

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

**LANE ESD BOARD MEETING
AGENDA**

Tuesday, February 3, 2026

1. Call Regular Meeting To Order

Board Chair

2. Welcome

Guests attending the meeting will be introduced.

Board Chair

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

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

Board Member

4. Public Participation

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

Comments Regarding Staff Members - Speakers may offer objective criticism of ESD operations and programs. The Board will not hear comments regarding any individual ESD staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a complaints involving a staff member. The association contract governing the

employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the staff member, his/her supervisor and the Board.

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

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

5. Presentation: CTE | Construction | Featuring Marcola Students

The Board of Directors of Lane ESD will hear a presentation from School Improvement's CTE Administrator, Shareen Vogel. Shareen will introduce Marcola Teacher, Andy Rice. Andy will be joined by students from Marcola School District to present projects and accomplishments.

Shareen Vogel, Andy Rice

6. Agenda Review

Board Chair

7. Action Items

Board Chair

A. Consent Agenda

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

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

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

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

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

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

1. Lane ESD Board Meeting Minutes of January 6th, 2026
2. Lane ESD Board Special Meeting Minutes of January 14th, 2026
3. Human Resource Report, dated February 1st, 2026.

Board Chair

LESD Board Minutes - Draft - January 6th, 2026	12
LESD Board Minutes - Draft - Special Meeting- January 14th, 2026	20

B. Accept Financial Report

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

Board Chair

December 2025 Financial Report	23
--------------------------------	----

C. Consideration of Complaint

Consideration of possible Board action related to a complaint.

Chair Harris

D. Consideration of Request for Hearing

Chair Harris

E. Legislative Updates | Lane ESD Designee

The Lane ESD Board of Directors received a request to designate a representative to receive legislative action updates from the Lane region's Legislative Policy Committee Representative, Judy Newman.

BE IT RESOLVED that the Board of Directors of Lane ESD designate _____ to receive communication and updates from the regional Legislative Committee Representative.

Chair Harris

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

The purpose of this grant is to provide funding for School Safety and Prevention Specialists (SPSS) around the state, including Lane. SSPS applicants must choose a suicide prevention, intervention, or postvention activity in the scope of their work (at ESD, district, or school building) on which to spend awards.

Suggested motion:

BE IT RESOLVED that the Board of Directors of Lane ESD approves the School Safety and Prevention Specialist grant proposal.

Superintendent Scurto

Grant Proposal_SI_SSPS_District Accelerator
Funds_SPSS

27

G. Second Reading: Adopt Policy Updates and Recommendations

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

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

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

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

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

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

Board Chair

1. Section J: Students | Recommend Adopt | Parts JFCF to JHFCA

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

Presented for second read are parts JFCF to JHFCA of Section J. These updates were first read at the January 6th, 2026 meeting of the Board of Directors.

Policy Section J: Students

Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, or Teen Dating Violence Reporting Procedures - Student - JFCF-AR - proposed adopt

Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems** - JFCG/JFCH/JFCI - propose adopt

Discipline for Use, Possession, Distribution or Sale of Tobacco Products or Inhalant Delivery Systems - JFCG-AR - propose adopt

Weapons** - JFCJ - propose adopt

Threats of Violence** - JFCM - propose adopt

Pregnant and/or Parenting Students** - JFE - propose adopt

Student Searches** - JFG - propose adopt

Student Searches - JFG-AR - propose adopt

Student Discipline - JG - propose adopt

Corporal Punishment** - JGA - propose adopt

Use of Restraint and Seclusion** - JGAB - propose adopt

Use of Restraint or Seclusion - JGAB-AR - propose adopt

Suspension - JGD - propose adopt

Discipline of Students with Disabilities** - JGDA/JGEA - propose adopt

Discipline of Students with Disabilities** - JGDA/JGEA-AR - Propose

Adopt
Expulsion** - JGE - propose adopt
Immunizations - JHCA/JHCB - propose adopt
Pediculosis (Head Lice) - JHCCF - propose adopt
Medications**/* - JHCD - propose adopt
Medications**/* JHCD-AR - HOLD for Edits
Student Safety - JHF - propose adopt
Supervision of Students - JHFA - propose adopt

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

Chair, Superintendent Scurto

Second Read - Section J - JFCF to JHFCA Propose 30
Adopt Combined

2. Section J: Students | Recommend Adopt Policy Deletions

The policy deletions for Section J were presented at the Regular Meeting of the Board for first read on January 6th, 2026.

The following policies/administrative rules are recommended for deletion:

Hazing/Harassment/Intimidation/Bullying/Menacing Complaint Procedures - JFCF/GBNA-AR - propose delete
Cyberbullying - JFCFA/GBNAA - propose delete
Tobacco-Free Environment - JFCG/KGC/GBK - propose delete
Students of Legal Age - JFD - propose delete
Detention of Students - JGB - propose delete
Student Health Services and Requirements** - JHC - propose delete
Communicable Disease - Students - JHCC - propose delete
Communicable Diseases - Student JHCC-AR - propose delete
Students - HIV, HBV and AIDS** - JHCCA - propose delete
HIV/Bloodborne Pathogens - JHCCBA/ EBBAB/GBEBAA - propose delete
Bloodborne Pathogen Exposure Control Plan - JHCCBA/EBBAB/GBEBAA-AR - propose delete
Infection Control - HIV, AIDS, HBV - JHCCC/ EBBAA/GBEBC - propose delete
HIV, AIDS and HBV Rumor Control - Students - propose delete - JHCCD/GBEBD- propose delete
News/Media - HIV, AIDS or HBV** - JHCCE/ KBCAA/GBEBE - propose delete
Pediculosis (Head Lice) - JHCCF - Ver. 1 - propose delete
Pediculosis (Head Lice) - JHCCF-AR - propose delete
Medications** - JHCD/JHCDA - propose delete
Medications** - JHCD/JHCDA-AR - propose delete
Student Skateboard/Rollerblade/Scooter Use** - JFCA - propose delete

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

Superintendent Scurto

8. Discussion/Reports

A. Legislative Update

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

Superintendent Tony Scurto

B. Superintendent Report

Superintendent Tony Scurto

C. Component District Board Visits - Local Service Plan

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

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

- 2/2/2026 - South Lane, 5:30 p.m. Tony Scurto (Sherry Duerst-Higgins)
- 2/4/2026 - Eugene School District 4J, 6:00 p.m. Tony Scurto (Linda Hamilton)

The following component districts have welcomed visits:

- 1/12/2026 - Springfield, 6:00 p.m. Tony Scurto (Vanessa Truett) -
- 1/14/2026 - Siuslaw, 6:30 p.m. Eric Anderson (Nora Kent)
- 1/14/2026 - Creswell, 6:00 p.m. - Tony Scurto
- 1/21/2026 - McKenzie, 5:30 p.m. - Tony Scurto
- 1/26/2026 - Fern Ridge, 6:30 p.m. Tony Scurto (Thomas Hiura)

Superintendent Tony Scurto

D. UpBeat Survey Report

Superintendent Scurto, Morgan Christensen

Upbeat Survey Report - Fall 2025

E. District Equity Committee Update

Assistant Superintendent Eric Anderson

F. Superintendent Search Updates

Chair Harris

G. Board Self-Evaluation

Board Chair to open planning discussion about the Board Self-Evaluation process and timeline.

Board Chair

H. Policy Updates | First Read

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

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

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

Superintendent Scurto

1. Section J | Students (JHFCA to JOD)

Superintendent Scurto

First Read - Section J - JHFE-GBNAB to -JOD -
Combined

145

I. Pending Policy

Policy sections held over for OSBA updates or updated information.

Superintendent Scurto

1. Pending Policy from Section G: Personnel

GBEA-AR: Workplace Harassment Reporting and Procedure - PENDING

GBEE: Wellness - PENDING

GBEE-AR(1): Wellness - PENDING

GCBDD/GDBDD - PENDING

GCBDA/GDBDA - AR (2) - ON HOLD

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

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

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

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

GCBDA/GDBDA - AR (4) - ON HOLD

GCBDA/GDBDA - AR (5) - ON HOLD

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

Superintendent Scurto

2. Pending Policy from Section I: Instruction

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

Superintendent Scurto

3. Pending Policy from Section J: Students

Educational Equity JBB HOLD
Student Complaints - JFH - HOLD

Superintendent Scurto

9. Information from Administrative Staff

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

Administrative Staff

SI - Board Update_02_03_26	194
Special Education Department _ Board Report _ 2_3	195

February 2026, IT Board Report	196
10. Board Member Reports and Comments/Agenda Planning	
Lane ESD Board, Liaisons, Advisors	
Report for Nora Kent Feb 2026	198
A. Agenda Planning	
Board members are invited to send agenda items to be considered for the next board meeting. Please call or email to the Board Chair or Superintendent.	
Board Chair	
B. Board Member Reports	
Board members are asked to submit their reports in writing to be attached to Boardbook. Reports can be sent to the Executive Assistant in advance of the meeting.	
Board, Advisors, Liaisons	
11. Announcements/Correspondence	
Board Chair	
A. Announcements	
Board Chair	
1. <u>Lane ESD Board Member Activities and Opportunities</u>	
B. CTE Tours in Lane County	
As a way to celebrate CTE in Lane County, we invite you to participate in CTE Tours across Lane County School Districts in the month of February! Attached is a flyer/registration that you can send to partners (Board members, faculty, community/industry partners) to sign up.	
CTE Tour Flyer	199
C. OAESD Spring Conference	
The Board will discuss attendance at the OAESD Spring Conference, May 13-15th, 2026 at the Sunriver Resort.	

Board Chair

12. Adjournment

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



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

January 6th, 2025
Regular Meeting: 6:00 PM

1. Call Regular Meeting to Order

Chair Leslie Harris called the Regular Meeting to Order at 6:00.

2. Welcome

Guests attending the meeting were introduced.

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

Administrators and staff present: Superintendent Tony Scurto, Assistant Superintendent Eric Anderson, Executive Business Director Olivia Meyers - Buch, Executive Director of Human Resources, Morgan Christensen, Chief Information Office Brandon Webb, Executive Director of Special Education Molly Gillett, Maria Schaad (recording secretary).

Advisors/Liaisons Present: Dave McGrath (Oakridge Superintendent), Danna Brownell (McKenzie School District), Mike Anderson (Creswell School District)

Guests: Tanya Ray (LCEA), Robyn Bean (Human Capital Enterprises)

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

The Statement was read aloud by Rose Wilde

4. Public Participation

No public participation

5. Agenda Review

The agenda was reviewed and accepted as presented.

5. Information from Administrative Staff

Lane ESD Executive Directors were available to offer reports, in person.

Technology: Director Brandon Webb shared that the IT department had completed Phase one of transitioning the agency over to a new desktop phone system over the winter break. Phase two will review and transition any phones remaining on the mobile system. This week has been very busy for IT as it provided support to Bethel and McKenzie School districts on Monday and Tuesday. Bethel was supported with issues relating to app functionality and interface, specifically YouTube. Support was helpful and the issues were resolved. McKenzie was challenged with the transitioning over to a new domain name. Work supporting this transition continues. Other projects include putting together a presentation sheet for Component Districts and their superintendents so that information about Lane ESD services are more apparent.



Special Education: Director Molly Gillett reported on the return from Winter break transition. The Special Education Department brought all 180 Special Education staff to Main Campus for an all-day, back to school professional development session. This was the first time the department has brought all staff together for in-person work. Director Gillett commended IT for supporting the professional development day and facilitating technology for such a successful day. Brittney Spencer, Special Education Administrator and technical coordinator, organized the schedule for professional learning. Classified staff had a “choose your own adventure” and could choose from sessions presented by experts in the department, behavior techs, SLPS. Professional learning also included cross-department from School Improvement offering sessions on mental health support and the business providing development on financial literacy. LCEA also participated and presented to union members. There were three sessions in the morning and three sessions in the afternoon.

Human Resources: Director Morgan Christensen offered a warm welcome back from winter break and wished the board a happy new year. The highlights of the report centered on preparing for the 2026-2027 school year by planning out important dates and events for timely communication to staff. Another department priority is climate and culture within the agency. Planning has been ongoing for themed weeks because the department says, “yes to fun!” Some activities include, “random acts of kindness” and themed weeks. Themed weeks offer opportunities for staff to come together over potlucks or other common activities. Finally, Lane ESD has planned for job fairs, including several coming up at the University of Oregon and ECC (community consortium) and Connected Lane County.

School Improvement: Assistant Superintendent Eric Anderson presented on behalf of Directors Mitchell and Arias-Quintero. Hope Factory has seen significant growth. Last year there were 42 students enrolled and now this year 62 students are enrolled. The program is almost reaching capacity. The growth for the program speaks to the dedicated staff and the advocacy put forward by Superintendent Scurto around the moving slot costs of what districts would have to pay into the Core. For example, districts like Mapleton don't have to pay for slot costs and bussing - allowing for equitable access for students attending smaller districts. This group, along with Hope Factory lead teacher, was also able to travel to Nashville to attend a national CTE conference and present. School Improvement and Lane ESD also recognizes the retirement of long time program assistant Kathy Mayer. The department has also hired a new program assistant to fill this position.

In response to Director Wilde's question regarding Friends and Fun Camp, Director Gillett shared that the Special Education department is doing everything possible including considering integrating it via extended school year (ESY) in an attempt to fund the camp next summer. Meetings are scheduled to study options via ESY.

7. Action Items

7.A. Consent Agenda

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

1. Lane ESD Board Meeting Minutes for December 2nd, 2025
2. Lane ESD Board Special Meeting Minutes for December 14th, 2025
3. Human Resource Report, December 2025

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



The vote passed unanimously (7:0:0)

7.B. Accept Financial Report

Business Director Meyers-Buch presented the written October financial report and shared that the department is in the midst of calendar year end activities. This time of year reports are being submitted to the state, federal agencies, as well as finalizing the last details to the financial audit. The “might” team of three is working towards filling the department vacancy soon.

There were delays due to the federal shutdown relating to single audit. Thus, some of the guidance provided to auditors has resumed and Director Meyers-Buch expects to have a final report soon.

This financial report included in the Agenda covers activity through the end of November 2025. There are some notable highlights including a slight increase to the General Fund revenues in November due cash flow from property tax receipts. At this time, all expenditures are as expected. Projection for the end of the year is not much different than what has been considered for the last few months and continues to hover right around the 7% mark. However, Director Meyers-Buch anticipates funding to tighten in the coming months.

There are some anticipation appropriations that may need to happen for adjustments related to Transits to districts and the other is related to the child nutrition program. Uncertainty remains regarding the transit dollars and we will know more in months to come. The more likely adjustment will be for the child nutrition program due to increased costs.

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

Director Hiura seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, TRUETT AND KENT VOTING YES. (ESD Resolution #26-047)**

The vote passed unanimously (7:0:0)

7.C. Approve Grants

7.C.1. This grant proposal *Stories of Us: Building Strong* is a grant applied for through the Oregon Department of Education with funding that, if awarded, will be to support strong students through family and community connections. This is a \$200,000 grant over 14-months and will increase the capacity for Lane ESD, Migrant Education Program work. While this demographic of student enrollment has been shrinking - this grant is meant to continue to support the program.

DIRECTOR HUIRA MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD approve the proposed grant application.

Director Duerst-Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HARRIS, HAMILTON, KENT, TRUETT, AND WILDE VOTING YES. (ESD Resolution #26-048)**

The vote passed unanimously (7:0:0)

7. D. Superintendent Search | Items

7.D.1. Possible Item for Action | Timeline

Ms. Robyn Bean from Human Capital Enterprises (HCE) was available virtually to present Superintendent Search updates, final timeline and further consideration of a Confidential Community Panel. Relating to the finality of the search timeline is the question about whether the final timeline



should include the Confidential Community Interview Panel (CCIP). Some information about the CCIP was discussed at a previous meeting. If the Board would like to include the CCIP, a decision would need to be made rather soon as planning is involved in bringing the panel together without delaying the timeline. The Board requested a reminder of the CCIP service and the costs. The base proposal did not include the cost of the CCIP as it is a supplementary service option. The cost for this added option is \$2,200. The CCIP is a panel of at least three Superintendents from component districts, two licensed staff, two classified staff, members of management and selected community partners. The panel will interview finalists and will provide their feedback through debrief sessions with HCE. HCE will review and provide this information to the Board for their consideration. This panel is a way to receive information from a subgroup of constituents. For clarity, the members of the CCIP can be made public - but not the names of the finalists.

In considering expenses, the Board agreed to hold the SLATE meeting virtually.

7.D.2. Possible Item for action | Confidential Community Interview

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD add a March 12th Confidential Community Engagement panel to the final timeline with an added cost of \$2,200; this panel does not require Board member participation.

Director Wilde called the question. The Board agreed and closed debate.

Director Kent seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, HIURA, AND TRUETT VOTING YES. (ESD Resolution #26-049)**

The vote passed unanimously (7:0:0)

7.E. Second Reading: Adopt Policy Updates and Recommendations

7.E.1. Adopt Policy Updates | Policy JBB on Educational Equity is being held for additional review. In discussion, the Policy Committee preferred to defer review of this policy to the District Equity Committee for feedback. Also, Policy JFCE was held for a question regarding whether there could be changes made to the title and language in the policy relating to “gangs” and “secret societies.” Policy JFCE is informed by statute specific to “secret societies.” should remain as proposed. The recommendation is to adopt the updates.

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD adopt the policies listed in 7.E.1, as presented.

Director Hiura seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-050)**

The vote passed unanimously (7:0:0)

7.E.2. Policy Deletion

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD to adopt policy deletion JAA posted in 7.E.2 of the Agenda, as presented.

Director Duerst - Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, HARRIS, HIURA, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-051)**

The vote passed unanimously (7:0:0)



7.F Fire Engine Donation Discussion

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

There was a team working on collecting information. After reviewing information, Superintendent Scurto concluded that the fire truck could fit the category of decommissioned vehicle - specifically could be considered part of the current fleet. Lane County Public works has come forward and is willing to store the vehicle on their lot on Delta Oaks. The cost of maintenance would be the same if stored anywhere else. The cost ranges between \$2,500 and \$4,000 per year. At this time, all of the arrangements are verbal. Superintendent Scurto's preference is that the verbal arrangements be memorialized in writing. Thus, this recommendation is contingent on formalizing the agreement in writing.

7.F.1.Possible Item for Action | Fire Truck Donation

DIRECTOR WILDE MOVED: BE IT RESOLVED that the Board of Directors of Lane Education Service District graciously accepts the 1988 Western States Fire Engine offered by Row River Fire District, contingent upon completion of all required inspections, transfer of title, and that all storage arrangements are confirmed in writing with appreciation for their partnership and support.

Director Hiura seconded, and the **MOTION CARRIED WITH DIRECTORS DUERST-HIGGINS, HAMILTON, HARRIS, KENT, AND TRUETT. VOTING YES. (ESD Resolution #26-052)**

The vote passed (7:0:0)

7.E. Approve 2025-2027 Local Service Plan - Year Two

According to [ORS 334.175](#), services provided by an education service district shall be provided according to a local service plan developed by the education service district and component school districts. Further, after being adopted by the board of the education service district, be approved on or before March 1 by resolution of two-thirds of the component school districts that are a part of the education service district and that have at least a majority of the pupils included in the average daily membership of the education service district.

This requires a second year approval. The vote came at the December 16th Council meeting in favor of adoption. However, there was some discussion around cost among Superintendents - noting that costs are not going down. It now comes before the Board to adopt the plan. There are no changes to the plan, however, it is important to note that items underlined in the plan indicate programs impacted by federal budget cuts.

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

January 12, 7:00 p.m. - Springfield Public Schools

January 14th, 6:30 p.m. - Siuslaw School District

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



Director Duerst-Higgins seconded, and the **MOTION CARRIED WITH DIRECTORS HAMILTON, HARRIS, HIURA, KENT, AND TRUETT VOTING YES. (ESD Resolution #26-053)**

The vote passed unanimously (7:0:0)

7.F. Component District Board Visits - Local Service Plan

Superintendent Scurto shared that we have been invited to visit several component district board meetings. There has been a previous practice where if Lane ESD is invited to some visits to component district board meetings are scheduled. Component districts have until March 1, 2026 to approve the 2025-27 Local Service Plan - Year Two.

