothing in accordance with the student's sincerely held
- d. Balance the health, safety, and reasonable accommodation needs of participant on an activity-by-activity basis;

2. Maintains a transparent complaint process that:

- a. Has a reporting system to allow participants of interscholastic activities or members of the

S public to make complaints about student, coach, or spectator behavior;

- b. Responds to a complaint made within 48 hours of the complaint being received; and
- c. Resolves a complaint within 30 days of the complaint being received unless the organization

3. Develops and implements a system of sanctions against schools, students, coaches, and spectators if

E determines that there is good cause to extend the timeline for resolving the complaint; a

complaint is verified; and **D**

4. Performs an annual survey of students and their parents to understand and respond to potential violations of equity focused policies or other discrimination.

participate in interscholastic activities **P**³, if available, when the requirements found in Oregon law are met.¹⁴ { } [Students enrolled in and attending an ESD high school equivalency program may be allowed to Interscholastic activities when provided by the ESD will comply with Title IX and other nondiscrimination laws.] attempting to induce a student to attend a district school for interscholastic activity eligibility or ¹⁵

R { } [ESD employees, students, parents, alumni, and activity volunteers are prohibited from inducing or participation. The principal, activities director, advisors and coaches are each responsible for ensuring student participants meet all ESD eligibility requirements of participation and those of the associated voluntary organization. The principal [or designee] is responsible for ensuring accurate certification and

activity advisors have all required certifications prior to assuming their duties. The principal [or **O** regarding the eligibility of participating students and for verifying that athletic directors, coaches of sports, designee] shall ensure that a program is in place to effectively evaluate the performance of all coaches and activity advisors under their supervision.

Volunteers may be approved to assist with ESD activities with prior approval from the principal.

The principal shall investigate all allegations of ESD student ineligibility, staff recruitment violations or

P other student or staff conduct that may violate Board policies, administrative regulations, and/or rules and regulations of the associated voluntary organization. The principal shall notify the superintendent [or designee] of conduct that violates the terms of this policy and report to the associated voluntary organization if required. An employee determined to have violated Board policies and/or rules and

¹⁴ High school equivalency program means a program provided to assist a student in earning a certificate for passing an approved high school equivalency test such as the General Educational Development (GED) test.

¹⁵ {The remaining policy content is optional, but highly recommended language to inform about and support governance of activities (see beginning bracket here; ending with last paragraph of model policy – see closing bracket).}

regulations of the **O** associated voluntary organization [will] [may] be subject to discipline, up to and including, dismissal. A student in violation of Board policies and/or the rules and regulations of the associated voluntary organization will be subject to discipline, up to and including, dismissal from an interscholastic activity or program, suspension and/or expulsion from school. Volunteers in violation of Board policies and/or the rules and regulations of programs and activities and such other sanctions as may

be deemed appropriate by the ESD. **S** the associated voluntary organization shall be subject to discipline, up to and including, removal from ESD
Employees, volunteers, or students in violation of such policies, rules and/or regulations [will] [may] be required to remunerate the ESD in the event fines are assessed as a result of their actions.

The superintendent will develop procedures, as necessary, to implement this policy, including a process to

E ensure that all district rules governing the conduct of students, staff, and volunteers engaged in

ESD activities are regularly reviewed and updated.

³ {"This policy content is required practice but is not required policy language." }

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The ESD will annually review interscholastic activities and participation to determine whether the current offerings reflect the students the ESD serves.]

END OF POLICY

Legal Reference(s):

[ORS 326.051](#)

[ORS 332.075\(1\)\(e\)](#)

[ORS 334.125](#)

[ORS 339.450 - 339.460](#)

[OAR 581-015-2255](#)

[OAR 581-021-0045 - 0049](#)

[OAR 581-022-2308\(2\)](#)

[OAR 581-026-0005](#)

[OAR 581-026-0700](#)

[OAR 581-026-0705](#)

[OAR 581-026-0710](#)

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2022).

Montgomery v. Bd. of Educ., 188 Or. App. 63 (2003).

Senate Bill 1522 (2022).

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Lane Education Service District

Code: IIA
Adopted: 10/26/93 Readopted: 6/26/01;
9/23/14

Orig. Code(s): **D** IIA

Instructional Resources/Instructional Materials (propose delete) (Version 1)

The Board is responsible for the selection of **E** instructional materials. The Board delegates to

ESD professional personnel the authority for the selection of instructional materials in accordance with the policy below.

Selection Objectives

When reviewing and selecting instructional materials, the objectives will be:

2. To ensure accurate and up **L**-to-date content that includes new concepts, insights and facts;
 1. To select materials that will provide improvements in content, organization and teaching methods;
3. To provide for sequential growth from level to level;
4. To provide a fair representation of the many religious, ethnic and cultural groups and their contributions to our American heritage; leadership and example. There will be no discrimination or

bias or prejudice toward sex, race, **E**

5. To provide recognition of minority groups and women by placing them frequently in positions of religion, national origin, marital status, disability or age.

The ESD will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

administration. The input of staff will be encouraged. Final decisions on purchase will rest with the

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Materials will be selected by the appropriate professional personnel in consultation with the superintendent or designee, subject to official adoption by the Board in the case of basic instructional materials.

Selection Criteria

1. Materials that enrich and support the curriculum, taking into consideration the varied interests,

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All materials selected will be consistent with the following principles:

abilities and maturity levels of the students served;

2. Materials that stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;

Instructional Resources/Instructional Materials
IIA 1-2

3. A background of information which will enable students to make intelligent judgments in their daily lives;
4. Materials on opposing sides of controversial issues, so that young citizens may develop, under guidance, the practice of analytical reading and thinking;
5. Materials representative of the many religious, ethnic and cultural groups, showing their contributions to our heritage.

The above principles will serve as a guide in the selection of all instructional and media materials.

Any resident or employee may challenge the appropriateness of the ESD's instructional materials. The ESD will provide a procedure to process such challenges.

END OF POLICY

DELETED

Lane Education Service District

Code: IIA

Adopted: **P**

Instructional Materials (propose adopt) (Version 2)

classrooms located in component school **R** districts[and in school[s] operated by the ESD].

The Board The Board recognizes the responsibility of the ESD to provide high quality materials for ESD-operated believes proper care and judgment should be exercised in selecting such materials. [The process to select materials will reflect respect for all people, regardless of race, color, creed, national origin, age, sex, sexual orientation, gender identity, or disability.] instructional programs of the ESD and its component school

districts; are appropriate to the learning levels **O** The ESD will provide and maintain instructional and resource materials which may contribute to the of users; are relevant to the diverse problems, aspirations, attitudes and ideas of the contemporary world; provide stimulus to creative thinking; and are of acceptable technical quality. textbooks and other

instructional materials are available through online resources that enable students with **P** The ESD will establish a process and timeline for regularly determining and considering whether the print disabilities to receive textbooks and instructional materials free of charge.

The superintendent shall develop administrative regulations to assure that materials selected for and maintained by the ESD meet these criteria.

The superintendent shall develop administrative regulations to assure that **O** requests for reconsideration of instructional materials selected by the ESD are handled in the best interests of the students, teachers and community members of the district. Such regulations shall contain provisions for handling concerns about materials used in ESD classrooms operated in component school districts.

Materials will not be removed for discriminatory reasons. **S** A material involved with a reconsideration will remain available throughout the reconsideration process.
END OF POLICY

E

Legal Reference(s):

[ORS 334.125](#) [ORS 337.260](#) [OAR 581-021-0046](#) [ORS 336.035](#) [ORS 337.511](#) [OAR 581-022-2310](#) [ORS 336.082](#)
[ORS 339.155](#) [OAR 581-022-2340](#) [ORS 336.840](#) [ORS 659.850](#) [OAR 581-022-2350](#) [ORS 337.120](#) [OAR 581-022-2355](#)

D

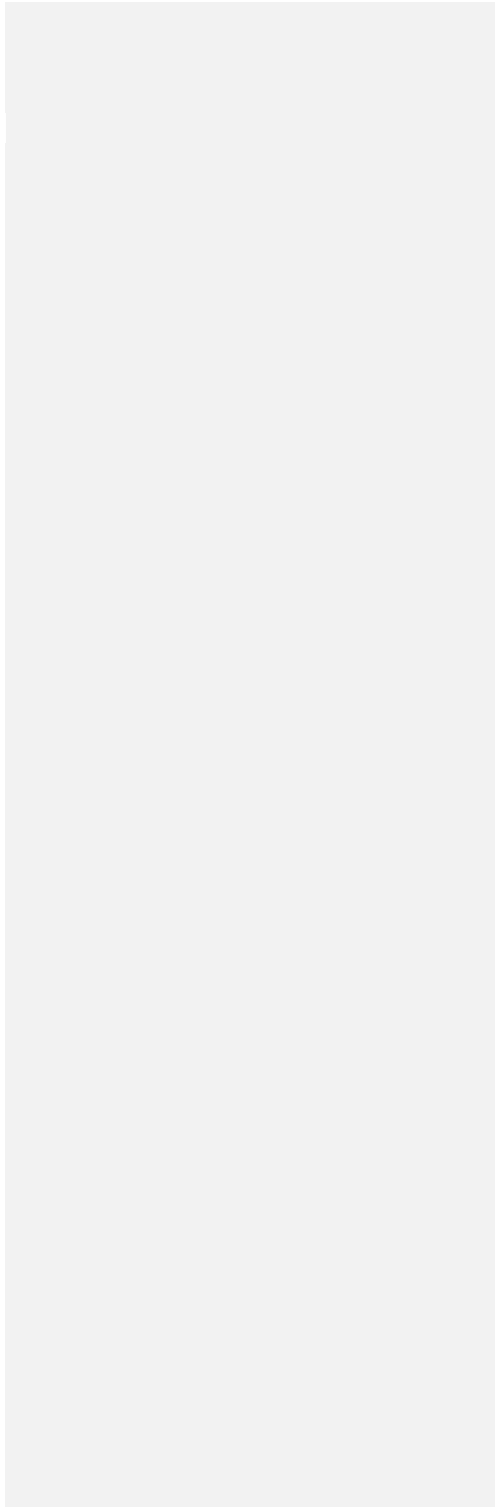
[ORS 337.150](#) [OAR 581-021-0045](#) [ORS 337.141](#) [OAR 581-011-0050 - 0117](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2024).

Instructional Materials
IIA 1-2

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101 -12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

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Lane Education Service District

Code: IIA-AR(1)
Adopted: 9/01/94
Revised/Readopted: 6/26/01
Orig. Code(s): IIA-AR

~~Instructional Materials Selection~~ **(adopt with changes)**

Board policy stipulates that Lane ESD shall maintain collections of instructional ~~media materials~~ for use in the instructional programs of the ESD and its component districts.

To ensure that materials acquired for the collections are oriented to the needs of the various curricula and diverse classroom practices, it shall be the policy of the ESD to seek the cooperation and involvement of its own teachers ~~and the teachers and administrators from the component districts~~, parents and community members] in the evaluation and selection of materials for the collections.

Teachers and administrators from the appropriate service area have the responsibility of choosing materials to be used in ESD classrooms and programs.

Component ~~school~~ district teachers and administrators determine which of the available ESD materials are to be used in their respective schools. It is not the responsibility of the ESD to judge the suitability of choices made by the ~~local component~~ districts.

In establishing and maintaining ~~instructional materials, a broadly varied collection~~ the ESD recognizes that not all materials will be appropriate for all programs and communities and that complaints about materials may be expressed from time to time.

Any ~~complaints~~ challenges from patrons regarding the ~~suitability~~ appropriateness of instructional materials shall be referred to:

1. The appropriate ~~appropriate administrator~~ [division director] if the complaint involves the use of materials in an ESD classroom or program. In this instance the procedure for reconsideration of instructional materials used in an ESD classroom or program will be followed;
2. The superintendent of the component district in which the patron resides if the complaint involves the use of ESD materials in a component district classroom or program. In this instance, the established policy of the ~~local~~ school district will be followed in processing the complaint. The component school district may decide to discontinue the use of certain ESD materials in its schools. Such a decision shall not prejudice the right of the ESD to use its own discretion in continuing to provide that material to other school districts.

A material involved with a reconsideration will remain available throughout the reconsideration process.

Materials will not be removed for discriminatory reasons.

Procedure for reconsideration of instructional materials used in an ESD classroom or program:

1. The classroom teacher or supervisor who receives a request for reconsideration of an instructional material will attempt to resolve the concern with the complainant;
2. All requests for reconsideration, whether or not resolved at Step One, will be reported to the appropriate administrator [director];
3. Requests for reconsideration not resolved at Step One will be processed by the appropriate administrator [director];
4. The person requesting reconsideration shall be supplied with a standard printed form which must be completed before consideration can be given;
5. The ESD superintendent [and Board chair] shall arrange for a review committee of seven persons consisting of one component district administrator, one classroom teacher, an appropriate ESD specialist, an ESD Board member and three community members [citizens] of the district. The committee will proceed as follows:
 - a. The committee will meet, review the issues and expressions of those concerned and return a written report of its findings to the ESD superintendent within four weeks;
 - b. The chair of the committee will be appointed by the committee;
 - c. One representative from the ESD staff and the person requesting reconsideration may personally appear before the committee to provide information;
 - d. Staffing for the work of the committee shall be provided by the appropriate director. The chair of the committee will be appointed by the superintendent;
 - e. The committee may recommend that the challenged material be:
 - (1) Retained without restriction;
 - (2) Not retained;
 - (3) Retained with restriction.

Meetings of reconsideration committees may be subject to Public Meetings Law. Records regarding reconsideration procedures are subject to Public Records Law.

