



2018–19 STAFF ORIENTATION

There are several school board policies, administrative rules and collective bargaining provisions that principals and directors are required to review each fall with school or department staff. Please review all items on the list below and have each employee check off that they have been informed of the information and then sign and date the document.

All 4J employees must review the following:

- 2018-19 Summary of Spending Guidelines and Controls
- Nondiscrimination Notice
- Sexual Harassment Administrative Rule JBA/GBN–AR
- District Administrative Rules G2100 and G2120: Professional Conduct and Respectful Workplace
- District Administrative Rule: Attendance Expectations
- Notice Requirements for Leave
- Substance Abuse (Staff) Administrative Rule 2430
- School Board Policies GBK: Use of Tobacco Products (Staff); JFCG, Use of Tobacco by Students; and Policy JFCH/JFCI, Drug, Tobacco and Alcohol Abuse by Students
- Technology Appropriate Use Guidelines
- Staff E-mail Usage, Guidelines for Email Signatures, and Use of District Property
- Process for Handling Complaints against Staff
- Guidelines for Political Activity by Employees
- Reporting Child Abuse - Child Abuse and Sexual Conduct Posting and District Administrative Rule G2400: Child Abuse
- Reporting Sexual Conduct toward Students by School Employees, District Administrative Rule G2400.01
- Community Educators (Guest Speakers) and Outside Presenters
- FAQ for Staff – Supporting Undocumented Students, Revised April 2018
- School Board Policy KK: Visitors to Schools and Properties.

Employees who work at schools, have contact with students or are administrators or supervisors must *also* review the following.

- Wellness Policy
- JGAB: Use of Restraint and Seclusion
- Student Rights and Responsibilities Handbook
- Student Discipline Procedures Summary
- School Board Policy JFCF: Harassment, Intimidation, Bullying, Cyberbullying, Hazing, Teen Dating Violence, Domestic Violence and Student Safety Reporting Form
- Transgender and Gender Nonconforming Students, Administrative Rule JFG-AR
- School Board Policy JHCD: Administering Medication in School
- School Board Policy JHCCA/JHCCB: AIDS, HIV, and Hepatitis B

Administrators, supervisors, managers, financial clerks, secretaries, executive assistants and other staff in financial roles must also review:

- Financial Procedures for Schools and Departments (The complete Financial Procedures document can be found in the Back To School Memo under Section One #2)

I have been informed of each of the above items and understand the policy or provision.

Print Employee Name

Employee Signature

Date

Position

Building

ID Number

All 4J employees must review the following:



OVERVIEW

This manual is intended to provide guidance for school and department staff who are not primarily assigned to financial positions. This is a summary of policy and procedure to help staff understand essential policies and ethics expectations to comply with local, state, and other requirements for public employees.

- Board policies and administrative rules are found here: <http://www.4j.lane.edu/policiesandrules/>
- See Financial Services intranet to download current manuals at: <http://www.4j.lane.edu/finance/intranet/>. NOTE: Access is only available through a 4J connection or through VPN access.

ETHICS

Ethics Guidelines for Public Employees

- No Board member, officer, employee, volunteer, or agent of this District shall use or attempt to use their official position to obtain financial gain or for avoidance of financial detriment to oneself, a relative, or for any business with which the Board member, officer, employee, volunteer, agent, or a relative is associated.
- District Policy DJ, *District Purchasing*, states that *acceptance of any gratuities, financial or otherwise, from any supplier of materials or services to the district by any Board member, officer, or employee of the district is prohibited.*
- Employees with the ability to recommend or approve a purchase or personal services contract, regardless of funding source, must report any potential or actual conflict of interest (ORS 244.020) to Purchasing and to their Supervisor, who will be responsible for taking appropriate action. Employees should not participate in any purchasing process or decision-making activity that would potentially benefit themselves, a relative, or an associated business.
- Employee private business activities may not be conducted on public time or using public resources such as District supplies, facilities, vehicles, personnel, or equipment; these resources may only be used for authorized district programs and activities.
- Employees may not sell personal property to the District.
- Employees may not use public contracts for personal use. This includes, but is not limited to, accepting special discounts or pricing from District contractors or obtaining free or reduced-price goods or materials from contractors.
- Employees may not be awarded an Independent Contractor Agreement (ICA) or personal services contract.
- Employees may not take district property or use resources without pre-approval by an authorized administrator. Use without permission may be considered theft and employee may be disciplined up to and including termination.

Penalties for Violation

Public officials (e.g. district staff and board members) may be subject to fines and penalties and be held **personally financially liable** for inappropriate activities, including a civil penalty ranging from \$5,000–10,000 per violation. An additional penalty equal to twice the amount of the financial benefit of the public official may also be imposed. (See ORS 244 for full text of enforcement)

Financial Procedures for Schools and Departments FY18

Gifts, Celebrations, and Flowers

Receiving Gifts

Each public official is responsible for determining if the person or entity offering them a “gift” – something of economic value – is in a position to benefit from a decision or action they would take as part of their position. Additionally, Oregon Statute limits the gifts public official can receive; any gift or gifts with an **aggregate value of \$50** or more during any calendar year from any single source (person or entity) that *could* have an administrative interest in your position cannot be accepted.

- Administrative interest means that they are in a position to benefit from a decision or action you would take as part of your position. For example, a parent of one of your students or a potential vendor/contractor at your school.
- Consider what the public (parents, other students, etc.) perception will be if the gift acceptance became common knowledge.
- If the gift is offered by a person or entity associated with a current or potential public procurement (purchase/contract/ICA,) the public official should not accept anything of economic value.

Purchasing Gifts

- Employees may not receive gifts purchased with district managed funds; this includes all federal, state, district, bond, grant, or school-held student activity or other funds.
- Volunteers may not be given cash, gift cards or gift certificates to show appreciation. However, volunteers may receive a gift of a nominal value (e.g. not exceeding \$25) such as a school t-shirt, cap, etc.
- Students may receive incentives using District funds in limited circumstances; see finance clerk, secretary, or building administrator for guidance.

Staff Celebrations and Flowers

- Costs related to staff celebrations must be paid with non-district or personal funds, unless approved by the Superintendent or designee. Flowers are not allowable expenditures except for graduation decorations, within a reasonable cost.

Signatures, Contracts, and Employee Reimbursement

As a public entity, the district is held to a high standard of stewardship for public resources. Records can be subject to review, under the Oregon Public Records Law, at any time by anyone. Travel, meals, entertainment, food, and employee reimbursements are common areas for public inquiry and investigation. Staff are required to exercise prudent judgment to maintain proper stewardship of taxpayer dollars. The following procedures assist staff with ensuring that expenditures are reasonable and comply with laws and policies.

- All revenues and expenditures in all funds are considered to be “public funds” and are subject to the requirements of Oregon Revised Statutes and 4J Board Policy, including school-held student activity accounts and grant funds.
- Only the Superintendent, Assistant Superintendent, and specific other administrators authorized by the Superintendent have authority as delegated to **sign contracts and agreements**, or similarly obligate the district to expend funds or provide services.
- Without proper authority, the individual making the expenditure or signing the contract is personally liable (ORS332.075(2))

Hiring Contractors (ICAs)

Before services are rendered an Independent Consulting Agreement must be completed and sent to Purchasing for review and approval. Completing the agreement well before services start is critical as

Financial Procedures for Schools and Departments FY18

liability or other insurance is required in most cases, as might be a background check. Not all individuals or set of services will qualify for a consulting agreement as some services are restricted to employees.

Employee Reimbursements

Employees may be reimbursed for limited, small purchases as follows:

- Expenditure must be preapproved by authorized approver (e.g. principal or administrator).
- Expenditure may not be for any personal services; employees providing services must be paid through payroll.
- Reimbursement is limited to \$250 per reimbursement, per month.
- Purchase must comply with district purchasing guidelines and documentation requirements.
- District staff should not benefit personally from purchases (e.g. cash-back for purchases on personal Costco card) unless this is explicitly allowed in their employment contract with the District.
- Reimbursement should be submitted and paid through Financial Services within 60 days of when the expenditure was incurred.

FOOD, MEETINGS, AND TRAVEL

Food Purchases for Meetings

Occasionally it is in the best interest of students and the District for staff to meet with community members, students, or other stakeholders over a meal period. In such instances, it is appropriate for the District to pay for that meal; however, meals must be reasonable in the eyes of the public. Meetings should be scheduled over meal periods only when it is the most efficient and effective option for conducting District business – the general expectation is that meetings will not interfere with employee break or meal times.

District funds may not be used for food or beverage purchases for the following:

- regularly scheduled staff meetings
- refreshments for office social events such as celebrating holidays or birthdays
- alcohol or other prohibited substances

District funds may be used for food or beverage purchases for the following events:

- District training sessions, workshops or staff work group/committee meetings scheduled over a meal period and no meal break is provided (e.g. staff are not provided sufficient time to leave the location and obtain a meal or conduct personal business).
- Meetings involving members of the community who are voluntarily assisting the District in its mission (e.g. lunch or dinner for a committee meeting that is scheduled over a mealtime).
- Meetings that last longer than one hour (refreshments only unless the meeting is scheduled over a meal period and no meal break is provided by the District).
- Grant-funded events when refreshments or meals were included in the grant proposal and approved by the granting agency.

In-District Travel

- Travel between district locations and required of an employee as part of the job description is considered in-district travel.
- Direct costs for personal cars such as a tank of gas, repairs, washing, and maintenance are not reimbursable. Only a mileage allowance at the GSA mileage rate may be claimed and a District Visa cannot be used for related travel purchases (e.g. gas).

Financial Procedures for Schools and Departments FY18

- Commuting mileage is not reimbursable as it is a personal expense and defined as the distance from the employee's residence to their primary workstation.
- Staff retreats may be scheduled with prior approval of the Superintendent or Assistant Superintendent.

Out of District Travel

Travel for professional development or meetings not directly required of an employee may be considered for out of district travel.

- Non-travel options for training are preferred (e.g. web-based trainings, group onsite training, videos) when comparable and less expensive.
- Lodging is allowed for trips that exceed 75 miles one-way, unless preapproved by a supervisor (exception for safety, multi-day event, or other issues may be considered)
- Meals during travel are reimbursed according to GSA per diem rates Current per diem rates (<http://www.gsa.gov/portal/content/104877>).
- Transportation costs may be purchased or reimbursed; district employees are expected to use the least cost carrier and class available and to car pool, where possible. Business and first class airfare are not reimbursable.
- Costs in excess of approved travel reimbursement and available funding will be covered by employee's personal funds.
- Additional costs of travel for personal time (e.g. vacation added onto travel) or an accompanying spouse/family member are not reimbursable and are the sole responsibility of the employee.
- Reimbursement of personal expenses shall not be authorized for payment at any time. For example, employees will not be reimbursed for parking tickets, lodging safe fees, or commuting mileage. Commuting mileage is defined as the distance from the employee's residence to primary workstation.
- Exceptions require preapproval by the Superintendent.

Time Reporting & Payroll

- Staff paid through timesheets submit appropriately signed timesheets by the end of the next business day following the 15th.
- Forms received by the 15th of the month will be processed in the current month. Many payroll forms are available online at <http://www.4j.lane.edu/staff/forms>
- Direct deposit wage statements are available online and directions are provided at <http://www.4j.lane.edu/staff/paystub/>.
- To receive a copy of a W2, e-mail your request to payroll@4j.lane.edu from your 4J District e-mail account.
- Lawson Employee Self-Service (ESS) is available at <http://www.4j.lane.edu/finance/intranet/lawson-employee-self-service/> and provides access to the following:
- Time and Absence Reporting for vacation, sick leave, or other leave types available to staff for paid and unpaid leave.
- Leave balances for sick leave, vacation, and other leave types.
- Classified staff must have prior, written approval from a supervisor for for any time worked in excess of 8 hours per day or 40 hours per week. (Temporary and substitute employees' and walk-on coaches' overtime is paid for hours in excess of 40 per week.)
- Comp time must be tracked at the building level.

Financial Procedures for Schools and Departments FY18

- Payments to Licensed, Administrative, or Professional staff for special or one-time projects over and above the employee's assigned work require preapproval and submission of an extended Contract form (<http://www.4j.lane.edu/finance/forms/>)

Nondiscrimination Notice

Eugene School District 4J provides equal educational and employment opportunities

Eugene School District 4J provides equal educational and employment opportunities. District programs, activities, and practices shall be free from discrimination and harassment based on race, color, religion, sex, sexual orientation, gender identity or expression, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, familial status, economic status, military or veterans' status, or any other factor prohibited by law.

The district complies with all applicable state and federal laws and regulations, including but not limited to: Title IX of the Education Amendments of 1972; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008; and Oregon laws prohibiting discrimination. The district's compliance includes all district programs, courses and activities, including extracurricular activities, services, and access to facilities.

Questions and Concerns

The following employees have been designated to respond to questions and complaints from students, parents, staff and members of the public about nondiscrimination and equal educational opportunities, including harassment, sex discrimination and sexual harassment:

Discrimination and Harassment

Students, Parents and Community Members:

Title IX Coordinator
200 North Monroe Street
Eugene OR 97402
541-790-7559
titleixcoordinator@4j.lane.edu

Staff Members:

Assistant Superintendent for Administrative Services
Human Resources Department
200 North Monroe Street
Eugene OR 97402
541-790-7663

Disabilities

Disability/ Section 504 Coordinator
200 North Monroe Street
Eugene OR 97402
541-790-7828

ADA Coordinator
Human Resources Department
200 North Monroe Street
Eugene OR 97402
541-790-7672

Other Contacts

The superintendent has overall responsibility for district operations, including compliance with nondiscrimination and equal opportunity policies:

Superintendent, Eugene School District 4J
200 North Monroe Street, Eugene OR 97405
541-790-7706

A formal complaint form is available on the district website.

For questions about accessibility at public meetings, please contact the superintendent's office at 541-790-7706.

Sexual Harassment

It is the policy of Eugene School District 4J that sexual harassment of employees in the work environment is unacceptable and will not be tolerated.

1. Sexual harassment is defined as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.” Sexual harassment may include such actions as: sex-oriented verbal “kidding,” “teasing” or jokes; subtle pressure for sexual activity; physical contact such as patting, pinching or brushing against another’s body; or demands for sexual favors.

Conduct of this type is improper if: (a) submission to the conduct is either an explicit or implicit term or condition of employment; (b) submission to or rejection of the conduct is used as a basis for employment decisions affecting the person involved; or (c) the conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

2. All employees of Eugene School District 4J are expected to avoid any behavior or conduct toward any other employee which could be interpreted as sexual harassment.
3. Appropriate management and supervisory personnel shall take prompt, corrective action when they become aware of sexual harassment. Such action may include discipline up to and including termination of the offending employee or employees. Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to the TSPC.
4. Any employee of Eugene School District 4J who feels that he or she has been the victim of sexual harassment should follow the district’s complaint process relating to discrimination or notify the director of human resources. The complaint will immediately be investigated to determine whether it is justified. If the complaint is found to have merit, corrective action, as described above, will be implemented. The employee who initiated the complaint shall be notified when the investigation is completed.
5. No reprisal or adverse action will occur as a consequence of initiating a sexual harassment complaint. Federal and state laws and school board policy strictly forbid any form of reprisal or retaliation against a complainant or parties-in-interest in connection with the filing of a complaint of employment discrimination or harassment. Any form of retaliation for the filing of a complaint will be subject to immediate disciplinary action, up to and including dismissal.

The superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available to all students, parents of students and staff in student/parent and staff handbooks. The district's policy shall be posted in all grade 6 through 12 schools. Such posting shall be by a sign of at least 8 1/2" by 11".

END OF POLICY

Legal Reference(s):

ORS 243.706	OAR 581-021-0038
ORS 342.700	OAR 584-020-0040
ORS 342.704	OAR 584-020-0041
ORS 342.708	
ORS 342.850	
ORS 342.865	
ORS 659.850	
ORS 659A.006	
ORS 659A.029	
ORS 659A.030	

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(d).
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(e).
Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681-1683; 34 CFR Part 106 (2000).
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999).
Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998).

Sexual Harassment Complaint Procedure

I. Introduction/ Scope

The Board has established policies committing the district to the elimination of sexual harassment including sexual violence in district schools and activities, for adults and students. These procedures implement board policies JBA/GBN and GBN/JBA and state and federal laws addressing sexual harassment, including Title IX and ORS 342.704. All complaints about behavior that may violate the district's sexual harassment policy shall be promptly investigated and addressed in accordance with these procedures. Sexual harassment is strictly prohibited and shall not be tolerated. Appropriate corrective action will be taken by the district to stop the sexual harassment, prevent its recurrence and address its negative effects in the educational or employment setting.

The prohibition against sexual harassment includes harassment of students, staff members, Board members, or third parties¹ on or immediately adjacent to district property, at any district-sponsored activity, on any district-provided transportation or at any official district bus stop by other students, staff members, Board members or third parties. This procedure will be enforced before, during or after school hours on all school property and nondistrict property if the student or staff member is at any district-related activity or function, such as field trips or athletic events, where students are under the jurisdiction of the district; or where the staff member is engaged in district business.

The procedure applies to off campus conduct that causes or threatens to cause a substantial and material disruption at school or other district property, or interferes with the rights of students or employees to be free from a hostile educational or employment environment. The procedure also applies to off duty conduct by employees which is incompatible with district job responsibilities.