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

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

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

8. Discussion/Reports

8.A. Legislative Update:

Superintendent Scurto shared that there has not been much activity or to report on the legislative front. At this time, information from OAESD priorities are aligned with COSA and OSBA continue advocate the legislature to avoid mid-year cuts. We will be receiving more information from the OAESD Superintendent meeting later this week. The legislature is unlikely to take action until the February financial forecast.

8.B. Superintendent's Report

Our districts are experiencing tight budgets right now. The largest services offered are around Special Education services - the costs around these services are not going down. Districts are not receiving reimbursements from the state that match the costs. When Lane ESD increases the CORE, the flex funds shrink. The clarity around the costs is needed so that our districts can see where the increases are coming from. We don't anticipate a huge increase in costs associated with Special Education like last year. Nevertheless, Superintendent Scurto is working to increase understanding around the Core costs and has convened a Superintendent sub committee to take a closer look at our Core in an effort to offer more transparency.

In the coming months, the Board will receive a report on the UpBeat survey that was completed. Currently, leadership is reviewing the data and processing it into a report. Also, the District Equity Committee is invited to present information on the transition and also to provide input on the J policy and the survey.

Also, the LNG facilities plan will be ready to present information about facilities updates in the February meeting or March meeting.

8.C. Policy Updates | First Read

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

8.D. Pending Policy



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

9. Board Member Reports and Comments/Agenda Planning

9.A. Board, Advisors and Liaisons

Liaisons

Dave McGrath, Superintendent, Oakridge School District: All is going well. Pertaining to test scores, there is good news to report. Test scores are trending upward and have been doing so over the last three years - especially in the K-2 grades literacy program. There is an additional CTE graphics program added. Unfortunately, the district has had to cancel their welding program due to lack of student interest. Recently, the district received a donation of \$30,000 from alumni specifically in support of the graphics program. In reference to Superintendent Scurto's comment about Special Education and rising cost, Oakridge has a significant cost associated with behavior support placements. This is primarily due to the district's geographic location and transporting students to town for their placements. The distance is hard on students and families when considering a 1 hour commute time each way. The total cost for the student placements is about \$545,000. The district is looking at finding ways to reduce this cost by about \$195,000.

The Oakridge School District also participated in the UpBeat survey and they had 93% participation rate.

Over the past seven years, the high school has had 5 principals. Currently, the high school is experiencing stability and so far it is going really well. Superintendent McGrath recognized that Oakridge has a strong grow your own mentality in the district and this has worked well for succession planning for expected and un-expected departures.

A shoutout to the IT department. Due to staff IT transition at Oakridge, IT director was able to offer guidance for the posting and hiring process. This help has resulted in a wonderful new addition to the Oakridge IT team.

Attendance is up. The district mission is "Every Day Matters." This has also been put on t-shirts in support of an attendance campaign. This effort has already experienced results. Last year, at this time, the district had sent out 50 attendance letters and this year only 10.

Danna Brownell, McKenzie School District

Beautiful music performance right before the break. Due to weather, the district had to close two days before winter break.

Mike Anderson, Creswell School District: This continues to be a very good year so far. There is work towards creating a flight program so that students can learn to fly and work towards their pilot's license. There is a proposal in the works and the hope is to have it approved soon.

Building plans have been submitted for the CTE building. The bond has been in the bank earning interest.

The new high school principal has brought excitement about school and attendance has improved. There is a marked difference in the student climate. Schools are seeing increased student participation in extra curricular activities, including band. Also, great numbers on



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

completion and graduation rates. The principal has an open door and has created an inviting environment.

In response to Superintendent Johnson’s retirement announcement, the Creswell Board has started their Superintendent Search. retirement.

9.B. Agenda Planning

There were no agenda items presented for future meetings.

10. Announcements/Correspondence

10.A. Announcements

10.A.1 Chair Harris offered words of appreciation and recognition for all Board members serving in our component districts locally and beyond.

Supt. Scurto offered additional comments and formal recognition.

10.A.2. Lane ESD Board Member Activities and Opportunities

10.A.3.OAESD - Room blocks

Attending: Tony, Rose Wilde, Leslie Harris, Linda Hamilton (Pending Snow), Nora Kent

Director Hiura acknowledged the passing of Lincoln County Commissioner Claire Hall who died earlier in the week at the age of 66. Commissioner Hall served the public in her position for 21 years.

14. Adjournment

The next regular meeting is scheduled to be held Tuesday, February 3rd, 2026, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene. Chair Harris adjourned the meeting at **7:46 p.m.**

Minutes Approved:

Leslie Harris, Chairperson

Tony Scurto, Superintendent



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

January 14th, 2025
Special Meeting: 5:00 PM

1. Call Special Meeting to Order

Chair Leslie Harris called the Special Meeting to Order at 5:02 p.m.

2. Welcome

Guests attending the meeting were introduced.

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

Administrators and staff present: Maria Schaad (recording secretary).

Guests: Robyn Bean, Kathleen Rodden - Nord (HCE)

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

The Statement was read aloud by Vice Chair Vanessa Truett

4. Public Participation

None at this time. This is a special meeting of the Board of Directors. As a special meeting, public comment will be limited to the specific qualifications to be included in hiring a new superintendent. Public comment on regular agenda items will be received at the next Board of Directors' regular meeting scheduled for February 3, 2026.

5. Agenda Review

The agenda was reviewed and accepted as presented.

6. Discussion

6.A. Supt. Search Update

6.B. Presentation: Input from Engagement Process

HCE's Robyn Bean and Kathleen Rodden-Nord presented on information gathered from meeting with focus groups. Ms. Bean provided an overview of the engagement, highlighting that HCE met 1:1 with all Board directors, held focus groups with administrative, classified and licensed staff, community partners, including higher education, component district superintendents and community partners. Close to 100% of superintendents, special education, school improvement and technology leads participated, and over 100 respondents provided feedback via the survey.

Overall, the participants are proud of the work offered to districts. Some common themes stood out around continued innovation, support for collaborative opportunities and organizational direction.



Component districts expressed an appreciation for high value services offered by Lane ESD and the impact seen through specialized programs. There was enthusiasm around the work being done and carried out, in particular, regional collaboration. There is a strong sense that Lane ESD has dedicated people and a positive culture.

Key challenges that were highlighted included “financial sustainability in a constrained funding environment,” workforce stability and organizational well-being. There is a strong desire for stability, agency wide consistency and leadership with experience in complex personnel issues.

With regards to equity commitment, the feedback communicated from component districts was that while equity is a deeply held value - there is concern about its applicability. The hope is that throughout the transition there is strength and stability, strategic direction towards continued district relevance recognizing that the large and small district needs are different. There is enthusiasm to have more of a voice in the budget cycle.

6.C. Review Draft Superintendent Criteria

The focus group feedback informed the draft of the Superintendent Criteria presented to the Directors for their review and feedback. The Directors were given guiding questions to help review the draft criteria.

- Are there things in the document that should be omitted?
- Are there things that are not in the document that should be added?
- Are there changes that you would hope to see?

Before the discussion, Ms. Bean reminded the Board about feedback (there were 7 communicated comments submitted to HCE) from the Lane ESD community. All feedback received by HCE was forwarded to the Board for review. One of the questions that stood out was about the opening statement and whether it may be too narrow.

The discussion moved to an overview of the responses and common themes.

Ms. Bean shared her screen with the Board for group oriented discussion over word smithing of the draft criteria and edited the document in real-time.

Some notable edits were made to the opening statement. Directors offered suggestions to the opening statement, specifically around inclusive language for experience and credentials. After the discussion, the Board came to agreement around the updated language.

6.D. Superintendent Salary Range

HCE presented information regarding the salary comparables on the current market. The comparisons are from 2025-26 with 3-5% increases in the coming years. These comparisons are from the three larger districts from the Lane region and the ESDs that come close to Lane ESDs size and student number.

Note: Director Kent logged off the meeting at 6:08pm.

The range presented by HCE was offered as the middle of the market (\$30,000 to \$35,000 range - \$215,000 to \$245,000). There was significant discussion around what range would be most appropriate. Several Directors expressed concern that not offering close to the current market range may discourage highly qualified applicants. Additional commentary offered thoughts about sensitivity to component districts salary ranges.



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

Other concerns related to top range amounts and comfort level relating to the current funding environment. Directors offered several ranges (as low as \$185,000 to \$250,000) that they were comfortable with, individually.

After some additional discussion, the Board participated in a poll and 4 of the 5 participating Directors supported a range of \$210,000 to \$250,000. Director Hamilton elected not to participate in the poll.

7. Action

7.A.1. Adopt | Next Superintendent Criteria

An updated draft Superintendent Criteria draft was presented to the Board after incorporating Director edits and feedback and the draft was offered for adoption.

DIRECTOR DUERST-HIGGINS MOVED: BE IT RESOLVED that the Board of Directors of Lane ESD adopt the criteria as presented, in the document as presented in the meeting.

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

Kent logged off of the meeting at 6:08 p.m. and was not present for the vote.

The vote passed 6:0:0

A quick update from HCE was that the posting was live and there has been interest already. There will be a four week recruitment window, the posting will close February 13th and HCE will begin to screen applicants against the criteria adopted at tonight's meeting. The file of applicants will then be reviewed by the Board on February 23rd at the SLATE meeting.

8. Adjournment

The next regular meeting is scheduled to be held Tuesday, February 3rd, 2026, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene. Chair Harris adjourned the meeting at **6:46p.m.**

Minutes Approved:

Leslie Harris, Chairperson

Tony Scurto, Superintendent



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

Prepared for: Lane ESD Board of Directors
Prepared by: Olivia Meyers Buch, Executive Director of Business Services
Meeting Date: February 3, 2025

December 2025 Financial Report (Unaudited)

General Fund Financial Report

The Financial Report for the General Fund for the period ending December 31, 2025 follows this report. Year-to-date operating revenues through December 31, 2025 total \$19,528,502 or 59.4% of total budgeted operating revenues as compared to \$18,670,963 or 64.9% through December 31, 2024. As usual, state school fund formula revenue (which includes property taxes) constitutes the majority of funds received. Total projected resources of \$22,882,724 is \$627,450 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 December 31, 2025 total \$10,974,321 or 37.7% of total budgeted operating expenditures as compared to \$9,607,853 or 37.6% through December 31, 2024. Total projected operating expenditures of \$28,139,936 is \$952,207 less than budgeted, which is primarily due to projected savings in PERS employer contributions and increased savings in health benefits when employees elect to opt out of coverage. Total projected transfers and transits of \$3,683,724 is \$779,670 less than budgeted, which is due to changes made to district service orders (including a significant change by our largest component district) after the budget was adopted.

Projected resources and requirements through December 31, 2025 result in an ending fund balance of \$3,587,880, with \$1,368,481 assigned (reserved) for districts. The remaining ending fund balance of \$2,219,399 is unassigned and represents 6.9% of projected operating revenues. The projected ending fund balance reflects a decrease, or operating deficit, of \$233,658.

Appropriations

A summary of appropriations for all funds for the period ending December 31, 2025 follows this report. At this time, one appropriation in the Special Revenue Fund (Enterprise and Community Services) and one appropriation in the Internal Service Fund

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

Cash and Investment Account Balances by Type

	Yield	Beginning Balance	Deposits	Withdrawals	Ending Balance
Municipal Investor Checking	0.35%	\$572,519	\$6,520,573	\$5,763,700	\$1,329,391
Oregon LGIP (4513)	4.43%	\$9,345,978	\$4,508,527	\$4,850,000	\$9,004,504
Oregon LGIP (3676)	4.43%	\$537,148	\$87,236	\$62,349	\$562,036
Total		\$10,455,645	\$11,116,336	\$10,676,049	\$10,895,932

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 December 31, 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 December 31, 2025

	Fiscal Year 2024-25					Fiscal Year 2025-26					
	Final Budget	Actuals thru 12/31/2024	% of Budget	Projected thru 6/30/2025	% of Budget	Adopted Budget	Actuals thru 12/31/2025	% 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	\$ 9,592,681	59.1%	\$ 16,547,846	101.9%	\$ 18,679,394	\$ 10,221,546	54.7%	\$ 17,517,341	93.8%	\$ (1,162,053)
Property Taxes Levied by District	9,038,376	8,381,672	92.7%	8,985,472	99.4%	9,359,045	8,653,343	92.5%	9,329,720	99.7%	(29,325)
Other Local Revenues	86,659	14,163	16.3%	30,374	35.1%	47,000	8,190	17.4%	47,500	101.1%	500
Services Provided to Districts	2,209,514	4,172	0.2%	1,961,361	88.8%	3,441,349	3,425	0.1%	3,776,473	109.7%	335,124
Fees Charged to Grants	600,000	314,339	52.4%	787,830	131.3%	700,000	290,477	41.5%	700,000	100.0%	-
Other Revenues	580,000	363,936	62.7%	996,757	171.9%	662,700	351,521	53.0%	686,284	103.6%	23,584
Total Operating Revenues	\$ 28,754,862	\$ 18,670,963	64.9%	\$ 29,309,639	101.9%	\$ 32,889,488	\$ 19,528,502	59.4%	\$ 32,057,318	97.5%	\$ (832,170)
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	\$ 21,380,942	68.1%	\$ 32,019,618	102.1%	\$ 36,038,990	\$ 22,882,724	63.5%	\$ 35,411,540	98.3%	\$ (627,450)
REQUIREMENTS											
Salaries	\$ 11,436,471	\$ 4,427,554	38.7%	\$ 11,229,735	98.2%	\$ 12,931,449	\$ 4,890,474	37.8%	\$ 12,802,134	99.0%	\$ (129,314)
Associated Payroll Costs	7,495,703	2,585,235	34.5%	6,740,975	89.9%	8,752,295	2,913,428	33.3%	8,052,112	92.0%	(700,184)
Purchased Services	5,695,892	2,011,900	35.3%	5,696,187	100.0%	6,358,613	2,549,562	40.1%	6,358,613	100.0%	-
Supplies and Materials	662,884	320,477	48.3%	557,323	84.1%	724,853	314,209	43.3%	602,144	83.1%	(122,709)
Capital Outlay	-	-	#DIV/0!	39,123	#DIV/0!	-	-	#DIV/0!	-	#DIV/0!	-
Other Objects	269,700	262,686	97.4%	374,774	139.0%	324,933	306,648	94.4%	324,933	100.0%	-
Total Operating Expenditures	\$ 25,560,650	\$ 9,607,853	37.6%	\$ 24,638,117	96.4%	\$ 29,092,143	\$ 10,974,321	37.7%	\$ 28,139,936	96.7%	\$ (952,207)
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	2,027,092	50.5%	3,235,224	80.7%	(775,670)
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	\$ 10,036,853	32.0%	\$ 28,665,396	91.4%	\$ 36,038,990	\$ 13,426,413	37.3%	\$ 31,823,660	88.3%	\$ (4,215,330)
ENDING FUND BALANCE	-	\$ 11,344,090		\$ 3,354,222		-	\$ 9,456,311		\$ 3,587,880		
Assigned for Districts				\$ 1,074,947					\$ 1,368,481		
Unassigned Fund Balance				\$ 2,279,275	7.8%				\$ 2,219,399	6.9% *	
<i>* Percent of Operating Revenues</i>				\$ 3,354,222					\$ 3,587,880		

LANE EDUCATION SERVICE DISTRICT
Appropriation Monitoring
For the Period Ending December 31, 2025

Fiscal Year 2025-26

		Adopted Budget	Actuals thru 12/31/2025	% of Budget	Projected thru 6/30/2026	% of Budget	BUDGET VARIANCE	NOTES
GENERAL FUND	100							
Instruction		14,163,749	4,998,306	35.3%	13,552,971	95.7%	610,778	+
Support Services		14,928,394	5,976,016	40.0%	14,586,965	97.7%	341,429	+
Transfers of Funds		452,500	425,000	93.9%	448,500	99.1%	4,000	+
Apportionment of Funds by ESD		4,010,894	2,027,092	50.5%	3,235,224	80.7%	775,670	+
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	13,426,413	37.3%	31,823,660	88.3%	4,215,330	+
SPECIAL REVENUE FUND	200							
Instruction		3,739,197	1,304,266	34.9%	3,278,719	87.7%	460,478	+
Support Services		15,187,528	5,142,181	33.9%	14,665,562	96.6%	521,966	+
Enterprise and Community Services		80,000	15,460	19.3%	84,519	105.6%	(4,519)	- pending appropriation transfer
Apportionment of Funds by ESD		22,548,273	272,225	1.2%	22,092,806	98.0%	455,467	+
Total		41,554,998	6,734,132	16.2%	40,121,606	96.6%	1,433,392	+
DEBT SERVICE FUND	300							
Support Services		5	0	6.0%	1	20.0%	4	+
Debt Service		954,698	62,349	6.5%	954,697	100.0%	1	+
Total		954,703	62,349	6.5%	954,698	100.0%	5	+
CAPITAL PROJECTS FUND	400							
Support Services		139,161	17,584	12.6%	125,367	90.1%	13,794	+
Debt Service		135,839	63,067	46.4%	135,839	100.0%	-	+
Total		275,000	80,651	29.3%	261,206	95.0%	13,794	+
INTERNAL SERVICE FUND	600							
Instruction		-	18,069	#DIV/0!	18,069	#DIV/0!	(18,069)	- pending appropriation transfer
Support Services		545,020	152,616	28.0%	287,616	52.8%	257,404	+
Total		545,020	170,685	31.3%	305,685	56.1%	239,335	+
GRAND TOTAL	ALL	79,368,711	20,474,231	120.6%	33,345,250	42.0%	5,901,856	

Response Summary:

Grant Report

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

- Yes

Q4. Details

Project Name	District Accelerator Funds- SSPS
Department Submitting Proposal	SI/SSPS
Person Submitting Proposal	Angie Elstone
Potential Funder (please include link to RFP if available)	Lines for Life/OHA https://forms.gle/htqGmqgWWwUEdvqz6
Requested Funding Amount	10,000
Person who will manage grant if funded	Angie Elstone

Q5. Grant Period

Length of grant	2026-2027
Anticipated start date (mm/dd/yyyy)	03/02/2026
Anticipated end date (mm/dd/yyyy)	05/30/2027

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

- No

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

- No

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

- No

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

- Yes

Q47. What kind of reporting is being asked for?

Low barrier grant- minimal reporting requirements, mid grant and end of grant reporting.

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

Angie Elstone

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

- No

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

Specifically designed for my role: School Safety and Prevention Specialists around the state. SSPS applicants must choose a suicide prevention, intervention, or postvention activity in the scope of their work (at ESD, district, or school building) on which to spend awards (potential activities included in questions below).

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

Vision: Building a beloved community of learners.

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

Oregon ranks 11th in the nation for youth suicide. As part of Adi's Act (SB 52) all schools and districts must have plans in place for prevention, intervention and postvention to reduce youth suicide in our schools. We will specifically focus on focal populations that have elevated risk including BIPOC youth, LGBTQ+ youth, native youth and youth in foster care. In addition with schools in budget crises we must continually provide quality, evidenced-based trainings to our districts and this may mean going to our rural districts to support more.

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

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

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

This is a time-sensitive, low barrier grant specifically for my job position. To promote diverse voices in my work I have the Native Youth Wellness Specialist, Rochelle, Lake from Queer Eugene and Shareen Springer, Youth Voice Specialist all getting training in a new culturally responsive suicide prevention training; Be Sensitive, Be Brave. This will be so we can maximise our suicide prevention efforts to specific populations at elevated risk and make sure our trainings accessible and impactful.

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

By providing equity focused training and support for our districts. Involving other specialists in my work which has been historically done by one person. We are making suicide prevention a community wide focus with numerous partnerships that have not been targeted in this work.

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

All schools/districts- specifically more resources for rural districts.
Unsure of any negative impact.

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

Unsure of all the data requirements at present (low barrier grant specifically designed to fill in budget loss for state funds).

Ensuring all schools and districts have access to high quality, evidence-based training and resources for suicide prevention, intervention and postvention. Our Tragedy Response Advisory Team (made up of rural and large district representation) will help with the postvention piece.

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

- No

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

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

Work space - good system for reserving rooms/ training space already exists. I will continue to follow this process.

Potentially more travel for SSPS as we work to build capacity in rural areas- bringing training to districts vs making them travel to Eugene.