6. The committee will report its findings to the superintendent who will place the report on the agenda of the next regularly scheduled meeting of the ESD Board;
7. The Board will make the final decision, binding upon all parties, which will be reported to the ESD staff members involved and to the person [citizen] registering the concern.

CITIZEN'S REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL MATERIALS FOR USE IN ESD CLASSROOMS

Title _____

Type of material _____ Publisher or Producer _____

Request _____ initiated by _____
Telephone _____ Address _____

Citizen _____ represents: _____
Self _____ Name of organization: _____

ESD classroom in which item was used or planned to be used:

1. To what in the material do you object? (Please be specific: cite pages, filmstrip frames, video sequence, etc.)

2. What do you believe is the theme or purpose of this material? _____

3. What do you feel might be the result of a student exposed to this material in a learning situation?

4. For what age groups would you recommend this material? _____

5. Is there anything good about this material? If yes, please describe. _____

6. Did you examine all of the audiovisual material (or read the entire book)? _____

If not, what sections? _____

7. Are you aware of the judgment of this material by literary critics or educational reviewers? _____

8. What would you like the agency to do about this material? _____

- _____ Do not assign it for student use in my student's classroom
- _____ Withdraw it from all ESD students
- _____ Send it back to the appropriate service area for reevaluation

9. ~~In place of this audiovisual material (or book) please recommend other material which you consider to be of superior quality which deals with the same topic.~~ _____

~~Please indicate where the material you recommend can be obtained.~~ _____

~~Date~~ _____ ~~Signature of Citizen~~

~~Please return completed form to appropriate Director, Lane Education Service district~~

Lane Education Service District

Revised/Reviewed: **P**

Code: IIA-AR(2)

Request for Reconsideration of Instructional Materials Form (Propose adopt) |

(Submit to [Program Administrator])

is subject to public records requests **R**. Please complete this form in its entirety for consideration.

This document will become a public record and
People who wish to file a request for reconsideration of instructional materials must follow the informal process for concerns related to those materials prior to filing this request for reconsideration.

Request initiated by: _____ Phone _____

Address **O** _____ City _____ Zip _____

Email: _____

Book or other material:

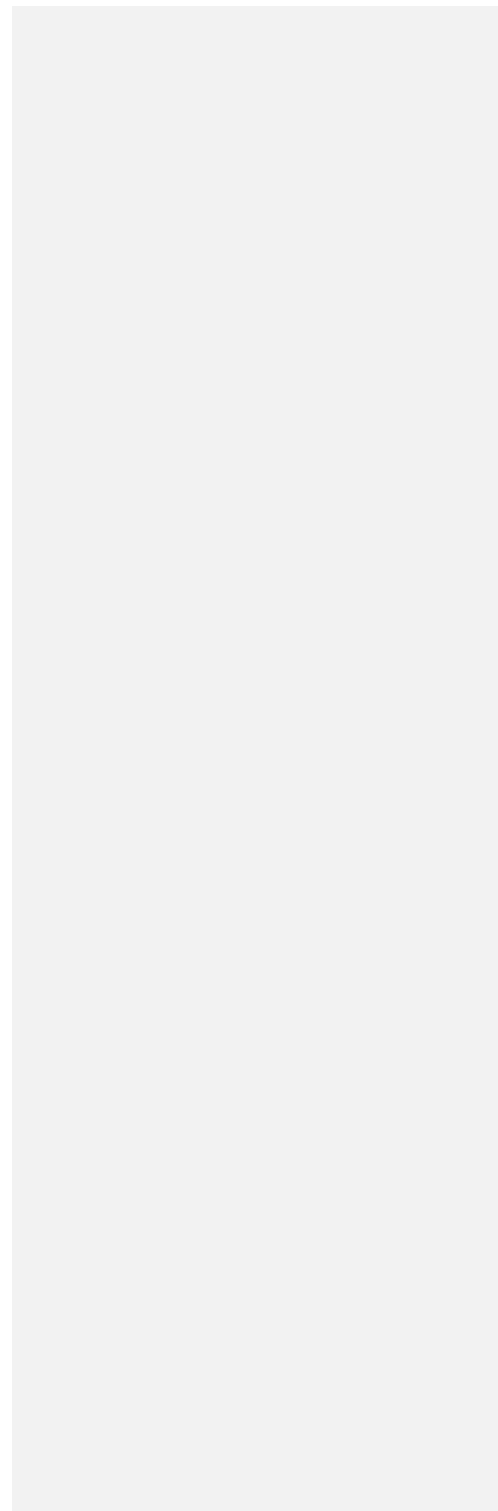
Title: _____ Author _____

Publisher: **P** _____ Publication Date: _____

Type of material: Article Audio recording Book Textbook Video Website

Other: **O** Please respond to the following questions.

Producer/Source (if known): _____



1. Did you discuss your concerns with the teacher or other involved staff? Yes No If no, you must

first discuss your concerns with the teacher or other involved staff before filing a **S** request

for reconsideration.

If yes, on what date?

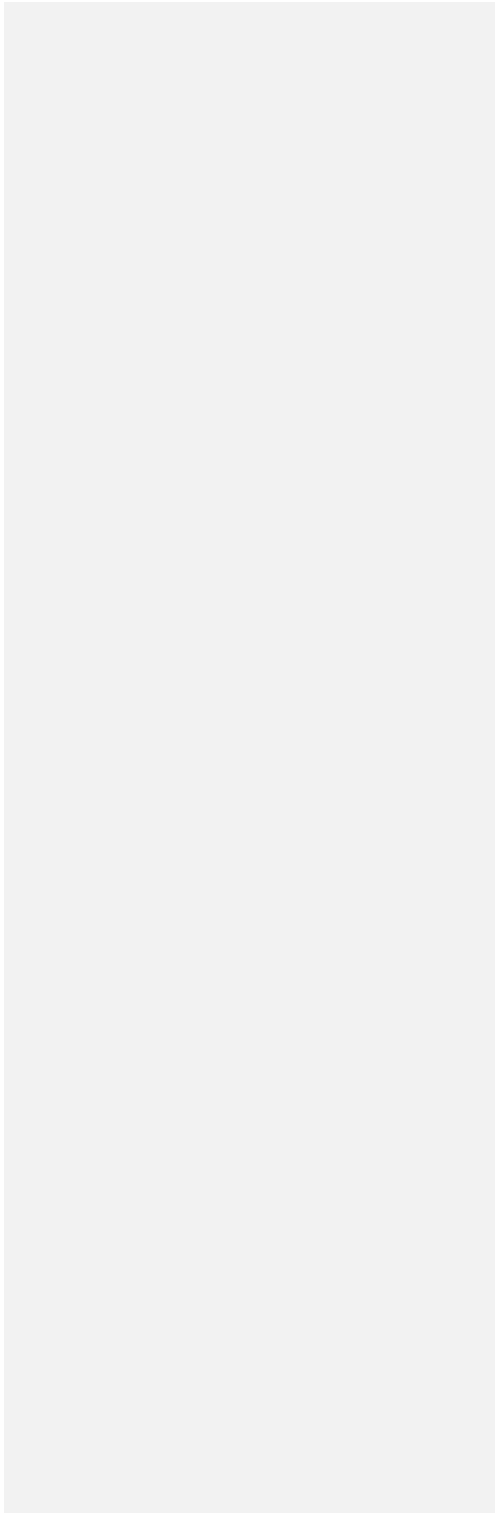
Please provide a summary of the conversation: **E** _____

What is the name of the staff member(s)? _____

2. Did you review the entire material? Yes No

If not, what sections did you review? **D** _____

3. How was the material acquired by the student (i.e., required reading, free choice selection, etc.)?



Lane Education Service District

Code:
Adopted:
Readopted:

4. To what in the material do you object and why? (Please be specific and cite pages, frames, etc.)

5. What material do you recommend in its place which would provide information on the subject?

6. What action are you requesting the reconsideration committee consider? _____

7. Do you wish to provide oral or written testimony to the reconsideration committee?
 Yes, oral testimony Yes, written testimony No

If yes, please call the [program administrator's] office at [_____].

Signature

_____ Date

Received by [program administrator]:

_____ Date

References:

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IIABB
10/26/93
6/26/01

Orig. Code(s): IIABB

Use of Feature Films[,] [or] Videos[or Other Media]**

The Board recognizes the showing of commercially produced and rated feature films and videos may have a legitimate purpose in the an ESD’s educational program. Since However, since the content of these feature films or videos customarily is designed for general audience viewing, the Board feels certain precautions should be taken to ensure the showing of a particular films or videos film is consistent with the instructional programs of educational values espoused by the district.

Only films rated G, PG or PG-13 or those from the ESD media library may be shown as part of the ESD program. The Board directs the superintendent to develop administrative rules to accomplish this objective, including the provision that parents or guardians have a parent has the opportunity to preview films or videos a film when practicably possible and that parents or guardians a parent must give prior consent before their his/her student may view a film rated PG or PG-13.

[Any media materials that are not rated are subject to the approval of the [administrator] prior to viewing.]

All copyright laws regulating the use of such materials will be strictly followed.

END OF POLICY

Legal Reference(s):

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

Lane Education Service District

Code:

Adopted:

Readopted:

IIABB-AR

9/01/94

6/26/01

Revised/Reviewed:

Orig. Code(s): IIABB-AR

Use of Feature Films[,] [or] /Videos[or Other Media] in the School**

Prior to showing a feature films and videos [or other non-rated media] film/video in a school, the Lane ESD classroom which in the professional judgment of the instructor must seek the written contains potentially controversial, objectionable and/or sensitive subject matter, approval of the program supervisor must be obtained. At least [five] days prior to the showing, the instructor shall submit provide to the program supervisor the following information on the particular films[,] [or] videos[or other media]: film:

1. Title and brief description;
2. Purpose for the showing;
3. Match with course objectives;
4. Proposed date of showing;
5. When and how parents or guardians will be notified, or, if necessary, grant consent;
6. Audience rating when available.

The showing of all feature films[,] [or] /videos with a G rating requires only prior notice to parents or guardians parent notification from the instructor, who will summarize in writing the information in the above points 1., 2., 4. and 6.

Additionally, for feature films or /with a PG or PG-13 rating, [or other non-rated media,] will require requiring program supervisor app[roval], prior parental and consent from parents or guardians be obtained before the student views the [,] [or] video[or other non-rated media].

must

Instructors are required to preview all films[,] [or] /videos[or other non-rated media] before showing to students.

Lane Education Service District

Code:

Adopted:

Readopted:

Parents or guardians may have the opportunity to preview films[,] [or] videos[or other non-rated media] when practicably possible and that parents or guardians must give prior consent before their student views a film rated PG or PG-13, or other non-rated media. Edited or non-rated films or videos will be shown at the discretion of the administrator.

~~A parent may have the opportunity to preview a film/video when practicably possible.~~

~~The instructor shall follow all copyright laws regulating the use of films and videos~~

The notification to parents or guardians for the showing of {G} movies at the secondary level will be at the discretion of the administrator.

Use of Feature Films[,] [or] Videos[or Other Media] – IIABB-AR

IIAD

12/07/93

6/26/01

Orig. Code(s):

IIAD

Special Interest Materials

In general, supplementary printed materials from ~~nonschool~~ non-ESD sources (including print materials and special aids such as slides, pictures, charts and exhibits) may be used, displayed or distributed for instructional purposes in Lane ESD classrooms at the teacher's discretion.

Teachers shall use only ~~those supplementary~~ materials that are timely, of obvious educational quality, and that supplement and enrich ~~district-ESD~~ instructional materials for definite school courses. ~~Supplementary materials may bear the name of the commercial business firm that provided the aid.~~

Materials from non-ESD sources should not be displayed or distributed in ESD classrooms or on ESD grounds without approval of the {program supervisor} [superintendent or designee]. Students may not be used as agents for distributing non-ESD-related materials to the homes without the superintendent's approval.

Educational films and all video rentals secured from or through commercial sources will be approved by the program supervisor prior to their use in Lane ESD classrooms, in accordance with ~~ESD-Board~~ policy IIABB - Use of Feature Films[,] [or] Videos[or Other Media]**. Teachers may use special aids such as models, films, slides, pictures, charts and exhibits for educational purposes with the express approval of the [program supervisor] [superintendent or designee] even though these materials may bear the name of a commercial business firm that provided the aid.

~~Supplementary materials from nonschool sources that, in the professional judgment of the instructor, may contain potentially controversial, objectionable and/or sensitive subject matter must be approved in advance by the program supervisor.~~

Copyright laws will be strictly followed.

Lane Education Service District

Code:
Adopted:
Readopted:

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[ORS 339.880](#)

Copyrights, 17 U.S.C. §§ 101-1332 (2012); 19 C.F.R. Part 133 (2017).

HR3/03/17 | PH

Special Interest Materials – IIAD

IIBGA

10/24/06

2/24/15

Orig. Code(s):

IIBGA

Electronic Communications System **(Hold for IT feedback)**

~~The Board is committed to the development and establishment of a quality, equitable and cost-effective electronic communications system. The system's sole purpose shall be for the advancement and promotion of learning and teaching.~~

The ESD's electronic communications system will be used to provide statewide, national and global communications opportunities for staff and students and for the advancement and promotion of teaching and learning.

The superintendent will establish administrative regulations for the use of the ESD's electronic communication system including compliance with the following provisions of the Children's Internet Protection Act:

1. Technology protection measures, installed and in continuous operation, that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact~~interacting~~ with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate matter on the Internet and World Wide Web;

Lane Education Service District

Code:

Adopted:

Readopted:

5. Ensuring the safety and security of minors when using ~~e-electronic-mail,~~ [social media,] chat rooms and other forms of direct electronic ~~communication~~communications;
6. Prohibiting unauthorized access, including so-called “hacking” and other unlawful activities by minors online;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors; and
8. Installing measures designed to restrict minors’ access to materials harmful to minors.