II. What Is Sexual Harassment?

Sexual harassment of students, employees or third parties shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as a factor in educational decisions affecting a student or in employment or assignment of employees; or

¹ "Third parties" include, but are not limited to, 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 interdistrict and intradistrict athletic competitions or other school events.

3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform job responsibilities; or creates an intimidating, offensive or hostile educational or working environment.

In determining whether the conduct or communication is "sufficiently severe, persistent or pervasive" as to create a hostile environment, the district will consider all relevant factors, including but not limited to whether the individual viewed the environment as hostile; whether it was reasonable to view the environment as hostile; the nature of the conduct; the frequency, duration and severity of the conduct; the age of the complainant; whether the alleged harasser was in a position of power over the student or employee subjected to the harassment; the number of individuals involved; the age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students, employees or third parties.

Conduct may be verbal, nonverbal or physical. Examples include:

- Verbal comments, such as unwelcome sexual advances, requests for sexual favors, derogatory remarks, talking about one's sexuality in front of others, spreading rumors about or rating others as to appearance, sexual activity or performance, obscene jokes, gender-based stereotyping, remarks based on a person's nonconformity with gender stereotypes;
- Nonverbal conduct, such as graffiti, display or distribution of sexually explicit drawings, pictures or written materials, text messages, or notes; and/or
- Physical conduct such as unwanted physical contact, sexual touching, fondling, sexual assault, and other forms of sexual violence.

The term "of a sexual nature" is broad and includes conduct or comments about sex (the physical act), based on gender (persons being male or female) or based on sex or gender stereotyping.

Sexual harassment can occur adult to student, student to adult, student to student, adult to adult, and by any person upon any other person, regardless of the sex, gender, sexual orientation or gender identity of those involved.

Examples of sexual harassment may include, but are not limited to:

- An employee's supervisor makes unwelcome sexual advances and the employee reasonably believes that accepting or rejecting that conduct will be used as a factor in employment decisions.
- An employee makes offensive or inappropriately suggestive comments or jokes.
- An employee displays inappropriate sexual or suggestive illustrations in the workplace or on school property.
- An employee stalks another employee.
- A school employee makes a student believe that he or she must submit to sexual conduct or sexual advances.
- A school employee makes a student believe that if the student rejects the employee's advances, it will be used as a factor in determining the student's grades.
- An employee cultivates a romantic or inappropriate social relationship with a student. Any sexual relationship between a student and a district employee is always prohibited.

- A student is repeatedly contacted by a former dating partner to the point that student is alarmed, and the student is reasonably afraid for student's own safety at school, which both students attend.
- A student is subjected to a sexual assault.

III. Consequences

Students who violate this policy are subject to discipline up to and including expulsion, counseling, sexual harassment awareness training, loss of privileges, and/or transfer to another school as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action.

Employees who violate this policy are subject to discipline up to and including dismissal, training, involuntary reassignment, and cancellation of contracts.

Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the appropriate district official, and which may include cancellation of contracts or privileges and restrictions on facilities access. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.

Additionally, the district may report individuals in violation of this policy to law enforcement officials.

IV. Procedures for Incidents of Harassment Against Students

A. Reporting a Complaint

1. Any student who has knowledge of conduct in violation of this policy or feels they are a victim of sexual harassment is strongly encouraged to immediately report their concerns to the school administrator. Students may also report concerns to a teacher, counselor or other school employee, who will promptly notify the appropriate district official. An optional *Student Safety Reporting Form* is available at each school.

Students may also report concerns to the district Title IX Coordinator at titleixcoordinator@4j.lane.edu or may use the formal, district-level complaint form available on the district website at www.4j.lane.edu/contact/complaints.

2. Any district employee or third party who witnesses or has knowledge or belief of conduct that may be harassment toward a student shall intervene to attempt to stop an act and shall promptly report the conduct to the school administrator. If the school administrator is involved, the alternative reporting procedure shall be followed.
3. The administrator of each school is the school compliance official for that school. The school compliance official shall be responsible for posting required notices, receiving reports and complaints, providing written notice of rights to complainants, taking interim measures when appropriate, conducting appropriate investigations, implementing any corrective and remedial measures, and providing notice of outcome. In a particular case, the district Title IX Coordinator or Superintendent may designate, in writing, an official other than the school compliance officer to carry out these responsibilities.

4. The district Title IX Coordinator is the person designated by the Superintendent to coordinate compliance with Title IX, and to monitor and receive complaints of sexual harassment and discrimination against students. The Title IX Coordinator may be contacted by phone at 541-790-7606, by email at titleixcoordinator@4j.lane.edu, or by mail at 200 North Monroe Street, Eugene OR 97402.

B. District Actions Upon Receipt of Report — Students

The school or district compliance officer receiving the complaint shall:

1. Document the report.
2. By the end of the day, if possible, contact the parents or guardians of the student alleged to have been harassed. Inform them of the allegation and the process. Provide the student or the student's parents with the *Notice of Rights to Complainants of Sexual Harassment* available on the district website.
3. Contact the parents or guardians of the student accused of engaging in sexual harassment, or other responding party, to inform them of the allegation and process. When investigating an incident that is likely to lead to discipline, the contact must be made before the interview in an email or letter that describes the potential violation, the identities of the parties involved, the date and location of the alleged incident, the specific policy or code of conduct section violated, and the precise conduct allegedly constituting the potential violation.
4. Immediately notify the district Title IX Coordinator of: (1) complaints of a particularly egregious nature, such as stalking, sexual misconduct, or assault; or (2) complaints involving a district employee against a student. When a complaint involves the conduct of a district employee or third party against a student, the complaint shall be investigated at the district level and the Assistant Superintendent for Administrative Services shall also be notified.
5. When circumstances trigger the employee's mandatory reporting obligations under Oregon law, immediately make a child abuse report to Department of Human Services or law enforcement. The district will conduct its own investigation, even when another agency has initiated an investigation.
6. Take interim measures, as appropriate, before the conclusion of the investigation, to protect students and to address the impact of prohibited conduct. Interim measures may include schedule modifications, no contact agreements, academic supports, increased supervision, counseling and similar accommodations.
7. Promptly undertake or cause to be undertaken an appropriate investigation. The investigation will be completed within thirty (30) days from receipt of the complaint, unless impracticable. An investigation will generally include personal interviews with the person who is the target of the harassment, the person about whom the complaint is made, and others who may have knowledge of the incident, and may include other methods of gathering information.
8. Determine the facts, based on investigation, and whether the evidence substantiates a violation of district's policy. Reduce the investigation findings to writing.

In determining whether district policy has been violated, the district applies a preponderance of evidence standard, meaning that the evidence shows that it is more likely than not that the conduct occurred. The district will consider the age and level of understanding of the parties involved, the nature of the behavior, past incidents or patterns of behavior, the relationships between the parties, the context of the alleged conduct, and the credibility of witnesses.

C. District Actions Following Investigation — Students

1. If harassment is found to have occurred, the district will take appropriate and effective action to stop the sexual harassment, prevent its recurrence and address its negative effects in the educational or employment setting.

A student or other person found to have violated this policy will be provided appropriate corrective and/or disciplinary action.

Appropriate restorative action for the target of the harassment, such as follow up by administration, counseling, academic support, will be provided. As appropriate, the school compliance official shall also make and implement medium and long-range plans to identify and rectify problems in the school climate, such as reaffirming the district policy against sexual harassment.

2. If the investigation does not substantiate a violation of the district's sexual harassment policy, but does substantiate violation of another rule or policy, the school may take disciplinary action in accordance with the code of conduct.
3. The official conducting the investigation shall notify both parties in writing that the investigation is concluded, and whether a violation of the policy was found to have occurred.

The outcome notice to the complainant should identify any individual remedies offered to the complainant or any sanctions imposed on the responding party that directly relate to the complainant (such as whether the responding party has been ordered to stay away from the complainant). The notice may include other steps the school has taken or intends to take to eliminate the hostile environment if one was found.

V. Procedures for Incidents of Harassment Against Employees

A. Reporting a Complaint

1. Any district employee or other third party who feels they are a victim of sexual harassment must report their concerns immediately or as soon as possible. Employees are encouraged to make such report directly to their building administrator or supervisor. If the administrator or supervisor is involved, the alternative reporting procedure should be followed.

Employees may also report concerns to a Human Resources administrator, to the Assistant Superintendent for Administrative Services at eeo@4j.lane.edu or the Superintendent, who has overall responsibility for all investigations.

2. Complaints may be oral or in writing. A formal complaint form is available on the district website at www.4j.lane.edu/contact/complaints.

3. Any district employee or third party who witnesses or has knowledge or belief of conduct that may be harassment toward an employee or third party, shall promptly report the conduct to the employee's direct administrator or supervisor. If the administrator or supervisor is involved, the alternative reporting procedure should be followed.
4. The district Assistant Superintendent for Administrative Services is the person designated by the Superintendent to answer questions about, monitor and receive complaints of sexual harassment and discrimination against employees. The Assistant Superintendent may be contacted at 541-790-7660, by email at eeo@4j.lane.edu, or by mail at 200 North Monroe Street, Eugene OR 97402.

B. District Actions Upon Receipt of Report — District Employees

The administrator, supervisor or district compliance officer receiving the complaint shall:

1. Document the report.
2. Promptly notify the appropriate Human Resources administrator. The complaint shall be investigated in collaboration with a Human Resources administrator or other appropriate district official.
3. Promptly provide the employee a copy of the district's *Notice of Rights to Complainants of Sexual Harassment* available on the district website.
4. Take interim measures as appropriate, before the conclusion of the investigation, to protect the parties involved in the complaint process. Interim measures may include placing the accused on paid administrative leave, schedule modifications, no contact directives, and similar accommodations.
5. Promptly undertake or cause to be undertaken an appropriate investigation. The investigation will be completed within thirty (30) days from receipt of the complaint, unless impracticable. An investigation will generally include personal interviews with the person who is the target of the harassment, the person about whom the complaint is made, and others who may have knowledge of the incident, and may include other methods of gathering information.
6. Determine the facts, based on investigation, and whether the evidence substantiates a violation of district's policy. Reduce the investigation findings to writing.

The district applies a preponderance of evidence standard, meaning that the evidence shows that it is more likely than not that the conduct occurred. In determining whether the policy has been violated, the district will consider the facts and surrounding circumstances, the nature of the behavior, past incidents or patterns of behavior, the relationships between the parties, the context of the alleged conduct, and the credibility of witnesses.

C. District Action Following Investigation — District Employees

1. If harassment is found to have occurred, the district will take appropriate and effective action to stop the sexual harassment, prevent its recurrence and address its negative effects in the educational or employment setting.

An employee or other person found to have violated this policy will be provided appropriate corrective and/or disciplinary action.

Persons found to have been subjected to harassment will have appropriate district services made reasonably available to them. Depending on the circumstances, the district will also consider systemic measures, such as retraining or reaffirming the district policy against sexual harassment.

2. If the investigation does not substantiate a violation of the district's sexual harassment policy, but does substantiate violation of another rule, policy or standard of conduct, the district may take disciplinary action to address that violation.
3. The official conducting the investigation shall notify both parties in writing that the investigation is concluded, and whether a violation of the policy was found to have occurred.

The outcome notice to the complainant should identify any individual remedies offered to the complainant or any sanctions imposed on the responding party that directly relate to the complainant (such as whether the responding party has been ordered to stay away from the complainant). The notice may include other steps the school has taken or intends to take to eliminate the hostile environment if one was found.

VI. Other Considerations

A. Alternative Reporting Procedure

A person shall not be required to report prohibited conduct to the person alleged to have committed the conduct.

If the complainant is a district employee with a concern about the employee's supervisor, the complaint may instead be filed with the Assistant Superintendent for Administrative Services at eeo@4j.lane.edu, with a Human Resources administrator, or with the Superintendent's office.

If a complaint by or on behalf of a student involves a school administrator, the complaint should be filed directly with the district Title IX Coordinator at titleixcoordinator@4j.lane.edu. If the complaint involves the Title IX Coordinator, it should be filed directly with the Superintendent.

If the complaint involves the Superintendent, the complaint should be filed with the school board. If the complaint involves a school board member or the board as a whole, the complaint should be filed with the board chair. If the complaint involves the board chair, the complaint shall be filed directly with the school board vice chair. The mailing address and telephone number is: 200 North Monroe Street, Eugene OR 97402, 541-790-7706.

B. No Conflict of Interest

A person free of actual or reasonably perceived conflicts of interest and biases for or against a party must lead the investigation. If a specific complaint could involve a conflict, the compliance officer should consult with district legal counsel.

C. Notice of Rights to Complainants of Sexual Harassment

The *Notice of Rights to Complainants of Sexual Harassment* shall include:

1. The rights of the student, student's parents, employee, person or person's parents who filed the complaint;
2. Information about the internal complaint processes available through the school or district that the complainant may pursue;
3. Notice that civil and criminal remedies that are not provided by the school or district may be available to the complainant through the legal system and that those remedies may be subject to statutes of limitation;
4. Information about services available to the complainant through the school or district including any counseling services, nursing services or peer advising;
5. Information about the privacy rights of the complainant and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district; and
6. Information about, and contact information for, state and community-based services and resources that are available to persons who have experienced sexual harassment.

D. No Retaliation

The initiation of a good faith complaint about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of a student complainant, or any terms or conditions of employment or work environment of an employee complainant, or any terms or conditions of employment or of work or educational environment of a third-party complainant. There shall be no retaliation against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

E. Criminal Investigation

If a criminal investigation has been started, the district should proceed with its investigation unless, after conferring with law enforcement, it is determined that proceeding would impede the criminal investigation. When possible, the district investigator should be present for witness interviews by law enforcement. If the district's internal investigation has been suspended pending a criminal investigation, the district's internal investigation will resume (a) after law enforcement has finished gathering its evidence, or (b) at the direction of the district compliance official or legal counsel. Investigations are expected to proceed without undue delay.

VII. Confidentiality

District employees with knowledge of conduct in violation of this policy must report the same to the appropriate compliance official and cannot promise confidentiality.

When a student complainant reports harassment but requests confidentiality or requests that an investigation not be pursued, the school or district compliance officer will explain that the request for confidentiality may limit the district's ability to investigate the allegation or take corrective action, and also that the district prohibits retaliation and will take strong responsive action if retaliation occurs. If the complainant continues to request that an investigation not be pursued, or that the complainant's identity not be disclosed, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment. Even when the district's ability to respond fully to an individual allegation is limited, such as when honoring a student's request for confidentiality, the district will use other available, reasonable means to investigate and respond to the harassment.

Complainants shall be informed by the school or district compliance official that due process requirements may require that the district release all of the information about the complaint to the accused, so the identity of the complainant may not remain confidential.

Records created or provided as a result of a complaint will be kept confidential, except as necessary to comply with district policy and procedures or law.

VIII. Appeal

If a complainant or respondent is dissatisfied with the district's action or inaction in resolving a complaint brought pursuant to these procedures, they may appeal by filing a complaint with the superintendent's office using the complaint form available on the district website or from the superintendent's office.

The formal complaint process in district administrative rule KL-AR shall apply. The Superintendent has discretion to consider the appeal at Step 2 – Superintendent Level – in appropriate cases. Additionally, the timelines in KL-AR may be modified by the Superintendent when necessary to complete a thorough review.

These procedures shall not preclude the application of available grievance procedures in a collective bargaining agreement.

IX. Concurrent Claims and Remedies

The district encourages complainants to follow the internal district procedures provided by this administrative rule. However, the use of this procedure does not deny the right of any person to simultaneously report or pursue other administrative, civil or criminal remedies, which may include filing a complaint with agencies including the Oregon Department of Education, the Office for Civil Rights of the U.S. Department of Education, or the Oregon Bureau of Labor and Industries. Civil and criminal remedies not provided by the school or school district may be available through the legal system and such remedies may be subject to statutes of limitation.

District Administrative Rules:

G2100 - Professional Conduct

Last Updated: Apr 21 2009 - 10:35am

1. Employees are expected to do their work and conduct themselves competently and professionally at all times when at work or representing the District. Employees must accept responsibility for their own conduct, and show personal and professional integrity at all times. Employees are also expected to conduct themselves off work in a lawful manner, and in a manner that does not bring reproach to the District, or impair their ability to perform as District employees.
2. The District encourages parents and community members of the District to volunteer their time, services and financial support to District schools and programs. Employees should take the time to recognize contributions to the District. Employees may not, however, grant special favors, exceptions, or fail to take appropriate action with a parent or community member because of his or her contributions. District employees are expected to be fair and judicious in the execution of their duties.

G2120 - Respectful Workplace

Last Updated: Apr 21 2009 - 10:35am

The District is committed to workforce diversity and having a positive and professional workplace for all who work here. The District will take all necessary steps to ensure that the work environment remains productive for everyone. It is the responsibility of all employees and agents of the District to treat each other with courtesy, consideration, and respect. The District does not tolerate: (1) any forms of harassment, or offensive or discourteous behavior; (2) demeaning statements, threats, or intimidation; (3) unprofessional and discourteous actions; or (4) any behavior that creates or fosters an unwelcome or abusive work environment.

Employees who feel they have been subjected to disrespectful communication or treatment by other District employees, volunteers, or the public should report it to their supervisor or their administrator.



Attendance Expectations

The District expects reliable and timely attendance by all employees. While there are legitimate reasons for employees to be absent, excessive absenteeism impacts students, safety, and other employees, and impedes the district in accomplishing its mission.