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

Business office support for reimbursements, contracted trainers etc.

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

- No

By clicking the arrow you will be submitting the form.

Please ensure you have completed all sections before moving forward.

Embedded Data:

N/A

Lane Education Service District

Code: JFCF-AR
Revised/Reviewed: 7/24/12; 11/07/23
Orig. Code(s): JFCF-AR

Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, or Teen Dating Violence Reporting Procedures – Student

The [assistant superintendent] has responsibility for investigations concerning acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the report presented.

All reports will be investigated in accordance with the following procedures:

Step 1 Any reports or information on acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, or incidents of teen dating violence (e.g., complaints, rumors) shall be presented to the [assistant superintendent]. Reports against the principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2 The ESD official(s) receiving the report shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The ESD official(s) will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the report will be reduced to writing. The ESD official(s) conducting the investigation shall notify the person making the report within 10 working days of receipt of the information or report, [and parents as appropriate,] in writing when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

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

Step 3 If the person making the report is not satisfied with the decision at Step 2, they may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the person making the report and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the appeal within 10 working days.

Step 4 If the person making the report is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall conduct a hearing at which time the person making the report

shall be given an opportunity to present the complaint. The Board shall provide a written decision to the person making the report within 30 days of receipt of the appeal by the Board.

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Reports against the Board chair may be made directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide in open session what action, if any, is warranted. A final decision will be made within 30 days of receipt of the report.

Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

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

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all reported acts of hazing, harassment, intimidation or bullying, menacing, cyberbullying, and incidents of teen dating violence and documentation will be maintained as a confidential file in the ESD office.

Lane Education Service District

Code: JFCG-AR
Adopted: 9/14/94
Revised/Readopted: 7/10/01
Revised/Reviewed:
Orig. Code(s): JFCG-AR

Discipline for Use, Possession, Distribution or Sale of Tobacco Products or Inhalant Delivery Systems

The following guidelines will govern possession, use, distribution and sale of tobacco products or inhalant delivery systems, or violation of the district's prohibition of tobacco product or inhalant delivery system promotional items, including clothing, bags, hats and other personal items by students on district property or at school-sponsored activities.

Violation **may** result in the following:

1. First Offense - Conference with student including parent as appropriate and possible suspension from school for up to 10 school days;
2. Second Offense - Suspension from school for up to 10 school days and possible referral to other agencies, as appropriate.

or

Consistent refusal or neglect to obey the rules may lead to referral to other agencies, as appropriate. At any grade or offense level, as either an alternative to, or as a part of discipline, school or community service and/or attendance and successful completion of cessation and/or education classes or behavior modification plans may be assigned at the discretion of the principal or designee. Attendance at such classes not offered by the ESD will be voluntary and any associated costs are the sole responsibility of the student and a parent. A referral to law enforcement and/or local public health authority may be made.

Due process procedures shall be followed.

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

Lane Education Service District

Code: JFCG/JFCH/JFCI
Adopted: 12/06/17
Orig. Code(s): JFCG/JFCH/JFCI

Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems**

Student substance abuse, possession, use, distribution or sale of tobacco products, inhalant delivery systems, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near any ESD grounds, including parking lots, or while participating in ESD-sponsored programs and activities is prohibited and will result in disciplinary action. If possession or use occurred on ESD grounds or while participating in ESD-sponsored programs and activities, students will be subject to discipline up to and including expulsion. If possession or use occurred near ESD grounds, disciplinary action [will] may include removal from any or all extracurricular activities and forfeiture of any school honors or privileges. A student may [shall] be referred to law enforcement officials. Parents will be notified.

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

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

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco products, inhalant delivery systems, alcohol or unlawful drugs are prohibited on all ESD grounds, including parking lots, at ESD-sponsored activities and in ESD vehicles.

Any person under age 21 possessing a tobacco product or inhalant delivery system on ESD property, in an ESD facility or while attending an ESD-sponsored activity is in violation of state law and is subject to a court-imposed fine.

Any person who distributes, sells or allows to be sold, tobacco products or any substance sold for the purpose of being smoked, vaporized or aerosolized, in any form, a tobacco-burning or inhalant delivery system device, to a person under 21 years of age is in violation of state law and is subject to a court-imposed fine.

An “unlawful drug” is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy and any accompanying administrative regulation.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of ESD property is a Class A felony, as provided by Oregon Revised Statute (ORS) 475.904.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)

[ORS 161.605](#)

[ORS 161.625](#)

[ORS 163.575](#)

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

[ORS 336.067](#)

[ORS 336.222](#)

[ORS 336.227](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 339.883](#)

[ORS 431A.175](#)

[ORS 431A.178](#)

[ORS 433.835 to -433.990](#)

[ORS Chapter 475](#)

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

[OAR 581-021-0110](#)

[OAR 581-022-2045](#)

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

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

[OAR 581-053-0430\(12\)-\(14\)](#)

[OAR 581-053-0531\(11\)-\(13\)](#)

[OAR 581-053-0630](#)

[OAR 584-020-0040](#)

SB 754 (2017)

Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).

Lane Education Service District

Code: JFCJ
Adopted: 7/10/01
Revised/Readopted: 3/18/14; 12/03/19
Orig. Code(s): JFCJ

Weapons**

Students shall not bring, possess, conceal or use a weapon on or at any ESD property under the jurisdiction of the ESD, any activities under the jurisdiction of the ESD or any interscholastic activities administered by a voluntary organization.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law means in or on school grounds or within 1,000 feet of school grounds.

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

1. A “dangerous weapon” means any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. A “deadly weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. A “firearm” means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm muffler or silencer or any destructive device;
4. A “destructive device” includes but is not limited to any explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but are not limited to, knives, metal knuckles, straight razors, noxious, irritating or poisonous gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and community members.

Replicas of weapons, fireworks and pocket knives are also prohibited by Board policy. Exceptions to the ESD’s replicas prohibition may be granted only with prior program supervisor approval for certain curriculum or ESD-related activities. Violations will result in appropriate discipline.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any ESD employee who has reasonable cause to believe a student or other person, while in a school, is or within the previous 120 days has been in possession of a firearm or destructive device, as defined by this policy, shall immediately report such violation to an administrator or designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations for firearms or destructive devices have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of all conduct by their student that violates this policy.

A person making a report as described above who has reasonable grounds for making the report is immune from liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the report. The identity of a person participating in a good faith report as described above may not be disclosed except when allowed by law.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students determined to have brought, possessed, concealed or used a firearm, as defined in policy, in violation of this policy or state law will be referred to the student’s component district and expelled for a period of not less than one year. The component district superintendent may, on a case-by-case basis, modify this expulsion requirement. The component district superintendent may propose alternative programs of instruction or instruction combined with counseling that are appropriate and accessible to the student, and shall provide such information in writing to the student and the parent in accordance with law¹.

Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA – Discipline of Students with Disabilities and accompanying administrative regulation.

“Gun-Free School Zone” signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

The superintendent will annually report the name of each school and the number of students from each listed schools expelled for bringing, possessing, concealing or using a firearm to the Oregon Department of Education.

END OF POLICY

Legal Reference(s):

[ORS 161.605](#)
[ORS 166.210 – 166.370](#)
[ORS 166.382](#)
[ORS 334.125\(7\)](#)
[ORS 339.115](#)

[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.315](#)
[OAR 581-021-0050 – 021-0075](#)
[OAR 581-053-0010](#)

[OAR 581-053-0230\(9\)\(k\)](#)
[OAR 581-053-0330\(1\)\(r\)](#)
[OAR 581-053-0430\(17\)](#)
[OAR 581-053-0531\(16\)](#)

Gun-Free School Zones Act, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2018).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101, 7111-7121 (2018).

¹ At least once every six months or at any time the information changes because of the availability of new programs.

Lane Education Service District

Code: JFCM
Adopted: 10/24/00
Readopted: 7/10/01; 5/19/09
Orig. Code(s): JFCM

Threats of Violence**

The Board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage any ESD property, shall not be tolerated on ESD property or at activities under the jurisdiction of the ESD.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the ESD. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence the staff member has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. The [] program administrator [1] shall notify the parent or guardian of any student in violation of this policy and the disciplinary action imposed. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and Board policy.

The ESD shall enforce this policy consistently, fairly and without bias against any student, including a student from a protected class as defined in Oregon Revised Statute 659.850.

The [{}¹] program administrator [in conjunction with an authorized representative from the student's resident district shall ensure notification is provided to:

1. The parent or guardian of a student, when the student's name appears on a targeted list at school that threatens violence or harm to the students on the list, or when threats of violence or harm to the student are made by another student at school;
2. Any ESD employee whose name appears on a targeted list at school threatening violence or harm to the ESD employee and when threats of violence or harm are made by a student or others at school.

The program administrator shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage Lane ESD property;

¹ {Statute says "superintendent or superintendent's designee" so allows designation of another, e.g., program administrator, principal, depending on practice in the ESD.}

2. Placing the student in a setting where the behavior will receive immediate attention from a program administrator, [counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting^[2].

Lane ESD will work with a student’s resident district to arrange for a licensed mental health professional to perform student evaluations as needed. Funds for evaluations or other disciplinary options as may be required by law are the responsibility of the resident district.

The [] program administrator [shall attempt to notify the above persons by telephone or in person promptly and within 12 hours of discovery of a targeted list or learning of a threat. Regardless, the [program administrator [] shall issue a written follow-up notification within 24 hours of discovery of a targeted list or learning of a threat.

The ESD administration will provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, the program administrator [may provide such information to other school officials, including teachers, within the ESD or component districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and ESD policies.

The ESD or person participating in good faith in making the notification required by ORS 339.327 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the notification.

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

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)
[ORS 166.210 - 166.370](#)
[ORS 334.125\(7\)](#)
[ORS 339.115](#)
[ORS 339.240](#)
[ORS 339.250](#)

[ORS 339.260](#)
[ORS 339.327](#)
[OAR 581-021-0050 - 021-0075](#)
[OAR 581-053-0010](#)
[OAR 581-053-0230\(9\)\(k\)](#)

[OAR 581-053-0330\(1\)\(r\)](#)
[OAR 581-053-0430\(17\)](#)
[OAR 581-053-0531\(16\)](#)
[OAR 581-053-0630](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018).
 Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

² [A student removed from the classroom setting for an evaluation may not be removed for more than 10 school days unless the principal is able to show good cause that an evaluation could not be completed in that time period.]

Lane Education Service District

Code: JFE
Adopted:

S
(Optional)

Pregnant and/or Parenting Students** **Proposed Adopt**

A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all ESD-sponsored activities unless physically unable. The ESD shall ensure that pregnant and/or parenting students receive special services as necessitated by their condition.

Neither pregnancy nor parenting constitute an exemption from Oregon compulsory attendance law.

No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood.

The ESD shall, in considering and obtaining special services for pregnant and/or parenting students:

1. Inform pregnant and/or parenting students and their parents of the availability of such services;
2. Facilitate the provision of such services, including counseling, life skills and parenting education, child care, transportation, career development and health and nutrition services to pregnant and/or parenting students;
3. Inform pregnant and/or parenting students and their parents of the availability of resources provided by other agencies, including health and social services;
4. Provide educational programs and schedules that address the individual learning styles and needs of pregnant and/or parenting students;
5. Develop individualized educational programs or services, or both, to address the needs of pregnant and/or parenting students when their educational needs cannot be met by the regularly provided school program.

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

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)
[ORS 336.640](#)

[ORS 339.010](#)
[ORS 339.030](#)

[OAR 581-021-0046](#)

Lane Education Service District

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

Student Searches**

The Board seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, Lane ESD officials may, subject to the requirements below, search a student's person and property, including property assigned by the ESD for the student's use. Such searches may be conducted at any time on ESD property or when the student is under the jurisdiction of the ESD at ESD-sponsored activities.

All student searches conducted by the ESD shall be subject to the following requirements:

1. The ESD official shall have individualized, "reasonable suspicion" based upon specific and articulated facts to believe that the student personally poses or is in possession of some item that poses an immediate risk or serious harm to the student, school officials and/or others at the school;
2. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search, the unique features of the official's responsibilities and the area(s) which could contain the item(s) sought and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction.

Routine inspections of ESD property assigned to students may be conducted at any time.

Use of drug-detection dogs and metal detectors, or similar detection devices, may be used only on the express authorization of the superintendent.

Lane ESD officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Students may be searched by law enforcement officials on ESD property or when the student is under the jurisdiction of the ESD. Law enforcement searches ordinarily shall be based upon a warrant. ESD officials will attempt to notify the student's parent(s) in advance and will be present for all such searches, whenever possible.

The superintendent shall develop an administrative regulation for implementing this policy in a manner which protects students' rights and provides a safe learning environment without unreasonable interference. Provisions for staff, student and parent notice of the Board's policy and accompanying regulation shall be included.

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

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

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

New Jersey v. T.L.O., 469 U.S. 325 (1985).

State ex. rel. Juv. Dept. v. M.A.D., 233 P3d. 437, 348 Or. 381 (2010).

State v. B.A.H., 263 P3d. 1046, 245 Or. App. 203 (2011).

State v. A.J.C., 326 P3d. 1195, 355 Or. 552 (2014).

Lane Education Service District

Code: JFG-AR
Adopted: 7/10/01
Orig. Code(s): JFG-AR

Student Searches

1. Definitions

- a. “Reasonable suspicion” is based upon specific and articulated facts to believe that the student personally poses or is in possession of some item that poses a risk of immediate and serious harm to the student, school officials and/or others at the school. The official’s knowledge may be based upon relevant past experience of the official, observation by the official and/or credible information from another person.
 - (1) “Past experience” may provide the ESD program administrator with information relevant to the violation as well as information which enables the official to evaluate the credibility of information from another person.
 - (2) “Credible information from another person” may include information which the ESD official reasonably believes to be true provided by another ESD employee, a student, a law enforcement or other government official or some other person.
- b. “Reasonable in scope” means that the manner and extent of the search are reasonably related to the objectives of the search, the unique features of the official’s responsibilities and limited to the particular student or students most likely to be involved in the infraction and the area(s) which could contain the item(s) sought, and not excessively intrusive in light of the student’s age, sex, maturity and the nature of the infraction.

2. Routine Inspection of ESD Property Assigned to Students

- a. Lockers, desks and other storage areas provided by the ESD and assigned to a particular student(s) are the property of the ESD, remain in the possession of the ESD and are under the control of the superintendent. Students have no expectation of privacy regarding these items/areas.
- b. Students may use ESD-owned storage areas for the limited purpose of temporarily keeping items needed for attendance and participation in ESD programs only. No other purpose is permitted.
- c. Students shall be provided notification that ESD-owned storage areas assigned to students are subject to routine inspection without prior notice for the following reasons:
 - (1) Ensure that no item which is prohibited on ESD premises is present;
 - (2) Ensure maintenance of proper sanitation;
 - (3) Ensure mechanical condition and safety;
 - (4) Reclaim overdue library books, texts or other instructional materials, property or equipment belonging to the ESD.

3. Voluntary Consent

When an ESD program administrator has the requisite justification to search either a particular ESD-owned storage area assigned to a student or the clothing or the personal property of a student, the administrator or designee has the option of making a search or asking the student to voluntarily provide the item(s) sought. Before making a search, the administrator or designee should ordinarily ask for the student's voluntary consent by requesting the student to empty the contents of the storage area, clothing or personal property. If the student refuses consent for their personal property, the official may elect to contact the students' parents to obtain consent for the search of personal property.

4. Search Procedures

- a. With the requisite justification, a school official may search an individual student, an ESD-owned storage area assigned to a student or the personal property of a student. Personal property of a student includes, but is not limited to, wallets, purses, lunch boxes/sacks, book bag, backpack or other containers used to carry belongings.
- b. All searches of a student or a student's personal property shall be based on the required reasonable suspicion/risk, of immediate and serious harm and shall be reasonable in scope. A "strip search," requiring a student to remove clothing down to the student's underwear or including underwear is prohibited by Lane ESD.
- c. Searches will generally be conducted by an administrator or by other school personnel only as authorized by the superintendent. In certain circumstances the program administrator or designee may be assisted by a law enforcement official(s).
- d. The student will generally be permitted to be present during a search of an ESD-owned storage area assigned to the student or during a search of the student's personal property. The student's presence is not required, however.
- e. Search of a student's clothing will be limited to the student's "outer clothing" only. "Outer clothing" means the student's coat, jacket or other such outerwear garments worn by a student. A search of the clothing may include the search of a container inside the clothing, provided that the container is of a size and shape to hold the object of the search.
- f. Searches of a student's outer clothing will be conducted by an ESD administrator or designee of the same sex as the student.
- g. Where the object of the search may be felt by a "pat down" of clothing or personal property, the administrator or designee may first pat the clothing or property in an attempt to locate the object before searching inside the clothing or property.
- h. Searches will be conducted in privacy, out of the view of other students, staff and others and in the presence of an adult witness of the same sex as the student.
- i. Any item removed from the student as a result of the above procedures which is not evidence of a violation of a law, Board policy, administrative regulation or rule may be returned to the student, as appropriate.

5. Other Searches¹

- a. Student vehicles may be parked on ESD property on the condition that the student and parent(s) allows the vehicle and its contents, upon reasonable suspicion/risk of immediate serious harm, to be examined.

¹ Consult with legal counsel prior to implementing procedures in this section, modifying as appropriate to meet local needs.

If a student or parent(s) refuses to allow access to a vehicle when requested under the circumstances described above, the student's privilege of bringing a vehicle onto ESD property will be terminated for the remainder of the school year. Law enforcement officials may [] be notified.

- b. Metal detectors, including walk-through and hand-held devices, may be used when the superintendent determines that there is a need for such detectors based upon reasonable information of a history of:
 - (1) Weapons or dangerous objects found on ESD property, at an ESD function or in the vicinity of the ESD; or
 - (2) Incidents of violence involving weapons on ESD property, at an ESD function or in the vicinity of the ESD.

Upon positive detection, a student will be asked to voluntarily remove the metal item. If the student refuses consent, the student will be held () and any personal property will be seized and secured while the parent(s) and law enforcement officials are summoned.

- c. Drug-detection dogs may be used when the superintendent determines that there is a need for use of such dogs based upon reasonable information of a history of:
 - (1) Drugs and/or drug paraphernalia use/possession on ESD property, at an ESD function or in the vicinity of the ESD; or
 - (2) Incidents of violence or health emergencies involving drugs and/or drug paraphernalia on ESD property, at an ESD function or in the vicinity of the ESD.

After such need has been determined, drug-detection dogs may be used to sniff out contraband in ESD-owned storage areas or in student vehicles parked on ESD property upon reasonable suspicion to believe that contraband is in the area or vehicle.

Drug-detection dogs will not be used for general or "dragnet" searches.

- d. Body fluid searches of students for the presence of alcohol or drugs are prohibited.
- e. The ESD may deploy breathalyzer devices at extracurricular events and activities. Students may be subject to testing procedures as a prerequisite to attending the event/activity. If a student refuses testing, the student will be detained and parents will be contacted to come and take the student home.

6. Discipline

- a. Possession or use of unauthorized, illegal, unhealthy or unsafe materials will result in the following:
 - (1) Seizure of the material:
 - (a) Property, the possession of which is a violation of law, Board policy, administrative regulation or rule will be returned to the parent or, if also a violation of law, turned over to law enforcement officials or destroyed by the ESD as deemed appropriate by the superintendent;
 - (b) Stolen property will be returned to its rightful owner;

(c) Unclaimed property may be disposed of in accordance with Board policy DN - Disposal of ESD Property.

(2) Discipline up to and including expulsion and notification given to law enforcement officials as appropriate or as otherwise required by law or Board policy.

7. Documentation

a. ESD administrators or designees shall document all searches.

b. Documentation shall consist of the following:

(1) Name, age and sex of student;

(2) Time and location of search;

(3) Justification for search and nature of the reasonable suspicion/risk of immediate and serious harm;

(4) Description of the object(s) of the search;

(5) Type/Scope of search (areas/items searched);

(6) Results of search, prohibited material(s) found, disposition of the material(s) seized and discipline imposed;

(7) Name of the witness to the search;

(8) Name of the ESD administrator or designee;

(9) Contacts with law enforcement and name/position of the contact(s).

c. Documentation will be maintained as a part of the student's education records and retained in accordance with applicable Oregon Administrative Rules governing records' retention.