[¹⁶] The superintendent will establish administrative regulations for use of the ESD's system by staff using their own personal electronic devices to download and store ESD proprietary information including personally recognizable information about the Administrative R ESD students or staff. Regulations shall insure compliance with privacy rights under applicable federal and state laws and regulations, including but not limited to the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA).]

The administrative regulations will be consistent with sound guidelines as may be provided by the education service district, the Oregon Department of Education and/or the Oregon Government Ethics Commission, copyright law, and will include a complaint procedure for reporting violations.

The superintendent will also establish administrative regulations for use of the ESD's electronic communications system to comply with copyright law.

Failure to abide by ESD policy and administrative regulations governing use of the ESD's electronic communications system may result in the suspension and/or revocation of system access. Additionally, student violations may will result in discipline up to and including expulsion. Staff violations may will also result in discipline up to and including dismissal. Violations of law may will be reported to law enforcement officials and may result in criminal or civil sanctions. Fees, fines or other charges may also be imposed.

END OF POLICY

Legal Reference(s):

[ORS 167.060 - 167.100](#)
[ORS Chapter 192](#)
[ORS 260.432](#)
[ORS 334.125\(7\)](#)

[ORS 339.250](#)
[ORS 339.270](#)
[OAR 581-021-0050](#)
[OAR 581-021-0055](#)

[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Children's Internet Protection Act, 47 U.S.C. §§ 254(h) and (l) (2018); 47 C.F.R. § 54.520 (2019). Copyrights, 17, U.S.C. §§ 101-1332 (2018); 19 C.F.R. Part 133 (2020).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2018).
Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 8101-8107 (2018); 34 C.F.R. Part 84, Subpart F (2020).
Controlled Substances Act, 21 U.S.C. § 812, Schedules I through V (2018); 21 C.F.R. §§ 1308.11-1308.15 (2020).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018); 34 C.F.R. Part 99 (2020).
Every Student Succeeds Act, 20 U.S.C. § 7131 (2018).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

¹⁶ {If the ESD allows staff to download and store ESD proprietary information, including personally recognizable information about ESD students or staff, OSBA recommends including this content and an indicated related item in the model administrative

Lane Education Service District

Code: IIBGA-AR
Revised/Reviewed: 9/26/06; 2/24/15
Orig. Code(s): IIBGA-AR

Electronic Communications System (Hold for IT feedback)

Definitions

1. "Technology protection measure," as defined by the Children's Internet Protection Act (CIPA), means a specific technology that blocks or filters Internet access to visual depictions that are:
 - a. "Obscene," has the meaning given such, ~~as that term is defined~~ in Section 1460 of Title 18, United States Code;
 - b. "Child pornography," has the meaning given such, ~~as that term is defined~~ in Section 2256 of Title 18, United States Code; or
 - c. Harmful to minors.
2. "Harmful to minors," as defined by CIPA, means any picture, image, graphic image file or other visual depiction that:
 - a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
 - b. Depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. Taken as a whole, lacks serious literary, artistic, political or scientific value to minors.
3. "Sexual act ~~and~~ sexual contact," as defined by CIPA, have the meanings given such terms in Section 2246 of Title 18, United States Code.
4. "Minor," as defined by CIPA, means an individual who has not attained the age of 17. For the purposes of Board policy and this administrative regulation, minor will include all students enrolled in ESD schools.

5. "Inappropriate matter," as defined by the ESD, means material that is inconsistent with general public education purposes and, the ESD's vision, mission and goals, as determined by the ESD.¹⁷
6. "ESD proprietary information" is defined by the ESD as any information created, produced or collected by ESD staff for the business or education purposes of the ESD including but not limited to student information, staff information, parent or patron information, curriculum, forms and like items used to conduct the ESD's business.

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7. "ESD software" is defined by the ESD as any commercial or staff developed software acquired using ESD resources.

General ESD Responsibilities

The ESD will:

1. Designate staff as necessary to ensure coordination and maintenance of the ESD's electronic communications system which includes all ESD computers, e-mail and Internet access;
2. Provide staff training in the appropriate use of the ESD's electronic communications system including copies of ESD policy and administrative regulations. Staff will provide similar training to authorized system users;
3. Provide a system for authorizing staff use of personal electronic devices to download or access ESD proprietary information, that insures the protections of said information and insures its removal from the device when its use is no longer authorized;
4. Provide a system for obtaining prior written agreement from staff for the recovery of ESD proprietary information downloaded to staff personal electronic devices as necessary to accomplish ESD purposes, obligations or duties, and when the use of the personal electronic device is no longer authorized, to ensure verification that information downloaded has been properly removed from the personal electronic device; (See Staff User Agreement)
5. Cooperate fully with local, state or federal officials in any investigation relating to misuse of the ESD's electronic communications system;
6. Use only properly licensed software, audio or video media purchased by the ESD or approved for use by the ESD. The ESD will comply with the requirements of law regarding the use, reproduction and distribution of copyrighted works and with applicable provisions of use or license agreements;

¹⁷ As inappropriate matter is not defined in the CIPA or regulations, ESDs should define the scope of what it will regard as inappropriate matter. The language provided in #5. is intended as a guide only.

7. Install and use ~~desktop and/or~~ server virus detection and removal software;
8. Provide technology protection measures that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to the use of computers by minors, harmful to minors. A supervisor or other individual authorized by the principal may disable the technology protection measures to enable access for bona fide research or other lawful purposes, as deemed appropriate;
9. Prohibit access by minors, ~~as defined by CIPA and this regulation,~~ to inappropriate matter on the Internet and World Wide Web;
10. Provide staff supervision to monitor the online activities of students to prevent unauthorized access, including “hacking” and other unlawful activities online, and ensure the safety and security of minors when authorized to use e-mail, [social media,]chat rooms[, applications] and other forms of direct electronic communication;
11. Provide student education about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking [and social media] websites[, applications] and in chat rooms;
12. Determine which users and sites, accessible as part of the ESD’s ~~electronic communications system,~~ are most applicable to the curricular needs of the ESD, and may restrict user access, accordingly;
13. Determine which users will be provided access to the ESD’s ~~electronic communications e-mail~~ system;
14. Notify appropriate system users that:
 - a. The ESD retains ownership and control of its computers, hardware, software and data at all times. All communications and stored information transmitted, received or contained in the ESD’s information system are the ESD’s property and are to be used for authorized purposes only. Use of ESD equipment or software for unauthorized purposes is strictly prohibited. To maintain system integrity, monitor network etiquette and ensure that those authorized to use the ESD’s system are in compliance with Board policy, administrative regulations and law, the school administrators may routinely review user files and communications;
 - b. Files and other information, including e-mail, sent or received, generated or stored on ESD servers are not private and may be subject to monitoring. By using the ESD’s system, individuals consent to have that use monitored by authorized ESD personnel. The ESD reserves the right to access and disclose, as appropriate, all information and data contained on ESD computers and ESD-owned e-mail system;
 - c. [The ESD may establish a retention schedule for the removal of e-mail;]
 - d. E-mail sent or received by a Board member or employee in connection with the transaction of public business may be a public record and subject to state archivist rules for retention and destruction;
 - e. Information and data entered or stored on the ESD’s computers and e-mail system may be ~~subject to disclosure~~ ~~become discoverable evidence~~ if a public records request is made or a lawsuit is filed against the ESD. “Deleted” or “purged” data from ESD computers or e-mail

system may be retrieved for later public records disclosure or disciplinary purposes, as deemed necessary by the ESD;

f. Passwords used on the ESD's electronic communications system ~~will be the property of the ESD and must be changed at [90]-day intervals; provided to their supervisor or designated ESD personnel, as appropriate. Passwords that have not been provided to the ESD are prohibited;~~

g. Transmission of any communications or materials related to activities prohibited by ORS 260.432 ~~regarding political campaigns is not allowed prohibited.~~

15. Ensure all student, staff and nonschool system users complete and sign an agreement to abide by the ESD's electronic communications system policy and administrative regulations. All such agreements will be maintained on file in the [school office];

16. Notify users of known copyright infringing activities and deny access to or remove the material.

Electronic Communications System Access

1. Access to the ESD's electronic communications system is authorized to:

Board members, ESD employees, and students in grades [K-12], with parent approval and when under the direct supervision of staff, [and ESD volunteers, ESD contractors or other members of the public as authorized by the system coordinator or ESD administrators consistent with the ESD's policy governing use of ESD equipment and materials].

2. [Students, staff, Board members, volunteers, ESD contractors and other members of the public may be permitted to use the ESD's system for personal use, in addition to official ESD business, consistent with Board policy, general use prohibitions/guidelines/etiquette and other applicable provisions of this administrative regulation. Personal use of ESD-owned computers including Internet and e-mail access by employees is prohibited during the employee's work hours. Additionally, Board member and employee use of ESD-owned computers may be permitted only when such use does not violate the provisions of ORS 244.040 and use is under the same terms and conditions that access is provided to the general public under the ESD's policy governing use of ESD equipment and materials.]

OR

3. [Students may be permitted to use the ESD's electronic communications system, when consistent with board policy and administrative regulations, for school and instructional related activities. Personal use of ESD-owned computers or devices including Internet and e-mail access is [prohibited.] [permitted when consistent with board policy and administrative regulations and when during the school day.]

[Staff and Board members may be permitted to use the ESD's electronic communications system to conduct business related to the management or instructional needs of the ESD or to conduct research related to education and when in compliance with Board policy and administrative regulations.]

[Personal use of the ESD's system or ESD-owned computers or devices including Internet and email

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access by ESD staff [is prohibited] [may be permitted when consistent with Oregon ethics laws, Board policy and administrative regulations[, when used on school property] [, and when on own time].] [Personal use of the ESD's system or ESD-owned computers or devices [including Internet and e-mail access] by Board members is prohibited.]

[ESD staff and Board members may use the ESD's electronic communications system[, ESD-owned computers or devices] [including Internet and e-mail access] for personal use under the same terms and conditions that access is provided to the general public under the ESD's policy governing use of ESD equipment and materials.]

[Volunteers[.], [and] ESD contractors [and] [other members of the public may be permitted to use the ESD's electronic communications system for personal use when consistent with Board policy, general use prohibitions and guidelines/etiquette and other applicable provisions of this administrative regulation.]

General Use Prohibitions and /Guidelines/Etiquette

Operation of the ESD's **electronic communications** system relies upon the proper conduct and appropriate use of system users. Students, staff and others granted system access are responsible for adhering to the following prohibitions and guidelines which require legal, ethical and efficient **use/utilization** of the ESD's system.

1. General Use Prohibitions

The following conduct is strictly prohibited:

- a. Attempts to use the ESD's **electronic communications** system for:
 - (1) [Unauthorized solicitation of funds;
 - (2) Distribution of chain letters;
 - (3) Unauthorized sale or purchase of merchandise and services;
 - (4) Collection of signatures;
 - (5) Membership drives;
 - (6) Transmission of any materials regarding political campaigns.
- b. Attempts to upload, download, use, reproduce or distribute information, data, software; or file share music, videos or other materials on the ESD's system in violation of copyright law or applicable provisions of use or license agreements;
- c. Attempts to degrade, disrupt or vandalize the ESD's equipment, software, materials or data or those of any other user of the ESD's system or any of the agencies or other networks connected to the ESD's system;
- d. Attempts to evade, change or exceed resource quotas or **data/disk** usage quotas;
- e. Attempts to send, intentionally access or download any text file or picture or engage in any communication that includes, **but not limited to**, material which may be interpreted as:
 - (1) Harmful to minors;

- (2) Obscene or child pornography as defined by law or indecent, vulgar, profane or lewd as determined by the ESD;
 - (3) A product or service not permitted to minors by law;
 - (4) Harassment, intimidation, bullying, menacing, threatening, or a bias incident; constitutes insulting or fighting words, the very expression of which injures or harasses others;
 - (5) Constitutes insulting or fighting words, the very expression of which injures or harasses others, or which includes a symbol of hate;
 - (6) A likelihood that, either because of its content or the manner of distribution, it will cause a material or substantial disruption of the proper and orderly operation of the school or school activity;
 - (7) Defamatory, libelous, reckless or maliciously false, potentially giving rise to civil liability, constituting or promoting discrimination, a criminal offense or otherwise violates any law, rule, regulation, Board policy and/or administrative regulation.
- f. Attempts to gain unauthorized access to any service via the ESD's system which has a cost involved or attempts to incur other types of costs without specific approval. The user accessing such services will be responsible for these costs;
 - g. Attempts to post or publish personal student contact information unless authorized by the system coordinator or teacher and consistent with applicable Board policies policy pertaining to student directory information and personally identifiable information. Personal student contact information may include includes photograph, age, home, school, work or e-mail addresses or phone numbers or other unauthorized disclosure, use and dissemination of personal information regarding students;
 - h. Attempts to arrange student meetings with anyone on the ESD's electronic communications system, unless authorized by the system coordinator or teacher or when consistent with school or educational related activities and with prior parent approval when necessary;
 - i. Attempts to represent self on behalf of the ESD through use of use the ESD's name in external communication forums, e.g., social media, such as chat rooms, without prior ESD authorization;
 - j. Attempts to use another individual's account name or password, failure to provide the ESD with individual passwords or to access restricted information, resources or networks to which the user has not been granted given access.