Attendance expectations include:

1. Employees are expected to come to work regularly and as scheduled, missing no more than one day per month worked, on average over the year, except as follows. In measuring unacceptable attendance, the district does not use these leaves: bereavement, state or federal Family Medical Leaves (OFLA/FMLA), jury duty, workers' compensation (on-the-job injury), vacation, military leave, parental and other unpaid leaves provided in collective bargaining agreements.¹
2. Employees may take district-authorized leaves only. An employee may not take an unpaid day off without the advanced written approval of his or her supervisor and Human Resources director or designee. Failing to return from leave will be treated as job abandonment.
3. Employees will use leave time for the intended purpose of that leave.
4. For each leave type, employees are expected to follow the appropriate procedures for taking the leave. Except for vacation, any absence longer than five work days must be requested and approved by the director of Human Resources or designee.
5. Employees will accurately report their absences.

Not meeting these expectations will subject the employee to disciplinary or other corrective personnel action, up to and including termination. Nothing in this policy is intended to waive the just cause provisions in any collective bargaining agreement.

¹ Teacher released days provided by contract (i.e. elementary leadership days, ESS IEP release days, etc.) are also not included in determining excessive absences.

Notice Requirements for Leave

Type of Leave	Notice Expectation ¹
Sick Leave	Notify immediate supervisor as soon as practicable. The general expectation is at least 30 minutes prior to start of scheduled shift. If the leave is foreseeable, notice to the supervisor should be at least 10 days prior to the date the leave is to begin or as soon as otherwise practicable.
Personal Days (EEA, MAPS)	Schedule with immediate supervisor at least 24 hours in advance unless emergency in nature. Supervisor must have advance approval from the Human Resources Director if the day is adjacent to a holiday or break.
Miscellaneous Days (OSEA)	Schedule and receive approval from immediate supervisor at least 24 hours in advance unless emergency in nature. Miscellaneous leave can be used for emergencies or personal business that cannot be conducted outside the workday.
Family Illness Days	Notify immediate supervisor at least 30 minutes prior to start of scheduled shift. Can only be used to care for an immediate family member when they are sick.
Unpaid Day	<p>Must have written approval from the Human Resources Director prior to the use of unpaid day.</p> <p>Requests must be submitted no less than 48 hours before a known absence. If the unpaid day is related to an illness the request must be sent within three work days upon return to work.</p> <p>To request an unpaid day an employee should follow the below procedure:</p> <ol style="list-style-type: none"> 1. Send an email to their administrator/supervisor and 4J_leaves@4j.lane.edu requesting the unpaid day and including the reason for the request. 2. The administrator/supervisor should email both the employee and the 4J_leaves@4j.lane.edu email if they support the request or are denying the request. 3. If the administrator/supervisor has supported the request then it will be reviewed by the Human Resources Director. 4. If approved, the Human Resource Director will email both the employee and supervisor their approval.
Vacation (12 month employees)	Schedule with and obtain approval from immediate supervisor at least three weeks in advance.

Notice Requirements for Leave

<p>OFLA/FMLA (unpaid but may be able to use some of the accrued paid leave listed above)</p>	<p>Complete and submit a leave request with the Human Resources Department.</p> <p>For a foreseeable leave, submit a leave request to HR at least 30 days in advance, or as soon as practicable.</p> <p style="text-align: center;">- or -</p> <p>For an unforeseeable leave, notify your immediate supervisor as soon as practicable and no later than 24 hours of an unforeseeable leave and complete a leave request with HR no later than three days after the unforeseeable leave has started.</p>
<p>Jury Duty</p>	<p>Notify immediate supervisor as soon as you receive the request to serve and on each day of service.</p>
<p>Bereavement Leave</p>	<p>For an unforeseeable leave, notify immediate supervisor as soon as possible, but no later than 24 hours after start of leave. Must complete a leave request with the HR department within three days of return to work.</p> <p>For a foreseeable leave, notify immediate supervisor at least 30 days prior to leave, or as soon as practicable. Must complete a leave request with the HR department at least 30 days prior to leave, or as soon as practicable.</p>
<p>Discretionary Leave (MAPS)</p>	<p>All notification requirements for each type of leave apply depending if the leave is used for sick, family leave or personal leave. Follow the applicable notice requirements listed above.</p>

ⁱ “Notify” means you will directly contact your supervisor by email, text, phone or other method specified by your supervisor.

G2430 - Substance Abuse

Last Updated: Apr 21 2009 - 11:04am

The District recognizes that the use of drugs and alcohol, whether on or off the job, which adversely affects job performance, may constitute a serious threat to the health and safety of students, the public, and employees and impact effective instruction and the efficient delivery of District services. (See Board Policy GBCBA) The primary goal of this policy is to achieve a work place free of the impairments of drugs and alcohol, and to be in compliance with OR-OSHA regulation 437-001-0760(4), which prohibits anyone whose ability to work safely has been impaired by alcohol, drugs, or medication from working in that condition.

In any instance where an employee's impaired job performance or conduct provides reasonable suspicion of drug or alcohol use, the District may require appropriate testing. Testing procedures and the validity of the results will be measured by the prevailing practice in the medical field. In all situations where testing is called for, due consideration will be given to the legal rights and privacy of the tested employees.

Employees who are concerned about their use of alcohol or drugs are urged to seek confidential assistance from the Employee Assistance Program (EAP). Employees may also contact the Human Resources Department for assistance and can be assured that the contact will remain confidential to the extent legally possible. For employees who seek assistance in advance of detection, the District will provide reasonable accommodation as necessary and practical to allow treatment to take place.

The legal use of prescribed drugs or over-the-counter medications is permitted on the job, unless the use of the drug(s) may limit or impair the employee's ability to perform employment related duties safely and efficiently. It is the employee's responsibility to ascertain whether the use of a medication will limit or impair them.

Citings

Board Policy

Drug, Tobacco, and Alcohol Abuse by Employees - GBCBA

State Law

OR-OSHA regulation 437-001-0760(4)

G2430.01 - Definitions

Last Updated: Apr 21 2009 - 11:04am

For purposes of this document, the following definitions apply:

1. Alcohol - The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
2. Drugs - Any intoxicants or controlled substances as defined by the criminal code of the State of Oregon, or substances lawfully prescribed for the employee's use and over-the-counter medications, which could have an adverse impact on their ability to perform their job duties in a safe manner. The definition of drugs excludes alcohol.
3. Drug or Alcohol Test - The compulsory submission of urine, breath, or blood by an employee in accordance with established collection and testing procedures to detect drug and/or alcohol use.
4. Reasonable Suspicion - Specific observations concerning the appearance, conduct, speech, odor on the breath or body odors of an employee that would cause one to suspect that the employee is under the influence of alcohol or drugs.
5. Under the Influence of Alcohol - An individual is considered to be "under the influence of alcohol" when the individual's blood alcohol content exceeds .02%.
6. Under the Influence of Drugs - An individual is considered to be "under the influence of drugs" when a detectable amount of a drug is found in the individual's body that may

impair the individual's ability to safely and efficiently perform job duties and responsibilities.

7. Work place: Any location where an employee is performing District job duties or is representing the District in an official capacity whether or not the employee is compensated. The exclusion of alcohol from the work place does not pertain to those sites at which, in the judgment of the Superintendent, the use of alcohol cannot be avoided, such as during business meetings with members of foreign delegations where refusal of a traditional "toast" would show disrespect for the customs or culture of the delegate.

G2430.02 - Prohibited Conduct

Last Updated: Apr 21 2009 - 11:05am

This section does not attempt to address all possible issues that may arise around the use of alcohol and drugs. Each individual employee and each supervisor is responsible for using his or her best judgment and acting in a reasonable and responsible manner when faced with a situation that is not explicitly covered in the policy, such as situations that may arise outside the usual work place or when an employee may be called back to work outside of their regularly scheduled hours.

Violations may result in discipline up to and including discharge.

The following conduct is prohibited in the work place, on school premises, while working, and at a District activity:

1. The unlawful buying, selling, transportation, possession, providing or use of drugs;
2. The use of alcohol;
3. Being under the influence of alcohol;
4. Being under the influence of drugs;
5. Having a detectable odor of alcohol on the breath;
6. Operating a District owned or leased vehicle or one rented with District funds at any time proximate to consuming intoxicants or a private vehicle if using the vehicle in the course of conducting District business or when going to, or coming from, District business, either in town or while attending training or other business out of town;
7. Failure to report limitations or impairment caused by prescribed medications or over-the-counter drugs.

G2430.03 - Consequences of Positive Test Results

Last Updated: Apr 21 2009 - 11:06am

An employee who has tested positive for drugs or alcohol as defined by this policy may be referred to the Employee Assistance Program or drug and/or alcohol counseling. An employee's participation in the Employee Assistance Program or in drug or alcohol counseling will be considered in determining what, if any, disciplinary action may be taken.

If an employee is not terminated for violations of this policy, the employee who has tested positive for drugs or alcohol will be required to sign a performance agreement. Provisions for unannounced testing for a specified period following the positive test may be included in the agreement. If the employee violates the terms of the agreement or again tests positive during such a period, he or she may be subject to immediate dismissal.

G2430.04 - Interference With Policy

Last Updated: Apr 21 2009 - 11:07am

Any activity which purposely interferes with the District's policy on the use of drugs and alcohol will be grounds for disciplinary action which may include discharge. Examples include, but are not limited to, the following: tainting, tampering, or substitution of blood or urine samples; falsifying information regarding the use of prescribed medications or controlled substances; failure to cooperate with any tests outlined in this policy to determine the presence of drugs or alcohol; or failure to consent to or cooperate with any administrative search.

G2430.05 - Employee Rights

Last Updated: Apr 21 2009 - 11:07am

Any employee who has tested positive shall be given access to all written documentation available from the testing laboratory, which verifies the accuracy of the testing equipment used in the testing process, the chain of custody of the specimen, and the accuracy rate of the laboratory. The employee will be provided with a copy of the results. All documentation on the testing will be sealed and maintained in a secured file in Human Resources. All test results will be kept confidential by the District.

Eugene School District 4J

Code: **GBK**
Adopted: 6/19/96
Revised/Readopted: 12/21/05; 11/06/13
Orig. Code(s): 2800

Use of Tobacco Products

The Board recognizes its responsibility to promote the health, welfare and safety of students, staff and others on school district property and at school-sponsored activities. In light of the scientific evidence that the use of tobacco is hazardous to health and to be consistent with district curriculum and Oregon law, it is the intent of the Board to establish a tobacco-free environment.

No student, staff member, or school visitor is permitted to smoke, inhale, dip, or chew, or sell tobacco at any time, including non-school hours:

1. In any district building, facility, or vehicle owned, leased, rented, or chartered by the school district, or school or public charter school, or
2. On school grounds, athletic grounds, or parking lots or other property used by the district.

For the purpose of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking products; smokeless tobacco, also known as spit tobacco, dip, chew, snus, and snuff, in any form; and 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.

The school district shall establish policies and procedures for enforcing this policy with students, employees, and visitors. The school district shall notify students, families, educational personnel, and school visitors of the tobacco-free policy and procedures in handbooks and newsletters, on posted notices or signs, and by other efficient means.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)
[ORS 433.845](#)
[ORS 433.850](#)

[OAR 581-053-0015](#)
[OAR 581-053-0545 \(5\)\(c\)®](#)
[OAR 581-053-0550 \(5\)\(t\)](#)

Junction City Police Assn. v. Junction City, Case No. UP-94-88 and UP-124-88, 11 PECBR 732 (1989).
Tualatin Valley Bargaining Council v. Tigard School District 23J, Case No. UP-120-87, 11 PECBR 42 (1988); adhered to on reconsideration, 11 PECBR 53 (1988).
Pro-Children Act of 1994, 20 U.S.C. Sections 6081-6084.

Eugene School District 4J

Code: **JFCG**
Adopted: 6/16/75
Revise: 9/25/91, 12/21/05; 11/06/13
Orig. Code(s): 5630

Use of Tobacco by Students

No student is permitted to possess tobacco products in any building, facility, or vehicle, owned, leased, rented, or chartered by the school district, school, or public charter school, or on district grounds, athletic grounds, or parking lots.

For the purpose of this policy “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking products; and smokeless tobacco, also known as spit tobacco, dip, chew, snus and snuff, in any form; and 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.

This policy will be implemented by reasonable efforts to monitor use and possession of tobacco products, including, but not limited to, action to cause violators to cease and desist when a violation takes place within the plain view of a school employee. When there is a reasonable suspicion that a student is possessing tobacco products in violation of this policy and state law, a school administrator or designee may follow the procedures for search and seizure outlined in the *Student Rights and Responsibilities Handbook*.

END OF POLICY

Legal Reference(s):

[ORS 163.575](#) (1)(d),(e)
[ORS 332.107](#)
[ORS 336.222](#)
[ORS 336.227](#)
[ORS 339.240](#)
[ORS 339.250](#)

[ORS 339.865](#)
[ORS 431.840](#)
[ORS 431.845](#)
[ORS 433.835](#) - 433.990

[OAR 581-021-0050](#) to -0075
[OAR 581-022-0413](#)
[OAR 581-053-0015](#)
[OAR 581-053-0545](#) (4)(c)(R,S,T)
[OAR 581-053-0550](#) (5)(t,u,v)

Pro-Children Act of 1994, 20 U.S.C. Sections 6081-6084.

Drug, Tobacco and Alcohol Abuse by Students

The Board believes that all students have the right to learn in an atmosphere that is conducive to their success. The use and abuse of chemicals by students have a deleterious effect on the ability of the student to learn and on the ability of the staff to provide a meaningful educational program; the harmful use of chemicals is not a normal stage of adolescence.

A student shall not knowingly possess, use, transmit, traffic in, or be under the influence of such substances as amphetamines, barbiturates, marijuana, narcotic or hallucinogenic drugs, alcohol, or intoxicants of any kind on the school grounds, or off the school grounds while attending a school activity, function or event.¹ No student is permitted to possess a tobacco product in any building, facility, or vehicle owned, leased, rented, or chartered by the school district, school, or public charter school; or on school grounds, athletic grounds, or parking lots. For the purpose of this rule “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco, also known as smokeless, dip, chew, and snuff, in any form. If a student violates this rule, the administration will follow the disciplinary procedures established in the *Student Rights and Responsibilities Handbook* and will notify the parents. If there has been a violation of the law, the appropriate law enforcement agencies will be notified following the procedures as specified in board policy KN - Cooperation With Law Enforcement Agencies. Discipline may include the completion of an appropriate rehabilitation program.

A responsibility of the school district is to attempt to maintain a drug-free school environment so that learning can take place; to educate all students so that they are aware of the issues and problems related to the use of tobacco, drugs and substances; to identify students who have chemical abuse problems and to assist them in seeking and obtaining appropriate treatment services, whether within the school or in the community if such services are beyond the scope of the school; and to work with other community agencies in solving the problems related to substance abuse.

Therefore, the district will maintain an age-appropriate, developmentally-based drug, tobacco, and alcohol prevention curriculum that will address the legal, social, and health consequences of drug, tobacco, and alcohol use and provide information about effective techniques for resisting peer pressure to use drugs, tobacco, and alcohol. The district will also develop and maintain a system of identification and referral; provide information about smoking cessation; provide information about drug and alcohol counseling and rehabilitation, and re-entry programs that are available to students; keep the community aware of the problems in the district and the approaches being used by the district for combating substance abuse; and establish working relationships with community groups to help address the issues of chemical abuse.

¹ See Board Policy JHCD - Administering Medication in School for the legitimate use of medication at school.

The school administration shall continually review its drug, tobacco, and alcohol abuse program to determine its effectiveness and any necessary changes in the program and to ensure that its disciplinary procedures are consistently enforced.

END OF POLICY

Legal Reference(s):

ORS 161.605	OAR 584-020-0040
ORS 161.625	OAR 581-021-0050 to -0075
ORS 332.107	OAR 581-022-0413
ORS 336.067	OAR 581-053-0015
ORS 336.222	OAR 581-053-0545 (4)(c)(R,S,T)
ORS 336.227	OAR 581-053-0550 (5)(t,u,v)
ORS 339.240	
ORS 339.250	
ORS Chapter 475	

Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V; 21 CFR 1308.11-1308.15 (2000).



Technology Appropriate Use Guidelines

Eugene School District 4J

Purpose of Technology Appropriate Use Guidelines

District owned technology is to be used to enhance learning and teaching as well as improve the operation of the district. Technology, as referred to in these guidelines, is any electronic device that is used by students or staff.

The Eugene 4J School District's electronic communications network, 4JNet, is to be used to support and enhance learning and teaching that prepares students for success as well as support and improve operations of the District. Providing access to 4JNet is an investment in the future of both our students and staff. 4JNet supports the core beliefs of the Eugene 4J School District:

- Do what's best for students.
- Continue to learn and grow.
- Respect and care about each other.

The Eugene School District believes that electronic communication is a tool for life-long learning, and that access to 4JNet is one of the resources that promote educational and organizational excellence. We believe the responsible use of 4JNet and 21st Century equipment will propel today's students into their future college or career choices. These tools and resources will allow students and staff to significantly expand their knowledge by accessing information resources as well as analyzing, synthesizing, and publishing information.