8. Notice

a. Notice of the Board's policy and this administrative regulation will be provided to staff, students and their parent(s) annually, through such means as staff and student/parent handbooks.

9. Cooperation with Law Enforcement Officials

a. ESD administrators will meet with law enforcement officials annually to review:

(1) Official contact protocols;

(2) Applicable Board policies and administrative regulations;

(3) Circumstances in which the ESD will generally be requesting local law enforcement involvement in student searches and suspected crimes;

(4) Handling searches and evidence when involving law enforcement officials.

**Lane Education Service District
Student Search Form**

1. Name, age and sex of student: _____

2. Date, time and location of search:

3. Basis for search and nature of reasonable suspicion. What factors caused you to have a reasonable suspicion that the search of this student, their person or property or property assigned by the ESD for student use would turn up evidence of some item that posed a risk of immediate and serious harm to the student, school officials and/or others at the school? Describe.

4. Describe items and areas searched: _____

5. What did the search yield? Were any prohibited items/materials seized? Were seized items/materials turned over to police? Parents? Other? Why or why not? Explain and include name(s)/position(s) of law enforcement contacts.

6. Was discipline imposed? Why or why not? _____

7. Name of the title/position of the witness to the search: _____

8. Name and title/position of the ESD official conducting the search: _____

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/>
Signature of Witness	Signature of District Official
Date	Date
	Conducting Search

Lane Education Service District

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

Student Discipline

Discipline in the ESD is based upon a philosophy designed to produce behavioral changes that will enable students to develop the self-discipline necessary to remain in school and to function successfully in their educational and social environments.

Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events and at other schools operated by the ESD, and while off campus whenever such conduct causes substantial and material disruption of the educational environment or the invasion of rights of others.

The major objectives of the ESD discipline program are to teach the following fundamental concepts for living:

1. Understanding and respect for individual rights, dignity and safety;
2. Understanding and respect for the law, ESD policies, administrative regulations and school rules;
3. Understanding of and respect for public and private property rights.

The Board seeks to ensure a climate which is appropriate for learning and which assures the safety and welfare of personnel and students. The superintendent will develop procedures whereby those students who disrupt the educational setting or who endanger the safety of others will be subject to age appropriate and research effective disciplinary sanctions to correct behavioral problems, while supporting a students' attendance to school and classes. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in cocurricular and extracurricular activities. Title and/or privileges available or granted to students may be denied and/or revoked (e.g., including but not limited to, field trips, etc.). The superintendent may propose alternative programs of instruction or instruction combined with counseling prior to a student's expulsion or a student leaving school in accordance with law.

The ESD shall enforce consistently, fairly and without bias all student conduct policies, administrative regulations and school rules.

A student whose conduct or condition is seriously detrimental to the ESD's best interests may be suspended. Students may be expelled for conduct that poses a threat to the health or safety of students or employees; when other strategies to change student behavior have been ineffective, except that expulsion may not be used to address truancy; or when required by law. The ESD shall consider the age of the student and the past pattern of the student's behavior prior to imposing the suspension or expulsion. The ESD will ensure careful consideration of the age appropriateness, rights and needs of the individual concerned, as well as the best interests of other students and the ESD program as a whole.

The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:

Lane Education Service District

Code: JGA
Adopted: 9/07/93
Revised/Readopted: 7/10/01; 11/02/21
Orig. Code(s): JGA

Corporal Punishment**

The use of corporal punishment in any form is strictly prohibited in the ESD. No student will be subject to the infliction of corporal punishment.

“Corporal punishment” is defined as the willful infliction of, or willfully causing the infliction of, physical pain. Corporal punishment does not include the use of physical force authorized in ORS 161.205 (2), (4) or (5) for the reasons specified therein, or physical pain or discomfort resulting from or caused by participation in athletic competition or other such recreational activity, voluntarily engaged in by a student.

No teacher, administrator, other ESD personnel or ESD volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under their supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent.

A staff member is authorized to employ reasonable physical force upon a student only to the extent that the application of physical force is consistent with ORS 339.285-339.303 and is not corporal punishment as defined in ORS 339.250(9). Physical force shall not be used to discipline or punish a student. A staff member found in violation of this policy may be subject to discipline up to and including dismissal. A volunteer found in violation of this policy by administration may be subject to sanctions and/or prohibited from volunteer service in the ESD.

The superintendent shall inform all staff members and volunteers of this policy.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 334.125](#)
[ORS 339.240](#)

[ORS 339.250](#)

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

[OAR 584-020-0040](#)

Lane Education Service District

Code: JGAB
Adopted: 7/10/07
Revised/Readopted: 7/13/10; 11/15/11; 3/18/14;
9/23/14; 12/03/19
Orig. Code(s): JGAB

Use of Restraint and Seclusion**

The Board is dedicated to the development and application of best practices within the ESD's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with ESD students.

The use of the following types of restraint on a student in the ESD is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

¹ The use of a solid object, including furniture, a wall, or the floor, by ESD staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the ESD.

Restraint may be imposed on a student in the ESD only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the ESD only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher, administrator it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Definitions

1. "Restraint" means the restriction of a student's actions or movements by holding the student or using pressure or other means.

"Restraint" does not include:

- a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
 - b. Assisting a student to complete a task if the student does not resist the physical contact; or
 - c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
 - (1) Break up a physical fight;
 - (2) Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - d. Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

"Seclusion" does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student's behavior.

3. “Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.
4. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
6. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

“Mechanical restraint” does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
 8. “Prone restraint” means a restraint in which a student is held face down on the floor.
 9. “Supine restraint” means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the scope of the ESD program whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) 581-021-0568.

The ESD shall only utilize a training program for restraint or seclusion to train staff and use in the ESD which has been approved by the Oregon Department of Education (ODE).

The ESD shall preserve, and may not destroy, any records related to an incident of restraint or seclusion, including an audio or video recording. The records must be preserved in the original format and without alteration in accordance with law.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with ESD policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;

5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the ESD to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics³ of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the ESD for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be made available to the public at the ESD’s main office and on the ESD’s website, to the Board, and to the component school districts of the ESD.

At least once each school year the parents and guardians of students of the ESD shall be notified about how to access the report.

The ESD shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL - Public Complaints and KL-AR - Public Complaint Procedure. The complaint procedure is available at the ESD’s administrative office and is available on the home page of the ESD’s website.

The complainant, whether an organization or an individual, may appeal a ESD’s final decision to the Oregon Department of Education pursuant to OAR 581-075-0001 - 581-075-0045.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by ESD staff. A staff member who violates this policy or its administrative regulation may be subject to discipline, up to and including dismissal.

END OF POLICY

Legal Reference(s):

ORS 161.205	ORS 339.300	OAR 581-021-0563
ORS 339.250	ORS 339.303	OAR 581-021-0566
ORS 339.285		OAR 581-021-0568
ORS 339.288	OAR 581-021-0061	OAR 581-021-0569
ORS 339.291	OAR 581-021-0550	OAR 581-021-0570
ORS 339.294	OAR 581-021-0553	OAR 581-022-2370
ORS 339.297	OAR 581-021-0556	OAR 581-022-2267

³ Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

Lane Education Service District

Code: JGAB-AR
Adopted: 7/10/07
Revised/Readopted: 11/15/11; 11/05/19
Orig. Code(s): JGAB-AR

Use of Restraint or Seclusion

Procedure

1. If restraint or seclusion continues for more than 30 minutes, ESD staff will attempt to immediately notify parents or guardians verbally or electronically.
2. Following an incident involving the use of restraint or seclusion, school staff will provide parents or guardians of the student the following:
 - a. Verbal or electronic notice of the incident by the end of the school day when the incident occurred.
 - b. Written documentation of the incident within 24 hours that provides:
 - (1) A description of the restraint or seclusion including:
 - (a) The date of the physical restraint or seclusion;
 - (b) The time the physical restraint or seclusion began and ended; and
 - (c) The location of the incident.
 - (2) A description of the student's activity that prompted the use of restraint or seclusion.
 - (3) The efforts used to de-escalate the situation and the alternatives to restraint or seclusion that were attempted.
 - (4) The names of the of the staff of the ESD who administered the restraint or seclusion.
 - (5) A description of the training status of the staff of the ESD who administered the restraint or seclusion, including any information that may need to be provided to the parent or guardian.
 - c. Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.
 - d. Immediate¹, written notification of the existence of any records² related to an incident of restraint or seclusion (including photos or audio or video recording). (include footnote)
3. If the restraint or seclusion was administered by a person without training, the administrator will ensure written notice is issued to the parent or guardian of the student which includes notice of the lack of training and the reason restraint or seclusion was administered by a person without training. The administrator will ensure written notice of the same to the superintendent.
4. An administrator will be notified as soon as practicable whenever restraint or seclusion has been used.

¹ "Immediate" means to act as soon as possible without undue delay, but in no case later than within 24 hours of the incident. (OAR 581-021-0556(2)(e))

² {Such records shall be maintained in accordance with ORS 339.294(9).}

5. If restraint or seclusion continues for more than 30 minutes the student must be provided with adequate access to bathroom and water every 30 minutes. If restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes an administrator for the ESD must provide written authorization for the continuation of the restraint or seclusion, including providing documentation for the reason the restraint or seclusion must be continued. Whenever restraint or seclusion extends beyond 30 minutes, staff of the ESD will immediately attempt to verbally or electronically notify a parent or guardian.
6. An ESD Restraint and/or Seclusion Incident Report must be completed and copies provided to those attending the debriefing meeting for review and comment. The completed Restraint and/or Seclusion Incident Report Form shall include the following:
 - a. Name of the student;
 - b. Name of staff member(s) administering the restraint or seclusion;
 - c. Date of the restraint or seclusion and the time the restraint or seclusion began and ended;
 - d. Location of the restraint or seclusion;
 - e. A description of the restraint or seclusion;
 - f. A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
 - g. A description of the behavior that prompted the use of restraint or seclusion;
 - h. Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted;
 - i. Information documenting parent or guardian contact and notification.
7. A documented debriefing meeting must be held within two school days after the use of physical restraint and/or seclusion. The parent or guardian of the student must be invited to attending the meeting³, and the meeting will include staff members involved in the intervention and any other appropriate personnel. The debriefing team shall include an administrator. At the debriefing meeting, the ESD shall review, in its entirety, any audio or video recording⁴ preserved as a record of the incident involving restraint or seclusion in accordance with law. Written notes shall be taken and a copy of the written notes shall be provided to the parent or guardian of the student.

The parent or guardian has the right to request another meeting in the event they were unable to attend the debriefing meeting scheduled to be held within two school days of the incident.

8. If serious bodily injury or death of a student occurs in relation to the use of restraint or seclusion:
 - a. Oral notification of the incident must be provided immediately to a parent or guardian of the student and to the Oregon Department of Human Services (DHS); and
 - b. Written notification of the incident must be provided to DHS within 24 hours of the incident.
9. If serious bodily injury or death of a staff member occurs in relation to the use of restraint or seclusion, written notification of the incident must be provided within 24 hours of the incident to the

³ "Meeting" means the debriefing meeting at which the audio or video recording will be viewed. (OAR 581-021-0556(9))

⁴ [To the extent practicable without altering the meaning of the record, the ESD shall segregate or redact from such a record any personally identifiable information of other students before disclosure to the student's parent or guardian. If the ESD is unable to segregate or redact personally identifiable information of other students without altering the meaning of the record, the ESD shall disclose the record to the student's parent or guardian in its original format and without any alteration. "Disclose" means to inform the student's parent or guardian that the record exists; that the record in its original format and without alteration will be available for review by the parent or guardian privately and in the debriefing meeting; and that a copy of the record will be provided to the student's parent or guardian upon request in its original and unaltered format except to the extent that the redaction is needed to protect the personally identifiable information of another student. (ORS 339.294; OAR 581-021-0556(10))]

superintendent, to the Superintendent of Public Instruction, and, if applicable, to the union representative for the affected person.

10. The ESD shall maintain a record of each incident in which injuries or death occurs in relation to the use of restraint or seclusion.

Restraint or seclusion as a part of a behavioral support plan in the student's Individual Education Program (IEP) or Section 504 plan.

1. Parent participation in the plan is required.
2. The IEP team that develops the behavioral support plan shall include knowledgeable and trained staff, including a behavioral specialist and an ESD representative who is familiar with the restraint and seclusion training practices adopted by the ESD.
3. Prior to the implementation of any behavioral support plan that includes restraint and/or seclusion a functional behavioral assessment must be completed. The assessment plan must include an individual threshold for reviewing the plan.
4. When a behavior support plan includes restraint or seclusion the parents will be provided a copy of the ESD Use of Restraint or Seclusion policy at the time the plan is developed.
5. If a student is involved in five incidents in a school year, the team, including a parent or guardian of the student, will form for the purpose of reviewing and revising the student's behavior plan and ensuring the provision of any necessary behavioral supports.

Use of restraint or seclusion in an emergency by school administrator, staff or volunteer to maintain order or prevent a student from harming themselves, other students or school staff.

Use of restraint and/or seclusion under these circumstances with a student who does not have restraint and/or seclusion as a part of their IEP or Section 504 plan is subject to all of the requirements established by Board policy and this administrative regulation with the exception of those specific to plans developed in an IEP or Section 504 plan.

Lane Education Service District

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

Suspension

The Board authorizes the administration to suspend a student for one or more of the following reasons:

1. Willful disobedience and violation of ESD Board policies, administrative regulations or school rules;
2. Willful conduct which materially and substantially disrupts the rights of others to an education;
3. Willful conduct which endangers the student, other students or staff members;
4. Willful conduct which damages or injures ESD property.

A student whose conduct or condition is seriously detrimental to the school's best interests may be suspended. The ESD shall consider the age of the student and the student's past pattern of behavior prior to imposing the suspension. The ESD will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole.

The use of out-of-school suspension for discipline of a student in the fifth grade or below, is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension is required by law.

When an out-of-school suspension is imposed on a student in the fifth grade or lower, the ESD shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

Each notice of suspension will include a statement of the reasons for suspension, the length of the suspension and a plan for readmission and may include a plan for the student to make up school work. No suspension shall extend beyond 10 school days. Lane ESD may require a student to attend school during nonschool hours as an alternative to suspension. Every reasonable and prompt effort must be made to notify the parents of suspended students.

In emergency situations that are a result of risk to health and safety, the ESD may postpone the suspension notice process above until the emergency condition has passed.

Students who are suspended may not attend after-school activities, be present on ESD property without a parent or participate in activities directed or sponsored by the ESD.

A decision by the superintendent to suspend a student may be appealed to the Board through the ESD's complaint procedures (see Board policy KL - Public Complaints and its accompanying administrative regulations).

Students and parents are given notice of possible discipline actions resulting from student misconduct that may result in suspension in the [*Student/Parent Handbook*] code of conduct made available by the ESD.

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

END OF POLICY

Legal Reference(s):

[ORS 334.125\(7\)](#)
[ORS 339.240 to -339.250](#)

[OAR 581-021-0050](#)
[OAR 581-021-0055](#)
[OAR 581-021-0060](#)

[OAR 581-021-0065](#)
[OAR 581-021-0075](#)

Lane Education Service District

Code: JGDA
Adopted: 10/24/00
Readopted: 7/10/014; 8/27/02; 6/24/08
Orig. Code(s): JGDA/JGEA

Discipline of Students with Disabilities**

When considering student disciplinary procedures that may result in removal of the student, the ESD follows all special education procedures and ensures the parent and the student are afforded the procedural safeguards of the Individuals with Disabilities Education Act (IDEA) if:

1. The student is receiving individualized education program (IEP) services;
2. For the student not yet identified as a student with a disability, the ESD had knowledge that the student had a disability and needed special education.

For a violation of a code of conduct, the district¹ may remove a student with a disability from a current educational placement to an appropriate interim alternative educational setting, another setting, or suspension, for up to 10 school days in a school year to the same extent, and with the same notice, as for students without disabilities, if the removals do not constitute a pattern. The district may remove a student with disabilities for additional periods of up to 10 days if the removals do not constitute a pattern. The determination regarding whether a series of removals constitutes a pattern is subject to review in an expedited due process hearing.

Disciplinary removal of a student with a disability constitutes a change in the student's educational placement when the removal is for more than 10 consecutive school days, or the removal is for more than 10 cumulative school days and constitutes a pattern of removals. When considering whether to order a disciplinary change of placement the district may consider any unique circumstances on a case-by-case basis. Any decision to initiate a disciplinary change in placement requires a determination of whether the conduct leading to the disciplinary removal was caused by, or was substantially related to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

For a violation involving drugs, weapons or the infliction of serious bodily injury, the district may remove a student with a disability from the student's current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year without regard to whether the behavior is a manifestation of the student's disability. This removal is considered a change in placement.

The district will provide educational services to a student who is suspended or expelled for more than 10 school days in a school year. These services may be provided in a different location or interim alternative educational setting as determined by the IEP and placement teams.

END OF POLICY

¹ "District" means the student's resident district.

Legal Reference(s):

[ORS 326.565](#)
[ORS 326.575](#)
[ORS 336.187](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.252](#)

[ORS 343.177](#)
[OAR 581-015-2400](#)
[OAR 581-015-2405](#)
[OAR 581-015-2410](#)
[OAR 581-015-2415](#)

[OAR 581-015-2420](#)
[OAR 581-015-2425](#)
[OAR 581-015-2430](#)
[OAR 581-015-2435](#)
[OAR 581-015-2440](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1415(k) (2012).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.507, § 300.508(a)-(c); §§ 300.510-300.514; §§ 300.530-300.536 (2017).

Lane Education Service District

Code: JGDA-AR
Adopted: 7/10/01
Orig. Code(s): JGDA/JGEA-AR

Discipline of Students with Disabilities** **HOLD**

(The student's resident district.)

1. Definitions

a. The following definitions when considering disciplinary action:

- (1) "Behavioral intervention plan" means an individualized plan, including positive interventions, designed to assist a student to decrease inappropriate behavior and increase or teach an alternative appropriate behavior.
- (2) "Current educational placement" means the type of educational placement of the student as described in the student's "annual determination of placement" document at the time of the disciplinary removal. It does not mean the specific location or school but the types of placement on the continuum of placement options.
- (3) "Disciplinary removal" means suspension, expulsion or other removal from school for disciplinary reasons, including removals pending completion of a risk assessment. It does not include:
 - (a) Removals by other agencies;
 - (b) Removals for public health reasons (e.g., head lice, immunizations, communicable diseases);
 - (c) In-school suspensions if the student continues to have access to the general curriculum and to special education and related services as described in the student's IEP, and continues to participate with nondisabled students to the extent they would in their current placement; or
 - (d) Bus suspensions, unless the student's IEP includes transportation as a related service, the district makes no alternative transportation arrangements for the student, and the student does not attend school as a result of the bus suspension.
- (4) "Functional behavioral assessment" means an individualized assessment of the student that results in a team hypothesis about the function of a student's behavior and, as appropriate, recommendations for a behavior intervention plan.
- (5) "Suspension" means any disciplinary removal other than expulsion.

2. Disciplinary Change of Placement

a. Disciplinary removal of a student with a disability constitutes a change in the student's educational placement when:

- (1) The removal is for more than 10 consecutive school days; or
- (2) The removal is for more than 10 cumulative school days and constitutes a pattern of removals.

- b. The district¹ may consider any unique circumstances on a case-by-case basis when determining whether to order a disciplinary change in placement.

3. Manifestation Determination

- a. Within 10 days of any decision to initiate a disciplinary change in placement of a student with a disability, the district convenes a manifestation determination meeting.
- b. The district follows all required special education procedures for determining whether a student's conduct that led to a disciplinary removal from school was caused by, or had a substantial relationship to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

4. Disciplinary Removals for up to 10 School Days

- a. The district may remove students with disabilities from their current educational placement, to an appropriate interim alternative educational setting, another setting, or suspension, for up to 10 school days in a school year to the same extent, and with the same notice, for violation of a code of conduct as for students without disabilities. These removals are not considered a change in placement.
- b. During disciplinary removals for up to 10 school days:
 - (1) The district is not required to provide access to special education and the general curriculum unless students without disabilities are provided access during this time.
 - (2) The district is not required to determine whether the student's behavior resulting in the disciplinary removal is a manifestation of the student's disability.
 - (3) The district counts days of suspension for the purposes of procedural safeguards as follows:
 - (a) Suspensions of a half day or less will be counted as a half day; and
 - (b) Suspensions of more than a half day will be counted as a whole day;
 - (c) If a student moves from another school district in Oregon, any days of suspension from the former district apply, unless the ESD does not have knowledge of previous suspensions.