2. Guidelines/Etiquette

~~Appropriate system use etiquette is expected of all users and is explained in ESD training sessions.~~
 Use of appropriate etiquette is expected of all users while using the ESD's electronic communications system and is explained in ESD training sessions.

Complaints

~~Complaints regarding use of the ESD's Electronic Communications System may be made to the teacher, principal, employee's supervisor or system coordinator. The ESD's established complaint procedure will be used for complaints concerning violations of the ESD's Electronic Communications System policy and/or administrative regulation. See Board policy KL – Public Complaints and accompanying administrative regulation.~~ The ESD's established complaint procedure in Board policy KL - Public Complaints and

accompanying administrative regulation may be used to process complaints or concerns about violations of policy and administrative regulations.

Violations/Consequences

1. Students
 - a. Students who violate general system user prohibitions shall be subject to discipline up to and including expulsion and/or revocation of access to the ESD electronic communications system access up to and including permanent loss of privileges.
 - b. Violations of law may will be reported to law enforcement officials and may result in criminal or civil sanctions.
 - c. Disciplinary action may be appealed by parents, students and/or a representative in accordance with established ESD procedures.
2. Staff
 - a. Staff who violate general system user prohibitions shall be subject to discipline up to and including dismissal in accordance with Board policy, collective bargaining agreements and applicable provisions of law.
 - b. Violations of law may will be reported to law enforcement officials and may result in criminal or civil sanctions.
 - c. Violations of applicable Teacher Standards and Practices Commission (TSPC), Standards for Competent and Ethical Performance of Oregon Educators will be reported to TSPC as provided by Oregon Administrative Rules (OAR) OAR 584-020-0041.
 - d. Violations of ORS 244.040 may will be reported to Oregon Government Ethics Commission (OGEC).
3. Others
 - a. Other guest users who violate general electronic communications system user prohibitions shall be subject to suspension of system access up to and including permanent revocation of privileges.
 - b. Violations of law may will be reported to law enforcement officials or other agencies, as appropriate, and may result in criminal or civil sanctions.

Telephone/Membership/Other Charges

1. The ESD assumes no responsibility or liability for any membership, or phone or internet service charges including, but not limited to, long distance charges, per minute (unit) surcharges and/or related charges equipment or line costs incurred by any home usage of the ESD's electronic communications system.

2. Any disputes or problems resulting from ~~regarding phone services or internet provider services~~ for home users of the ESD's electronic communications system are strictly between the ~~their internet system user and his/her local phone company and/or long distance service provider~~ provider. ~~and/or phone service~~

Information Content/Third Party Supplied Information

1. System users and parents of student system users are advised that use of the ESD's ~~electronic communications~~ system may provide access to materials that may be considered objectionable and inconsistent with the ESD's vision, mission and goals. Parents should be aware of the existence of such materials and monitor their student's home usage of the ESD's ~~electronic communications~~ system accordingly.
2. Opinions, advice, services and all other information expressed by system users, information providers, service providers or other third-party individuals are those of the providers and not the ESD.
3. ~~Users of the electronic communications system~~System users may, with ~~supervising teacher or system coordinator approval, order services or merchandise from other vendors~~individuals and agencies that may be accessed through the ESD's electronic communications system. These ~~vendors~~individuals and agencies are not affiliated with the ESD. All matters concerning merchandise and services ordered including, but not limited to, purchase terms, payment terms, warranties, guarantees and delivery are solely between the ~~vendor~~seller and the ~~electronic communications~~ system user. The ESD makes no warranties or representation whatsoever with regard to any goods or services provided by the ~~vendor~~seller. ESD staff and administration shall not be a party to any such transaction or be liable for any costs or damages arising out of, either directly or indirectly, the actions or inactions of ~~vendors~~sellers.
4. The ESD does not warrant that the functions or services performed by, or that the information or software contained on, the ~~electronic communications~~ system will meet the system user's requirements, or that the ~~electronic communications~~ system will be uninterrupted or error-free, or that defects will be corrected. The ESD's ~~electronic communications~~ system is provided on an "as is, as available" basis. The ESD does not make any warranties, whether express or implied including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the ~~electronic communications~~ system and any information or software contained therein.

Sample Parent Letter

Dear Parents:

Your student ~~needs your permission to use~~ has been selected to participate in the ESD's ~~communicatic~~ system ~~electronic~~ program and needs your permission to do so. Your student will be able to

communicate with other schools, colleges, organizations and individuals around the world through the Internet and other electronic information systems/networks.

~~The Internet is a system which links networks creating a large and diverse communications network. Internet access allows your student the opportunity to reach out to many other people to share information, learn concepts and research subjects by the sending and receiving of messages using a computer, modem and phone lines.~~

With this educational opportunity also comes responsibility. ~~It is important that you and your student read the enclosed ESD policy, administrative regulation and agreement form and discuss these requirements together.~~ Inappropriate system use ~~may~~ will result in discipline, up to and including expulsion from school, suspension or revocation of your student's access to the ESD's ~~electronic communications system~~, and/or referral to law enforcement officials.

Although the ESD is committed to practices that ensure the safety and welfare of system users, including the use of technology protection measures such as Internet filtering, please be aware that there may still be material or communications on the Internet that ESD staff, parents and students may find objectionable. While the ESD neither encourages nor condones access to such material, it is not possible for us to eliminate that access completely.

Attached to this letter is an agreement for your student and you to read and sign stating agreement to follow the ESD's electronic communications system ~~are the following important documents:~~

1. An agreement for your student to read and sign stating his/her agreement to follow the ESD's Electronic Communications System policy and administrative regulation. This agreement requires your signature. It must be signed and renewed each year and will be kept on file at the school;
2. The ESD's Electronic Communications System policy and administrative regulation.

Please review the ESD's electronic communications system policy and administrative regulation, and the provisions therein, ~~these materials~~ carefully with your student and return the attached agreement form to the [school office] indicating your permission ~~or denial of permission~~ for your student to ~~use~~ participate in the ESD's electronic communications system.

Sincerely,

System Coordinator/Administrator

Student Agreement for an Electronic Communications System Account

Student agreement must be renewed each academic year.

Student Section

Student Name _____ Grade _____

School _____

I have received notice of, read and agree to abide by the ESD's electronic communications system ~~Electronic Communications System~~ policy and administrative regulation. and agree to abide by their provisions. I understand that violation of these provisions may will result in discipline, up to and including expulsion from school, and/or suspension or revocation of system access and related privileges, and/or referral to law enforcement officials.

Student Signature _____ Date _____

Sponsoring Parent

I have received notice of and read the ESD's electronic communications system ~~Electronic Communications System~~ policy and administrative regulation. I give my permission to the ESD to issue an account for my student and certify that the information contained in this form is correct. I will monitor my student's use of the system and their/her potential access to the Internet and will accept responsibility for supervision in that regard if and when my student's use is not in a school setting. In consideration for the privilege of using the ESD's electronic communications system ~~Electronic Communications System~~ and in consideration for having access to the public networks, I hereby release the ESD, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my, or my student's use, or inability to use, the system including, without limitation, the type of damages identified in the ESD's policy and administrative regulation.

~~I give my permission to issue an account for my student and certify that the information contained on this form is correct.~~

~~I do not give my permission for my student to participate in the ESD's communications system.~~

Signature of Parent _____ Date _____

Home Address _____

Home Phone Number _____ Cell Number _____

Date _____

Email Address _____

~~This space reserved for System Coordinator~~

Assigned Username: _____

Assigned Password: _____

Agreement for an Electronic Communications System Account
(Nonschool System User)

I have received notice of, read and agree to abide by the provisions adopted and included in the ESD's electronic communications system ~~Electronic Communications System~~ policy and administrative regulation, and agree to abide by their provisions. I understand that violation of these provisions may will result in suspension and/or revocation of system access and related privileges, and/or referral to law enforcement officials.

In consideration for the privilege of using the ESD's ~~Electronic Communications System~~ electronic communications system and in consideration for having access to the public networks, I hereby release the ESD, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the ESD's policy and administrative regulation.

Signature _____ Date _____

Home Address _____

Date _____ Home Phone Number _____ Cell Number _____

Email Address _____ Date of Birth _____

Parent (Required if nonschool-system user is under 18 years of age)

I have received notice of and read the ESD's electronic communications system policy and administrative regulation. I give permission to the ESD to issue an account for my child and certify that the information contained on this form is correct. I will monitor my child's use of the system and the potential access to the Internet and will accept responsibility for supervision in that regard if and when my child's use is not in a school setting. In consideration for the privilege of using the ESD's electronic communications system and in consideration for having access to the public networks, I hereby release the ESD, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my, or my child's use, or inability to use, the system including, without limitation, the type of damages identified in the ESD's policy and administrative regulation.

Signature of Parent _____ Date _____

Email Address _____ Home Address _____

Home Phone Number _____ Cell Number _____]

~~This space reserved for System Coordinator~~

~~Assigned Username: _____~~

~~Assigned Password: _____~~

Agreement for an Electronic Communications System Account
(Staff System User)

I have received notice of, read and agree to abide by the provisions in the ESD's ~~electronic communications system~~ ~~Electronic Communications System~~ policy and administrative regulation, and ~~agree to abide by their provisions~~. I understand that violation of these provisions ~~may~~ will result in suspension and/or revocation of system access and related privileges, and may include discipline, up to and including dismissal, and/or referral to law enforcement officials.

I understand that I may use my personal electronic device (PED) for education related purposes and that certain ESD proprietary information may be downloaded to, or accessed through my PED. I agree that any ESD proprietary information downloaded on my PED will only be as necessary to accomplish ESD purposes, obligations or duties, and will be properly removed from my PED when the use on my PED is no longer authorized. I ~~ensure~~ ~~insure~~ that the ~~PED personal electronic device~~ in use is owned by me, and I am in complete control of the device at all times.

In consideration for the privilege of using the ESD's ~~electronic communications system~~ ~~Electronic Communications System~~ and in consideration for having access to the public networks, I hereby release the ESD, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the ESD's policy and administrative regulation.

Signature _____ Date _____

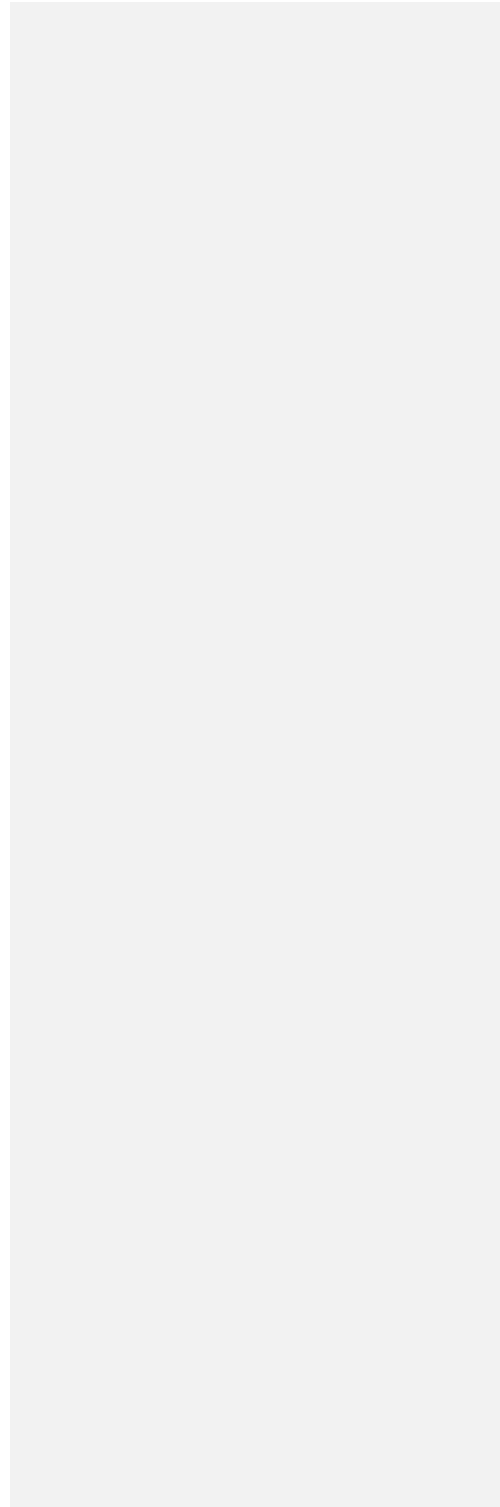
~~Email~~ Home Address _____

~~Date~~ _____

Home Phone Number _____ Cell Number _____

~~This space reserved for System Coordinator~~

Assigned Username: _____
Assigned Password: _____



Lane Education Service District

Code:

Adopted:

HC/IICA

10/26/93

Revised/Readopted: 6/26/01

Orig. Code(s): IIC/IICA

Off-Campus Student Activities/Field Trips**

Effective educational instruction frequently includes some use of the environment surrounding the school and its community as an integral part of the total program. The basic goal of any trip outside the classroom is to provide students each student the opportunity to have a firsthand experience and to make their his/her own observations.

In planning and authorizing such trips, primary consideration will be given to educational values derived, the safety and welfare of students involved, community standards of conduct and behavior on the part of all participants, the selection of appropriate adult supervision, either from within the ESD school staff or from the ESD's parent, guardian and community volunteer pool. Any such trip should supplement in-class study.

The following student activities must be approved by the [superintendent or designee] [program supervisor]:

1. Field trips;
2. An activity that will result in students the student using different transportation to or from the school than they he/she normally uses;
3. A special assignment/project that requires students the student to leave the ESD school campus.

A release/consent form must be completed and signed by the parent or guardian and on file before a student is allowed to engage in the activity.