Students and staff are expected to use 4JNet in a responsible, efficient, ethical, and legal manner in accordance with the mission of the Eugene School District 4J. The use of 4JNet may be revoked at any time for inappropriate behavior. Users assume responsibility for understanding relevant board policy and these guidelines as a condition of using 4JNet. Staff members are accountable to teach and use 4JNet responsibly. Use of 4JNet that is inconsistent with policy and guidelines may result in loss of access as well as other disciplinary or legal action.

The purpose of this document is to provide guidance to students and staff in the use of technology in order to maximize the derived benefits, provide safety in the use of technology, and insure the security of confidential information.

Related Laws and Board Policies

Federal Laws

[CIPA](#) - The Children's Internet Protection Act is a federal law enacted by Congress in December 2000 to address concerns about access to offensive content over the Internet on school and library computers.

What CIPA requires: Schools and libraries subject to CIPA may not receive the discounts offered by the E-Rate program unless they certify that they have an Internet safety policy and technology protection measures in place. An Internet safety policy must include technology protection measures to

block or filter Internet access to pictures that: (a) are obscene, (b) are child pornography, or (c) are harmful to minors, on technologies that access the Internet by minors.

Schools subject to CIPA are required to adopt and enforce a policy to monitor online activities of minors; and Schools and libraries subject to CIPA are required to adopt and implement a policy addressing: (a) access by minors to inappropriate matter on the Internet; (b) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c) unauthorized access, including so-called “hacking,” and other unlawful activities by minors online; (d) unauthorized disclosure, use, and dissemination of personal information regarding minors; and (e) restricting minors’ access to materials deemed harmful to them.

Schools and libraries are required to certify that they have their safety policies and technology protection in place before receiving E-Rate funding.

CIPA does not affect E-Rate funding for schools and libraries receiving discounts only for telecommunications, such as telephone service.

An authorized person may disable the blocking or filtering measure during any use by an adult to enable access for bona fide research or other lawful purposes.

CIPA does not require the tracking of Internet use by minors or adults.

[COPPA](#) - Children's Online Privacy Protection Act (COPPA) – A Federal; law passed by the U.S. Congress in 1998 to specifically protect the privacy of children under the age of 13 by requesting parental consent for the collection or use of any personal information of Web site users.

[FERPA](#) – Family Educational Rights and Privacy Act - A Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records and specifies how districts should handle requests for student information.

[HIPAA](#) – Health Insurance Portability and Accountability Act of 1996 – A federal law to establish national standards for electronic health care transactions and national identifiers for providers, health plans, and employers. It also addressed the security and privacy of health data.

State Laws

[ORS 244.040](#) — Prohibited use of official position or office; exceptions; other prohibited actions

[ORS 260.432 Campaign Finance](#) — The restrictions imposed by the law of the State of Oregon on your political activities are that “No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.”

Eugene SD 4J Board Policies

[Board Policy KGF](#) — Use of District Property – This policy defines 4J property including equipment, computer software, and networks, and their use by district staff and volunteers.

[Board Policy JFCFA/GBNAA](#) – Cyberbullying – “Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio, or video) that violates Board Policy JB-Intimidation, Bullying, Harassment, Discrimination, Hazing, and Retaliation or which disrupts or prevents a safe and positive educational or working environment, or places a person in reasonable fear of physical harm or damage to their property. Any form of cyberbullying, by students or staff is prohibited and will not be tolerated in the Eugene School District 4J.

[Board Policy JB](#) —Intimidation, Bullying, Harassment, Discrimination, Hazing, and Retaliation. This policy defines each of the terms in the title and the consequences to students perpetrating such activity.

Definitions

4JNet	Eugene School District 4J’s electronic communications network connects all school sites together with Internet access.
District 4J email	Student and staff email accounts provided by the district. (Zimbra)
Filtering	A process to deny access to certain websites or resources as defined in the filter.
Internet	A worldwide network that connects smaller networks together.
Social Networking	Websites that provide means of personal communications between participants (i.e. FaceBook, MySpace)
iPortal (Moodle)	An open source course management system available to teachers, staff, and students.
Wiki	“A website that allows the easy collaborative creation and editing of any number of interlinked web pages via a web browser using a simplified markup language or a WYSIWYG text editor.” – Wikipedia definition http://en.wikipedia.org/wiki/Wiki-cite_note-0
Blog	Blend of the terms web and log. It is considered a type of website. Blogs are usually maintained by an individual with regular entries of commentary, descriptions of events, or other material such as graphics or video.
Netiquette	Socially acceptable rules of etiquette that apply when communicating over the Internet, social networks, or devices.

Student Safety and Privacy Guidelines

General Guidelines

The Eugene School District 4J has an obligation to protect student safety and to balance this with the need for open communications when using the Internet. There are documented instances of students being inappropriately identified via the Internet and thereby becoming subjected to unhealthy situations or unwelcome communications.

The purposes of these guidelines are:

- To inform school staff of the possible dangers of allowing students to publish identifying information on the Internet.
- To recognize that there are potential advantages of allowing students to publish identifying information on the Internet.
- To provide to schools a recommended set of Guidelines governing how student-identifying information should be allowed in publishing on the Internet.

Staff and student users of 4JNet must be aware that information accessed, created, sent, received, or stored on the network is not private. It is subject to review by network system administrators, lawyers, and others who may investigate complaints regarding inappropriate or illegal material.

ALL K-12 Students

It is clear that there are significant risks, as well as significant advantages, involved with allowing students to be identified on the Internet. Therefore students should not be easily identifiable from materials they might publish on the Internet. No directory information should be posted on the web for students whose parents have returned the form asking that such information not be released.

Student Internet Publishing Guidelines

- Only first names should be used in published student work.
- Pictures that are a part of student publishing should not include identifying information.
- Under no circumstances should a student's home address or phone number be included.
- If replies to published student work are appropriate, the sponsoring teacher's address should be the email address displayed, not the student's.
- In special circumstances with parent-signed release, identifying information can be added.
- No social sites are to be accessed using District provided student email accounts.

Additional High School Guidelines Interactive

Interactive Online Forms and Applications

There are circumstances where it may be appropriate for older students (Grades 9-12) to provide identifying information along with work published on the Internet. The 4J Internet Guidelines Committee recognizes that high school student publications on the Internet may allow more identifying information where it is considered appropriate by the student, parent, and the supervising staff member. One example might be college entrance or employment opportunities that would be enhanced by viewing a student's work on the Internet. To make this determination the submitting high school student and the supervising staff member must carefully weigh the potential for risk against the perceived advantage of providing this identifying information. Students are required to seek guidance and approval from parents and school staff before providing identifying information. It is imperative that the site the students are communicating personal information to is a secure site – https.

Online Safety Resources

The websites below provide safety information for adults and children.

<http://www.csriu.org/>- Center for Safe and Responsible Internet Use

<http://www.safekids.com/>- General Resource Site

<http://www.getnetwise.org/>- Internet Education Foundation

<http://www.wiredsafety.org/>- Wired Safety

<http://www.missingkids.com/>- National Center for Missing and Exploited Children

Use of District-Owned Technology Devices

General Guidelines

The purpose of District-owned technology resources is to enhance the educational experience of students and to increase the operational efficiency and teaching of staff. Practices that attempt to achieve this purpose in a safe, legal manner are acceptable while practices that do not attempt to achieve this purpose are considered not acceptable.

Teachers, specialists, and other supervising adults will teach and discuss the appropriate use of 4JNet, technical resources, and the Internet with their students, monitor their use, and intervene if the resource is not being used appropriately. The District will provide training resources for staff and students to use in their buildings.

Internet users are encouraged to find resources, such as email, blogs, wikis, and websites, that meet their individual needs and take advantage of the networks many useful functions. There are many applications that can be used in an educationally beneficial manner as well as applications that can be used in an inappropriate, illegal, or unacceptable manner. Therefore, the District has established an adaptive baseline of filtered websites across all K-12 schools and a bypass list is maintained for students in grades K-2. Additionally, individual school staffs in conjunction with their Technology Leadership Team (TLT) may choose to filter additional sites beyond the District minimums.

Although the District has deployed an Internet filtering system and students are supervised when they use the Internet, this does not guarantee that students will not access inappropriate materials or sites that parents consider objectionable. District 4J's guidelines for accessing the Internet prohibit access to material that is inappropriate in the school environment. Students should report inappropriate access of material to a teacher, other staff person, or their parents. Parents are encouraged to discuss responsible use of the Internet with their children at home and how this responsibility extends to using the Internet appropriately at school.

District equipment that is used off site is subject to the same rules as when used on site. However, users should be aware that 4JNet filter does not work outside of the district network.

Unacceptable Use of 4JNet and Equipment

The [Student Rights and Responsibilities Handbook](#) governs student discipline. [School Board Policy and District Administrative Rules](#) govern staff use.

The unacceptable uses of 4JNet may result in suspension or revocation of network privileges. Unacceptable use is defined to include, but not be limited to, the following:

- Violation of School Board Policy (KGF - Use of District Property; JB - Discrimination, Harassment, Intimidation, Bullying, and Retaliation; and JFCFA/GBNAA - Cyberbullying),

District Administrative Rules, or any provision in the district Student Rights and Responsibilities Handbook.

- Transmission of any material in violation of any local, state, or federal law. This includes, but is not limited to: copyrighted materials, threatening or obscene material, or material protected by trade secret.
- The use of profanity, obscenity, or other language that may be offensive to another user.
- Any form of vandalism, including but not limited to: damaging hardware, computer systems, or networks, and/or disrupting the operation of the network.
- Copying and/or downloading commercial software or other material e.g. music, in violation of federal copyright laws.
- Use of the network for financial gain, commercial activity, or illegal activity, e.g. hacking.
- Use of the network for political activity.
- Use of the network to access pornographic or obscene material.
- Creating and/or placing a computer virus on the network.
- Accessing another person's individual account. Passwords should never be shared with another person and should be changed frequently. Passwords should not be common words or names that can be found in a dictionary.
- Posting information or images that could be a form of harassment or could promote a negative culture in the school environment by causing a student or staff member to feel uncomfortable or unsafe at school (See [Cyberbullying Board Policy](#))
- Activity with a malicious intent to disrupt the network
- Installation of unapproved equipment e.g. wireless access points, routers, switches, network cabling not provided or approved by the Computing and Information Services Department; unapproved or unlicensed software; or changing of district settings is prohibited. The potential for “hackers” into our network is breached by any of these activities.
- Bypassing of District specified filtered Internet websites on computers used by students.

Use of Personal Technology Devices at School

Staff Guidelines

Personal staff equipment brought to school for instructional purpose use will follow the guidelines of the Collective Bargaining Agreement articles 7.2 and 7.3.

7.2 The District shall reimburse unit members for the reasonable cost of personal property with a value of \$500 or less that is stolen or damaged if related to their instructional responsibilities or is stolen or damaged as a result of the District’s negligence. The District shall reimburse unit members for the reasonable cost of personal property with a value greater than \$500 that is stolen or damaged and is properly documented as stolen or damaged as a result of the District’s negligence.

7.3 DISTRICT EQUIPMENT: Unit members will not be held liable for loss, damage or theft of District equipment provided reasonable care has been taken.

Acceptable Use of Personal Technology

Personal devices, such as cell phones, smart phones, tablets, digital cameras, MP3 players, and laptops may be used for instructional purposes in the classroom at the discretion of the teacher. The same personal devices may be used outside of the classroom at the discretion of the school. However use of 4JNet resources, such as email, chat, wikis, blogs, and Internet websites must be done in a responsible and respectful manner. ([Student Rights and Responsibilities Handbook](#))

Unacceptable Use of Personal Devices

Students and staff are encouraged to use district equipment whenever possible. Unacceptable use of personal technology devices by students may result in suspension or revocation of personal device privileges. These include, but are not limited to:

- Use of a personal device that violates any of the unacceptable uses for District-owned technology listed above.
- Use of a personal device to gain or give an advantage in a testing situation.
- Use of personal devices during class that are not approved by the school or the individual teacher (e.g. cell phones, smart phones, tablets, digital cameras, MP3 players, and laptops).
- Downloading and installing District licensed software on personal devices unless specifically allowed by the licensing agreement.

Network Communication Guidelines

General Guidelines and Netiquette

Users of email, chat, blogs, wikis, and other network services should understand that everything that they post is public for all to see. Email messages are not private. Once it is posted it can never truly be removed from the Internet. District technical staff has access to all mail in order to maintain the system. All email is archived for a period of three years, and is subject to public records requests. All FERPA, HIPAA, CIPA, and COPPA protections would still apply to email before being disclosed. Users should be aware of the common netiquette that users expect from one another:

- When sending email, make your "subject" as descriptive as possible.
- Check your email frequently and handle it appropriately after reading it, i.e. file, delete.
- Be very careful who your message is addressed to and how you reply. Do not "Reply All" unless you really want everyone on the original message to see your reply.
- Use BCC (Blind Carbon Copy) instead of CC when sending to a large number of email addresses, such as parents, and include sending to yourself. In doing so, the recipients will not see the emails re[plies of all others that are being copied nor will they need to scroll through a long list of email addresses on a small mobile/handheld device.
- Both incoming and outgoing email is filtered for spam and is blocked or quarantined based on the source and content of the email. Not all spam will be caught by any filtering system.
- Do not post the personal addresses or phone numbers of students or colleagues.
- Proofread and edit messages before they are sent, but be tolerant of errors in messages from others.

- Be careful when using sarcasm and humor: without face-to-face communications, a joke may not be taken the way it was intended.
- All communication should be respectful and professional.
- Protect the privacy of other people.
- Messages written in ALL CAPITALS are difficult to read and are the network equivalent of shouting.
- Manage the email resources that you are allocated in order to stay within the set data space quotas.

Staff 4J Email Accounts

All 4J staff members are issued an email account. Guest teachers, in general, are not issued email accounts. Long-term guest teachers are an exception. All 4J email users are expected to use commonly accepted practices. Retired personnel are removed 90 days after July 1 of the year of retirement unless specific exceptions are made for serving on 4J committees or they have been asked to conduct a specific 4J task.

Acceptable Use of Email Accounts

- Using email to fulfill the responsibilities of your assigned position.
- Communication in a professional manner with staff, students, parents, vendors, and the community.
- Incidental personal use during duty-free time.
- Creating 4J hosted web sites, wikis, blogs, and class management systems (Moodle) to facilitate the communication of class information.

Unacceptable Use of Email Accounts

- Violation of Oregon Law ORS 260 on political activity.
- Violation of Oregon Law, School Board Policy, District Administrative Rules, or any provision in the district Student Rights and Responsibilities Handbook.
- The use of vulgar and plainly offensive, obscene, or sexually explicit language in any form.
- Using your 4J email account to subscribe to personal web resources, i.e. Facebook, MySpace, eBay, Twitter, etc.
- Copying commercial software or other material in violation of federal copyright laws.
- Use of the network for financial gain, commercial activity, or illegal activity.
- Accessing another person's individual account i.e. guest teacher, student teacher...
- Sharing of inappropriate materials or their sources with students or adults or knowingly accessing inappropriate materials.

Student 4J Email Accounts

General Overview

All 4J students are issued a 4J email account. All 4J email users are expected to use commonly accepted practices.

- High school and middle school students have their 4J email accounts activated automatically unless a parent or guardian has denied access at the building level or filled out a denial form at the district level. ([Denial Form](#))
 - Elementary students may have their district email account activated with written consent from their parents/guardian and the consent of their teacher. ([Consent Form](#)) Email accounts remain activated on a yearly basis through passive consent until the student is no longer a 4J student. Students granted access to Google Apps for Education will automatically have their district email account activated.
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Staff Use of Social Networking Sites¹

The district recognizes the value of student/teacher/parent interaction on educational networking sites (i.e. social networking sites dedicated to professional activity/collaboration/networking). Collaboration, resource sharing, and student/teacher, student/student, and teacher/parent dialog can all be facilitated by the use of networking tools. Such interactivity outside of the school walls can greatly enhance face-to-face classes.

The following are guidelines for maintaining a clear line between personal social networking and professional/educational social networking. Both have a valued place in our increasingly digital lives.

Your Online Identity

As educators, we have a professional image to uphold, and how we conduct ourselves online impacts this image. As reported by the media, there have been instances of educators demonstrating unprofessional conduct while engaging in inappropriate dialogue about their schools and/or students, or posting pictures and videos of themselves engaged in inappropriate activity online. Mistakenly, some educators assume that being online shields them from having their personal lives examined. Online identities are public and can cause serious repercussions if behavior is careless. For a “4J professional teaching site,” use your 4J email account.

Friending

One of the hallmarks of online networks, whether personal or professional, is the ability to “friend” others and thus create an online group that shares interests and personal news. **4J School District strongly discourages staff members from accepting invitations to “friend” students within personal social networking sites.** When students gain access into a staff member’s network of friends and acquaintances and are able to view personal photos and communications, the student-teacher dynamic is altered. By “friending” current students, staff members provide more information than one should share in an educational setting. It is important to maintain a professional relationship with students to avoid relationships that could cause bias in the classroom. Social networking can be a way to stay connected with students **after** they have graduated, but even then staff members should use their best judgment when “friending” students who have graduated.

The potential for “friending” parents of students also exists and can create some awkwardness for educators who want to maintain a clear line between their private and professional lives. Those who find themselves in the delicate position of either “unfriending” parents who are already a part of their

social network or of not accepting requests for friendship can use the following language to help them out: “Our district has provided us with guidelines to help us navigate the line between our personal and professional on-line activities. I use my Facebook account solely within the realm of my personal life and would like to maintain that personal/professional distinction. In the spirit of maintaining that distinction I need to not “friend” parents of students.” The following are recommended practices.