5. Disciplinary Removals of More than 10 Cumulative School Days and Pattern of Removal

- a. The district may remove students with disabilities from their current educational placement to an appropriate interim alternative educational setting, another setting or suspension for additional periods of up to 10 days in a school year to the same extent, and with the same notice as for students without disabilities, if the removals do not constitute a pattern. These removals do not constitute a change in placement.
- b. In determining whether removals of additional periods of up to 10 school days constitute a pattern or removals, district personnel will consider, on a case by case basis:
 - (1) Whether the behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and

¹ "District" means the

- (2) Additional factors such as the length of each removal, the total number of days of removal, and the proximity of removals to one another.
- c. During removals of additional periods of up to 10 school days in a school year that do not constitute a pattern, the district will provide services that are necessary to enable the student to:
 - (1) Continue to participate in the general education curriculum;
 - (2) Progress toward achieving the goals in the student’s IEP; and
 - (3) The services and location for delivery of services in this section will be determined by district personnel, in consultation with at least one of the student’s teachers, or by the student’s IEP team.
6. a series of removal constitutes a Removal to an Interim Alternative Educational Setting for Not More Than 45 Days by the District under Special Education Circumstances
 - a. The district may remove a student with a disability from the student’s current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year for a drug or weapon violation, or for infliction of serious bodily injury, without regard to whether the behavior is manifestation of the student’s disability. This removal is considered a change in placement. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order such a removal.
 - b. For the purpose of determining a drug or weapon violation or serious bodily injury, the district will apply the following definitions:
 - (1) “Drug” means illegal drug or controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or otherwise legally possessed. It does not include alcohol or tobacco.
 - (2) “Drug violation” means the use, possession, sale or solicitation of drugs at school or a school function.
 - (3) “Infliction of serious bodily injury” means serious bodily injury caused by a student to another person while at school, on school premises or at a school function under the jurisdiction of ODE or an ESD.
 - (4) “Serious bodily injury” means bodily injury, which involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
 - (5) “Weapon” means a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that it does not include a pocket knife with a blade of less than 2 ½ inches in length.
 - (6) “Weapon violation” means carrying a weapon to school or to a school function or acquiring a weapon at school.
 - c. On the date that the district decides to remove a student to an interim alternative educational placement because of a drug or weapon violation or for serious bodily injury, the district notifies that parent(s) of the decision and gives the parent(s) a Procedural Safeguards Notice.
 - d. Within 10 school days of any decision to remove the student to an interim alternative educational placement because of a drug or weapon violation or for serious bodily injury, the district:

- (1) Convenes a meeting to determine whether the behavior is a manifestation of the student's disability; and
- (2) Conducts, as appropriate, a functional behavior assessment, and develops a behavior intervention plan based on the functional behavior assessment that is designed to address the behavior so it does not recur.
- (3) .

7. Removal to an Interim Alternative Educational Setting for Not More than 45 Days by Administrative Law Judge for Injurious Behavior

- a. The district may request an expedited due process hearing to obtain an administrative law judge's order to remove a student to an interim alternative educational setting for not more than 45 school days if the student is exhibiting injurious behavior. For the purpose of this request, "injurious behavior" is defined as behavior that is substantially likely to result in injury to the student or to others.
- b. The interim alternative educational setting must meet the requirements of the "Interim Alternative Educational Setting" section.

8. Interim Alternative Educational Setting

When a student with a disability is placed in an interim alternative educational setting, the setting:

- a. Is determined by the student's IEP; and
- b. Enables the student to:
 - (1) Continue to participate in the general curriculum, although in another setting;
 - (2) Progress toward achieving the goals in the student's IEP; and
 - (3) Receive services and modifications designed to address the misconduct that led to placement in the interim alternative educational setting and to prevent the misconduct from recurring.

9. Placement Pending Appeal

If a parent disagrees with the manifestation determination or any decision about placement related to the disciplinary removal and requests a due process hearing, the student will remain in the interim alternative educational setting pending the decision of the administrative law judge, or until the end of the disciplinary removal, whichever is shorter, unless the parent and the district agree to another placement pending the hearing.

10. Conduct and Outcome of a Manifestation Determination

- a. Within 10 school days of any decision to change the placement of a student with a disability for disciplinary reasons, the district convenes a manifestation determination meeting.
- b. The team that determines whether a student's behavior that led to a disciplinary removal from school was caused by, or had a substantial relationship to the student's disability or was a direct result of the district's failure to implement the student's IEP, includes the parent(s), district representatives and other relevant members of the IEP team, as determined by the parent and the district.

- (1) The team reviews all relevant student information, including the student's IEP, teacher observations and information provided by the parent.
 - (2) The team concludes that the conduct in question is a manifestation of the student's disability if it determines the behavior was caused by, or had a substantial relationship to, the child's disability, or if it was the direct result of the district's failure to implement the IEP.
- c. If the team determines that the district did not implement the student's IEP or identifies other deficiencies in the student's IEP or placement, the district corrects the identified deficiencies immediately.
 - d. Regardless of whether the behavior was a manifestation of the student's disability, the district may remove the student to an interim alternative educational setting for weapons or drug violations or for infliction of serious bodily injury for up to 45 days.
 - e. When behavior is a manifestation of disability.

If the team concludes that the behavior was a manifestation of the student's disability:

- (1) The district will not proceed with a disciplinary removal for more than 10 days.
 - (2) The district conducts a functional behavioral assessment and develops a behavior plan to address the behavior that led to the disciplinary action. If the district has already conducted a functional behavioral assessment or if the student already has a behavior intervention plan regarding that behavior, the district reviews, modifies as necessary and implements the plan to address the behavior.
 - (3) The district may review and revise the student's IEP and placement through normal IEP and placement processes.
 - (4) The district may enter into an agreement with the parent to change the student's placement as part of the modification of the behavioral intervention plan.
 - (5) If the district believes that maintaining the current placement of the child is substantially likely to result in injury to the student or to others, the district may appeal the decision of the manifestation determination team by requesting an expedited due process hearing. An administrative law judge who concludes that maintaining the current educational placement is substantially likely to result in injury to the student or to others may order a change in placement to an interim alternative educational setting for no more than 45 days.
- f. When behavior is not a manifestation of disability.

If the IEP team determines that the student's behavior is not a manifestation of the student's disability the district may proceed with disciplinary removals, in the same manner and for the same duration, as would be applied to students without disabilities. If the district takes such action, applicable to all students, the district:

- (1) Notifies the parent(s) of the decision to remove the student on the date that decision is made and gives the parents a Procedural Safeguards Notice;
- (2) Give the parent(s) prior written notice of any proposed change in placement;
- (3) Provides services to the student in an interim alternative educational setting that is determined by the IEP team; and
- (4) Provides, as appropriate, a functional behavioral assessment, develops appropriate behavioral interventions to address the behavior and implements those interventions.

11. Protections for Students not yet Eligible for Special Education

- a. The district will follow all special education disciplinary procedures for a student who has not yet been identified as a student with a disability if the district had knowledge that the student had a disability and needed special education.
- b. The district is presumed to have such knowledge if, before the behavior that precipitated the disciplinary action occurred:
 - (1) The student's parent(s) expressed a concern in writing to supervisory or administrative school personnel, or to a teacher of the student, that the student is in need of special education and related services;
 - (2) The student's parent(s) requested a special education evaluation of the student; or
 - (3) The student's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the district's special education director or other district supervisory personnel.
 - (4) district The parent has not allowed an evaluation of the student or has refused the initial provision of special education services to the student; or
 - (5) The student has been evaluated and found not eligible for special education services.
- c. If the district did not have knowledge before taking disciplinary action against the student, the district may take the same disciplinary actions as applied to students without disabilities who engaged in comparable behaviors. However:
 - (1) If a special education evaluation is requested, or if the district initiates a special education evaluation, the evaluation will be conducted in an expedited manner;
 - (2) Until the evaluation is completed, the student will remain in the educational placement determined by district personnel, which can include suspension, expulsion or placement in alternative education;
 - (3) Upon completion of the evaluation, if the student is determined to be a student with a disability, the district will conduct an IEP meeting to develop an IEP and determine placement and will provide special education and related services in accordance with the IEP;
 - (4) The district will apply the Individuals with Disabilities Education Act (IDEA) discipline provisions beginning on the date of the eligibility determination.

Lane Education Service District

Code: JGE
Adopted: 12/05/23
Orig. Code(s): JGE

Expulsion**

{Required policy. ORS 339.250(2) requires “each district school board” to have a policy on expulsion. Some of the contents of this model sample come from OAR 581-021-0070, which do not apply to ESDs.}

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

A student may only be expelled for any of the following circumstances:

1. When a student’s conduct poses a threat to the health or safety of students or employees;
2. When other strategies to change the student’s conduct have been ineffective, except that expulsion may not be used to address truancy; or
3. When required by law.

The use of expulsion for discipline of a student in fifth grade or lower is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator’s observations or upon a report from an employee, the student’s conduct poses a direct threat to the health or safety of students or employees; or
3. When the expulsion is required by law.

The age of the student and the past pattern of behavior will be considered prior to imposing the expulsion.

No student may be expelled without a hearing unless the student’s parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing.

The Board delegates the authority to decide on an expulsion to the superintendent. The superintendent may designate another person to handle the potential expulsion, and the superintendent, a designee or another individual may act as the hearings officer. The ESD may contract with an individual who is not employed by the ESD to serve as the hearings officer. The hearings officer will not be associated with the initial actions of the building administrators. The hearings officer will conduct the hearing and make a final decision regarding the expulsion. A decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review.

If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer’s decision will be submitted to the Board, and will be available in identical form to the Board, the student and the student’s parents at the same time. At a future meeting, the Board will review the hearings officer’s decision and will affirm, modify or reverse the decision.

When a recommendation for an expulsion is made and a hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service¹ or by certified mail² at least five days prior to the scheduled hearing. Notice shall include:
 - a. The specific charge or charges and the specific facts that support the charge or charges;
 - b. A statement of the intent to consider the charges as reason for expulsion;
 - c. The student's right to a hearing;
 - d. When and where the hearing will take place; and
 - e. The student may be represented by counsel or other persons.
2. If the parent or student does not understand the English language, the ESD will provide an interpreter during the hearing. All communications will be in a manner that is understandable to the parents and student;
3. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney, parent or other person. The ESD's attorney may be present;
4. The student shall be afforded the right to present their version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;
5. The student shall be permitted to be present and to hear the evidence presented by the ESD;
6. The hearings officer or the student may record the hearing;
7. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;
8. A Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:
 - a. The name of the minor student;
 - b. The issues involved, including a student's confidential record;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion for reasons other than a weapons violation, the ESD must notify the student and parents of alternative programs of instruction or instruction combined with counseling and document this notification.

END OF POLICY

¹ The person serving the notice shall file a return of service. (OAR 581-021-0070)

² When "certified mail is given to a parent of a suspended student, the notice shall be placed in the mail at least five days before the date of the hearing." (OAR 581-021-0070)

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.061](#)
[ORS 334.125](#)

[ORS 336.615 - 336.665](#)
[ORS 339.115](#)
[ORS 339.240](#)

[ORS 339.250](#)
[OAR 581-021-0050 - 021-0075](#)

Lane Education Service District

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

Immunizations

The Board requires all students in its programs to be immunized in accordance with Oregon law, unless specifically exempt for religious, philosophical beliefs and/or medical exemption or immunity documentation.¹

All students enrolling in Lane ESD programs must provide proof of immunization that meets the minimum requirements for immunization required by Oregon law.

The superintendent or designee or the local or county health department will exclude from school any student who fails to comply with these requirements for immunization.

END OF POLICY

Legal Reference(s):

[ORS 326.580](#)

[ORS 336.479](#)

[ORS 336.485](#) - [ORS 336.490](#)

[ORS 433.235](#) - [433.280](#)

[OAR 333-019-0010](#)

[OAR 333-050-0010](#) - [050-0120](#)

[OAR 581-021-0041](#)

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (2018).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2024).

¹ Documentation requirements for exemptions are outlined in [ORS 433.267](#).

Lane Education Service District

Code:
Adopted:

JHCCF

Pediculosis (Head Lice)

(Version 2)
{Optional policy.}

A student with a suspected case of head lice may be referred to designated trained staff for a screening. The screening will be done in a confidential manner by trained personnel.

School personnel will notify the parent or guardian of a student found with head lice and may provide information on treatment. The student will be allowed to remain in school.

Suggested school measures for head lice provided in [Communicable Disease Guidance for Schools](#) issued by the Oregon Department of Education and Oregon Health Authority will be consulted.

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

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Lane Education Service District

Code: JHCD
Adopted:
Orig. Code(s): JHCD/JHCDA

Medications**/*

(Version 2)

{Required policy. The requirement for policy comes from ORS 339.866 (2) and if the ESD operates a school.}

(Replaces JHCD/JHCDA)

The ESD recognizes administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary to allow the student to attend school. Therefore, the ESD allows medication, including injectable medications, to be administered to a student by designated personnel and the administration of medication by a student to themselves without assistance from designated personnel, subject to criteria established by the ESD and in accordance with Oregon law.

The ESD shall designate personnel authorized to administer medications to students. Medications, including injectable medications, may be administered by designated ESD personnel as part of a formal delegation by a registered nurse. Annual training shall be provided to designated personnel in accordance with law. The training will align with the ODE Medication Administration Training and include discussion of this policy, procedures and materials, including but not limited to, procedures outlined in administrative regulation JHCD-AR - Medications.

When a licensed health care professional is not immediately available, trained personnel designated by the ESD may administer epinephrine, glucagon, treatment for adrenal insufficiency, or another medication to a student as prescribed and/or as otherwise allowed by Oregon law.

A current first-aid/CPR/AED card is required for designated personnel.

The ESD reserves the right to reject a request for administration of medication at school, either by ESD personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The ESD may revoke permission given to a student to self-administer medication if the student does not responsibly self-administer the medication or abuses the use of the medication, as determined by ESD personnel.

Medications will be handled, stored, monitored, disposed of and records maintained in accordance with law and established ESD procedures governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup medication is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on ESD premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

{¹} A non-injectable short-acting opioid antagonist may be administered to any student or other individual by ESD personnel (whether or not they have received training on administering medications) on ESD premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an opioid overdose.

A school administrator, teacher or other school employee, may administer a short-acting opioid antagonist to a student who experienced or is experiencing an opioid overdose without written permission and instructions of the student’s parents or guardian.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by ESD employees in accordance with established state law, Board policy and administrative regulation.

The superintendent shall develop administrative regulations to meet the requirements of law and the implementation of this policy.

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

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)

[ORS 689.800](#)

[OAR 166-400-0010\(17\)](#)

[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 - 0035](#)

[OAR 581-021-0037](#)

[OAR 581-022-2220](#)

[OAR 851-047-0000 - 0030](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

House Bill 1552 (2024).

¹ {The ESD is not required to provide or administer this medication. If the ESD is going to provide for, and administer this medication, this policy language is required. If the ESD does not intend to provide or administer this medication, there is no requirement to include this language in this policy.}

Lane Education Service District

Code: JHCD-AR
Adopted:
Orig. Code(s): JHCD/JHCDA-AR

Medications**/* **HOLD (Edits incoming)**

(Version 2)

{Required administrative regulation. The requirement comes from ORS 339.866 (2) and if the ESD operates a school.}

(Replaces JHCD/JHCDA-AR; aligns with rewrite of OAR 581-021-0037)

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated ESD personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

1. Definitions¹

- a. ["Administer" means the direct application of a drug or device whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (1) a practitioner or the practitioner's authorized agent; or (2) the patient or research subject at the direction of the practitioner. (ORS 689.005)]
- b. "Adrenal crisis" means a sudden, severe worsening of symptoms associated with adrenal insufficiency, such as severe pain in the lower back, abdomen or legs, vomiting, diarrhea, dehydration, low blood pressure or loss of consciousness. (ORS 433.800)
- c. "Adrenal insufficiency" means a hormonal disorder that occurs when the adrenal glands do not produce enough adrenal hormones. (ORS 433.800)
- d. "Asthma" means a chronic inflammatory disorder of the airways that requires ongoing medical intervention. (ORS 339.866)
- e. "Delegation" means a formal delegation of a nursing procedure by a registered nurse to ESD personnel in accordance with the Oregon Nurse Practice Act. (OAR Chapter 851)
- f. "Designated personnel" means the school personnel designated and trained to administer medication pursuant to ESD policy and procedure.
- g. "Medication" means medication that is not injected; premeasured doses of epinephrine that are injected; medication that is available for treating adrenal insufficiency; and Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug. "Medication" also means any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. "Medication" does not include nonprescription sunscreen. (ORS 339.866; ORS 339.867)
- h. "Nonprescription medication" means nonprescription drugs as defined in ORS 689.005, which means drugs that may be sold without prescription and that are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government. (OAR 581-021-0037)
- i. "Notice of a diagnosis of adrenal insufficiency" means written notice to the ESD from the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student's primary care provider that includes the student's diagnosis,

¹ There are several laws that apply to medications in schools. Some of these laws have unique definitions that may apply in specific situations. If the applicable law uses a definition that varies from the definition here, use the definition in the law.

P

description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis, and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered. (OAR 581-021-0037)

- j. ["Opioid overdose" means a medical condition that causes depressed consciousness, depressed respiratory function or the impairment of vital bodily functions as a result of ingesting opioids. (ORS 689.800)]
- k. "Prescriber"² means a "practitioner" as defined in ORS 689.005, which means a person licensed and operating within the scope of such license to prescribe, dispense, conduct research with respect to or administer drugs in the course of professional practice or research: (a) in this state; or (b) in another state or territory of the U.S. if the person does not reside in Oregon and is registered under the federal Controlled Substances Act. (OAR 581-021-0037)
- l. "Prescription medication" means a "prescription drug" as defined in ORS 689.005, which means a drug that is: required by federal law, prior to being dispensed or delivered, to be labeled with "Caution: Federal law prohibited dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use by practitioners only.
- m. "Severe allergy" means a life-threatening hypersensitivity to a specific substance such as food, pollen, or dust. (ORS 339.866)
- n. "Short-acting opioid antagonist" means any short-acting drug approved by the U.S. Food and Drug Administration for the complete or partial reversal of an opioid overdose. (ORS 689.800)

2. Designated Staff/Training

- a. Medications, including injectable medications, may be administered by trained personnel as part of a formal delegation by a registered nurse.
- b. The [program administrator] [principal], in consultation with the school nurse, will designate ESD personnel authorized to administer prescription or nonprescription medication to a student which takes into account when the student is in school, at an ESD-sponsored activity, under the supervision of ESD personnel, or in transit to or from school-or ESD-sponsored activities, and may include when a student is in a before-school or after-school care program on school-owned property when required by law. The [program administrator] [principal] will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules, policy and this administrative regulation.
- c. The ESD will provide staff who are designated personnel to administer prescription or nonprescription medication access to a school nurse.
- d. The [program administrator] [principal] will ensure the annual training required by Oregon law is provided to designated ESD personnel. Training must be conducted by a qualified trainer, which is a person who is familiar with the delivery of health services in a school setting and who is either a registered nurse licensed by the Oregon State Board of Nursing or a prescriber. ESD personnel designated to administer epinephrine, glucagon, and medication to treat adrenal insufficiency shall be trained using related training developed by the Oregon Health Authority (OHA). The first training and every third training thereafter shall be provided in-person³.

² A registered nurse who is employed by an ESD or local public health authority to provide nursing services at the ESD or a district may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the district for not more than 90 days.