~~[As students move to middle and high school programs, there is a heavy emphasis on community-related instruction and therefore a considerable amount of time will be spent in community training. The Student Special Assignment Release form must be completed.]~~

The [administration] [superintendent or designee] will develop guidelines to ensure both students and adult supervisors are acquainted with the standards for conduct while on an ESD-approved off-campus activity/fielda trip, outside of the classroom. Such guidelines will reinforce ESD district policy in areas such as prohibiting use of alcohol, and tobacco products, inhalant delivery systems and unlawful drug use

and procedures use, procedure to be used in cases of illness or accident, and methods for communicating with administrators and parents or guardians in discipline and emergency situations.

END OF POLICY

Off-Campus Student Activities/Field Trips – HC/IICA

Legal Reference(s):

ORS 334.125(7) ORS 339.155
ORS 336.014 ORS 339.240 to -339.250

Off-Campus Student Activities/Field Trips – HC/IICA

HC/IICA-AR
12/08/93

Revised/Readopted: 6/26/01

Orig. Code(s): IIC/IICA-AR

Off-Campus Student Activity/Field Trip Notification Approval Form

Teacher's Name _____ Date _____

Date of Requested Field Trip/Workshop _____ Class Size _____

Destination _____

Rationale: _____

Objectives: _____

Travel arrangements: _____

Lane Education Service District

Code:
Adopted:

Supervisory ratio (who): _____

Expenses: _____

Please attach any appropriate information and submit to the appropriate [director].

Off-Campus Student Activity/Field Trip Notification
Approval Form — ~~HC~~/ICA-AR

Field Trip Release/Consent

Date _____

I/We give permission for _____ to participate in a field trip
(student's name)

to _____ on _____,
(place and location) (date)

from _____ o'clock to _____ o'clock.

I/We understand that transportation will be provided by: _____

and that supervision will be provided by:

Parent/Guardian will be responsible for providing the following materials/supplies:

_____	_____
_____	_____
_____	_____

Parent/Guardian Signature

Date

Off-Campus Student Activity/Field Trip Notification
Approval Form –HC/IICA-AR

Lane Education Service District

Code:

Adopted:

IICB

6/26/01

Orig. Code(s):

IICB

Community Resource Persons (propose adopt with changes)

One goal of education is to prepare students to participate constructively in a democratic, pluralistic society, a society in which many differing opinions are held and differing causes are espoused. It is important that students develop an understanding of divergent ideas. It is also important that they develop judgment, a capacity to discern the difference between fact and opinion and to weigh arguments, slogans and appeals. Books, films and other media are valuable for giving students exposure to many differing ideas, but for effective learning it is also useful to invite appropriate persons not on the district educational staff to speak to or to meet with groups of students as part of the educational process.

No overall standard can be established which will automatically exclude, as a resource, the person whose views or manner of presenting them may obstruct the educational process or endanger the health and safety of students or staff. The Board establishes the following guidelines, however, in an effort to uphold students' freedom to learn while also recognizing obligations which the exercise of freedom entails:

1. The teacher, sponsor and administrator are expected to exercise judgment and to investigate fully those proposed resource persons about whom questions may arise;
2. The teacher and sponsor should encourage the use of resource persons representing various approaches or points of view on a given topic to afford students a more comprehensive understanding of it;
3. An appropriate record will be made of each resource person used and of that person's presentation;
4. The ideas presented and the resource person invited to present them will have a demonstrable relation to the curricular or cocurricular activity in which the participating students are involved;
5. The teacher or sponsor responsible for inviting the resource person, or any member of the administration, has the right and duty to interrupt or suspend any proceedings if the conduct of the resource person is judged to be in poor taste or endangering the health and safety of students and staff.

Prior to the activity, the speaker shall be informed of, and shall agree to abide by, the following regulations:

1. Profanity, vulgarity and lewd comments are prohibited;
2. ~~Smoking is not permitted while speaking to or consulting with students;~~

3.2. ~~The use of tobacco products or inhalant delivery systems is not permitted in the presence of students or in district facilities at any time.~~ ~~[The use of tobacco products or inhalant delivery systems is prohibited on district property].~~

4.3. Sexist, racial remarks or derogation of any group or individual is prohibited;
3/03/17 | PH Community Resource Persons IICB

5.4. The teacher, activity sponsor or member of the administration responsible for inviting the speaker has the right and obligation to interrupt or suspend the presentation if the conduct or content being presented by the speaker is judged to be in poor taste, endangers the health and safety of the students or staff, or is otherwise in violation of this or any other ESD policy.

END OF POLICY

Legal Reference(s):

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

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2012).
Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).

3/03/17 | PH Community Resource Persons IICB

IICC
10/26/93

Revised/Readopted: 6/26/01; 2/05/19; 12/03/19

Orig. Code(s): IICC

Volunteers (propose adopt)

Community patrons who voluntarily contribute their time and talents to the improvement and enrichment of ESD programs and services are valuable assets. The Board encourages constructive participation of groups and individuals to perform appropriate tasks outside regular hours under the direction and supervision of district personnel.

The administration is responsible for the recruitment, use, coordination and training of volunteers. These assignments will be carried out as directed or delegated by the superintendent or designee. Every effort should be made to use volunteer resources in a manner which will ensure maximum contribution to the safety, welfare and educational growth of students.

An in-state criminal records check shall be conducted on volunteers allowed to have direct, unsupervised contact with students. ~~[A fingerprint based criminal records check shall be conducted on volunteers that are allowed to have direct, unsupervised contact with students and that are placed into volunteer positions identified by the ESD to require a state and national criminal records check based on fingerprints. (See Board policy GCDA/GDDA—Criminal Records Checks and Fingerprinting)]~~ A criminal records check will not be required for persons authorized by the ESD for volunteer service that likely will not have direct, unsupervised contact with students.

Lane Education Service District

Code:

Adopted:

A volunteer who knowingly makes a false statement, as determined by the ESD, on an ESD volunteer application form will be denied the ability to volunteer in the ESD.

END OF POLICY

Legal Reference(s):

[ORS 326.607](#)

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

[OAR 581-021-0510 – 021-0512](#)

Lane Education Service District

Code: IK
Adopted: 10/22/13
Readopted: 9/23/14; 2/07/23
Orig. Code(s): IK

Academic Achievement**

The Board feels it is important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent, teacher and student is essential.

The ESD shall ensure that all students have the opportunity to demonstrate progress toward mastery of the knowledge and skills of the student's current grade level or course content level. Students who fail to meet or who exceed all of the standards at any grade level, will be offered additional services or alternative educational or public school options.

The Board directs staff to follow these guidelines in measuring and determining student progress:

1. Parents and students will be informed at least annually, of their student's progress toward achieving the academic content standards, including but not limited to:
 - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
 - b. Specific evidence of student progress toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
 - c. Evidence of the student's progress in a continuum of knowledge and skills that are not academic and that may include student behaviors that are defined by the ESD;
 - d. Student scores on all state and local assessments indicating any of the requirements that have been waived for the ESD or the individual and time periods for the waiver; and
 - e. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, demonstration of extended application and demonstration of the Essential Skills.
2. Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment will be based upon academic performance and will not include student attitude or behavior. Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade. Behavior performance shall be reported separately;
4. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students;

5. When no grades are given but the student is evaluated in terms of progress, the school staff will show whether the student is achieving course requirements at the student's current grade level;

R8/08/22 | RS

Academic Achievement** – IK
1-2

6. The staff will take particular care to explain to parents the meaning of marks and symbols used to reflect student performance.

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)
[ORS 329.485](#)

[OAR 581-021-0022](#)
[OAR 581-022-2260](#)

[OAR 581-022-2270](#)

R8/08/22 | RS Academic Achievement** – IK 2-2

Lane Education Service District

Code: IKAB
Adopted: 10/26/93 Readopted: 6/26/01

Orig. Code(s): **D** IKAB

Student Progress Reports to Parents**

(See policy IK)

~~The Board believes that the cooperation of school and home is an ingredient vital to the growth and education of the whole student. It recognizes its responsibility to keep parents informed of student welfare~~

~~**E** and progress in school.~~


~~The Board directs the establishment of a system of reporting student progress which shall include: written student progress reports; parent/guardian conferences with teachers and continuous placement evaluations; and shall require all appropriate staff members to comply with such a system as part of their teaching responsibility.~~

~~END OF POLICY~~ 

Legal Reference(s):

~~[ORS 107.154](#) — [ORS 339.260](#) — [OAR 581-022-1670](#)~~

~~Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000). Protection~~

~~of Pupil Rights, 20 U.S.C. Section 1232h; 34 CFR Part 98 (2000);~~ 

~~Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).~~

~~TE~~

Lane Education Service District

Code: IKF

Adopted: **P**

Graduation Requirements** **(Hold)**

{If the ESD operates a school, awards a diploma, and has additional credit or graduation requirements above the state requirements, the board is required to adopt policy. OAR 581-022-2120 requires such ESDs to have a policy about proficiency in Essential Skills in student languages of origin (except when waived); OAR 581-022-2115 (13) requires ESDs to have a policy

R

policy.}

on student-initiated test impropriety; OAR 581-022-2020(3) requires ESD to establish criteria for the certificate of attendance in

The Board establishes graduation requirements for awarding of a high school diploma, a modified diploma, an extended diploma and a certificate of attendance which meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The ESD will award a diploma to a

O

student fulfilling graduation requirements in less than four years if consent is given by the

student's parent or guardian or by the student if the student is 18 years of age or older or emancipated.

If the ESD requires diploma requirements beyond the state requirements, the ESD shall grant a waiver for

those requirements to any student who, at any time from grade 9 to 12, was:¹

P

1. In foster care ;

2. Experiencing houselessness¹⁸;

3. A runaway; **O**

4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;

5. A child of a migrant worker;

6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education

Program. **S** ; or

7. ¹⁹Enrolled in an approved recovery school under ORS 336.680. program²⁰ in this state, applying those credits toward the state requirements for a diploma if the credits

E For any student identified above, the ESD shall accept any credits earned by the student in an educational satisfied those requirements in that educational program in this state.

¹⁸ {ORS 329.451(2) and OAR 581-022-use the term “homeless.”} See OAR 581-022-2000 for additional information.

¹⁹ Applies to high school diplomas awarded on or after January 1, 2026.

²⁰ “Educational program in this state” means an educational program that is provided by a school district, a public charter school, an approved recovery school (applies to diplomas awarded on or after January 1, 2026), the Youth Corrections Education

D

¹ “Foster child” is defined in ORS 30.297.

Diploma

A high school diploma will be awarded to students in grades 9 through 12 who fulfill all state requirements adopted by the State Board of Education and all ESD requirements with a minimum of 24 credits{ } which

include at least: **P**

5

1. Three credits of mathematics (shall include one unit at the Algebra I level and two units at a higher level than Algebra I);

2. Four credits of **R** language arts⁶ (shall include the equivalent of one unit in written composition);
3. Three credits of science;

4. Three credits of social sciences (shall include 0.5 unit of US civics²¹²² credit in addition to at least

2.5 units of credit aligned to the Oregon State Board adopted standards for US and world **O**

8

history, geography, economics and financial literacy);

²¹ Civics becomes a half-credit requirement beginning on January 1, 2026 (ORS 329.451).

²² ~~This requirement is replaced with~~ a one-half credit of personal financial education requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year.

- 5. 9One-half credit of higher education and career path skills;
- 6. ²³One-half credit of personal financial education;

7. One credit in health education; **P**

8. One credit in physical education; and **O**

9 Higher education and career path skills becomes a one-half credit graduation requirement for students who were first enrolled

D in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year (a

requirement for a high school diploma awarded on or after January 1, 2027; an ESD may request a one-year waiver in accordance with law).

²³ Personal finance education becomes a one-half credit graduation requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year (a requirement for a high school diploma awarded on or after January 1, 2027; an ESD may request a one-year waiver in accordance with law).

S

Program or the Juvenile Detention Program, or funded as provided by ORS 343.243 for students in a long

term care or treatment facility described in ORS 343.961 or a hospital identified in ORS 343.261.

⁵ {If the ESD has additional credit or graduation requirements beyond the state minimum of 24, the school is required to include those additional credits and graduation requirements in the following lists. However, if the ESD provides an education as described in ORS 336.585 or 336.590 and awards high school diplomas, the ESD may not impose requirements for a high school diploma in those instances that are in addition to the requirements prescribed by ORS 329.451 (2)(a) or by rule of the State Board of Education.}

E

⁶ “Language arts” includes reading, writing and other communications in any language, including English.

- 9. Three credits in career technical education, the arts or world languages²⁴ (unit shall be earned in any one or a combination).

P

the student’s personal education plan and the credit is earned by meeting requirements

described in The ESD shall offer students credit options provided the method for obtaining such credits is described in Oregon Administrative Rule (OAR) 581-022-2025.