Recommendations for Professional/Educational Social Networking by Staff

- Let your administrator, fellow teachers, staff, and parents know about your educational network.
- Use district-supported networking tools (e.g. 4J email account, 4J blog, 4J wiki...).
- Do not say or do anything using a site attached to your 4J account that you would not say or do as a teacher in the classroom. (Remember that all 4J online communications are archived.)
- Have a clear purpose and outcomes for the use of the networking tool, and establish a code of conduct for all network participants.
- Adhere to the district guidelines when posting student pictures and using student names. Use only student initials in an email. (see Acceptable Use Section)
- Pay close attention to the site's security settings and allow only approved participants access to the site.

Recommendations for Personal Social Networking by Staff

- Do not accept students as friends on personal social networking sites. Decline any studentinitiated friend requests and do not initiate social networking friendships with students.
- Use your best judgment when “friending” former students AFTER they have graduated.
- Do not friend parents of students.
- Do not post to or update your page during work hours. Yes, you may be on your lunch break, but others who see your page may inaccurately infer that you are social networking when you should be teaching.
- Remember that people classified as “friends” have the ability to download and share your information with other people. You don’t have control over others with whom they share your information.
- Post only what you want the world to see. Imagine your students, their parents, or your administrator visiting your site. It is not like posting something to your web site or blog and then realizing that a story or photo should be taken down. Once you post something on a social networking site it may be accessible even after it is removed from the site.
- Check your profile’s security and privacy settings. At a minimum, educators should have all privacy settings set to “only friends.” “Friends of friends” and “Networks and Friends” open your content to a large group of unknown people. Your privacy and that of your family may be at risk.

Recommendations for All (Personal and Professional) Social Networking by Staff

- Do not use commentary deemed to be defamatory, obscene, proprietary, or libelous. Exercise caution with regards to exaggeration, colorful language, guesswork, obscenity, copyrighted materials, legal conclusions, and derogatory remarks or characterizations.

- Staff members receiving information on a social networking site that falls under the mandatory reporting guidelines, must report it as required by law (e.g. suspicion of child abuse).
- Stay informed and cautious in the use of all new networking technologies.

Resources

Should Students and Teachers be Online Friends? Cheri Lucas

http://www.education.com/magazine/article/Students_Teachers_Social_Networking/

A Teachers Guide to Using Facebook, Bernadette Rego

<http://www.scribd.com/doc/16957158/Teachers-Guide-to-Using-Facebook-Read-Fullscreen>

Student Access to Third-Party “Under 13” Website Services (Google Apps for Education)

General Overview

- All 4J students under 13 years of age must have a “Google Apps for Education” consent form signed by a parent/guardian and their teacher. The goal is to allow students to use this very valuable tool while following the Google recommendations and staying compliant with COPPA.
- Once students have returned consent forms, Google Apps will remain accessible for the current school year. Use of Google Apps will be suspended at the end of each school year.
- Google Apps consent forms must be renewed at the beginning of each school year.

Schools using Google Apps Education Edition assume the responsibility for complying with the Child Online Privacy Protection Act (COPPA) and the information that students submit. When offering these online services to children under 13, schools must be cognizant that COPPA is a regulation that requires parental consents for the online collection of information about users younger than 13. Per the Google Apps Education Edition Agreement, any school administering Google Apps Education Edition acknowledges and agrees that it is solely responsible for compliance with COPPA, including, but not limited to, obtaining parental consent concerning collection of students' personal information used in connection with the provisioning and use of the Services by the Customer and End Users. In Eugene School District 4J, parental notification and consent will take place in the form of a permission slip granting use of Google Apps for ALL Elementary and Middle school students. This form must be signed on a yearly basis and held on file in the school office.

- [Elementary School “Google Apps for Education” Permission Form \(English\)](#) [Elementary School “Google Apps for Education” Permission Form \(Spanish\)](#)
 - [Middle School “Google Apps for Education” Permission Form \(English\)](#) [Middle School “Google Apps for Education” Permission Form \(Spanish\)](#)
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Copyright & Plagiarism

General Guidelines

Adherence to federal copyright law is required in both print and electronic environments. School Eugene District 4J Administrative guidelines states District intent to adhere to the provisions of Public Law 94-553 and subsequent federal legislation and guidelines related to the duplication and/or use of copyrighted materials. 4J guidelines only permit copying materials specifically allowed by copyright law, fair use guidelines, license agreements, creative commons,¹ or proprietor's permission. Additional copyright and fair use information can be found at:

[U.S. Copyright Office Fair Use](#)

[Stanford Copyright Fair Use](#)

[UMUC Copyright and Fair Use in the Classroom, on the Internet, and the World Wide Web](#)

Acceptable

- Use of copyrighted material with author permission
- Use of copyrighted material that meets the fair use criteria
- Use of copyrighted material that meets the common creative criteria

Unacceptable

- Using network resources to commit plagiarism.
- Unauthorized use, copying, or forwarding of copyrighted material.
- Unauthorized installation, use, storage, or distribution of copyrighted software.

¹ Written by Jen Hegna, Information Systems Manager, Byron (MN) Public Schools and Doug Johnson, Director of Media and Technology, Mankato (MN) Public Schools. <http://doug--johnson.squarespace.com/blue--skunk--blog/2009/8/20/networking--guidelines--revised.html>

Adapted for use in the Eugene School District

2 A tool that gives everyone from individual creators to large companies and institutions a simple, standardized way to grant copyright permissions to their creative work. The Creative Commons licenses enable people to easily change their copyright terms from the default of “all rights reserved” to “some rights reserved.” It refers to the body of work that is available to the public for free and legal sharing, use, repurposing, and remixing.

Guidelines for Email Signatures

These guidelines are intended to promote a professional, businesslike image in all Eugene School District 4J employee email communications.

Email signatures should include your name, the school or department to which you are assigned, the name of the school district, email address and telephone number. You may also include your job title as reflected in official district records. To use a working title instead of your official job title, you must obtain written permission from a Human Resources administrator.

Email signatures should be in black text in an easily accessible font. The district name is Eugene School District 4J with the words in that order and the J in 4J capitalized.

Email signatures should not include colored text, complicated fonts, images, clip art, background, any personal quotes, slogans, legal disclaimers, or a job title other than your official job title.

Format Order:

Your name

Your official title (optional)| School or Department

Eugene School District 4J

Email address | Office Phone

Fax (optional)

Sample Employee Signature:

Jane Doe

Teacher, Ace Elementary School

Eugene School District 4J

doe_jane@4j.lane.edu | 541-790-XXXX

Administrative Rule G2300.10 - Staff E-mail Usage

Last Updated: August 10, 2009

The following administrative rule concerning e-mail use is intended to promote an ethical and professional work environment and to meet the requirements governing the use of District computer resources. District e-mail accounts are provided to current District staff for the purpose of conducting District business, and to students to enhance their educational experience. Staff e-mail accounts will be deactivated upon termination of employment; student e-mail accounts will be deactivated upon graduation or withdrawal.

All District e-mail users are responsible for understanding and observing the District Technology Appropriate Use Guidelines, and all other applicable policies, regulations and laws in connection with their use of District computer technology resources. The District Technology Appropriate Use Guidelines are available on the District's website at www.4j.lane.edu/cis. These guidelines require that communications on District equipment be appropriate, professional, and courteous. These guidelines and state law also provide that an employee's District e-mail account is not to be used as a substitute for an employee's personal e-mail account. Using District-provided email for personal correspondence, except on an incidental basis, is prohibited. Conversely District business that is conducted by e-mail should use a District e-mail account and not a personal e-mail account. A personal e-mail account should not be forwarded to a District e-mail account and a District e-mail account should not be forwarded to a personal e-mail account.

All electronic mail records are considered District records subject to potential disclosure under the Public Records Act. Employees and students should have no expectation of privacy in their electronic communications.

All staff and student e-mails sent and received through the District e-mail system are the property of the school system and will be retained (archived) for a minimum of three (3) years. An investigation team will be established when necessary to review archived records. In the case of a litigation hold (a directive not to destroy electronic mail that might be relevant to a pending or imminent legal proceeding) normal retention procedures will be suspended for all related records.

Citings:

Board Policy [KGF](#)

Board Policy [JFCFA/GBNAA](#)

Board Policy [JB](#)

State Law: [ORS 244.040](#)

State Law: [ORS 260.432](#)

Eugene School District 4J

Code: **KGF**
Adopted: 6/16/75
Revised: 4/16/83, 1/7/87,
4/3/91, 4/17/91,
5/18/97, 2/18/98,
3/15/00, 12/11/02

Orig. Code(s): 6900

Use of District Property

Property including, but not limited to furniture, equipment, materials, supplies, computer software and networks, has been provided for use in the instructional programs and operations of the district. Staff and volunteers should at all times use district property in a manner that is consistent with the district's public purpose and that will not be a discredit to the district. Staff and volunteers shall never use district property to display vulgar and plainly offensive, obscene, or sexually explicit language or images.

Removal of District Property

Removal of district property from district premises for use by cooperating organizations for school and district-related noncommercial activities must have the prior approval of the principal or supervisor. A principal or supervisor may also approve removal of district property if it is to be used by a member of the school staff and for a public use that is related to the instructional program or operations of the district. Sites shall have procedures to track off-site property and ensure adequate insurance coverage.

Personal Use of District Property

No person may use district property for personal financial gain, for use inconsistent with the district's public purpose, or in a manner that will discredit the district. Any exception to this policy must have prior written approval of the superintendent or designee and authorized use shall be consistent with ORS Chapter 244. If a use is approved for personal or private purposes, reimbursement to the district to recover the cost of the use shall be established prior to use by written agreement.

District staff and volunteers may from time-to-time use district property for personal communication. When doing so, this property should be used in a manner that is consistent with the district's public purpose, that will not interfere with district operations, and that will not be a discredit to the district. Staff and volunteers shall never use district property that has an associated direct usage charge (e.g., cellular telephones) for personal business unless it is incidental to their assignment.

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#)

[ORS 332.107](#)

[OAR 584-020-0040](#)

Oregon Government Standards and Practices Laws, A Guide for Public Officials, Oregon Government Standards and Practices Commission (Dec. 1993).

Process for Handling Complaints Against Staff:

All employees will be notified in confidence of any complaint against them that is received.

In accordance with Article 12.9 of the bargaining contract with the Eugene Education Association, all unit members must be given timely notice of any parent or student complaint. If members are not given notice, the complaint cannot be referenced or used in a performance evaluation or discipline.



Eugene School District

Guidelines for Political Activity & Advocacy

Public employees cannot use public time or resources to advocate for or against a ballot measure or a candidate. This includes use of our computer network to send information. Using the 4J network and email system for political activity is prohibited, even if it is outside of regular working hours.

Here is a review of state laws and guidelines that public employees and public agencies, including schools, must follow in distributing information about ballot measures or candidates. These rules apply whenever there is an election.

1. State Law on Political Activity by Public Employees

Public agencies, including schools, cannot use public time or resources to advocate for or against a ballot measure or a candidate. This includes use of our computer network or other school communication channels to send information.

ORS 260.432(2) states:

“No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.”

2. Examples of Prohibited Activities:

- We cannot prepare or distribute written material, post website information, or send email that advocates for or against a ballot measure or candidate.
- We cannot attach to school newsletters or send home with students any materials that advocate or announce a position on a ballot measure/candidate, even if the flyer or material is prepared by an outside group and given to students or staff by a volunteer.
- We cannot include messages such as “Vote Yes on Measure X” or “Support Candidate Y,” or even “Vote For Schools” in school newsletters, email messages or on bulletin boards.
- We cannot provide access to our facilities unless we are providing the same opportunity to groups on either side of a ballot measure.
- We cannot post meeting announcements for groups advocating a position, unless we extend the same opportunity to opposing groups.

3. Examples of Allowable Activities:

- Distribution of neutral and objective information is allowed. The district and its employees may provide factual, neutral, and objective information about a ballot measure and the impact it will have on the school district.

- A school may encourage parents to vote and may make voter registration materials available.
- A school's parent group may invite advocates for or against a ballot measure to speak at a school parent group meeting. If a school parent group has an information table at a school activity, they may have information for and/or against ballot measures on the information table. It is important to provide the same opportunities to opposing sides of a ballot measure, if requested.
- A school's parent group may sponsor a candidate forum if it is open to all candidates. All candidates filed for the same office must be invited to participate. (The forum may still be held even if one or more candidates choose not to attend.)
- A school's parent group may share information advocating for or against a ballot measure in their communications, provided no district resources (e.g. computers, copiers, staff time) are used to produce or distribute those communications. It is important to provide the same opportunities to the opposing side, if requested.
- A school facility may be rented by a political candidate or by a group that is advocating a position on a ballot measure. The same opportunity must be available to opposing candidates or groups.
- Wearing of political buttons is a constitutional right of freedom of speech. Staff members may wear political buttons while on the job. Students, parents, volunteers, and other members of the public may also wear political buttons while on campus.
- When on their own off-duty time, not acting in their role, and not using any public resources, public employees may advocate political positions, send letters to the editor, and participate in any other lawful political activity. Salaried public employees are advised to keep records to verify that such political activity occurs while off duty.

The Secretary of State provides a quick reference guide, "Restrictions on Political Campaigning for Public Employees," http://oregonvotes.org/doc/publications/260.432_quickref.pdf, that addresses additional prohibited and allowable activities.

If you have a question about whether a particular action or piece of information is allowed, please ask your supervisor or contact the 4J Communications Office (Kerry Delf, delf_k@4j.lane.edu, x7733 direct line, x7737 department line, cell 541-520-6880).

4. Political Activities Notice

Schools and other public employers are required to post a notice (attached) regarding restrictions on political activities in a conspicuous place.

District Administrative Rule G2400

Last Updated: April 21, 2009

Oregon Revised Statutes ([ORS 419B.010](#)) requires any school employee having reasonable cause to believe that any child with whom he or she comes in contact has suffered abuse or that any person with whom he or she comes in contact has abused a child to immediately report it by telephone or otherwise to the local office of the Department of Human Services or to a law enforcement agency within the county where the person making the report is located at the time of the contact. The report shall contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for care of the child, the child's age, the nature and extent of the abuse, including any evidence of previous abuse, the explanation given for the abuse and any other information that the person making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator.

Abuse is defined in the statute as:

- a. Any assault of a child and any physical injury to a child which has been caused by other than accidental means, including any injury which appears to be at variance with the explanation given of the injury;
- b. Any mental injury to a child, which shall include only observable and substantial impairment of the child's mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child;
- c. Rape of a child, sexual abuse, or sexual exploitation;
- d. Negligent treatment or maltreatment of a child, including but not limited to the failure to provide adequate food, clothing, shelter or medical care that is likely to endanger the health or welfare of the child;
- e. Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child's health or welfare;
- f. Buying or selling a person under 18 years of age;
- g. Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured; and,
- h. Unlawful exposure to a controlled substance that subjects a child to a substantial risk of harm to the child's health or safety.

[Citings](#)

State Law:

[ORS 419B.010](#)

I1700 – Community Educators (Guest Speakers) and Outside Presenters

Last updated: May 3 2010 – 9:46am

We recognize that guest speakers and outside presenters are a valuable resource for enriching district curricula. Community presenters and guest speakers must adhere to the following guidelines:

- Information presented must be educational, not promotional. Presenters are prohibited from gathering personally identifying information from students. It is allowable for presenters to post their name, the name of the organization with which they are affiliated, and phone number, email address, or other contact information. This contact information should be given in a neutral way and can remain posted throughout the presentation and shall be removed when the presentation is over.
- The information presented should be age appropriate and relevant to curriculum and classroom instruction.
- The information must be presented in a neutral and non-discriminatory manner.
- District representatives have a responsibility for vetting and supervision of guest speakers and outside presenters. Building administrators have the authority to cancel or stop presentations deemed to be inappropriate.



FAQ for Staff – Supporting Undocumented Students – Updated April 2018

Dear 4J staff:

On February 15, 2017, the 4J Board of Directors unanimously approved a resolution affirming the board's commitment to a safe, inclusive and supportive school environment for all students, regardless of their national origin, immigration or documentation status. That resolution and more information for parents and community members are available on the district website in English and Spanish.

We are writing to ensure all staff are aware of and are able to respond to common questions about support of students who are undocumented or come from families who are undocumented.

Each employee is expected to review and follow the guidelines in this FAQ. There are some revisions from the guidelines shared in January so please review this carefully. If you have questions after reviewing it, please ask your supervisor or send an email to perez_k@4j.lane.edu with the subject line "FAQ – Undocumented Students."

1. Do undocumented students have a right to attend public schools? Do schools have an obligation to educate undocumented students?

Yes. Every public school in Oregon has a legal obligation to educate every child, regardless of whether the child is a legal resident of the United States. Specifically, the United States Supreme Court ruled that undocumented school children have a constitutional right to equal access to K-12 education. As the court explained, these children are in the U.S. through no fault of their own, and denying them a basic education would take an "inestimable toll." Education prepares individuals to be "self-reliant and self-sufficient participants in society." *Plyler v. Doe (1982)*.

2. Should district staff collect or retain information on student immigration status, or that of students' parents?

No. The district does not collect information on the immigration status of students or parents. 4J employees may not ask about or document a student's immigration status or that of the student's family members.