³ An online training may qualify as "in-person" when these measures are met: content is provided via synchronous, interactive online sessions with a trainer and learners visible on screen; trainers must be licensed and work within their scope of practice;

- P e. During subsequent years, designated ESD personnel may complete an online training so long as a trainer is available following the training to answer questions and provide clarification. The training for ESD personnel will provide an overview of applicable provisions of Oregon law, administrative rules, ESD policy and administrative regulations and include, but not be limited to, discussion of the following: safe storage, administration, handling and disposing of medications; accessibility of medication during an emergency; record keeping; whether response to medication should be monitored by designated personnel and the role of designated personnel in such monitoring; emergency medical response procedures following administration of the medication; confidentiality of health information; and assessment of gained knowledge. Training as recommended and/or approved by ODE will be used.
- f. The ESD shall maintain documentation of ESD personnel's completion of training in accordance with OAR 166-400-0010.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained ESD personnel to any student or other individual on ESD premises who the person believes in good faith is experiencing a severe allergic response, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Short-Acting Opioid Antagonists

[⁴] A short-acting opioid antagonist may be administered by any ESD personnel⁵ to any student or other individual, on school premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an overdose of an opioid drug.

The [program administrator] [principal] [or [school] [ESD] nurse] shall immediately notify the parent or guardian of a minor student enrolled in a school operated by the ESD when a short-acting opioid antagonist is administered to the student while at school, on school property under the jurisdiction of the ESD or at any activity under the jurisdiction of the ESD.]

The ESD shall provide to the parent or legal guardian of each minor student enrolled in a school in the ESD information regarding short-acting opioid antagonists. The information will include at least:

- a. A description of short-acting opioid antagonists and their purpose;
- b. A statement regarding, in an emergency situation, the risks of administering to an individual a short-acting opioid antagonist and the risks of not administering to an individual a short-acting opioid antagonist;
- c. A statement identifying which schools in the ESD, if any, have short-acting opioid antagonists, and the necessary medical supplies to administer short-acting opioid antagonists, onsite and available for emergency situations; and

and include in-person, skills demonstration for training developed by the Oregon Health Authority for epinephrine, glucagon, and for medication to treat adrenal insufficiency.

⁴ {If the ESD plans to provide for, and administer a short-acting opioid antagonist, this bracketed language is highly recommended. If the ESD does not intend to provide and/or administer this medication, there is no requirement to include this language.}

⁵ Including ESD personnel who have not received medication administration training.

- d. A statement that a representative of the ESD may administer a short-acting opioid antagonist to a student in an emergency if the student appears to be unconscious and experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at an ESD-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and/or in transit to or from a school or an ESD-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the [program administrator] [principal] of the school the student attends will designate one or more ESD personnel to receive training and be responsible for administering the medication to treat adrenal insufficiency to a student in the event the student exhibits symptoms the ESD personnel believe in good faith indicate the student is experiencing symptoms of adrenal crisis;
- b. The designated personnel will successfully complete required training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis;
- c. The student's parent or guardian must provide adequate supply of the student's prescribed medication to the ESD;
- d. The ESD will develop an individualized health care plan for the student;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available ESD staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the ESD and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and
 - (vii) Signature of the prescriber.

P

The prescription medication is provided in the original prescription packaging by the student’s parent or guardian. The prescription label prepared by a pharmacist at the direction of the prescriber, will be sufficient to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:

R

- (a) The nonprescription medication is necessary for the student to remain in school;
- (b) The nonprescription medication is:
 - (i) Provided in the original manufacturer’s container by the student’s parent or guardian; or
 - (ii) Is part of the ESD’s stock medication program in compliance with the Oregon Board of Pharmacy rules including OAR 855-035-0005.
- (c) The written instruction and permission from the student’s parent or guardian for the administration of the nonprescription medication⁶ includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student’s parent or guardian.

If the written instruction is not consistent with the manufacturer’s guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student’s prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.

D

⁶ For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 6.a.(2)(d).

P

- b. The [program administrator] [principal] or designee will require an individualized health care plan or allergy plan be developed for every student with a need to manage asthma or a known life-threatening allergy. A plan will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic responses, and include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity;
- c. A student being administered a medication may be monitored by designated personnel to monitor the student's response to the medication;
- d. A determination will be made by the ESD on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- e. It is the student's parent or guardian's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- f. It is the student's parent or guardian's responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- g. In the event a student refuses medication, the parent or guardian will be notified immediately. No attempt will be made to administer medication to a student who refuses a medication;
- h. Any error in administration of a medication will be reported to the parent or guardian immediately and documented on a medication administration record. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- i. Medication shall not be administered until the necessary permission form and written instructions have been submitted and received as required by the ESD.

7. Administration of Medication by a Student to Themselves

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer prescription or nonprescription medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) The written permission from a parent or guardian and other documentation requested by the ESD must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in an ESD setting.

P

- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication⁷ and must have:
 - (a) The written permission of the student's parent or guardian;
 - (b) The student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.

- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student's parent or guardian; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school, at an ESD-sponsored activity, under the supervision of ESD personnel, or in transit to or from school or ESD-sponsored activities;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.

- b. A determination will be made by the ESD on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- c. A student may have in their possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- d. The sharing and/or borrowing by a student of any medication with another student is strictly prohibited⁸;
- e. The ESD personnel will request backup medication, when the medication is to treat a student's asthma or severe allergy emergency, from the student's parent or guardian. Backup medication, if provided by a student's parent or guardian, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the ESD;
- g. The permission for a student to administer medication to themselves may be revoked if the student does not responsibly self-administer the medication or abuses the use of the medication as determined by ESD personnel;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate for violations of these procedures;

⁷ For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 7.a.(3).

⁸ [Except for short-acting opioid antagonists.]

- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication[.] [;]
- j. [The ESD allows the application of and use by students of nonprescription sunscreen, including sunscreen that contains para-aminobenzoic acid, without any required documentation from a licensed health care professional per ORS 339.874.]

8. Handling, Monitoring and Safe Storage of Medication Supplies for Administration of Medication

- a. Any medication must be delivered to the school in its original manufacturer's or current prescription container, accompanied by the permission form and written instructions, as required above.
- b. Prescription medication must always be the most current prescription and kept in the original, labeled container.
- c. Nonprescription medication must be kept in original manufacturer's bottle or box.
- d. [Never administer medication sent to school in unlabeled containers.]
- e. [Never repackage medication into a plastic bag or other container for any reason.]
- f. [Medication in any form categorized as a sedative, stimulant, anti-convulsive, narcotic analgesic or psychotropic medication will be counted or measured by designated personnel or parent or guardian in the presence of another ESD employee upon receipt [and initialed by the two individuals who counted or witnessed the procedure], documented in the student's medication administration record (MAR) and routinely monitored during storage and administration. Any discrepancies will be reported to the [school nurse] [ESD nurse] or [program administrator] [principal] immediately and documented in the student's MAR. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.]
- g. Designated personnel will follow the written instructions of the prescriber and the student's parent or guardian, and training guidelines as may be recommended by ODE for administering all forms of prescription and/or nonprescription medications.
- h. [Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box in a secure area;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator or in a separate refrigerator used solely for the storage of medication in a secure area;
 - (3) Access to medication storage keys will be limited to the [program administrator] [principal] and designated personnel.]
- i. [Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.]
- j. When medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian immediately.

9. Emergency Response

- a. Designated personnel will immediately call 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects and allergic reactions, including the administration of epinephrine. The parent or guardian[, [[school] [ESD] nurse] and [program administrator] [principal] will be notified immediately.

- b. Adverse reactions which result from ESD-administered medication or from student self-medication will be reported to the parent or guardian immediately.
- c. Any available ESD staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.
- d. Any available staff will immediately call 911 when a short-acting opioid antagonist is administered to any student or other individual on ESD premises.

10. Disposal of Medications

- a. [Medication not picked up by the student's parent or guardian, at the end of the school year or within [five] school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in the presence of another school employee. The medication may be disposed through a designated drug take-back collection program or in a nonrecoverable fashion as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Mix with an undesirable substance, e.g., coffee grounds, used cat litter;
 - (3) Place in a plastic bag or other sealable container, e.g., such as an empty plastic container; and
 - (4) Place the sealed container with the mixture in the trash as close to garbage pickup time as possible, to prevent theft and misuse.]
- b. [Prescriptions will never be flushed down the toilet or drain or burnt with other waste.]
- c. [Sharps and glass will be disposed of in accordance with state guidelines.]
- d. [All medication will be disposed of by designated personnel following DEQ guidelines and documented on the student's MAR as described below.]

11. Transcribing, Recording and Record Keeping

- a. A medication administration record (MAR) will be maintained for each student administered medication by the ESD. [The MAR will be in paper⁹ or electronic form and will include, but not be limited to:
 - (1) The full name of the student, date of birth, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to medication;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.]
- b. A MAR for medication administered as part of an IEP goal should be maintained in the IEP record at the end of each school year.

⁹ If a paper record is kept, the record will be documented in blue or black ink, and never in pencil or with use of white-out.

- c. All records relating to administration of medications, including permissions and written instructions, will be maintained. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- d. All records relating to the training of designated ESD personnel will be maintained by the ESD in accordance with applicable provisions of OAR 166-400-0010.
- e. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with school personnel with a legitimate educational interest in the student or others authorized by the parent or guardian in writing or others as allowed under state and federal law.

[Non-liability Provisions for Administration of Prescription and Nonprescription Medications and Short-Acting Opioid Antagonists

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of nonprescription medication, if the school administrator, teacher or other school employee in good faith administers nonprescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription medication, if the school administrator, teacher or other school employee in compliance with the instructions of a physician, physician assistant, nurse practitioner, naturopathic physician or clinical nurse specialist, in good faith administers prescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A person may not maintain an action for injury, death or loss that results from acts or omissions of a school administrator, teacher or other school employee during the administration of a short-acting opioid antagonist unless it is alleged and proved by the complaining party that the school administrator, teacher or other school employee was grossly negligent in administering the short-acting opioid antagonist unless other conditions exist and which are outlined in Oregon law in ORS 339.870.

The civil and criminal immunities provided for above do not apply to an act or omission accounting to gross negligence or willful and wanton misconduct.

Non-Liability Provisions for Self-Administration and Autoinjectable Epinephrine

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in ORS 339.866, if the school administrator, school nurse, teacher or other school employee, in compliance with the instructions of the student's Oregon licensed health care professional, in good faith assists the student's self-administration of the medication, if the medication is available to the student pursuant to written permission and instructions of the student's parent, guardian or Oregon licensed health care professional.

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the use of medication if the school administrator, school nurse, teacher or other school employee in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-

administer the medication regardless of whether the student or individual has a prescription for epinephrine.

The ESD and the members of an ESD Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine; and the person administered the autoinjectable epinephrine on school premises, including at a school, on school property under the jurisdiction of the ESD or at an activity under the jurisdiction of the ESD.

The civil and criminal immunities described above (which are identified in ORS 339.871) do not apply to an act or omission to gross negligence or willful and wanton misconduct.]

O
P
O
S
E
D

Lane Education Service District

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

Student Safety

The Board directs the development and approval of a comprehensive safety program. The plan is designed to assure every student a safe, healthy environment in which to learn. The plan will comply with federal, state and local laws and regulations and with Board policy.

Lane ESD safety committee will ensure that general safety regulations are reviewed with staff and students, as appropriate, to assure student safety.

Safety instruction will assist students to:

1. Learn how to work, play and exercise safely, and to prevent accidents;
2. Learn proper procedures to reduce the possibility of accidents;
3. Develop habits of good cleanliness, proper storage and proper handling of materials;
4. Become familiar with personal protective equipment and the proper clothing to be worn for safety purposes;
5. Develop skills in the safe use of tools and equipment;
6. Learn how to cooperate with others in the promotion and operation of a safety program in the ESD;
7. Respond to emergency situations in all settings.

Safety instruction will precede the use of materials and equipment by students in applicable units of work in the courses listed above. Instructors will teach and enforce all safety rules set up for these particular courses. Rules will include, but not be limited to, wearing personal protective equipment in appropriate activities.

Students will be asked to sign off upon completion of reading safety policies and materials and upon the completion of safety instruction, when applicable.

A student will report any accident sustained by themselves while on ESD property to an ESD staff member. ALL accidents will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

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

END OF POLICY

Legal Reference(s):

[ORS 329.095](#)

[OAR 581-022-2225](#)

Lane Education Service District

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

Supervision of Students

All students in Lane ESD programs will be under assigned adult supervision when they are in school, traveling under ESD auspices or engaging in ESD-sponsored activities. Staff may not always be in the same location as the students they supervise, such as students at work sites or students learning to ride a public bus. ESD personnel assigned responsibility for supervision of these activities are expected to act as prudent adults in providing for the safety of students in their charge.

No teacher or other staff member will leave their assigned group unsupervised except in an emergency situation when other arrangements have been made.

During school hours, or while engaging in ESD-sponsored activities, students will be released only into the custody of parents, guardians, persons in a parental relationship or other persons designated by the parents, guardians or persons in a parental relationship.

Parents will be notified of the established hours during the day when supervision will be provided. There is no ESD responsibility for the supervision of students before and after these hours.

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

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)

[ORS 332.107](#)

Lane Education Service District

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

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

(See JFCF-AR)

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

Definitions

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

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

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

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

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

Retaliation/False Charges

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

Complaint Procedures

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

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

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

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

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

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

D Step 2 The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

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

Step 3 If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within 10 working days.

Step 4 If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

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

Lane Education Service District

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



Cyberbullying **Proposed Delete**

(Cyberbullying is included in policy JFCF)

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

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

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

END OF POLICY

Legal Reference(s):

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

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



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



Lane Education Service District

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

Tobacco-Free Environment – **Proposed Delete**

(See policy JFCG/JFCH/JFCI)

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

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

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

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

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 336.222](#)
[ORS 336.227](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 433.835 - 433.990](#)

[OAR 581-021-0050 to -0075](#)
[OAR 581-021-0110](#)
[OAR 581-022-0413](#)
[OAR 581-053-0015](#)
[OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)
[OAR 581-053-0550\(5\)\(q\)-\(s\)](#)

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

Lane Education Service District

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

Students of Legal Age – **Proposed Delete**

(Do not need a policy for this.)

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

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

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

END OF POLICY

Legal Reference(s):

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

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

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

Lane Education Service District

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

Detention of Students **Proposed Delete**

(Does the ESD need this policy?)

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

Lane Education Service District

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

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

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

The ESD shall provide:

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

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

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

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

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

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

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

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

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

In accordance with the requirements of federal law, the ESD recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination² or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

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

END OF POLICY

Legal Reference(s):

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

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

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

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

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

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

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

Lane Education Service District

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

Communicable Disease – Students **Proposed Delete**

(See policy GBEB and its AR)

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

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

Lane Education Service District

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

Communicable Diseases – Student **Proposed Delete**

(See policy GBEB and its AR)

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

1. “Restrictable diseases” are defined by rule and include but are not limited to chickenpox, diphtheria, hepatitis A, measles, mumps, pertussis, rubella, Salmonella enterica serotype Typhi infection, scabies, Shiga-toxigenic Escherichia coli (STEC) infection, shigellosis and tuberculosis disease, and may include a communicable stage of hepatitis B infection if, in the opinion of the local health officer, the person poses an unusually high risk to others (e.g., a child that exhibits uncontrollable biting or spitting). Restrictable disease also includes any other communicable disease identified in an order issued by the Oregon Health Authority or the local public health officer as posing a danger to the public’s health. A disease is considered to be a restrictable disease if it is listed in Oregon Administrative Rule (OAR) 333-019-0010, or it has been designated to be a restrictable disease by Board policy¹ or by the local health administrator, after determining that it presents a significant public health risk in the school setting.
2. ”Susceptible” means being at risk of contracting a restrictable disease by virtue of being in one or more categories described in law.
3. “Reportable diseases” means a human reportable disease, infection, microorganism or condition as specified in OAR Chapter 333, Division 18.

Restrictable Diseases

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

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

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

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

Reportable Diseases Notification

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

Education

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

Equipment and Training

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

Lane Education Service District

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

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

The ESD will adhere strictly in policies and procedures to the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS¹.

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

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

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

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

Lane Education Service District

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

HIV/Bloodborne Pathogens **Proposed Delete**

(See EBBAA)

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

D
E

L

E

T

E

Lane Education Service District

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

Bloodborne Pathogen Exposure Control Plan **Proposed Delete**

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

(See EBBAA)

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

“HBV”: Hepatitis B Virus.

“HIV”: Human Immunodeficiency Virus.

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

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

Other Potentially Infectious Materials:

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

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

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

“Regulated Waste”: Liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

“Source Individual”: Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to:

- Hospital and clinic patients;
- Clients in institutions for the developmentally disabled;
- Trauma victims;
- Clients of drug and alcohol treatment facilities;
- Residents of hospices and nursing homes;
- Human remains;
- Individuals who donate or sell blood or blood components.

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

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

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

**D
E
L
E
T
E**

**BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN
LANE EDUCATION SERVICE DISTRICT (LANE ESD)**

In accordance with OR-OSHA Bloodborne Pathogens Standard, OAR 437-002-0360 to -0375 the following Exposure Control Plan has been developed:

1. Purpose

The purpose of this Exposure Control Plan is to:

- a. Eliminate or minimize employee occupational exposure to blood or certain other body fluids;
- b. Comply with the OR-OSHA Bloodborne Pathogens Standard, OAR 437-002-0360 to -0375.

2. Exposure Determination

OR-OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials or high risk occupations. Lane ESD does not have any occupations that are in a high-risk category.

However, when a contact has been made with infectious materials, fluids or persons with Hepatitis B, Lane ESD will make available, at no cost to the employee, any necessary, confidential medical evaluation and follow-up as required by OSHA. Also, Lane ESD will provide training in prevention of exposure to infectious situations and how to dispose of contaminated waste.

In addition, OR-OSHA requires a listing of job classifications in which some employees may have occupational exposure. Not all the employees in these categories would be expected to incur exposure to blood or other potentially infectious materials. Job classifications and tasks or procedures that would cause these employees to have occupational exposure are listed as follows:

JOB CLASSIFICATION	TASK/PROCEDURE
Directors and Supervisors	Program Dependent
Custodian(s) working at ESD	General facility cleaning
Teachers/Educational assistants for Lane School, Skipworth and the MSMR Program staff as well as support personnel, such as speech and language therapists and adaptive PE teacher	Changing menstrual pads Tooth brushing Emesis clean-up Cleaning nose/mouth secretions General health care Blood glucose monitoring
Persons who may provide first aid to students/staff	First aid for injuries

3. Implementation Schedule and Methodology

OR-OSHA requires that this plan include a schedule and method of implementation for the various requirements of the standard. The following complies with this requirement.

4. Compliance Method

Standard precautions will be observed at Lane ESD in order to prevent contact with blood or other potentially infectious materials.

Engineering controls and work practices will be utilized to eliminate or minimize exposure to employees at Lane ESD. Injured parties will be encouraged to care for themselves when feasible. Where occupational exposure remains after institution of these controls, personal protective equipment will also be utilized. At Lane ESD, the following engineering controls and work practices will be utilized:

- a. Leak-proof containers lined with a red plastic bag for disposal of bloody waste;
- b. Sharps containers for needle, blade and lancet disposal;
- c. Students will cleanse their own bloody wounds when possible, using gauze, soap and water;
- d. Pressure will be applied using gauze and gloved hands when the student needs assistance.