To receive a diploma, in addition to credit requirements outlined above, a student must:

- 1. Demonstrate proficiency in the Essential Skills of reading, writing, and apply mathematics in a

²⁴ “World languages” includes sign language, heritage languages and languages other than a student’s primary language.

variety of settings;²⁵ **R**

2. Develop an education plan and build an education profile;

3. Demonstrate extended application **O** of standards through a collection of evidence (or

include evidence in existing collection(s)); and

4. Participate in career-related learning experiences. **Modified Diploma** set of academic content

standards adopted by the State Board of Education for a **P** high school diploma A

modified diploma will be awarded only to students who have demonstrated the inability to meet the full

while receiving reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria below and other criteria, if applicable, outlined in OAR 581022-2010 (3):

²⁵ The State Board of Education has suspended proficiency in Essential Skills requirement through the 2027-2028 school year.
CR11/24 | LF Graduation Requirements** – IKF

1. The student has a documented history of an inability to maintain grade level achievement due to

O significant learning and instructional barriers; or

2. The student has a documented history of a medical condition that creates a barrier to achievement.

grade nine through completion of high school, complete 24 credits **S** with at least 13 of those credits to Having met the above eligibility criteria, a modified diploma will be awarded to students, who while in include:

1. Three credits in language arts;
2. Two credits in mathematics; **E**
3. Two credits in science;
4. Two credits in social sciences (which may include history, civics, geography and economics
(including personal finance)); **D**
5. ²⁶One-half credit in personal financial education;

²⁶ This unit of credit applies to all students who are awarded a modified diploma on or after January 1, 2027.

6. ²⁷One-half credit in higher education and career path skills;

7. **P** One credit in health education;

8. One credit in physical education; and

9. One credit in career **R** technical education, the arts or world languages (units may be earned

in any one or a combination).

Students may earn additional credits to earn a modified diploma pursuant to OAR 581-022-2010.

In addition to credit requirements as outlined in OAR 581-022-2010 a student must:

1. Demonstrate proficiency in the Essential Skills of reading, writing and apply mathematics in a

variety of settings;²⁸ **O**

²⁷ This unit of credit applies to all students who are awarded a modified diploma on or after January 1, 2027.

²⁸ The State Board of Education has waived this requirement in Essential Skills for students graduating through the 2027-2028 school year.

2. Develop an education plan and build and education profile; and

3. Demonstrate extended application **P** of standards through a collection of evidence (or

include evidence in existing collection(s)).

ESDs may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

1. For a student on an individualized education program (IEP) or Section 504 plan, any modifications Modifications include practices and procedures that compromise the intent of the assessment

through **O**

to work samples must be consistent with the requirements established in the IEP or 504 plan. a change in the achievement level, construct, or measured outcome of the assessment. This means that IEP or 504 school teams responsible for approving modifications for a student’s assessment may adjust the administration of the assessment and/or the assessment’s achievement standard. The IEP or 504 team must inform the student’s parent that the use of a modification on an assessment will

result in an invalid assessment; **S**

2. For a student not on an IEP or 504 plan, any modifications to work samples must have been provided to the student during their instruction in the content area to be assessed, and in the year in

which the student is being assessed, and modifications must be approved by the school team that is

responsible for monitoring the student's progress toward the modified diploma.

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Students not on an IEP or a Section 504 Plan may not receive a modified statewide assessment.

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A student's school team (which must include an adult student, parent/guardian of the student) shall decide if a student will work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

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A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from an anticipated exit from For

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students with a document history as described above, the ESD shall annually provide the parents

or high school if the documented history has changed. guardians of students, beginning in grade five or after such documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas and the requirements

O

for such diplomas; and

2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the State or ESD and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

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^{29} Essential Skills

The ESD [will] [will not] allow English Language Learner (ELL) students to demonstrate proficiency in Essential Skills in the student's language of origin for a high school diploma or a modified diploma.

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Performance Assessment Manual, in the ELL student's language of origin, and will develop procedures to The ESD will develop procedures to provide local assessment options as described in the *Local* ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.

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Essential Skills Appeal

The ESD will [establish an appeal process] [follow Board policy KL - Public Complaints] in the event of an appeal for the denial of a diploma based on the Essential Skills graduation requirement. The ESD will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.]

²⁹ {[OAR 581-022-2115 (4): Consistent with section (22) of OAR 581-022-2115 Assessment of Essential Skills, the requirements established by sections (2) and (3) of this rule are waived through the end of the 2027-28 school year.] Therefore, these two sections, i.e., Essential Skills and Essential Skills Appeal, are not required to be in policy at this time. The ESD could elect to keep the language and the bracketed portion of this footnote.}

E

Extended Diploma

An extended diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a high school

_____ diploma while receiving reasonable modifications and accommodations.

D

To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not

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include more than 6 credits in a self-contained special education classroom, and will include:

- a. Two credits of mathematics;
- b. Two credits of language arts;
- c. Two credits of science;

R

- d. Three credits of history, geography, economics or civics;
- e. One credit of health;
- f. One credit of physical education; and
- g. One credit of the arts or a world language; and

2. Have a documented history of:

- a. An inability to maintain grade level achievement due to significant learning and instructional

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barriers;

- b. A medical condition that creates a barrier to achievement; or
- c. A change in the student’s ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

For students with a documented history, **P** the ESD shall annually provide the parents or

guardians of such students, beginning in grade five or after such documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas and the requirements for such diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school

O graduate in any reporting for the State or ESD and that such students awarded a

certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

Certificate of Attendance³⁰

A { } certificate of attendance will be awarded to students who:

1. [Have maintained regular full-time attendance³² for at least four years beginning in grade nine;

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2. Do not satisfy requirements for a high school diploma, modified diploma or extended diploma; and
3. Have a documented history³³.]

³⁰ {The Board shall define criteria for a certificate of attendance. OAR 581-022-2200 (3). See the Oregon Department of

Education’s [Certificates for School Completion: Questions and Answers Related to the Implementation of SB 99](#) **D** 2

.}
³¹ A student who began grade 9 before July 1, 2020, may be awarded an alternative certificate if the student satisfies the requirements for an alternative certificate which are in effect on the day before July 1, 2024.

³² {There is no established definition of “regular full-time attendance. The ESD should review any existing attendance definitions, consider the needs of students in the ESD and establish clear criteria. This should include how excused and unexcused absences are counted. A few options are provided.}

³³ “Documented history” means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

For students with a documented history **P**³⁴, the ESD shall annually provide the parents or

guardians of such students, beginning in grade five or after such a documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas and the requirements for the diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school

R graduate in any required reporting for the State or ESD and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

O Other ESD Responsibilities

The ESD will ensure that all students have onsite access to the appropriate resources and courses to achieve high school diplomas, modified diplomas and extended diplomas at each high school [operated by the ESD]. The ESD will provide [age-appropriate and developmentally appropriate] literacy instruction to

³⁴ “Documented history” means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

all students until graduation. **P**

The ESD may not deny a student who has the documented history listed under the above modified diploma or extended diploma requirements outlined above the opportunity to pursue a diploma with more stringent requirements, for the sole reason the student has a documented history.

consent a student who is an emancipated minor or who has reached the age of 18 **O** (adult student) at the time The ESD may award a modified diploma or an extended diploma to a student only upon the written the modified or extended diploma is awarded, or of the student’s parent or guardian. The ESD must receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

diploma or a certificate of attendance in the later of 4 years after starting grade **S** 9, or until the student A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended reaches the age of 21 years if the student is entitled to a public education until the age of 21 under state or federal law.

“ ” **E**
[Regular full-time attendance means not being absent for more than 10 percent of school days that the student is enrolled in a school year. See OAR 581-020-0631 for definition of chronic absenteeism. Excused absences [are considered absences for this purpose] [will not be counted against a student.]]

[“Regular full-time attendance” means not having eight or more unexcused absences in any four-week period during which equates to having unexcused absences for le^{ss} than 20 percent of the days or class periods during which school is in

session.] **D** school is in session. See ORS 339.065 for definition of irregular attendance. This will be calculated on an annual basis and

A student may complete the requirements for a modified diploma, an extended diploma or a certificate of attendance in less than four years but not less than three years. To satisfy the requirements for a modified diploma, an extended diploma or a certificate of attendance in less than 4 years, the student's parent or

clearly states the parent, guardian or student is waiving the fourth year and/or years until the student guardian or a student who is emancipated or has reached the age of 18 must provide written consent which reaches the age of 21. A copy of the consent will be forwarded to the ESD superintendent who will annually report to the Superintendent of Public Instruction the number of such consents. attendance shall have the option of participating in a high school graduation ceremony with the

student's A student who qualifies to receive or received a modified diploma, an extended diploma, or a certificate of class.

A student who receives a modified diploma, an extended diploma, or a certificate of attendance shall have access to instructional hours, hours of transition services and hours of other services that are designed to of

instruction and services to the student that equal at least the total number of instructional hours that is meet the unique needs of the student. When added together, the ESD will provide a total number of hours required to be provided to students who are attending a public high school. The ESD may not unilaterally decrease the total number of hours of instruction and services to which the student has access regardless of the age of the student. requirements. No document issued to students with disabilities educated in full or in

part in a special The ESD will award to students with disabilities a document certifying successful completion of program education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the ESD will give the student an individualized summary of performance. Eligible students with disabilities are entitled to a free appropriate public education (FAPE) until the age of completion of a General Education Development document. The continuance of services for students with

21, even if they have earned a modified diploma, an extended diploma, a certificate of attendance or

disabilities for a modified diploma, extended diploma or certificate of attendance is contingent on the IEP team determining the student’s continued eligibility and special education services are needed.

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The ESD may not deny a diploma to a student who has opted -out of statewide assessments if the student is able to satisfy all other requirements for the diploma. Students and their parents will be notified of graduation and diploma requirements. Students may opt-out of the Oregon statewide assessments in language arts and/or mathematics by completing the Oregon Department of Education’s Opt-out Form³⁵ and submit the form to the ESD.

The act of student-initiated test impropriety is prohibited. A student that participates in an act of

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student-initiated test impropriety will be subject to discipline. “Student-initiated test

impropriety” means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

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END OF POLICY

³⁵ Oregon Department of Education page for: [30-day notice and opt-out form](#)
CR11/24 | LF

Legal Reference(s):

[ORS 329.007](#)
[ORS 329.045](#)
[ORS 329.451](#)
[ORS 329.479](#)
[ORS 334.125\(7\)](#)
[ORS 336.585](#)
[ORS 336.590](#)
[ORS 339.115](#)

[ORS 339.505](#)
[ORS 343.295](#)

[OAR 581-021-0009](#)
[OAR 581-022-0102](#)
[OAR 581-022-2000](#)
[OAR 581-022-2010](#)
[OAR 581-022-2015](#)

[OAR 581-002-2020](#)
[OAR 581-022-2025](#)
[OAR 581-022-2030](#)
[OAR 581-022-2115](#)
[OAR 581-022-2120](#)
[OAR 581-022-2505](#)

Test Administration Manual, published by the OREGON DEPARTMENT OF EDUCATION.
Certificates for School Completion: Questions and Answers Related to the Implementation of SB 992, published by the OREGON DEPARTMENT OF EDUCATION.

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Lane Education Service District

Code: IKFB

Adopted: **P**

Graduation Exercises **(Hold)**

The Board believes that completion of the requirements for a diploma, a modified diploma, an extended as

well as the individual. The Board wishes to recognize this achievement in a publicly celebrated **R** diploma or a certificate of attendance from public schools is an achievement that improves the community graduation exercise.

Accordingly, appropriate graduation programs may be planned by the [school] on the date selected by [the Board].

[The ESD's [school's] valedictorian(s), salutatorian(s) or others, at the discretion of the principal or

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designee, may be permitted to speak as part of the ESD's planned graduation program. All speeches will be reviewed and approved in advance by the building principal or designee.]

diploma, or qualify to receive or receive a modified diploma, an extended diploma or ³⁶ **P** a certificate of All students [in good standing []] who have successfully completed the requirements for a high school attendance, including students with disabilities receiving a document certifying successful completion of program requirements, shall have the option to participate in graduation exercises.

³⁶ [A student may be denied participation in graduation exercises for conduct that violates board policy, administrative regulation and/or code of conduct provisions.]

A student shall be allowed to wear a dress uniform issued to the student by a branch of the U.S. Armed

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Forces if the student:

1. Qualifies to receive a high school diploma, a modified diploma, an extended diploma or a certificate of attendance; and
2. Has completed basic training for, and is an active member of, a branch of the U.S. Armed Forces.

Graduating students will be allowed to wear ⁴ ³⁷Native American S items of cultural

significance ” [{}³⁸³⁹}or other items of cultural significance] .

END OF POLICY

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³⁷ Native American items of cultural significance means items or objects that are traditionally associated with a Native

American or that have religious or cultural significance to a Native American.”

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³⁸ {ORS 332.112 requires that ESDs allow students to wear Native American items of cultural significance to graduation and other school events. ESD’s can choose to allow students to wear items of significance to other cultures.}

³⁹ The ESD may prohibit an item or object that: a) is likely to cause a substantial disruption of, or material interference with the graduation ceremony, or b) replaces a cap or gown customarily worn at a graduation ceremony.

Legal Reference(s):

[ORS 332.112](#)
[ORS 334.125](#)
[ORS 339.505](#)
[ORS 343.295](#)
[ORS 659.850](#)

[OAR 581-021-0050](#)
[OAR 581-021-0055](#)
[OAR 581-021-0060](#)
[OAR 581-022-2000](#)
[OAR 581-022-2010](#)

[OAR 581-022-2015](#)
[OAR 581-022-2020](#)
[OAR 581-022-2505](#)

31 OR. ATTY. GEN. OP. 428 (1964)

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

Kay v. David Douglas Sch. Dist. No. 40, 1987; *cert. den.*, 484 U.S. 1032 (1988).

Doe v. Madison Sch. Dist. No. 321, 177 F.3d 789 (9th Cir. 1999).

Lee v. Weisman, 505 U.S. 577 (1992).

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

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Lane Education Service District

Code: IKH

Adopted: **P**

Credit for Proficiency (Hold) (For ESDs with diploma programs)

method for accruing such credit is described in the student’s personal educational plan and the student

R The ESD shall grant required and elective credit toward a diploma or a modified diploma, provided the student earns the credit by one or more of the options below.