State law prohibits public employees from asking about, or requesting information concerning, a person's citizenship or immigration status, except when required by law or necessary to determine eligibility for a benefit.

3. May staff members disclose information about a student's immigration status? To what extent are student records confidential?

No. Staff are prohibited by state law from disclosing, for purposes of enforcement of federal immigration laws, information about a student or student's family such as the address of the student or relative, the student's school or school hours, the student or relative's workplace or hours of work, and contact information including telephone number, email address or social media account information, or the date, time or location of appointments with the district.

Any request by an immigration official for any information about a student, even “directory information,” may not be granted at the school level, and must be referred to the office of the superintendent for response.

Even when staff are asked for a student’s immigration or citizenship information for reasons having nothing to do with federal immigration law enforcement, staff may not disclose the immigration status or other personal information about any student or his/her family, without prior parental consent or the authorization of the district to do so. The disclosure of such information may jeopardize the right of a student to attend public school and expose the district to liability. The disclosure may also violate the Federal Educational Rights and Privacy Act (FERPA).

Eugene 4J staff are expected to follow district policies including Board Policy JO and JOB, as well as state and federal laws concerning student records. Students’ educational records and the personally identifiable information in those records are strictly confidential. Such records may not be released to anyone by any employee without the prior consent of the parent (or eligible student) unless one of the narrow exceptions to that rule applies. Exceptions include staff within the district who have a legitimate educational interest, another school or district where the student is seeking to enroll, or a court order. Even when records have been subpoenaed, the district must follow a process prior to their disclosure.

Student records laws do not contain a blanket exception for law enforcement. Therefore, employees may not provide records to law enforcement except where permitted by law. For example, if there is a health and safety emergency (which is narrowly defined), the school shall disclose personally identifiable information from a student record to law enforcement, child protective services, health care professionals and other appropriate parties if knowledge of the information is necessary to protect the health and safety of the student and others.

The district may – but is not required to – disclose directory information to the extent that the district has designated certain information as directory information and a parent has not opted out of the disclosure of directory information. Employees should not release directory information except with administrative direction. Please see Board Policy JO, JOA and JOB for more information about student records.

Requests for student records and sensitive or confidential information should be directed to the appropriate channels at the school. Any employee who is unsure should ask his or her supervisor.

4. May immigration officials access students at school without a warrant?

No. Any member of the public may access the front office of a school or other public area such as an office lobby. However, no visitor may access the private areas of a school without the permission of the front office. School employees may not consent to immigration officials’ request to access the school unless directed by the superintendent or designee.

In the event an immigration official requests access to a private area of a school, to interview a student, or to provide other information about a student, the request shall be initially denied, and staff may not confirm whether or not a student attends the school. The school shall inform the official that 4J procedures require that such requests go through the superintendent’s office which will respond to such requests, and refer the official to the superintendent’s office at the 4J Ed Center. The school should then immediately contact the superintendent’s office. The superintendent or designee will decline any request to access a student or student information for purposes of federal immigration law enforcement unless it

is determined, in consultation with legal counsel, that compliance with the request is required by law, court order or court issued warrant.

If a school has reason to believe that a person is impersonating a law enforcement agent, the school should call the school resource officer or 911 immediately.

5. How should an administrator respond to a search warrant or court order from immigrations officials?

An administrator presented with a court order or warrant by an immigrations officer demanding access to a student, to confidential information, or to private spaces of a school, shall refer the officer to the superintendent's office at the 4J Ed Center. The school should immediately contact that office or the district's legal counsel.

The superintendent's office in consultation with legal counsel will request the agent's identification, badge number and phone number of supervisor, purpose of visit, closely review the scope of the order or warrant and determine next steps.

If an immigration officer insists on remaining at the school, ask the officer to wait, call district legal counsel or the superintendent's office, and inform the officer that legal counsel is on the way.

6. May school staff release a student to the custody of law enforcement?

A law enforcement officer or an official from the Department of Human Services may not take a child from school without a court order, making an arrest, taking a student into protective custody, or permission of the parent or guardian.

7. If a student's parent is detained as the result of an immigration enforcement action or raid, what should we do?

The school will work to ensure the safety of a student affected by an immigration enforcement action, will notify students when possible, and will not knowingly release a student into a hazardous situation. The school will make multiple attempts to contact the persons listed on the student's emergency contact list. If these efforts are unsuccessful, the school will contact the Oregon Department of Human Services. The transportation department will be alerted, and staff may be asked to work extended hours to ensure students are transitioned safely. Staff may not take students home.

Please encourage all families to have updated emergency contact information about who is authorized to pick up a student from school, and to consider including multiple options. Crisis plan tools for parents who wish to plan for their children's care in the event they are unavailable to do so can be found at: <https://www.latnet.org/community-resources/>

8. Are there any other staff obligations I should be aware of?

The procedures in this memo are designed to ensure a safe environment for students, and an orderly process for handling requests from immigration authorities. They do not cover every conceivable situation. If there is a safety emergency that presents imminent danger of harm, you are expected to take steps necessary to protect students and staff. Please also be aware that federal law prohibits the obstruction of justice, so – for example – you should not destroy evidence, make false statements, or

physically intervene in an arrest. Individuals could face individual consequences for violating criminal laws.

All children are entitled to public education regardless of their immigration status or that of their parents, and employees are expected to create safe, welcoming and equitable educational environments for all students. All employees must report suspected acts of bullying, harassment and discrimination against students to administrators. All employees must refrain from actions that discriminate against a 4J student on the basis of national origin, race, color, sexual orientation, gender identity, gender, and other protected status.

If you learn about a practice or policy that has an unintended discriminatory impact on the right of any child to a public education, please communicate that to your supervisor.

While it is wise to prepare for the possibility of such requests, it is also true that (1) we are not aware of any Oregon school that has been approached by immigration officials for information or enforcement actions; and (2) the Department of Homeland Security appears to be following its “sensitive locations” policy. By its own internal policies, the department generally avoids immigration enforcement at schools, bus stops, education-related activities or events, as well as medical facilities and places of worship. If this policy changes, we will let you know promptly.

Thank you for reviewing this memo.

Contacts:

Dr. Gustavo Balderas, Superintendent – 790-7706

Dr. Karen Perez da Silva, Equity, Instruction & Partnerships Administrator – 790-7714

Christine Nesbit, In House Counsel – 790-7664

Eugene School District 4J

Code: **KK**
Adopted: 8/16/00
Readopted: 5/17/17; 11/01/17
Orig. Code(s): 5640.4

Visitors to Schools and Properties

The board values engaging the community in our schools and also recognizes that the safe and effective delivery of the district's educational program requires efficient and orderly classrooms and schools, a proper educational environment, and consideration for the safety and welfare of students and staff. Therefore, the district limits visitors to parents/guardians of current students; other family members of current students approved by the student's parent/guardian; participants attending school events open to the public; approved volunteers; district staff not currently assigned to that site; board members; and other persons approved by the superintendent, or principal or designee for educational or official business purposes.

Without exception, visitors to a school during the school day will report first to the school office to obtain consent to visit elsewhere in the building. Any unauthorized persons will be reported to an administrator and may be asked to leave. The superintendent or principal or designee has the final authority to permit, deny or revoke the privilege of visiting a school based on the interests identified in this policy.

The superintendent may establish administrative rules implementing this policy. Visitors in violation of this policy or visitation rules are considered to be in violation of the law and are subject to prosecution for trespass.

END OF POLICY

Legal Reference(s):

[ORS 332.075](#)
[ORS 332.107](#)
[ORS 164.245](#)
[ORS 164.225](#)
[ORS 166.025](#)

Employees who work at schools, have contact with students or are administrators or supervisors must *also* review the following:

Wellness Policy

Children and adolescents need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive. With childhood obesity increasing across the nation, the role that schools play in promoting sound nutrition and physical exercise is more important than ever.

To help ensure that 4J students have the opportunity to eat well, be active, and learn about healthy choices, the Eugene School District adopted a comprehensive wellness policy in spring 2006.

Key elements of 4J's wellness policy include:

All students should have opportunities, support and encouragement to be physically active on a daily basis.

- Physical activity is encouraged to be integrated into the academic curriculum.
- Physical education will not be withheld as punishment.
- Recess will be withheld for disciplinary reasons only on an occasional basis as part of an individual or school-wide behavior plan.

Foods served to students should be nutritious and healthy.

- **Foods for sale:** Soda pop (including no-calorie varieties) will not be sold or distributed at school. Other foods of minimal nutritious value (e.g. most candy, chewing gum, cotton candy, candy-coated popcorn) will not be sold to students on campus during the school day. All foods offered for sale must meet the district's Healthy Snack Guidelines.
- **Foods in the classroom:** Staff should be judicious in any use of food as an incentive or reward, at celebrations, or as part of the curriculum, taking into consideration the nutritional value of the food being served and the frequency of use. Schools should limit the use of food at celebrations that are not related to the curriculum. When food is used as part of a social or cultural event in the schools, staff and parents are encouraged to provide nutritious foods that are consistent with the Healthy Parties Guidelines. These guidelines (attached) provide parents and teachers with nutrition targets and examples of healthy, affordable food choices for snacks and parties.
- **Foods of minimal nutritious value** (e.g. soda pop, most candies, chewing gum, cotton candy, candy-coated popcorn) may not be distributed by staff as a reward for academic performance or good behavior. These products may not be purchased with a district VISA card and employee purchases will not be reimbursed. The use of any other kinds of candy as a reward also is strongly discouraged.
- **These requirements also apply to before- and after-school activities** sponsored by the district, except for activities at which adults are a significant part of the audience (e.g. carnivals, athletic events).

To learn more about the specific requirements and guidelines under the district's wellness policy, please see the links at right

Use of Restraint and Seclusion

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. It is the intent of the Board to establish a policy that defines the circumstances that must exist and the requirements that must be met prior to, during and after the use of restraint and/or seclusion as an intervention with district students.

Definitions

1. "Physical restraint" means the restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student. "Physical restraint" does not include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity. The definition of "physical restraint" does not include the use of mechanical, chemical or prone restraint of a student as these methods are prohibited by Oregon law.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving.

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, in a setting from which the student is not physically prevented from leaving.

3. "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.
4. "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.
5. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that has not been prescribed by a licensed health professional or other qualified health care professional acting under the professional's scope of practice.
 6. "Prone restraint" means a restraint in which a student is held face down on the floor.

The use of physical restraint and/or seclusion is only permitted as part of a behavioral support plan when other less restrictive interventions would not be effective and the student's behavior poses a threat of imminent, serious physical harm to the student or others.

Except in the case of an emergency, only staff current in the required training in accordance with the district-designated physical restraint and seclusion training program will implement physical restraint or seclusion with a student. In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher, or other school employee as necessary when the student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or others. The use of physical restraint/seclusion under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to themselves or to others. Any student being restrained or secluded within the district 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 allow staff full view of the student in all areas of the room and be free of potentially hazardous conditions such as unprotected light fixtures and electrical outlets.

The district shall utilize the Oregon Intervention System (OIS) or the Mandt System training program of physical restraints and seclusion for use in the district. As required by State regulation, the selected program shall include: behavior support, prevention, de-escalation, and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and/or seclusion.

An annual review of the use of physical restraint and seclusion, including a review of all district cases involving restraint and/or seclusion, shall be completed to ensure compliance with district policies and procedures. The result of the annual review shall be documented and shall include at a minimum:

1. The total number of incidents of restraint;
2. The total number of incidents of seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in physical restraint;
5. The total number of students placed in restraint and/or seclusion more than 10 times in a school year;
6. The total number of restraint and seclusion incidents carried out by untrained individuals;
7. The demographic characteristics of all students upon whom physical restraint and/or seclusion was imposed.

This report shall be made available to the Board and to the public at the district's main office and on the district's website.

At least once each school year the public shall be notified as to how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL and KL-AR - Public Complaints.

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 physical restraint or seclusion by district personnel.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)

[ORS 339.250](#)

[OAR 581-021-0061](#)

[OAR 581-021-0062](#)

[OAR 581-021-0550](#)

[OAR 581-021-0553](#)

[OAR 581-021-0556](#)

[OAR 581-021-0559](#)

[OAR 581-021-0563](#)

[OAR 581-021-0566](#)

Cross Reference(s):

JGDA/JGEA - Discipline of Students with Disabilities

Student Rights &
Responsibilities
Handbook
2016 Revision



Eugene School District 4J

**Investing in Students
Creating the Future**



Table of Contents

Admission 3

Attendance 3
Policy • Expectations • Relationship of Attendance to Grades and Credit • Relationship of Attendance to Extracurricular Activities • Relationship of Attendance to Student Driving Privileges • Exemptions from Compulsory Attendance

Alternative Education Options 4

Assembly of Students..... 4
Informal Gatherings • Student Meetings • Speakers • Student Walkouts

Bullying, Harassment and Intimidation..... 4
Definitions • Student Responsibility • Reports and Complaint Process

Child Abuse 5
Reporting Child Abuse • Investigations of Child Abuse

Cooperation with Law Enforcement Agencies 5
Investigations by Law Enforcement Officers • Contacting Parents • Investigations Related to Illegal Acts that Occur Off-Campus and Are Not School-Related • Investigations Related to Violations of School Policies and Rules • Questioning of Students • Taking a Student from the School

Dress and Grooming 6
Student Dress and Grooming • Clothing with Vulgar and Plainly Offensive, Obscene, Sexually Explicit, or Illicit Drug References

Extracurricular and Athletic Activity Participation 6
General Participation Rules • Consequences for Substance Abuse

Freedom of Expression 7
School Publications • Distribution of Materials • Rights and Responsibilities • Commercial and Fund-Raising Activities • Time and Place of Distribution • Student Display Areas • Participation in Patriotic Exercises • Objections to Instructional Materials • Prohibited Speech

Freedom of Religion..... 7
Student Religious Meetings and Discussions • Release Time for Religious Instruction

Gang Activity..... 8

Nondiscrimination 8

Search and Seizure..... 8
Student Searches • Seizure of Property • Use of Lockers and Desks

Student Conduct: Offenses 9
Violation of District’s Bullying and Discrimination Policies • Theft and Stolen Property • Substantial Disruption of School or School Activities • Willful Disobedience of a Staff Member’s Authority • Use or Display of Vulgar and Plainly Offensive, Obscene, or Sexually Explicit Language • Damage or Destruction of School Property • Damage or Destruction of Private Property on School Premises or During a School-Sponsored Activity • Coercion, Assault, Menacing, Threats, Intimidation or Harassment • Possession, Handling or Transport of Any Dangerous Weapon • Use or Possession of Any Controlled Substances, Including Alcoholic Beverages and Drug Paraphernalia • Violations of Laws While Involved in School Activities • Misconduct that Occurs Off-Campus • Sexual Misconduct/Indecency • Teen Dating Violence • Use of Tobacco, Nicotine or Inhalation Devices

Student Conduct: Discipline Types and Procedures 10
Informal Discipline Procedures for Minor Infractions • Formal Discipline Procedures: Suspensions, Expulsions, Expulsion Hearings, Out-of-School Suspension or Expulsion of Students Fifth Grade or Lower, Suspension or Expulsion of Students with Disabilities • Required Reports to Law Enforcement Agencies • A Student’s Right to Hear His or Her Accuser • Complaints and Accusations Made by Staff Members • Complaints and Accusations Made by Other Students • Teacher–Student Privilege

Student Records 12
Confidentiality of Education Records • Inspection of Education Records • Release of Education Records • Directory Information • Withholding Education Records for Nonpayment of Fees, Fines or Damages • Copy of Policy on Education Records • Right to File a Complaint re FERPA Requirements • Amendment of Education Records

Students with Disabilities 12

Technology and Internet Use 13
Email Accounts • Unacceptable Uses of District-Owned Technology • Personal Devices

Use of Force 14

Use of Motor Vehicles 14

Use of Tobacco 14

Visitors and Trespassing 14
Visitors Permitted on School Grounds • Visitors Must Report to the Office • Weapons Prohibited • Students Who Have Been Suspended or Expelled • Violations of Visitation Rules

Appendix 1: Due Process Procedures for Out-of-School Suspension..... 15

Appendix 2: Due Process Procedures for Expulsion 15

Appendix 3: Category IV Violations of the Memorandum of Understanding Substance Abuse Intervention/Networking Program 15

Index 16

Message from the Superintendent To All Students and Their Parents or Guardians

All students in Eugene School District 4J have the right to learn and grow in a safe and welcoming school environment. School staff, students and their parents and guardians have a joint responsibility for maintaining a positive learning environment and appropriate student conduct and discipline.

This Student Rights & Responsibilities Handbook addresses certain rights and responsibilities of students and expectations for student conduct necessary to maintain a climate of respect and safety. The handbook represents a set of guidelines; it does not describe all behaviors or detail the many steps schools take to assist students in making good decisions.

Individual schools may also establish specific school rules to help provide a safe and effective learning environment and to implement district policies and laws. No school, however, has the authority to modify district rules.

Students and parents, please carefully read and discuss this handbook and keep it for future reference. Working together, 4J students, staff and families can create safe and positive learning environments for all.