The above controls will be examined and maintained on a regular schedule. The schedule for reviewing the effectiveness of the controls is as follows:

- a. On a daily basis as needed, the custodian will remove the red plastic bag, clean and decontaminate the container as necessary. A new red plastic bag will be put in place;
- b. A custodian will take filled sharps containers to Lane County Health Department for proper disposal;
- c. Hand washing facilities will be made available to employees who incur exposure to blood or other potentially infectious materials. OR-OSHA requires that these facilities be readily accessible after incurring exposure. (If hand washing facilities are not feasible, Lane ESD will provide antiseptic towelettes or an antiseptic cleanser and paper towels. The hands are to be washed with soap and running water as soon as possible. Playground aides will be provided with packets which will contain latex gloves, paper towels, antiseptic towelettes, gauze pads and a plastic sack for waste materials.);
- d. Supervisors will ensure that after the removal of gloves, employees will wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water;
- e. Supervisors will ensure that employees who incur exposure to their skin or mucous membranes will wash or flush exposed areas with water as soon as feasible following the contact;
- f. The use of disposable gloves is necessary for care givers who give first aid when body fluids are present (cleaning cuts and scrapes, helping with a bloody nose, examining secreting rashes). When applicable, those care givers who handle diapers or student's clothing soiled by feces or urine must take similar precautions and wear protective clothing (a vinyl apron, for example) if contamination is anticipated;
- g. If unanticipated contact with body fluids occurs, hands and all other affected skin areas must be washed thoroughly with soap and running water as soon as possible. Effective hand washing requires the use of soap and vigorous washing under a stream of running water for at least 30 seconds. Use paper towels to dry hands well and to turn off hand-operated faucet;
- h. Any articles used to clean body fluid spills must be handled with gloved hands and disposed of in a plastic bag or a receptacle labeled with a biohazard sign. If an absorbent agent is used, sweepings must be disposed of in a similar manner. Brooms and dust pans must be cleaned with a disinfectant;
- i. Freshly mixed household bleach in a 1:10 solution (one part bleach to nine parts cool water) is recommended for sanitizing. Bleach solution should be made fresh every 24 hours in order to be effective. A tightly sealed bottle marked with a line for one part bleach and another line for nine parts water can be kept handy. The fresh solution can be stored out of direct light. The bottle must be clearly labeled;

- j. Wash contaminated surfaces with soap and water to remove all visible contamination. The surface to be sanitized must be visibly clean and free of all soap residue. Do not mix bleach with soap or detergent, as any organic material will inactivate the active ingredient. The contaminated surface must be in contact with bleach solution for at least 10 minutes.

5. Needles

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

6. Work Area Restriction

Employees are not to eat, drink, apply cosmetics or lip balm, smoke or handle contact lenses in the health room. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets or on counter tops or bench tops where blood or other potentially infectious materials are present. Hands must be washed before and after assisting with first aid, before and after meals and after toileting.

All procedures will be conducted in a manner which will minimize splashing, spraying, splattering and generation of droplets of blood or other potentially infectious materials. Methods employed to accomplish this goal are:

- a. The custodian will be called when body fluids need to be cleaned up;
- b. Employees involved in activities which might cause splattering of infectious materials will wear gloves and/or vinyl aprons as necessary.

7. Contaminated Equipment

The custodian is responsible for ensuring that equipment which has become contaminated with blood or other potentially infectious materials will be examined and decontaminated as necessary as soon as possible.

8. Personal Protective Equipment (PPE)

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

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

- b. PPE Use (Personal Protective Equipment): Supervisors will ensure that the employee uses appropriate PPE unless it is shown that the employee temporarily and briefly declined to use PPE when under rare and extraordinary circumstances it was the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstances will be investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future.
- c. PPE Accessibility: Supervisors will ensure that appropriate PPE in the appropriate sizes is readily accessible at the work site or is issued without cost to employees. Hypoallergenic

gloves, glove liners, powderless gloves or other similar alternatives will be readily accessible to those employees who are allergic to the gloves normally provided.

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

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

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

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

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

- g. Additional Protection: The need for additional protective clothing is not anticipated in the normal course of school activities. (Vinyl aprons are to be made available for staff when appropriate.)

9. Housekeeping

All bins, pails, cans and similar receptacles will be inspected and decontaminated on a regularly scheduled basis once a month by the custodian and cleaned and decontaminated immediately or as soon as feasible upon visible contamination.

Decontamination will be accomplished by utilizing the following materials:

- a. Blood or body fluid spills: A Quaternary disinfectant or a freshly made 1:10 bleach solution (one part bleach and nine parts cool water);
- b. Counters and sink: A Quaternary disinfectant or bleach solution;
- c. Broken glassware: Not to be picked up directly with the hands.

10. Regulated Waste Disposal

Gauze and other first-aid products used to cleanse bloody wounds in the health room will be placed in a plastic bag-lined waste can. The bag will be securely tied and disposed of daily. The state of Oregon does not require special disposal practices for this type of waste.

11. Laundry Procedures

Laundry contaminated with blood or other potentially infectious materials generated in school or at a work site will be handled using standard precautions. Such laundry will be placed in a plastic bag and sent home with the owner, if possible, to be handled according to standard precautions.

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

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

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

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

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

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

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

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

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

All employees who decline the Hepatitis B vaccination offered will sign the OR-OSHA required declination statement indicating their refusal. (See Hepatitis B Declination Statement form, page 11-19). If the employee refuses to sign the declination statement, the supervisor will make a notation on the form and sign as a witness to the employee's refusal.

If a routine booster dose of Hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster doses will be made available.

- c. Post-Exposure Evaluation and Follow-Up: All exposure incidents will be reported, investigated and documented. When the employee incurs an exposure incident, it will be reported to the immediate supervisor and an incident report will be completed immediately, conjointly with a health professional.

Following a report of an exposure incident, the exposed employee will immediately receive a confidential medical evaluation and follow-up, including at least the following elements:

D

- (1) Documentation of the route of exposure and the circumstances under which the exposure incident occurred;
- (2) Identification and documentation of the source individual, unless it can be established that identification is not feasible or prohibited by state or local law;
- (3) The source individual's blood will be tested as soon as possible and after consent is obtained in order to determine HBV and HIV infectivity. Laboratory tests requested by Lane ESD will be paid for by the ESD. If consent is not obtained, the human resources manager will establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, will be tested and the results documented;
- (4) When the source individual is already known to be infected with HBV or HIV, status need not be repeated;
- (5) Results of the source individual's testing will be made available to the exposed employee and the employee will be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual;
- (6) The exposed employee's blood will be collected and tested for HBV and HIV status as soon as possible after exposure and consent is obtained. The employee will have the option of having the blood sample preserved for up to 90 days to allow the employee time to consider the ramifications of testing. Any employee who wants to participate in the medical evaluation program must agree to have blood drawn.

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

- d. Information Provided to the Health Care Professional: The human resources administrator will ensure that the physician responsible for the employee's Hepatitis B (HBV) vaccination is provided with the following:
 - (1) A copy of OAR 437-002-0360 with confidentiality being emphasized;
 - (2) A written description of the exposed employee's duties as they related to the exposure incident;
 - (3) Written documentation of the route of exposure and circumstances under which exposure occurred;
 - (4) Results of the source individual's blood testing, if available;
 - (5) All medical records relevant to the appropriate treatment of the employee including HBV vaccination status, the staff member's current emergency information record and the most recent medical occurrences.
- e. Health Care Professional's Written Opinion: The human resources administrator will obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation. The information in the report will be confidential. The health care professional's written opinion for post-exposure follow-up will be limited to the following information:
 - (1) A statement that the employee has been informed of the results of the evaluation;
 - (2) A statement that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment;
 - (3) Whether the Hepatitis B vaccination is recommended;
 - (4) Whether the employee has received the Hepatitis B vaccination.

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

13. Labels and Signs

Lane ESD will not ordinarily produce regulated waste products. Plastic or biohazard labeled waste containers that are leakproof, with lids, will be used to collect absorbent gauze pads, disposable gloves and contaminated paper. These plastic bags will be removed when filled, tied in a knot at the top and disposed of.

14. Information and Training

In accordance with applicable regulations, the human resources administrator will ensure that training is provided at the time of initial assignment to tasks potentially involving occupational exposure. Review will be provided annually for all returning employees. Additional training will be provided to employees when there are any changes of tasks or procedures affecting the employee's occupational exposure. Training and review will be tailored to the employee's education and language level and will be offered during regular work hours at no cost to the employee. The training will be interactive and will cover the following:

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

The person conducting the training will be knowledgeable in the subject matter.

15. Record Keeping

- a. Medical Records: Medical records will be maintained by the human resources department in accordance with OAR 437-002-0015 in a locked file cabinet in the human resources office area. These records will be kept confidential and must be maintained for at least the duration of employment plus 30 years. (Long-term storage will be in the human resources office.) The records will include the following:
 - (1) The name and social security number of employee;
 - (2) A copy of the employee's HBV vaccination status including the dates of vaccination and any medical records related to the employee's ability to receive vaccination;
 - (3) A copy of all results of examinations, medical testing and follow-up procedures;

- (4) A copy of the health care professional's written opinion - whether Hepatitis B vaccination is indicated and if the employee has received such vaccination;
- (5) A copy of the information provided to the health care professional including a description of the employee's duties as they related to the exposure incident and documentation of the routes of exposure and circumstances of the exposure.

D b. Training Records: The human resources administrator is responsible for maintaining the training records. These records will be kept in the human resources office. Training records will be maintained for three years from the date of the training. The records will document the following:

- (1) The dates of the training session;
- (2) An outline describing the material presented;
- (3) The names and qualifications of persons conducting the training;
- (4) The names and job titles of all persons attending the training session.

c. Availability: All employee records will be made available to the employee in accordance with OAR 437-002-0015. All employee records will be made available to the Assistant Secretary of Labor for the Occupational Safety and Health Administration and the Director of the National Institute for Occupational Safety and Health upon request.

d. Transfer of Records: If this facility is closed or there is no successor employer to receive and retain the records for the prescribed period, the director of the NIOSH will be contacted for final disposition.

16. Evaluation and Review

The safety committee is responsible for reviewing this program, its effectiveness and for updating this program as needed on an annual basis.

17. Dates

All provisions required by this standard will be implemented by June 1, 1993.

18. Consents and Waivers

If employees, source individuals or parents of source individuals refuse to sign any form requested, a Lane ESD employee will make a notation on the form that the individual refused to sign. The employee will then date and sign the form as a witness to this refusal.

19. Outside Contractors

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

**LANE EDUCATION SERVICE DISTRICT
HEPATITIS B DECLINATION STATEMENT**

The following statement of declination of Hepatitis B vaccination must be signed by an employee who chooses not to accept the vaccine. The statement can only be signed by the employee following appropriate training regarding Hepatitis B, Hepatitis B vaccination, the efficacy, safety, method of administration and benefits of vaccination, and that the vaccine and vaccination are provided free of charge to the employee. The statement is not a waiver; employees can request and receive the Hepatitis B vaccination at a later date if they remain occupationally at risk for Hepatitis B.

DECLINATION STATEMENT

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B Virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to me; however, I decline Hepatitis B vaccination at this time. I understand that by declining the vaccine I continue to be at risk of acquiring Hepatitis B, a serious disease. If, in the future, I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Print Employee's Name _____ Employee's Social Security Number _____

Employee's Signature _____ Date _____

E
T
E

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

Date: _____ Time: _____ Reported by: _____

Description of incident (include route(s) and circumstances of exposure): _____

Person: _____ Title: _____ Date: _____

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

**LANE EDUCATION SERVICE DISTRICT
HEPATITIS B VACCINATION RECORD**

D Employee's Name: _____ School/Facility: _____

Job Classification: _____ Social Security #: _____

<u>Series</u>	<u>Date</u>	<u>Administered By</u>	<u>Lot #</u>
#1			
#2			
#3			
#4			
#5			

ANTIBODY/LAB TEST RESULTS

Indicate any Hepatitis B lab results and dates done:

L
HBsAg + _____

Date: _____

E
HBsAg - _____

Date: _____

HBsAg + _____

Date: _____

T
HBsAg - _____

Date: _____

HBsAg + _____

Date: _____

E
HBsAg - _____

Date: _____

**LANE EDUCATION SERVICE DISTRICT
SOURCE INDIVIDUAL HISTORY AND CONSENT**

I hereby authorize an exchange of information to occur between the agencies/physicians listed below. I am aware that I, or my child, have been identified as a source individual where an employee may have been exposed to blood or other potentially infectious body fluids.

1. Lane Education Service District
1200 Highway 99 North
PO Box 2680
Eugene OR 97402
2. Employee's Medical Practitioner:

Name: _____
Phone: _____ Address: _____

3. Student's Medical Practitioner:

Name: _____
Phone: _____ Address: _____

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

Name: _____
Phone: _____ School: _____
Other Names Used: _____

Signature of Parent or Guardian

Date

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

Results of:

HBsAg: _____ Date: _____
HIV: _____ Date: _____

M.D. Signature

Date

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

D

1200 Highway 99 North
PO Box 2680
Eugene OR 97402

Source Individual Name: _____ DOB: _____

Parent/Guardian: _____ Phone: _____

Address: _____

Date Employee Exposed: _____ Date Parent/Guardian Notified: _____

School Health Official Signature Date

Please read, sign below and return to the human resources administrator at the address listed above.

I have been informed by _____ that I/my child have/has been identified as being a source individual in an employee exposure incident to blood or other potentially infectious body fluids.

I am aware of the risks to the employee and I have declined blood testing to be performed for Hepatitis B and HIV. I have been informed that if I had consented to this testing, this information would be released to the employee's medical provider and to Lane ESD's human resources administrator.

Signature Date

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

Date: **D** _____ Conducted By: _____

ATTENDEES

NAME

JOB TITLE

E

L

E

T

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

PHYSICIAN'S STATEMENT AND WRITTEN OPINION

Lane Education Service District

1200 Highway 99 North

PO Box 2680

Eugene OR 97402

Please complete the following information and return to the human resources administrator at the address listed above. OR-OSHA requires that the employer will obtain and provide the employee with a copy of this written opinion within 15 days of completion of this medical evaluation. Please note that the following records are accompanied with this form to assist in your medical evaluation:

- OR-OSHA regulation regarding post-exposure protocol;
- Bloodborne pathogen exposure report;
- Hepatitis B vaccination history/waiver;
- Source individual's medical information and release of confidential information.

Hepatitis B Prophylaxis

1. Is Hepatitis B vaccination indicated? YES NO
2. If so, was vaccination given? YES NO DATE GIVEN: _____
If yes, projected date for next dose: _____
3. Are there any medical contraindications? YES NO
If yes, please explain: _____
4. Was HBIG given? YES NO
If yes, date received: _____

Antibody Testing

1. Date blood drawn: _____
2. Baseline Hepatitis B result: _____
3. Baseline HIV completed: _____
(If employee does not give consent initially for HIV serologic testing, the sample must be preserved for at least 90 days. The employee may later elect to have the baseline done during this 90-day period.)

Post-Exposure Counseling and Follow-Up

Further recommendations: _____

I certify that the employee has been informed of the results of this medical evaluation, has been advised about any medical conditions resulting from exposure to blood or other potentially infectious materials and has been advised about any further evaluation or treatment.

Physician's Signature

Date

**LANE EDUCATION SERVICE DISTRICT
ACCIDENTAL BODY FLUID EXPOSURE LOG**

Facility Name: _____
Facility Address: _____
School Health Official: _____

Name of Exposed: _____ Student Staff DOB: _____
Source Individual, if known: _____
Reported By: _____ Title: _____
Date: _____ Time: _____
Description of Incident: _____

Was consultation with health care provider sought: YES NO
If so, name of health care provider: _____
Recommendation of health care provider: _____

Facility Name: _____
Facility Address: _____
School Health Official: _____

Name of Exposed: _____ Student Staff DOB: _____
Source Individual, if known: _____
Reported By: _____ Title: _____
Date: _____ Time: _____
Description of Incident: _____

Was consultation with health care provider sought: YES NO
If so, name of health care provider: _____
Recommendation of health care provider: _____

Lane Education Service District

Code: JHCCC/EBBAA/GBEBC
Adopted: 10/24/00
Revised/Readopted: 7/10/01
Orig. Code(s): JHCCC/EBBAA/GBEBC

Infection Control - HIV, AIDS, HBV **Proposed Delete**

(See EBBAA)

Lane ESD shall use standard precautions for infection control at all times. Each employee or student is therefore treated as though an HIV, AIDS or 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):

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

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

[OAR 581-053-0517 \(13\)\(c\)\(e\)](#)

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

Lane Education Service District

Code: JHCCD/GBEBD
Adopted: 6/28/94
Revised/Readopted: 7/10/01
Orig. Code(s): JHCCD/GBEBD

HIV, AIDS and HBV Rumor Control – Students **Proposed Delete**

Lane ESD shall use a two-pronged approach for rumor control related to HIV, AIDS and 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: JHCCE/KBCAA/GBEBE
Adopted: 6/28/94
Revised/Readopted: 7/10/01
Orig. Code(s): JHCCE/KBCAA/GBEBE

News/Media - HIV, AIDS or HBV** **Proposed Delete**

Lane ESD shall appoint an ESD spokesperson who shall develop news releases or conduct news conferences regarding rumored or identified HIV, AIDS or 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](#)

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

Lane Education Service District

Code: JHCCF
Adopted: 6/27/06
Orig. Code(s): JHCCF



Pediculosis (Head Lice) – **Proposed Delete**

(Version 1)

(Excludes students with live lice only. Allows attendance of students with nits.)

The Board recognizes that district programs should be conducted in a manner that protects and enhances student and employee health and is consistent with recognized health practices. Consequently, in order to prevent the spread of pediculosis (head lice) in the school setting, district staff shall institute guidelines for classrooms that will assist in the prevention and spread of head lice. Students with suspected cases of lice will be referred to the school nurse or building administrator for assessment. Students found with live lice will be excluded from school. Students excluded from school will be readmitted after assessment by designated personnel to confirm no lice are present. Students found with nits (lice eggs) only or returning after exclusion with the presence of nits only will not be excluded, but will be subject to periodic checks to confirm continuing absence of live lice.

Successful treatment of head lice requires a coordinated approach and may involve the use of antilouse products, combing and implementation of preventative measures recommended by health authorities. The district will provide parents of students found to have contracted head lice with treatment information. It is the district's intent to not only eliminate the current infestation, but also to prevent a repeat episode.

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

END OF POLICY



Legal Reference(s):

[ORS 433.255](#)

[ORS 433.260](#)

[OAR 437-002-0360](#)

[OAR 581-022-0705](#)



Lane Education Service District

Code: JHCCF-AR
Adopted: 05/23/06
Orig. Code(s): JHCCF-AR

D

Pediculosis (Head Lice) Delete

(Excludes students with live lice only. Allows attendance of students with nits.)

1. Suggested school measures for head lice control, as provided in “Health Services for the School Community” issued through the Oregon Department of Education will be followed;
2. Periodic student head lice checks are not recommended. Screening recommendations are as follows:
 - a. Criteria for screening an individual for lice are: persistent itching or scratching, known exposure to sibling or other close contact with head lice (e.g., seat mate in classroom, locker partners, overnight sleep activities, scouts, etc.), self (student or parent) referral;
 - b. Three nonrelated cases of head lice in a classroom within 10 consecutive school days requires that all children in the classroom be screened by the following school day;
 - c. If there is infestation among three percent of the entire student population within 10 consecutive school days, there should be a screening of all students in the school within one week. Multiple cases from a single household count as one case for purposes of calculating the percent of students infested.
3. As provided by OAR 333-019-0015, students found to have contracted head lice will be immediately excluded from school at the discretion of the local school or health district. The presence of nits (lice eggs) only is not considered excludable;
4. Treatment information, district policy requirements and readmittance provisions will be provided to the parent. Parents will be advised to:
 - a. Use a lice-killing agent which their health-care provider, school nurse or local health authority recommends on all family members who demonstrate symptoms of infestation;
 - b. Follow the personal and household cleaning instructions provided by the district, health-care provider or local health authority, as appropriate;
 - c. Remove all nits after treatment.
5. Following treatment the student will be readmitted to school;
6. Parents must either accompany their student to school for readmittance or provide a signed statement that treatment has been initiated;
7. The student will be subject to screening by designated personnel to determine the treatment’s effectiveness. The student will be readmitted to school or denied admittance, as appropriate. The absence of nits is not required for readmittance. In the event the student is not readmitted to school because of the continued presence of live lice, parents will be notified;
8. Students readmitted will be subject to follow-up screening by designated personnel;

9. In the event additional assistance and/or information is needed regarding the treatment of the student, other family members, close contacts and the home environment (bedding, linens, grooming equipment, etc.), parents should contact their local health department;
10. Students with chronic head lice may be referred for follow-up to the school's nurse or local health department, as appropriate;
11. Parents who identify head lice on their students at home are to complete treatment prior to the readmission of their student, as required above. Parents are also encouraged to notify the school of their student's condition so that appropriate preventative measures may be implemented at school.