The ESD may grant credit to a student who demonstrates defined levels of proficiency or mastery of recognized standards, i.e., knowledge and skills, (e.g., state academic content standards and essential

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skills, industry-based or other national or international standards) by one or more of the following options:

1. Successfully completing classroom or equivalent work (e.g., supervised independent study, careerrelated learning experiences, project based learning) that meets Common Curriculum Goals and academic content standards required by Oregon Administrative Rule (OAR) 581-022-2030;
2. Successfully completing classroom or equivalent work, in class or out of class, where hours of

P instruction may vary;

3. Successfully passing an appropriate exam;
5. Providing documentation of prior learning activities or experiences (e.g., certification of training,

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4. Providing a collection of work or other assessment evidence; or letters, diplomas, awards, etc.).

[The Board directs the superintendent to establish criteria for granting proficiency credit.]

END OF POLICY

Legal Reference(s):

[OAR 581-022-2025](#)

E [OAR 581-023-0008](#)

[ORS 329.885](#) [ORS 334.125](#)
[ORS 336.615](#) to [-336.665](#)

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Credit for Proficiency
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[OAR 581-022-0102](#)
[OAR 581-022-2310](#) [OAR 581-022-2000](#) [OAR 581-022-2505](#)

Lane Education Service District

Code: IKJ

Adopted: **P**

Artificial Intelligence (**propose adopt**)

{The purpose of this policy is to facilitate actions regarding artificial intelligence. Many OSBA members have developed statements, policies, or positions, or have responsible use agreement language that includes related content; this policy is not

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intended to replace that language.}

The Board believes that artificial intelligence (including generative artificial intelligence) is a useful tool. The Board also recognizes that generative artificial intelligence involves risk, including input and output bias, inaccuracies, and hallucinations. As such, it is critical that staff and student use is conducted responsibly.

O

Independent Student Use

Specific rules for the independent use of generative artificial intelligence for assigned student work may be developed by the teacher and communicated to students. Teachers should consider the following in establishing these rules:

1. Accessibility of programs and technology for all students **P** outside of school;⁴⁰

⁴⁰ For example, do all students have access to computers and internet away from school; does the age of the students affect their ability to access generative artificial intelligence?

2. Student awareness of bias and inaccuracies and student ability to responsibly address those concerns; and

3. The teacher's ability to detect usage accurately and consistently **O**.

Failure to follow these rules may result in incomplete credit or disciplinary action. **Student Use as Part of Class** applications approved by the ESD's [IT Department] will be allowed to be used as part of the

class. All **S** Teachers may use generative artificial intelligence as part of instruction to further course objectives. Only

Terms of Use will be followed, along with any additional rules as established by the [IT Department] or the teacher. Students are not allowed to share logins or passwords.

[Prior to allowing students to use generative artificial intelligence as part of a class the teacher will provide notice to parents with an explanation of its use.] [The ESD will provide notice to parents regarding student

use of generative artificial intelligence as part of classes.] **E**

Staff Use ESD staff are authorized to use generative artificial intelligence to perform various work

functions. Staff privacy laws. **D**

are responsible for ensuring their use complies with all laws, including, but not limited to copyright and

Staff Professional Development

The ESD will seek out professional development opportunities for staff to learn how to use generative artificial intelligence for various work functions.

FERPA and Confidentiality

All laws regarding student records, confidentiality, privacy, and student internet use will be followed at all times. ESD employees are prohibited from sharing personally identifiable information (PII)² with any generative artificial intelligence application.

Violations

Students and staff in violation of policy or related rules may be subject to discipline and may be referred to law enforcement.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

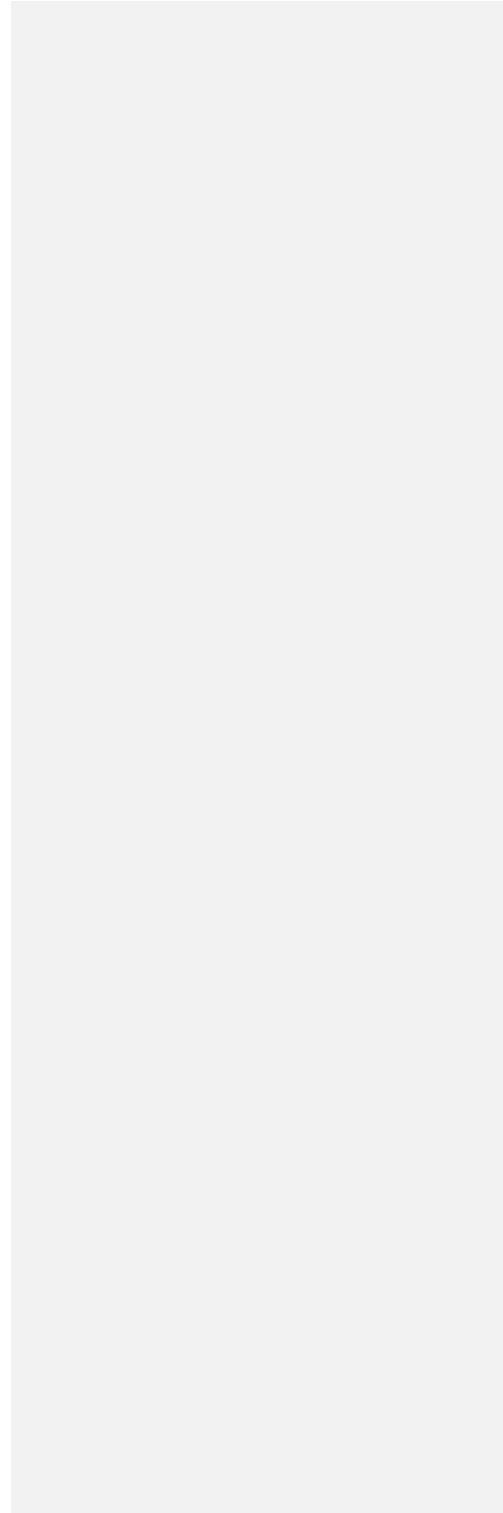
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101 -12133.
Children's Internet Protection Act (CIPA), 47 U.S.C. §§ 254(h) and (l); 47 C.F.R. § 54.520.
Children's Online Privacy Protection Act of 1998, 15 U.S.C. §§ 6501-6505
Family Educational Rights and Privacy Act (FERPA) of 1974, 20 U.S.C. § 1232g; 34 C.F.R. § 99.
Protection of Pupil Rights, 20 U.S.C. § 1232h.

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² See Board policy JOB – Personally Identifiable Information for additional information.

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Artificial Intelligence IKJ
2-2



Lane Education Service District

Code: IL

Adopted: **P**

Assessment Program (HOLD)**

(This policy is highly recommended only if the ESD has a school program.)

The ESD's assessment program shall be designed for the purpose of determining ESD and school program
Each year the ESD shall determine each student's progress toward achieving federal, state and local
achievement requirements.
improvement and individual student needs including the requirements of the Oregon Administrative Rules.

R

Assessments shall be used to measure the academic content standards and to identify students who meet or

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exceed the performance standards adopted by the State Board of Education.

Accordingly, the ESD shall maintain the following assessment program:

1. Criterion-reference assessments, including performance-based assessments, content-based

assessments and other valid methods as may be required by state and federal requirements;

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2. Individual diagnostic and ability evaluations in all grades when students have been referred and parental permission obtained;
3. Assessments by individual teachers;

4. Optional schoolwide and grade level-wide assessments, as recommended by the superintendent and

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as approved by the Board.

It is the intent of the Board that progress be measured in a manner that clearly enables the student and parents to know whether the student is making progress toward meeting or exceeding academic content as

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prescribed by law.

standards. ESD, school and individual results shall be reported to the Board, parents and the community,

The ESD shall make additional services or alternative educational or public school options available to any student who has not met or has exceeded all of the state-required academic content standards.

Additionally, students in schools receiving Title I moneys that have been identified by ODE will be

E

provided supplemental services and public school options as required by law.

The ESD shall not discriminate in the methods, practices and materials used for assessment, evaluating and counseling students on the basis of race, color, national origin, religion, sex, sexual orientation, age, gender identity, disability or marital status. Discrimination complaints shall be processed in accordance

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with established procedures.

Staff will receive in-service education in the use of designated assessments and interpretation of assessment results.

-

A parent on behalf of their student or an adult student may annually opt-out of taking a statewide summative assessment by completing and submitting ODE’s opt-out form⁴¹ to the school. The district shall provide supervised study time for students who are excused from participating in the assessment. A

reasons. Parents and adult **P** students will be provided the required notices⁴² and access to forms by the student may be excused from the Oregon Statewide Assessment Program for disability or religious district that include a time frame in which statewide assessments will take place, and an adult student’s or parent’s right to request an exemption from taking the statewide summative assessments.

initiated test impropriety will be subject to discipline. **R** “Student-initiated test impropriety” means student The act of student-initiated test impropriety is prohibited. A student that participates in an ~~act of student-~~ conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

The superintendent shall ensure a periodic review and evaluation of the ESD’s assessment program is

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conducted.

END OF POLICY

Legal Reference(s):

⁴¹ Oregon Department of Education page for: [30-day notice and opt-out form](#)

⁴² ESDs are required to provide notice twice each year: once at the beginning of the year and second time at least 30 days prior to the administration of the test.

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[ORS 40.245](#)

[OAR 581-021-0009](#)

[OAR 581-022-2030](#)

[ORS 326.565](#)

[OAR 581-021-0030](#)

[OAR 581-022-2060](#)

[ORS 326.575](#)

[OAR 581-022-2100](#)

[OAR 581-022-2270](#)

[ORS 329.479](#)

[OAR 581-022-2110](#)

House Bill 3041 (2021)

O

[ORS 329.485](#)

[OAR 581-022-2115](#)

Senate Bill 602 (2021)

[ORS 336.187](#)

[OAR 581-022-2250](#)

[ORS 659.850](#)

[OAR 581-022-2310](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2021).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2021).

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Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).

Every Student Succeeds Act, 20 U.S.C. 6311-6322 (2018).

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Lane Education Service District

Code: IM

Adopted: 10/26/93 Readopted: 6/26/01

Orig. Code(s): **D** IM

Evaluation of Instructional Programs (propose delete) |

(Moved to policy IF)

The purposes of evaluation of instruction will be to: **E**

1. Determine Lane ESD and component districts' educational needs and provide information for planning;
2. Indicate instructional strengths and weaknesses;
3. Check on the suitability of programs within the community;
4. Show the relationship between achievement and the system's stated goals;

5. Provide data for public information. **L**

The Board will rely on the professional staff to provide continuous evaluation of the educational program and instructional processes. The Board may participate with the professional staff in such evaluation. It may also arrange for evaluations to be conducted by outside agencies.

Appropriate research studies will be periodically reviewed to determine recent trends and developments in

E evaluation techniques.

END OF POLICY

Legal Reference(s):

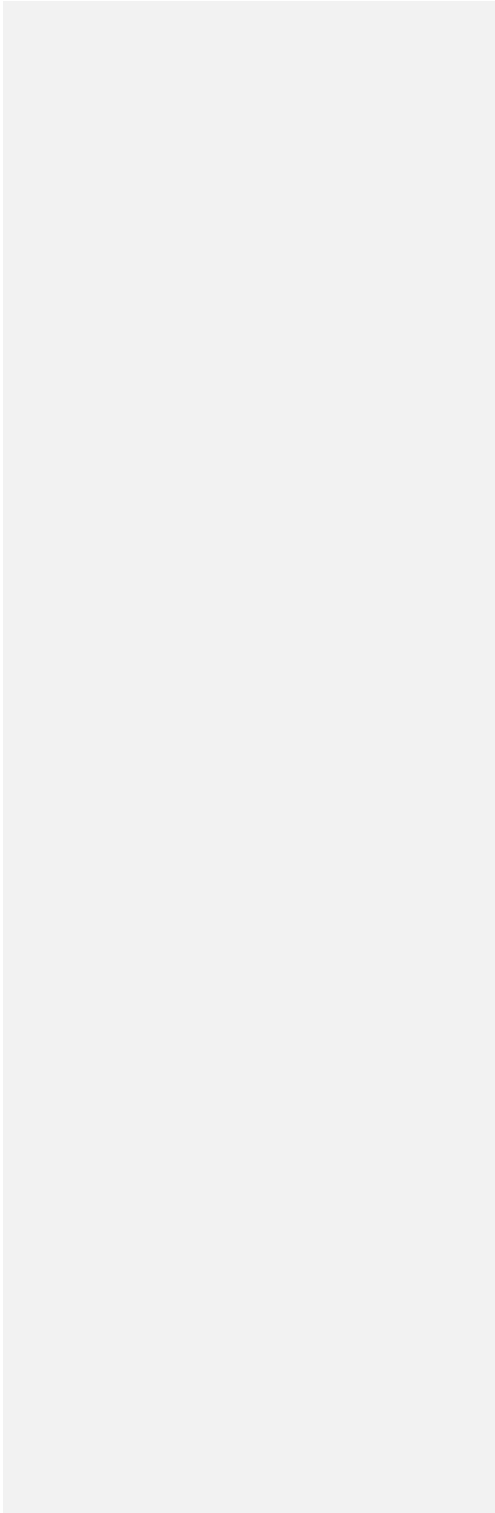
[ORS 329.095](#) [OAR 581-022-0606](#) [OAR 581-022-1210](#)

[ORS 329.155](#) [OAR 581-022-1020](#) [OAR 581-022-1340](#) [OAR 581-022-1130](#)

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Evaluation of Instructional Programs IM
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Lane Education Service District

Code: IMA
Adopted: 3/28/95
Readopted: 6/26/01; 5/19/09
Orig. Code(s): IMA

Review of Component District Operations (Hold)

The Board shall provide leadership and direction for the development of a program of periodic review of component school district operations. In so doing, the Board and ESD staff will work cooperatively with component school districts in the review process.