Gustavo Balderas, Superintendent
Eugene School District 4J
200 North Monroe Street
Eugene, Oregon 97402-4295
www.4j.lane.edu

For additional information and/or compliance issues:
Superintendent’s Office, 541-790-7706
Title IX, 541-790-7550
Section 504, 541-790-7800

Revised July 2016
Issued by Lane County School District No. 4J, Eugene, Oregon



Admission

Schools shall admit free of charge students between ages 5 and 21 who reside within the school district unless they have received a high school diploma or have been expelled from another school district as specified below.

Age of Enrollment

A child entering school for the first time shall be considered to be 5 years of age if his or her fifth birthday occurs on or before September 1. Children who are at least 5 years old by Sept. 1 of the school year may enroll in kindergarten; early admission may be requested for children with a birthday later in September. Children who are 6 years old by Sept. 1 of the school year may enroll in first grade. Students who seek to enroll in the school district after their 19th birthday may be required to attend an alternative school program.

Residency

To enroll in a 4J school or participate in the school choice process as a district resident, a student must reside with a parent or guardian within the district boundary more than 50 percent of the time. At the time of registration, parents or guardians must present acceptable documentation demonstrating that they reside within the district. If, at any time, a student's residence is in question, the district may require additional evidence to verify residence. When documents submitted are falsified and such a violation is found, the child will be sent back to the school that he or she should properly be attending. Families who live outside of the district but wish to attend a 4J school may request a transfer to the district.

Enrollment of Expelled Students

The district may deny regular school admission to a student who is expelled from another school district and who subsequently becomes a resident of the district or who applies for admission to the district as a nonresident student. In order to determine whether or not a student may be allowed regular school admission and under what conditions, a review of the expulsion will be conducted by a district hearing officer, following district expulsion procedures. The hearing officer will inform a student who becomes a resident of the district and the student's parents about the availability of alternative education programs, if the student's admission is denied because he or she has been expelled from another school district.

If a student is under expulsion from another school district for an offense that constitutes a violation of the school district policy's firearms policy adopted pursuant to law, the district may deny admission to the regular school program for at least the period of the expulsion and one calendar year from the date of the expulsion.

Attendance

Oregon law requires that all children between the ages of 6 and 18 years of age who have not completed the 12th grade regularly attend a public full-time school (ORS 339.010). Children who are 5 years of age who have been enrolled in a public school are required to regularly attend while enrolled. Oregon law requires that the district withdraw students who are absent ten (10) consecutive school days.

There is a strong correlation between school attendance and student learning. In order to be successful academically, students must actively participate in their learning. To this end, efforts will be made by school officials to enforce the compulsory attendance laws of the state. The district will provide homeless students with services comparable to services offered to all 4J students, including transportation services.

Expectations

Students are expected to regularly attend and be punctual in reporting to classes. A school administrator may excuse an absence caused by the student's illness, the illness of a student's family member, or an emergency. In most cases, absences of this type will be excused if parents or guardians contact the school within 48 hours. The principal may also excuse absences for other reasons where satisfactory arrangements are made in advance. The school will notify parents or guardians by the end of the day when there is an unplanned absence.

State law requires parents and guardians to send students to, and maintain regular attendance in, school. Eight half-day unexcused absences or four full-day unexcused absences in any four-week period during which the school is in session is considered irregular attendance. Chronic lateness and single-period absences may also be considered. Failure to send a student to school is a Class C violation, and may result in a court-imposed fine (ORS 339.990). In cases of irregular attendance, a principal may determine if an absence is excused. The school will notify parents or guardians with concerns about irregular attendance. Nonattendance notices will be sent as required by law.

Relationship of Attendance to Grades and Credit

Punctual and regular attendance is essential to academic success. At the beginning of each course, teachers will communicate to students and parents how attendance and class participation are related to the instructional goals of the subject or course.

A lower grade may result from a student's failure to meet course goals because of absences or a failure to complete makeup assignments. However, grades may not be reduced, nor credit denied, based solely on attendance. Additionally, grades may not be reduced nor credit denied based on absences due to religious reasons; manifestation of a student's documented disability; or an absence that is excused under district attendance policy. Due process (a student's right to fair treatment) will be provided to any student whose grade is reduced or credit denied for attendance rather than for demonstrated proficiency in content knowledge, academic skills and intellectual habits.

Relationship of Attendance to Extracurricular Activities

Students may be ineligible to participate in extracurricular activity programs if they are absent from one or more classes on the day of the activity, unless the absences are school-related or prior arrangements have been made with a school administrator. Emergency situations may be reviewed and determined by the athletic director or athletic/activities coordinator. Irregular school attendance may also result in suspension from extracurricular activities.

Relationship of Attendance to Student Driving Privileges

The superintendent may file with the Oregon Department of Transportation a written notice of a student's withdrawal from high school through truancy. A student is withdrawn from school after 10 consecutive absences or 10 days total of unexcused absences during a single trimester. The superintendent or designee will meet with the parent or guardian of the student before submitting such notice. Upon receipt of the notice, the Oregon Department of Transportation may then suspend the person's driving privileges or application for driving privileges. (ORS 339.257; district policies JEA and JHFDA)

Exemptions from Compulsory Attendance

There are several exemptions to the compulsory attendance law (ORS 339.030), including for children: (1) being taught in a private or parochial school in the courses of study usually taught in kindergarten through grade 12 in the public schools and in attendance for a period equivalent to that required of children attending public schools; (2)



proving to the satisfaction of the school board or designee that they have acquired equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade 12 in the public schools; (3) who have received a high school diploma; (4) being taught for a period equivalent to that required of children attending public schools by a private teacher the courses of study usually taught in kindergarten through grade 12 in the public schools; or (5) being home schooled having registered with the Lane Education Service District.

An exemption also may be granted to: (1) the parent or guardian of a 16- or 17-year-old child who is lawfully employed full-time or lawfully employed part-time and enrolled in school, a community college or alternative education program, or (2) a child who is an emancipated minor or who has initiated the procedure for emancipation.

Reference: ORS Chapter 339

Alternative Education Options

Oregon law requires that in certain circumstances school districts inform students and parents of alternative education options that might be available to them. School districts are also required to inform students and parents of those alternative education programs for which they will provide financial support.

The school administration will inform students and parents or guardians about the availability of appropriate and accessible alternative education programs in each of the following situations:

- a. Upon the occurrence of a second or any subsequent occurrence of a disciplinary problem within a three-year period that would justify a recommendation for expulsion;
- b. When a student’s attendance pattern is so erratic that, in the district’s opinion, the student is not benefiting from the educational program;
- c. When the school is considering expulsion as a disciplinary alternative;
- d. When a student is expelled; or
- e. When an emancipated minor, parent or legal guardian applies for the student’s exemption from compulsory attendance under law (ORS 339.030(5)).

The notice will include the student action that is the basis for consideration of alternative education, a list of the alternative education programs for which the district would provide financial support, the program recommended considering the student’s learning styles and needs, and the procedures for enrolling the student in the recommended program.

Reference: Board Policy IGBHC; OAR 581-021-0071

Assembly of Students

Students have the right to assemble peaceably. Gatherings that interfere with the operation of the school are prohibited. Students and staff all share responsibility for the activities that take place in school. School personnel are held accountable to the general public and, in cooperation with students, are accountable for the image of the institution. Therefore, the orderly use of school facilities is required.

Informal Gatherings

Students have the right to gather informally, but such gatherings shall not substantially disrupt the orderly operation of the school or infringe upon the rights of others.

Student Meetings

Students are permitted to hold meetings at school under the following conditions:

- a. Meetings must be scheduled in advance with school officials and be sponsored by an official school club or organization. The time and place of the meetings shall not interfere with the school program.
- b. If a large crowd is anticipated, a crowd control plan must be filed with the school official in advance of the meeting.
- c. Meetings must not be disruptive to class or school activities and shall not be of such a nature that could likely result in damage to any person or property.

Speakers

Authorization for the presence in the building of outside speakers must be obtained from the principal in advance of the meeting. No speaker will be allowed to make a speech that advocates breaking the law or otherwise violates the district’s policies or the provisions of this handbook.

Student Walkouts

Student-organized “skip days” or other unauthorized group absences of students are not acceptable. Permission for absences for this type of activity will not be granted.

Bullying, Harassment and Intimidation

School board policy JB prohibits harassment, intimidation, hazing, bullying, cyberbullying, teen dating violence and retaliation, as defined by school board policy, against students on or immediately adjacent to school grounds, at any school-sponsored activity, including athletic activities, on school-provided transportation or at any official school bus stop. Students may face disciplinary consequences for any off-campus behavior that would disrupt the educational process or the operation of the school or district.

Definitions

- a. **Bullying, harassment or intimidation** means any act that substantially interferes with a student’s educational benefits, opportunities or performance; that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-sponsored transportation, or at any official school bus stop; and that has the effect of:
 - Physically harming a student or endangering a student’s property;
 - Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or
 - Creating a hostile educational environment.
- It may be based on, but is not limited to, the protected class status of a person.
- b. **Cyberbullying** is the use of any electronic communication device to harass, intimidate or bully.
- c. **Sexual harassment** is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment may include such actions as sex-oriented verbal kidding, teasing or jokes; subtle pressure for sexual activity;

physical contact such as patting, pinching, or brushing against another's body; or demands for sexual favors.

- d. Hazing** means intentionally taking action or creating a situation that inflicts physical harm, psychological harm or distress on a student regardless of the consent or location of the participants. Hazing occurs when the action or situation has the purpose or effect of demeaning or humiliating a student or group of students. Hazing is typically but not exclusively committed as a form of initiation, discipline or rite of passage for a particular club, team or activity and almost always includes new members showing subservience to existing members. In considering a hazing case, it is not a defense that the student subjected to hazing consented to or acquiesced in the hazing activity.
- e. Protected class** means a group of persons distinguished or perceived to be distinguished by disability, race, color, national origin, ethnicity, sex, sexual orientation, gender identity or expression, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristic, or linguistic characteristics of a national origin group.
- f. Teen dating violence** means a pattern of behavior, within a dating relationship, in which a person uses or threatens to use physical, mental or emotional abuse to control another person, or threatens sexual violence against another person, when one or both persons in the dating relationship are 13–19 years of age.
- g. Retaliation** means acts of reprisal, intimidation, or harassment toward a person in response to previously reported harassment.

Student Responsibility

Students are expected to refrain from harassment, intimidation, bullying; sexual harassment; cyberbullying; hazing; teen dating violence; or retaliation. Students who violate these rules may be disciplined.

Students are expected to hold their peers to the standards established by policy and this handbook, and are encouraged to bring violations to the attention of a teacher, counselor, administrator or other staff member. These reports may be made anonymously.

Reports and Complaint Process

The district is committed to preventing and responding to incidents of bullying, harassment, intimidation, cyberbullying, sexual harassment, hazing, teen dating violence or retaliation. Staff and volunteers will follow school board policy requiring that such incidents be reported to the school administrator, or to the superintendent where the administrator is believed to have been involved.

Students and parents who have experienced an incident of bullying, harassment, intimidation, cyberbullying, hazing, teen dating violence or retaliation are strongly encouraged to contact the school principal or other staff member to report it. If the administrator is believed to be involved, the report may instead be made to the superintendent's office.

Administration will respond quickly and appropriately to investigate and resolve such reports, making effort to provide the student with a practical, safe, private and age-appropriate way to discuss the matter. Interim measures necessary to provide a safe educational environment may be considered. When reports are substantiated, administration will take sufficient measures to remediate and prevent recurrences. Examples include: Support from counseling and/or administration to address the needs of the victim; support, interventions or consequences to address

the behavior of the perpetrator; and safety plans where appropriate. Parents will be notified in a timely manner, within the constraints of laws governing the confidentiality of student records.

If students and parents cannot resolve the issue working with the school administrator or staff, they may submit a complaint to the superintendent's office. The form, and the district publication Bullying, harassment & discrimination: Step-by-step complaint process, is available from school offices or from the superintendent's office at the 4J Education Center, 200 North Monroe Street, Eugene, OR 97402, 541-790-7706.

Child Abuse

Oregon law requires all public employees to report possible child abuse to Department of Human Services or a law enforcement agency.

Reporting Child Abuse

Any school employee having reasonable cause to believe that any child with whom he or she comes in contact, on or off the job, has suffered abuse, or that any adult with whom he or she comes in contact has abused a child, shall report immediately to the State of Oregon's Department of Human Services – Child Protective Services, or to a law enforcement agency. Staff members may not inform parents of such reports.

Investigations of Child Abuse

School staff will cooperate with investigations of possible child abuse being conducted by Department of Human Services (DHS) or a law enforcement agency. A DHS staff member or a law enforcement officer who is questioning a student in regard to child abuse will determine if a school official may be present in an interview that occurs at school.

Cooperation with Law Enforcement Agencies

School officials have a dual responsibility. They must safeguard the rights of students, and even represent students in certain situations. They also must cooperate with law enforcement officers in the legitimate pursuit of their duties.

Investigations by Law Enforcement Officers

Police officers investigating a case involving an illegal act in which a student may be involved, or about which the student may have information, shall contact the building principal, or her or his designee, before any effort is made to question a student during school hours.

Contacting Parents

a. Investigations related to illegal acts that occur off-campus and are not school-related: The principal, or her or his designee, will make a reasonable effort to contact the parent or guardian when an officer comes to question or arrest a student related to illegal acts that occur off-campus and that are not school-related, unless there is reason to believe that such notification would unduly interfere with the investigation or that the matter pertains to alleged child abuse. If the principal or designee is unable to reach the parent or guardian the officer should not be delayed further. However, a school official should contact the parent or guardian as soon as possible.

b. Investigations related to violations of school policies and rules: The principal, or her or his designee, may involve a police officer in investigating violations of school policies and rules, including student interviews, without first contacting the parent. However, if during the investigation a student becomes a focal suspect to an illegal act,



then it is the responsibility of the principal or designee to make a reasonable effort to contact the parent or guardian before allowing an officer to proceed with an interview.

Questioning of Students

The police officer will observe all the procedural safeguards prescribed by law and her or his agency when questioning a student. An administrator, or designee, will always be present when a student is being questioned, unless the issue pertains to child abuse.

Taking a Student from the School

The school administrator or designee will not let a police officer or a Department of Human Services official take a student from a school building without a court order, an arrest, protective custody from DHS, or permission of the parent or guardian.

Dress and Grooming

The responsibility for dress and grooming of a student rests primarily with the student and his or her parents or guardians. A student's dress or grooming should not affect participation in the educational program or school-related activities. Students may be directed to change dress or grooming when in violation of the rules below.

Student dress and grooming may not interfere with or disrupt the educational environment of the student or others. Examples of clothing likely to disrupt the educational environment include clothing with language or symbols that are vulgar and plainly offensive, obscene or sexually explicit, racially divisive, drug-, alcohol- or tobacco-related, or indicative of gang activity or affiliation.

Student dress and grooming may not threaten the health or safety of the student or others. For example, students must wear shoes while on school property or during school-sponsored activities.

Schools may impose additional dress code requirements. Provisions for dress and grooming for special activities should arise directly out of the needs of the activity.

Students have the right to dress in accordance with their gender identity. District schools are also committed to accommodating students who need an exception to the dress code for religious reasons.

Questions regarding rights and responsibilities related to dress and grooming should be directed to the building principal. If an issue is not resolved at the building level, the parent or guardian may contact the elementary or secondary education director, assistant superintendent or superintendent.

Extracurricular and Athletic Activity Participation

These rules pertain to high school students who participate in district-sponsored extracurricular activities and athletic programs.

General Participation Rules

- a. Students who participate in district-sponsored sports must have a physical examination prior to any participation, including tryouts and practices, and must be re-examined every two years. A non-expired physical must be on file throughout the season and may not expire during the season.

- b. In all extracurricular activity and athletic programs, students will ride to and from the activity in school vehicles unless otherwise arranged by the principal or designee.

- c. Students will be personally responsible for all school equipment issued and will return the equipment on time and in good condition. Students are responsible to pay for lost, stolen or damaged equipment at replacement cost. A student who fails to return and/or pay for lost, stolen or damaged equipment will not be eligible to compete in any subsequent sport or activity until such time that payment or arrangements for payment have been made with the appropriate building administrator. Should the agreed plan not be followed, the student will become ineligible at that point.

- d. Students may be ineligible to participate in extracurricular activities and athletic programs if they are absent from one or more classes on the day of the activity unless the absences are school-related or prior arrangements have been made with the school administrator. Emergency situations may be reviewed and determined by the athletic director or athletic/activities coordinator. Irregular attendance may also result in suspension from the extracurricular activity.

- e. Students participating in an athletic program who quit or fail to keep program commitments may not participate in pre-season activities or practices for another sport unless the administrator has given approval.

- f. To be scholastically eligible for extracurricular activities, a student must be making satisfactory progress toward graduation requirements, as determined by the school administration or designee. A student must be enrolled in and passing 2.0 credits during the trimester the sport is in session as well as the previous trimester. The specific credit requirement for eligibility is defined in the Oregon School Activities Association Handbook.

Consequences for Substance Abuse

The possession or use of tobacco, inhalants, alcohol, illegal substances or non-prescribed drugs is prohibited. These rules are in effect from the first day an athlete or extracurricular activity participant signs the school rule form with the intent to participate and remain in effect throughout the student's entire high school career, unless changed by the district with notice to the student. It is in effect 24 hours a day, from the first day of OSAA designated fall season practices until the final day of the school year.