E

L

E

T

E

Lane Education Service District

Code: JHCD/JHCDA
Adopted: 12/06/17
Revised/Readopted: 4/07/20
Orig. Code(s): JHCD/JHCDA

Medications** **Proposed Delete**

(Version 1)

(See new JHCD)

The ESD recognizes that administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the ESD may administer or a student may be permitted to administer to themselves a prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The ESD shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, personnel designated by the ESD may administer epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel. A current first-aid and CPR card is required for designated personnel.

The ESD reserves the right to reject a request for administration of medication at school, either by ESD personnel or student self-medication, if the medication is not necessary for the student to remain in school.

The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the ESD has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.

¹ Under proper notice given to the ESD by a student or student's parent or guardian.

A request to the ESD to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber².

A request to the ESD to administer or allow a student to self-administer nonprescription that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the ESD, the ESD may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established ESD administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a back-up prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

⁴Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by ESD employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other ESD employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration in good faith and pursuant to state law of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other ESD employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-

² A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

³ Subject to ORS 109.610, 109.640 and 109.675.

administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law assisted the student in self-administration of the medication.

A school administrator, school nurse, teacher or other ESD employee designated by the school administration is not liable in a criminal action or for civil damages as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug.

The ESD and the members of the ESD Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the ESD or at an activity under the jurisdiction of the ESD, administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug.

The superintendent shall develop administrative regulations as needed to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.610](#)
[ORS 109.640](#)
[ORS 109.675](#)
[ORS 334.125\(7\)](#)
[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)
[ORS 475.005 - 475.285](#)

[OAR 166-400-0010\(17\)](#)
[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 - 055-0115](#)
[OAR 581-021-0037](#)
[OAR 581-022-2220](#)
[OAR 851-047-0030](#)
[OAR 851-047-0040](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

Lane Education Service District

Code: JHCD/JHCDA-AR
Adopted: 5/24/95
Revised/Readopted: 7/10/01; 9/27/05; 6/22/10;
4/07/20; 10/26/10; 11/26/13;
2/24/15; 8/11/16; 11/07/17;
1/08/19
Orig. Code(s): JHCD/JHCDA-AR

Medications** **Proposed Delete**

(Version 1)

(See new JHCD-AR)

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

1. Definitions

- a. “Medication” means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies.
- b. “Prescription medication” means any medication that under federal or state law requires a prescription by a prescriber.
- c. “Nonprescription medication” means medication that under federal law does not require a prescription from a prescriber.
- d. “Adrenal crisis” means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. “Adrenal insufficiency” means adrenal insufficiency as defined in ORS 433.800.
- f. “Notice of a diagnosis of adrenal insufficiency” means written notice to the ESD from a student or the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. “Prescriber¹” means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a

¹ A registered nurse who is employed by a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.

- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to ESD policy and procedure.

2. Designated Staff/Training

- a. The principal will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at an ESD-sponsored activity, under the supervision of ESD personnel, in a before-school or after-school care program on ESD-owned property and in transit to and from school or an ESD-sponsored activity, as required by Oregon law. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The principal will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, ESD policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by ODE will be used.
- d. A copy of the ESD’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on ESD-owned premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health authority;
- c. The student or the student's parent or guardian must provide adequate supply of the student's prescribed medication to the ESD;
- d. The superintendent will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

5. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the ESD and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at an ESD-sponsored activity, while under the supervision of ESD personnel and in transit to or from school or an ESD-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and
 - (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
 - (a) The nonprescription medication is necessary for the student to remain in school;

D

- (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
- (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instruction, if any; and
 - (vii) Signature of the student's parent or guardian.

E

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.

- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;

- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent, and documentation made on the ESD's Accident/Incident Report form. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the ESD.

6. Administration of Medication by a Student to Themselves

- a. A student, including a student in grades K through 12 with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the ESD must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at an ESD-sponsored activity, while under the supervision of ESD personnel, in a before-school or after-school care program on ESD-owned property and in transit to or from school or an ESD-sponsored activity. The prescriber will include acknowledgment the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from a building administrator and a prescriber or a registered nurse practicing in a school setting.
 - (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
 - (b) The medication must have the student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.
 - (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student's prescriber that includes:

D

- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Dosage;
- (iv) Method of administration;
- (v) Frequency of administration;
- (vi) A statement that the medication must be administered while the student is in school;
- (vii) Other special instructions, if any; and
- (viii) Signature of the prescriber.

- b. The student may have in their possession only the amount of medication needed for that school day except for manufacture's packaging that contains multiple dosage, the student may carry one package, such as but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
- d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide back-up medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency.
- e. Upon written request from a parent or guardian, and with a prescriber's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom.
- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the ESD;
- g. Permission for a student to administer medication to themselves may be revoked if the student violates Board policy and/or this administrative regulations;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate;
- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.

7. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another school or ESD employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian, and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
- d. Medication will be secured as follows:

- (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box used solely for the storage of medication;
- (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
- (3) Access to medication storage keys will be limited to the principal and designated school personnel.

- e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

8. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from ESD-administered medication or from student self-medication or allergic reactions. The parent or guardian, school nurse and principal will be notified immediately.
- b. Minor adverse reactions that result from ESD-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available ESD staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

9. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
 - (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
 - (4) Placed in impermeable non-descript containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another school employee and documented as described in Section 10 below.

10. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the ESD. The medication log will include, but not be limited to:

D

- (1) The name of the student, name of medication, dosage method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
- (2) Student refusals of medication;
- (3) Errors in administration of medication;
- (4) Incidents of emergency and minor adverse reaction by a student to medication;
- (5) Discrepancies in medication supply;
- (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.

- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate, medical file apart from the student's education records file unless otherwise related to the student's educational placement and/or individualized education plan. Records will be retained in accordance with applicable provisions of OAR 166-400-0040(14) and OAR 166-400-0060(29)
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.

E

T

E

Lane Education Service District

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

Student Skateboard/Rollerblade/Scooter Use Proposed Delete**

(If the ESD does not have a student handbook, consider keeping)

Due to the inherent dangers both to participant and nonparticipant, combined with the potential liability assumption, the use of skateboards/rollerblades/scooters or similar devices on Lane ESD property is not allowed. Students will be informed they are not allowed to bring their skateboards/rollerblades/scooters to school and ESD programs. Skateboards/Rollerblades/Scooters will be confiscated by ESD authorities and placed in the ESD administrator's office for parents to retrieve.

END OF POLICY

Legal Reference(s):

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

[OAR 581-021-0050](#)



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

January 30, 2026

To: Lane ESD School Board Members

From: Morgan Christensen, Executive Director of Human Resources

Re: Upbeat Survey Report - Fall 2025

Summary

The Fall 2025 Upbeat Staff Survey shows a high level of engagement across Lane ESD, with 75% of employees participating. Survey results affirm the agency’s strong organizational foundation while identifying opportunities for continued growth in team functioning, communication, and workplace support. The Superintendent’s Cabinet and the District Equity Committee are reviewing findings with an equity lens to inform strategies that strengthen inclusion and belonging. Next steps include detailed review, integration into professional learning, and organizational planning.

Background

Lane ESD continues to prioritize the experience, wellbeing, and engagement of its employees as a foundation for delivering high-quality services to students, families, districts, and the broader community. In support of this commitment, the agency participates in the Upbeat Staff Survey through a regional partnership with the Western Regional Educator Network (WREN), which includes Lane, Linn, Benton, and Lincoln counties.

This partnership, spanning Fall 2025 through Spring 2027, provides Lane ESD with access to a nationally normed, research-based employee engagement and school climate survey designed specifically for K–12 education systems. The survey is administered agency-wide each fall and spring, offering a confidential and inclusive opportunity for staff to share their perspectives. All responses are anonymous, and the agency does not have access to individual-level data. The Upbeat Survey provides a structured framework to gather meaningful feedback, support reflection, and guide organizational improvement.

Survey Participation

The Fall 2025 survey achieved a participation rate of approximately 75%, particularly reflecting strong engagement. This high response rate provides a robust and reliable data set, demonstrating

staff willingness to contribute feedback on their experiences and the agency's workplace environment.

Results Review

The Superintendent's Cabinet and management leadership have received a high-level overview of the survey results, providing insight into overall trends and areas of focus. Supervisors have received aggregate department- and team-level data and are supported by Upbeat coaches as they review findings and engage staff in reflective conversations.

These conversations are designed to help teams recognize their strengths, identify areas for growth, and discuss practical strategies to enhance team functioning, communication, and workplace support. By encouraging open discussion and collaborative reflection, Lane ESD ensures survey results inform meaningful improvements across the organization.

Equity Considerations

Survey findings are being examined through an equity lens to support inclusive organizational practices. The District Equity Committee is reviewing aggregate data to understand staff experiences across roles, programs, and focus populations, including BIPOC staff, Special Education staff, and early-career employees.

This review will help identify patterns that inform strategies to strengthen equity, inclusion, and belonging, ensuring that all staff perspectives are considered in planning and organizational decision-making.

Research Context

Research on the Upbeat Survey demonstrates a clear link between staff engagement, retention, and improved student outcomes. By gathering employee feedback and examining results through both organizational and equity lenses, Lane ESD is able to better understand workplace dynamics, support effective teams, and provide high-quality, equitable services.

Next Steps

The Superintendent's Cabinet and the District Equity Committee plan to conduct a detailed review of the survey findings and develop recommendations for integrating insights into planning, professional learning, and organizational development efforts.

Lane Education Service District

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

[OAR 581-022-2205](#)

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

Lane Education Service District

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

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

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

Reporting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Definitions

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

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

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

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

Confidentiality of Records

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

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

Failure to Comply

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

Cooperation with Investigator

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

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

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

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

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

Lane Education Service District

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

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

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

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

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

Investigator Name (Printed)

Name of Agency

Name of Worker's/Investigator's Supervisor

Supervisor Contact Information

Investigator Position and Badge or ID Number

Student Name

School

Investigator Signature

Date

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

FOR COMPLETION BY ESD STAFF

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

Name of Administrator Notified

Name of Office Staff Involved

Name of Participating Administrator

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

Lane Education Service District

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[ORS 339.370 - 339.400](#)

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

Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).
House Bill 4160 (2024).

Lane Education Service District

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

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

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

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

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

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

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

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

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

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

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

⁵ TSPC investigates reports on commission licensees.

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

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

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

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

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

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

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

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

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

Training

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

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

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

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

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

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

Lane Education Service District

SUSPECTED SEXUAL CONDUCT REPORT FORM

Name of person making report: _____

Position of person making report: _____

Name of person suspected of sexual conduct: _____

Date and place of incident or incidents: _____

Description of suspected sexual conduct: _____

Name of witnesses (if any): _____

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

Any other information: _____

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

Signature: _____ Date: _____

Lane Education Service District

WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony/interview: _____

Description of instance witnessed: _____

Any other information: _____

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

Signature: _____ Date: _____

Lane Education Service District

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

Staff-Student Relations **Recommend Delete**

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

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

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

END OF POLICY

Legal Reference(s):

ORS 334.125

L

E

T

E

Lane Education Service District

Code: JN
Adopted:

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

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

Lane Education Service District

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

Education Records Management **Recommend Delete**

(See JO/IGBAB-AR)

1. Student Education Record

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

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

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

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

The permanent record shall also include the following:

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

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

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

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

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

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

4. Rights of Parents and Eligible Students

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6. Release of Personally Identifiable Information

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

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

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

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

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

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

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

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

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

e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:

- (1) Develop, validate or administer predictive tests;
- (2) Administer student aid programs; or
- (3) Improve instruction.

The ESD may disclose information under this section only if:

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

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

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

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

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

7. Record Keeping Requirements

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

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

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

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

8. Request for Amendment of Student's Education Record

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

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

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

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

9. Hearing Rights of Parents or Eligible Students

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

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

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

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

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

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

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

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

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

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

10. Transfer of Education Records

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

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

D

E

L

E

T

E

D

E

L

E

T

E

LANE EDUCATION SERVICE DISTRICT

REQUEST TO FORWARD STUDENT RECORDS

D

Student's Full Name: _____

Student's Date of Birth: _____

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

Parent's/Guardian's Full Name: _____

Parent's/Guardian's Current Address: _____

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

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

Parent's/Guardian's Signature: _____

Date: _____

T

E

**Lane Education Service District
Disclosure Statement**

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

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

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

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

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

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

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

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

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

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

Lane Education Service District

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

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

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

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

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

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

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

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

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

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

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

Lane Education Service District

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

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

1. Education Record

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

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

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

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

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

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

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

2. Confidentiality of Student Records

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

3. Rights of Parents and Eligible Students

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Release of Personally Identifiable Information

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6. Record-Keeping Requirements

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

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

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

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

7. Request for Amendment of Student's Education Record

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

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

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

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

8. Hearing Rights of Parents or Eligible Students

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

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

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

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

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

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

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

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

9. Duties and Responsibilities When Requesting Education Records

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

10. Duties and Responsibilities When Transferring Education Records

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

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

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

Disclosure Statement

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

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

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

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

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

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

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

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

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

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

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

Lane Education Service District

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

Directory Information** **Propose adopt**

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

1. Student’s name;
- ~~2.— Student’s electronic address;~~
- ~~3.2.— Student’s photograph;~~
- ~~4.— [Major field of study;]~~
- ~~5.3.— [Dates of attendance;]~~
- ~~6.— [Participation in officially recognized sports and activities;]~~
- ~~7.— [Weight and height of athletic team members;]~~
- ~~8.4.— [Grade level;]~~
- ~~9.— [Diploma, honors or awards received.]~~
- ~~10.— Most recent previous school or program attended.~~

Public Notice

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

Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal/ESD official by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student may not opt out of

directory information to prevent the ESD from disclosing or requiring a student to disclose their name or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the ESD in this policy.

Directory information shall be released only with administrative direction.

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

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

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

END OF POLICY

Legal Reference(s):

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

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

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

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

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7908 (2012).

Lane Education Service District

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

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

Child's Name: _____

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

Signature _____

Date _____

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

E

T

E

Lane Education Service District

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

Personally Identifiable Information** **Propose adopt**

Personally identifiable information includes, but is not limited to:

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

Prior Consent to Release

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

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

Exceptions to Prior Consent

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

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

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

END OF POLICY

Legal Reference(s):

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

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

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

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012).
 Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2012).
 Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221 (2012).

Lane Education Service District

Code: JOC
Adopted:

S

Legal Names of Students **Propose adopt**

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

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

END OF POLICY

A

Legal Reference(s):

[OAR 581-022-2270](#)

M

P

L

E

Lane Education Service District

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

Media Access to Students **Propose delete**

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

[OAR 581-022-2060](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

School Improvement Team | Board Report | 02-03-26

Curriculum Leaders January Meeting

The meeting featured representatives from two of our districts who shared their Portrait of a Graduate implementation, noting both the successes and the challenges of this multi-year process that has been funded through our SIA Comprehensive Support Plan. Alan Stearns, Assistant Principal in the Pleasant Hill School District, spoke about systems wide integration of POG, including connecting this work to the existing course outlines that were developed several years ago in collaboration with curriculum specialists on the SI team. Nate Robertson, 5th grade teacher in the Crow-Applegate-Lorane School District, talked about the impact of POG work at the elementary level, sharing the district's approach to student-led conferences this fall.

Link to full [agenda](#).

Launching County-Wide Multiple Tiered Systems of Support

We are in the early stages of a comprehensive MTSS support project that will ultimately improve student support systems K-12 across Lane County. Three of our district representatives from Blachly (small), Fern Ridge (mid), and Eugene 4j (large) selected Education Northwest to begin a comprehensive needs assessment this spring that will provide the information needed to launch county-wide MTSS support in the 26-27 school year. The work will build upon the foundations that our WREN This project is being led by Maddy Ahearn with support from Cassadie Mitchell.

Special Education Department Collaboration Update

In January, the Special Education Department hosted six Special Education administrators from three Oregon Education Service Districts (ESDs) who oversee Life Skills programs. The purpose of the convening was to build regional collaboration by sharing resources and engaging in in-depth discussion around key components of Life Skills programming, including program budgets and slot costs, curriculum and instructional practices, and staffing design and allocation.

The meeting provided a valuable opportunity for administrators to compare program structures, identify common challenges, and learn from one another's approaches to supporting students with significant needs. Although classroom walkthroughs were originally planned as part of the visit, the professional dialogue proved to be so meaningful and productive that participants mutually agreed to continue collaborating together for the duration of the meeting. This allowed for deeper exploration of shared priorities, problem-solving around sustainability and staffing models, and candid discussion of best practices across ESDs.

Overall, the collaboration strengthened regional relationships and reinforced a shared commitment to continuous improvement of Life Skills programming. The department views this meeting as a strong foundation for ongoing partnership and professional learning. Looking ahead, we hope to continue these collaborative efforts through future meetings, including opportunities to visit partner ESDs to observe their programs, learn more about their instructional models, and further refine our own practices in support of students and families.



February 2026 Board Report

Staffing

- -1 Systems Engineer- While we maintain daily operations, critical infrastructure projects, such as our end-of-life (EOL) servers, are currently paused.

Classrooms

- **Printer Replacement Cycle-** Printers that needed replacement due to age and functionality are being swapped out for new ones starting next week.
- **Smartboards-** SpEd is currently testing the final model of smartboard. Once the decision on which model is made, we will order them and schedule the installation.

System Upgrades and Improvements

- **LESD Internal Phone system-** We completed the migration of over 100 new phones and extensions with zero downtime. We will complete the cleanup and decommission of the old phone system by the end of March. Discussions and planning for phase 2 of the project will start in April to identify LESD's long term goals around communications tools and philosophies.
- **eFax-** We have started testing a proof of concept for eFax solutions. There are still a few processes that are required to use fax and we are testing solutions to identify avenues that minimize this dated technology. By doing this we will increase our ability to support and manage the ESD's needs while cutting down on costs such as paper, ink, and machines.
- **Internet Cutovers-** Junction City and Siuslaw's internet lines were up for contract renewal. During that renewal we were able to negotiate for the rates to stay flat where most contract renewals are increasing 4%-20%. We complete the move to their new lines and contracts by the end of February.
- **Securly-** We have overcome the challenges we are currently testing with the IT department. We are targeting full implementation and roll out by the end of March.
- **Student Information System (SIS)-** Our current system is outdated and fails to meet our data reporting needs. Our goal is to have a new system implemented and in use by the start of next school year.

Regional Initiatives and Support

- **EDUROAM-** Link Oregon is sponsoring our Network Engineer, Russell Rubrecht, to represent the region at the annual [The Quilt](#) conference next week and to lead a panel at the ACPEnw conference in May.



- **Security Service Development-** We are working with the district IT leaders to develop a new internal vulnerability scanning service. This service will aid the district IT teams to identify and remediate vulnerabilities in their internal networks.
- **Education Nexus-** This non profit is run by a board of ESD CIO's, including myself, that are dedicated to innovative support and development of products to support education. The "Broker" is our first product in development and will act as the transfer agent that will relieve some of the burden for registrars. The Broker will transfer entire student cume files between student information systems and across state lines instantaneously. Currently, we are developing literature and formalizing processes. We plan to start demos for districts across the state in March and we currently have 3 districts in testing to help us refine the product.

Report for Nora Kent Feb 2026

Saturday , January 17th : Martin Luther King Parade. Florence ORganizes held a parade and invited several local dignitaries and groups to attend. Superintendent Andy Grzeskowiak had a ride in the back of a vintage Mustang and Director (and new OSBA Board member) Maureen Miltenburger decorated her recumbent bike. I invited student representatives from the Siuslaw School Board to attend. They, along with several other students, marched with a banner for the Siuslaw Schools. It was a very gala and unifying event!

FEBRUARY IS CTE TOUR MONTH!



Students from 8 Lane County school districts invite you to explore their CTE programs, and experience the amazing work they do!

Teachers, students, administrators, and community members are welcome. Join one or more tours — see schedule in registration form.

5 TOUR DATES

- FEB 4 MCKENZIE
- FEB 12 LOWELL & OAKRIDGE
- FEB 19 ELMIRA & TRIANGLE LAKE
- FEB 24 COTTAGE GROVE & CRESWELL
- FEB 27 JUNCTION CITY

Lunch and transportation provided
Take the shuttle bus from Lane ESD
1200 State Hwy 99 N, Eugene, OR 97402

See details in registration form



Sign up now!
Spots are limited



bit.ly/CTEtour2026

Scan the QR code or
use the link above to
register for a tour.