The component school district operations to be reviewed shall include accounting, payroll and printing; student transportation; legal services, investments and auditing; insurance, student records management and any other operations as agreed upon. Such review shall meet the timelines established by the State Board of Education. The ESD and its component school districts may review such operations and services at any other time, as may be mutually agreed, however at least one operation per year shall be conducted.

The superintendent shall submit plans to component school districts with recommendations for program economies and efficiencies as may be identified.

The results of the review and plans shall be summarized and reported to the State Board of Education as part of the ESD's annual report no later than June 30 of each year.

The superintendent will develop administrative regulations needed to implement this policy including a description of how the ESD worked cooperatively with component districts to review their operations.

END OF POLICY

Legal Reference(s):

[ORS 334.005](#) [ORS 334.217](#) [OAR 581-024-0226](#)
[ORS 334.125\(9\)\(a\)](#) [OAR 581-024-0228](#)

R3/03/17 | PH

Review of Component District Operations – IMA

1-1

IMA-AR(1)
4/26/95
Revised/Readopted: 6/26/01
Orig. Code(s): IMA-AR

Program Service Evaluation/Program Renewal (HOLD)

Lane ESD shall implement designated procedures that are flexible, credible and meet component school district priorities for increasing economies and efficiencies in defined areas of operation. The intent of the procedures as developed by the ESD is to promote quality and cooperation in operations for all component school districts.

The following procedures will be used to review and report efficiencies and economies on component school district services and operations:

1. The superintendent, in collaboration with the superintendents of the component school districts, will identify areas of operations which, in their judgment, have high potential for implementation of economies and efficiency measures. A list of identified areas will be maintained by the ESD superintendent;
2. The list of identified areas will be compared with the areas mandated by the State Board of Education state in Oregon Administrative Rule (OAR) 581-024- 0228. If there is discrepancy between the priority areas identified by local superintendents and the areas identified in the OARs OAR 581-024-0228, the superintendent will seek authority from the ESD Board to request a waiver from the State Oregon Board of Education so that locally identified high priority areas will be given precedence;
3. The following procedures will be used to review identified priority areas of component school district operations on the superintendents' list as well as those areas listed in OAR 581-024-0228 not waived by the State Board Oregon Department of Education:
 - a. [A steering committee composed of representatives of component school districts and the ESD will be established for each area of review. The ESD will provide staff assistance for each steering committee;]
 - b. [Each steering committee will develop a plan of work to review of the designated area. The plan may include provisions for self-evaluation by component school districts, means for identifying unnecessary duplication, means for implementing economies of scale, means for reducing labor intensity, means for implementing technological application and research of procedures being used elsewhere in the state or the nation;]
 - c. The plan of work will be reviewed and approved by the full Lane County Superintendents group;
 - d. The plan of work will be completed in accordance with approved timelines and any recommendations for economies and efficiencies will be documented;
 - e. [The ESD staff member(s) assigned to the steering committee will draft a report summarizing of the results of procedures used by the review committee and any outcomes including recommendations for measures to increase economies or efficiencies;]

Lane Education Service District

Code:

Adopted:

- f. The report will be forwarded to the superintendent of each component school district and to the ESD Board;
- g. A summary of the report will be prepared and included in the Annual Report of the Lane Education Service District submitted to the State Board of Education.

Program Service Evaluation/Program Renewal – IMA-AR 2-
2

Lane Education Service District

Code:

Adopted:

Readopted:

IMAA

3/28/95

6/26/01

Orig. Code(s):

IMAA

Resolution Services (propose delete)

(Can this be added to policy DDA? Or does DDA cover what it needs to, and this policy is not needed?)

The Board shall provide resolution services to component school districts.

Resolution services for facilities and programs may include, but not be limited to, central purchasing, special teachers and special programs and any other relevant service to all component school districts.

Resolution services shall be agreed upon on or before March 1 by resolution of at least two-thirds of the eligible component school boards which have a majority of the county's students.

END OF POLICY

Legal Reference(s):

[ORS 334.005 \(4\)](#)

[ORS 334.175](#)

Lane Education Service District

Code:
Adopted:
Readopted:

[OAR 581-024-0285](#)

Resolution Services – IMAA 1-
1

Orig. Code(s): INB
10/26/93
6/26/01
INB

Studying Controversial Issues (propose adopt)

The Board supports the inclusion of controversial issues as part of students' education. The presentation and discussion of controversial issues will be informative. The development of the ability to meet issues without prejudice and to withhold judgments while facts are being collected, assembled and weighed and to see relationships before drawing inferences or conclusions are among the most valuable outcomes of a free educational system.

Lane Education Service District

Code:

Adopted:

Readopted:

Teachers will present all sides of controversial issues and will ~~guard against giving personal opinions~~
~~until~~ ~~assure that~~ students have an opportunity to:

1. Find, collect and assemble factual material on the subject;
2. Interpret the data without prejudice;
3. Reconsider assumptions and claims and to reach their own conclusions.

The teacher shall avoid indoctrination in his/her own personal viewpoint and shall not attempt to control or limit the judgment of students. The selection of materials, guest speakers and classroom activities in general shall be done with studied impartiality for the purpose of fairly presenting all sides of an issue.

Before launching a class in the study of an obviously controversial topic, a teacher will discuss with the [program supervisor] ~~administrator~~:

1. Its appropriateness to the course;
2. Its appropriateness for the students' maturity level;
3. The approach to instruction;
4. The instructional materials to be used.

END OF POLICY

Legal Reference(s):

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

[ORS 336.067](#)

U.S. CONST. amend. I. OR.
CONST., art. I.

HR7/01/17 | PH

Studying Controversial Issues – INB

1-1

INB-AR
12/08/93
6/26/01

Revised/Reviewed:

Orig. Code(s): INB-AR

Lane Education Service District

Code:

Adopted:

Readopted:

Studying Controversial Issues (propose adopt)

(Still used? Any changes to make?)

In determining whether to present a controversial issue in class, teachers will consider these questions:

1. Is the topic significant or related to a persistent problem so that the information acquired will be of continuing usefulness?
2. Is the topic within the emotional, intellectual and social capacities of students?
3. Is it a topic that the teacher can handle from both a personal and academic point of view?
4. Is the topic of importance and interest to the students?
5. Are adequate and appropriate materials and/or personnel available to present opposing sides of the issues?
6. Will this issue clash with community customs and attitudes? If so, can the issue be studied and discussed reasonably?
7. Is there adequate time to develop the topic effectively?
8. What are the existing Board policies concerning this issue?

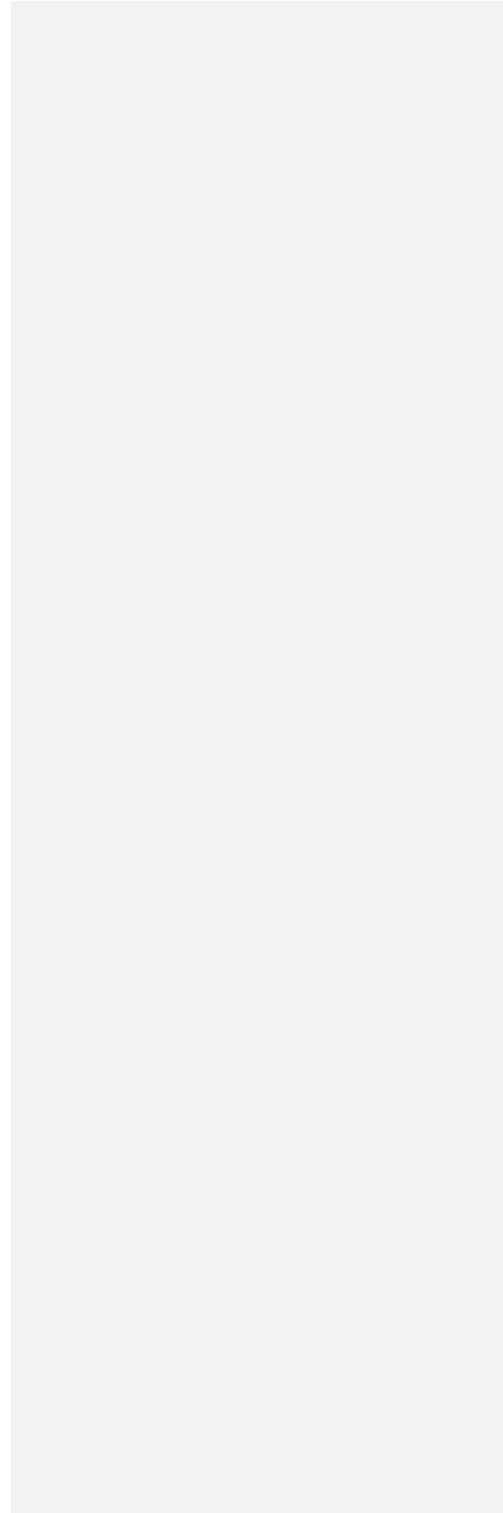
Requirements

1. Topics will be discussed only if they are within published and approved scope and sequence and course outlines.
2. Books, films or materials required to pass courses and for which alternative assignments will not be provided must receive prior approval of the program supervisor or designee.
3. If potentially objectionable concepts or language are present in materials, alternative selections must be made available to students who object or whose parents object to the content.
4. Parents will be informed in advance regarding controversial issues discussed in courses either through course outlines or by special issues, and will be afforded the opportunity to withhold the student without penalty.
5. Reasonable requests from parents to view materials will be honored.

Lane Education Service District

Code:
Adopted:
Readopted:

Studying Controversial Issues – INB-AR
1-2



Appropriate Practices

1. When facts are presented by teacher or students, sources should be cited.
2. One person should not be permitted to dominate the discussion.
3. Opinions will be distinguished from facts.
4. Freedom of expression will be permitted.
5. A thorough, objective introduction will be provided.
6. Teachers will withhold personal opinion except under unusual circumstances and will not attempt to convince students that a single view is correct.
7. No general class agreement needs to come from class discussion of the issue.

Studying Controversial Issues – INB-AR 2-2

School Improvement Team | Board Report | 11-04-25

Curriculum Leaders October Meeting

The topic for the October 14 Curriculum Leaders meeting was **Artificial Intelligence in Education**. Our featured presenters were Justin Huntley, Curriculum Administrator for Eugene 4J, and Matt Sharkey, Churchill High School Social Studies Teacher. Justin and Matt centered their presentation on the use of AI to enhance instructional design. While Justin provided an overview of the many ways teachers can use AI, Matt provided a valuable template for how he uses AI tools to improve the quality of his lesson and unit plans.

Next, Lookout Eugene team members provided an overview of free local news resources available to educators in our region.

Link to full [agenda](#).

Lane Regional Teacher Pathways 2025

This year, Lane Regional Teach Pathways was funded for another biennium and is proud to support 42 scholars on their journey to become future educators in our local schools. These scholars are pursuing their studies at Lane Community College, the University of Oregon, Pacific University, and Bushnell University.

Last week, a welcome gathering brought the scholars together to connect, share experiences, and begin building the relationships and support networks that will help them thrive throughout their academic and professional journeys.

Special Education Department Board Report | November 2025

Staffing Updates

We are pleased to share that a new teacher has been hired for the Spencer Butte Middle School Life Skills classroom.

Professional Learning and Collaboration

Our New Teacher Mentor Program is gearing up for its second meeting of the year. The program provides ongoing professional support, collaboration, and guidance to new staff members as they build confidence and effectiveness in their roles.

Program Updates

The department is currently reviewing nursing services provided within Life Skills classrooms. This review aims to ensure that nursing supports are appropriately aligned with student needs, program expectations, and best practices for integrated care and educational access.



November 2025 Board Report

Staffing

- -1 Desktop Technician
- -1 Systems Engineer

Classrooms

- **JDEP Pod 3 Launch-** As soon as the equipment arrives we will complete this project.
- **Single Sign On for student-** We will start phase one of this project in January

System Upgrades and Improvements

- **Phone System replacement-** Our phone system is due for upgrading and replacement. We are working to have a system chosen before the end of December.
- **Ninja One-** All servers are up to date and we are now focusing on preventing staff laptops from slipping out of date.
- **Securly-** Working with Securly support to overcome the final hurdle before getting this application finalized. This application is focused on protecting the ESD while online.
- **Acceptable Use Process and Cybersecurity Handbook-** We will put these through review one last time before final approval and adoption in November.

Regional Initiatives and Support

- **Education Nexus-** Our presentation was well attended and received. We met with our regional support representative and an Ed-Fi board member right after the presentation. They were excited to see the progress and wanted to discuss next steps.

On Friday, October 17th the Siuslaw School Facilities Committee presented to our Florence ORganizes Coffee Conversations meeting. Mike Hucklerode, Principal at Siuslaw Hlgh School, and Tom Postgate, Siuslaw School Board Director explained the need for remodeling the elementary school and rebuilding the high school. They are visiting many groups and getting feedback before going to the Board with a proposal for a bond.

On October 15th I was appointed to the Siuslaw School Budget Committee.

On October 22, I helped our Florence ORganize sponsor a family friendly community potluck with live music Superintendent Andy Grzeskowiak posted the event on Parent Square. Some new parents and children attended the event. Lots of great feedback on Parent Square and those that attended recommended that we make the potluck a regular event.