Student athletes and extracurricular activity participants in violation of this rule, whether or not the violation is at a school-sponsored activity, are subject to the consequences listed below which are in addition to any school consequences that may apply:

First Offense: The student will be suspended from participation in all interscholastic athletic competition for three weeks. At the discretion of the administrator, the student may be allowed to attend practice sessions for the duration of the suspension. The student will be placed on probation for one year following the completion of the three-week suspension.

Second Offense: Any violation following the first offense during the probationary period is considered a second offense. The student will be suspended from participation in all extracurricular activity programs for six weeks. A new one-year probation period will begin following the completion of the six-week suspension.

Serving Suspensions and Probation:

- a. Suspensions of an athlete who is currently participating in a sport will start on the date the athlete is notified of the suspension. If the determination of an offense is made prior to the first contest of the season, the suspension will begin with the first contest.
- b. An athlete suspended while out of season will begin the suspension on the first regularly scheduled contest of the next season in which the athlete participates.
- c. Suspensions will be served in their entirety. Should a suspension start at or near the end of a season, the balance of the suspension will be served starting with the first regularly scheduled contest of the athlete's next season of participation in a sport.
- d. Probationary periods begin immediately after the suspension is served.

Freedom of Expression

Students have the right to free expression under the Constitutions of the United States and the State of Oregon. Students are entitled to express their personal opinions under all reasonable circumstances, but student expression shall not interfere with the freedom of others to express themselves nor substantially disrupt the orderly conduct of the school. The use of vulgar and plainly offensive, obscene or sexually explicit language undermines one of the school district's basic missions.

School Publications

Students are encouraged to participate in the production of school publications. Any publication which is in any way sponsored or funded by the school is a school publication. Students may express personal opinions in these publications but shall adhere to the written editorial policies of the school. A school newspaper should reflect the life of the school community. Those students responsible for the publication of a school newspaper must be mindful of this responsibility to the school community. Vulgar and plainly offensive, obscene or sexually explicit material; knowing or reckless false or libelous statements; any material that would substantially disrupt classes or other school activities; and any material that is inconsistent with the school's basic educational mission are prohibited from all school publications.

Distribution of Materials

- a. **Rights and Responsibilities:** Students have the right to distribute and receive written material from each other. This right, however, also carries responsibilities. Students shall not distribute or display materials that are knowingly or recklessly false or defamatory; are vulgar and plainly offensive, obscene or sexually explicit; tend to create an immediate danger or disruption to the orderly operation of school; or urge the violation of the law, district policies, existing attendance regulations or the provisions of this handbook. Materials to be distributed or posted within the school must identify the source of the printed material. Materials that students choose to distribute may not falsely identify school endorsement or sponsorship.
- b. **Commercial and Fund-Raising Activities:** Students shall not distribute or display announcements or advertisements of a commercial nature, sell materials, or engage in activities to solicit financial contributions without the prior authorization of school officials.
- c. **Time and Place of Distribution:** School officials may designate the time and place for distribution of written information and related materials so that the activity does not materially interfere with the school program. Local school rules may limit the time of distribution of material, including the circulation of petitions, to periods before school begins, after dismissal and during lunch time, when such limi-

tation is necessary to prevent interference with the school program. The local school rules may define where distribution of material and circulation of petitions may take place so as to permit the normal flow of traffic within the school.

- d. **Student Display Areas:** Each secondary school will provide at least one student display area of reasonable size and prescribe methods to inform students of the board policy and school guidelines for the distribution of literature and the display of material.

Participation in Patriotic Exercises

Students may choose not to participate in patriotic exercises, but also have the responsibility to ensure the manner of their nonparticipation does not deny other students their rights to participate or disrupt the educational process.

Objection to Instructional Materials

If a student objects on religious or ethical grounds to reading, studying, or discussing any instructional material, the teacher will supply alternative materials without prejudice to the student.

Prohibited Speech

The use or display of vulgar and plainly offensive, obscene or sexually explicit language; threats of harm to persons or property; or language that creates or threatens to create an immediate danger of disruption to the orderly operation of the school or violation of the law, district policies, attendance regulations or the provisions of this handbook is prohibited.

Freedom of Religion

The Constitutions of the United States and the State of Oregon require the public schools to take a neutral position concerning religion. Public schools cannot aid one religion or all religions or prefer believers to nonbelievers. However, schools may provide instructional activities relating to historical and cultural aspects of religion under the following circumstances: (1) The activity must reflect a clearly secular (nonreligious) purpose. (2) The activity must have a primary effect that neither advances nor inhibits religion. (3) The activity does not create an excessive entanglement with religion.

Student Religious Meetings and Discussions

If school principals permit other noncurriculum student meetings or discussions on the school premises during noninstructional time, religious meetings of students that are voluntary and student-initiated will also be permitted. Prior arrangements for such meetings must be made by contacting the school principal. Employees and nonschool persons are prohibited from directing, conducting, controlling or participating in the activities of such student groups. Except as provided in school board policy for the leasing of school facilities by religious groups, non-students may not meet with students on school premises for any type of religious activity. A faculty monitor may attend meetings for custodial purposes and to provide general supervision, but may not participate nor advise students about their activities.

Release Time for Religious Instruction

Elementary students may be excused from school for up to two hours in any week and secondary students may be excused from school for up to five hours in any week to attend weekday schools giving religious instruction. A written request must be signed by the parent or guardian before the student is released.

Religious teachers or organizations are not permitted to promote stu-



dent participation by directly contacting students on school grounds or by asking students who participate in their programs to recruit students who remain at school. All promotional activities will be conducted away from school.

Gang Activity

The presence of members of gangs and gang activities on campus or at off-campus, school-sponsored activities is likely to cause a substantial disruption or material interference with school and school activities. A “gang” is defined as a group that identifies itself through the use of a name, unique appearance or language, including hand signs, the claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity. (ORS 336.109 (2)).

The following activities are prohibited at school or school-related activities:

- a. No student shall wear or display clothing or other objects that are commonly considered evidence of membership or affiliation with any gang. These expressions substantially disrupt the educational program by creating a hostile and intimidating environment for students and staff. Schools should consult their school resource officer and the district’s equity coordinator when restricting gang expression.
- b. No student shall commit any act, or use any speech, verbal or nonverbal, showing membership in, or affiliation with, a gang. For example, students may not demonstrate intimidating and/or violent behavior, or use gang signs or graffiti. Students are expected to refrain from using gang-related phrases.
- c. No student shall commit any act that furthers gangs or gang activity including, but not limited to, wearing garb or displaying symbols directly associated with affiliation of a known local gang, soliciting others for membership in any gangs or inciting other students to act with physical violence upon any other person. Such acts are presumed to undermine the school’s basic mission and will create an immediate danger to the orderly operation of the school.

Nondiscrimination

Eugene School District 4J policy AC prohibits discrimination or harassment in educational programs, activities, services or employment on the basis of the person’s actual or perceived protected class status, including disability, race, color, national origin, ethnicity, sex, sexual orientation, gender identity or expression, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristics, or linguistic characteristics of a national origin group.

It is a violation of district policy for any student or employee to discriminate against a student or employee, or to harass a student or employee, based on the student or employee’s actual or perceived protected class status.

The district expects that staff, volunteers and students will provide equal treatment and access to educational programs, services and aid to students without regard to their protected status.

The district will investigate all complaints—formal or informal—of discrimination or harassment of a student or employee based on a student or employee’s actual or perceived protected status, and will take appropriate

corrective, remedial, and disciplinary measures for substantiated violations of this policy.

For prompt and equitable resolution of student complaints alleging discrimination and harassment based on protected status, parents and students are urged to contact the school principal or, if they believe the principal is involved or has not resolved the matter, the superintendent’s office. Employees who witness or reasonably suspect discrimination or harassment must report the matter to the school administrator or to the superintendent’s office.

For more information about student complaints, please refer to the district publication Bullying, harassment & discrimination: Step-by-step complaint process, available from school offices or the superintendent’s office.

The district complies with all applicable state and federal laws and regulations, including Title VI, Title IX, Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and Oregon law. Please contact the superintendent’s office for any questions pertaining to district compliance.

Superintendent’s Office — 541-790-7707
Title IX Coordinator, Jeff Johnson — 541-790-7559
504 Coordinator, Dr. Cheryl Linder — 541-790-7800

Search and Seizure

Schools have a responsibility to protect students from harm, maintain order and fulfill their educational mission. Students have a legitimate expectation of privacy, which is protected by the U.S. and Oregon Constitutions. Balancing these concerns, school officials may conduct searches of students or their belongings only under certain circumstances.

Student Searches

School officials may search a student and his or her personal property, or any district property used by the student, if the officials have reasonable suspicion to believe that the student in question violated a school rule or law and that a search will turn up evidence of the violation of the rule or law. The search will be reasonable in scope, meaning reasonably related to the objectives of the search, and not excessively intrusive in light of the age, sex and maturity of the student and the nature of the infraction.

A search may also be conducted in exigent or emergency circumstances, even without individualized suspicion, when the immediate safety of the school or student(s) is at risk. Officials may also conduct a search when the student or the student’s parent consents.

The student will be given the opportunity to be present when the search of personal possessions is conducted, providing the student is in attendance and if there is no reason to believe that his or her presence would endanger his or her safety or the safety of others. Any search of a student’s person will be conducted in the privacy of a school office except in an emergency where delay might endanger the welfare of other persons.

Seizure of Property

School officials will seize illegal items, stolen property, evidence of commission of a crime or violation of school policy, or other possessions reasonably determined by school authorities to be a threat to the safety or security of students or others. Such items include but are not limited to guns, other dangerous weapons, illegal drugs and drug paraphernalia. Other items that may be used to substantially disrupt or materially

interfere with the education process may be temporarily removed from the student's possession.

Dangerous weapons, including guns, knives, metal knuckles or any other weapon, the purpose of which is to injure other persons or property, will be promptly turned over to a representative of the appropriate law enforcement agency. Parents will be notified whenever such an item is removed from a student's possession, unless the notification will unduly interfere with the investigation of the law enforcement agency.

Use of Lockers and Desks

- a. Assignment of Lockers and Desks:** Lockers and desks belong to the school district and are assigned for the convenience of students. They are to be properly cared for by students and not used for the storage of illegal or dangerous items, items prohibited by this handbook, or evidence of an illegal act or violation of a school rule.
- b. General Inspections of Lockers and Desks:** A general inspection of lockers or desks may be conducted by school officials at any time without prior notice. Such inspections may be conducted to ensure proper sanitation, check mechanical condition and safety, reclaim property belonging to the district, or detect drugs, weapons, contraband, or other violation of law or school rules. Items belonging to the school district and not appropriately in the student's possession will be seized and returned. Illegal or dangerous items, or items prohibited by this handbook, will be seized and held for appropriate disposition. Students will be notified of any items seized.
- c. Special Inspections of Individual Student Lockers or Desks:** Special inspections of individual lockers or desks may be made when there is reasonable suspicion to believe that they contain items that are illegal, dangerous, or evidence of a violation of the law or school rules. It is recommended that the student be given the opportunity to be present when the search is conducted, if the student is in attendance and if there is no reason to believe that the student's presence would endanger the safety of the student or others.

Student Conduct: Offenses

Students are required to maintain high standards of academic and personal behavior, not only in accordance with the rights and responsibilities set forth in this handbook, but with respect toward other students, staff members and private and public property. Oregon law requires students to comply with the written rules of the school district, to pursue the prescribed course of study, to submit to the lawful authority of staff and to conduct themselves in an orderly fashion.

Students will be subject to discipline, up to and including suspension or expulsion, for misconduct that violates federal, state, county or city laws or the policies and rules established by the school district, including but not limited to harassment or discrimination, theft, disruption of school, damage or destruction of school property, damage or destruction of private property, assault or threats of harm, unauthorized use of weapons or dangerous instruments, unlawful use of drugs, narcotics or alcoholic beverages, and persistent failure to comply with rules or the lawful directions of teachers or school officials.

Violation of the District's Bullying and Discrimination Policies

Students shall refrain from bullying, harassment or discrimination including by words or actions based on another person's actual or perceived disability, race, color, national origin, ethnicity, sex, sexual

orientation, gender identity or expression, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristic, or linguistic characteristics of a national origin group. Students shall also comply with the district's bullying and nondiscrimination policies, which are outlined in this handbook.

Theft and Stolen Property

No student shall steal or attempt to steal school property or private property while on school property or during a school activity, function or event that occurs off school property. No student shall have stolen property in his or her possession. Stealing means taking or withholding someone else's property without permission, or by extorting or by deception. If a student finds property not belonging to him or her and keeps it for his or her own use instead of delivering it to school staff, that is also considered theft and serious misconduct.

Substantial Disruption of School or School Activities

Any conduct that substantially disrupts or threatens to substantially disrupt school activity is forbidden. Willful disobedience, open defiance of a staff member's authority, threats of harm to persons or property, harassment or discrimination prohibited by school rules, including racial and sexual harassment, or language that creates an immediate danger of disruption to the orderly operation of the school or creates a clear and present danger of violation of the law or attendance regulations are prohibited.

Willful Disobedience of a Staff Member's Authority

Students will submit to the lawful authority of teachers, administrators and other staff members.

Use or Display of Vulgar and Plainly Offensive, Obscene or Sexually Explicit Language

The use or display of vulgar and plainly offensive, obscene or sexually explicit language or graphics is prohibited. Clothing with vulgar and plainly offensive, obscene or sexually explicit references, graphics or comments is prohibited.

Damage or Destruction of School Property

No student will vandalize or attempt to destroy school property. The district will attempt to recover, through legal action if necessary, from those students or their parents the actual cost of repair or replacement of school property vandalized or intentionally or recklessly destroyed by students.

Damage or Destruction of Private Property on School Premises or During a School-Sponsored Activity

No student will cause or attempt to cause damage to private property either on the school grounds or during a school activity, function or event off school property.

Coercion, Assault, Menacing, Threats, Intimidation or Harassment

No student will coerce, assault, menace, intimidate, harass or threaten to harm another person for any reason including to obtain money or other property, or force any person to do any act against the will of that person. "Assault" means intentionally, knowingly or recklessly causing injury to another. "Menace" means by words or conduct the student intentionally attempts to place another person in fear of imminent serious physical injury.

Possession, Handling or Transport of Any Dangerous or Deadly Weapon

No student shall possess, handle or transmit any object that is reason-



ably considered a weapon on school grounds or off the school grounds at any school-sponsored activity, function or event, including in a student's motor vehicle. A weapon includes the following:

- a. **“Firearm”** means (A) 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; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device.
- b. **“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.
- c. **“Deadly weapon”** means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury.
- d. **“Destructive device”** means 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 form from which a destructive device may be readily assembled.

Dangerous or deadly weapons include but are not limited to BB guns, pellet guns, airsoft guns, paintball guns, ammunition, stun guns, throwing stars, metal knuckles and any look-alike explosives, firearms and knives. The possession, use, or threat of use of a look-alike weapon is also prohibited.

Use or Possession of Any Controlled Substances, Including Alcoholic Beverages and Drug Paraphernalia

No student shall knowingly possess, use or transmit any drug paraphernalia or possess, use, transmit or be under the influence of any controlled substance or intoxicant of any kind on the school grounds or off the school grounds at a school-sponsored activity, function or event.

Use of a drug authorized by a medical prescription from a registered physician for use during school hours shall not be considered a violation. Students who must take prescription medication at school are to follow district adopted procedures.

Violations of Laws While Involved in School Activities

No student shall violate federal, state, county or city laws while involved in school activities.

Misconduct that Occurs Off-Campus

Students may face disciplinary consequences for (1) any off-campus behavior that would otherwise tend to disrupt the educational process or the operation of the school or district; (2) conduct that occurs off the school premises at school-related or supervised functions or at a school bus stop; or (3) behavior that occurs while traveling to and from school if the behavior has a threatening effect on student safety or physical or mental health.

Sexual Misconduct/Indecency

A student shall not engage in any act of sexual harassment of a physical nature or verbal nature. A student shall not perform any act of indecent exposure, lewd exposure, gesture or lewd caress or indecent fondling or touching of the student's own body or the body of another person, or any act of sexual intercourse. A student shall not use any inappropriate gestures that mimic or imply sexual acts or engage in any acts of “streak-

ing” or “mooning” as those terms are commonly understood. Such acts will not be regarded lightly or considered pranks. A student shall not possess, view, copy, sell, buy or transmit printed or non-printed pornographic materials.

Teen Dating Violence

Teen dating violence means a pattern of behavior, within a dating relationship, in which a person uses or threatens to use physical, mental or emotional abuse to control the other person, or uses threatens sexual violence against the other person. Teen dating violence is prohibited.

Use of Tobacco, Nicotine or Inhalation Devices

The Tobacco Free Schools Rule (OAR 581-021-011) requires all school district property to be tobacco-free. A student shall not possess or use any form of tobacco, nicotine, nicotine delivery device or tobacco substitute (including but not limited to any cigarette, cigar, pipe, bidi, clove cigarette, smokeless tobacco, or e-cigarette) at any time on district property or grounds, including fields, parking lots and vehicles. No student, staff member or school visitor is permitted to use any form of tobacco, nicotine, nicotine delivery device or tobacco substitute at any time on school district grounds or in any building, facility or vehicle owned, leased, rented or chartered by the district or school.

Reference: Board Policy JFCG, JFCH/JFCL, GBK; OAR 581-021-0110

Student Conduct: Disciplinary Types and Procedures

This portion of the handbook explains the major areas of inappropriate conduct and the accountability and consequences that may result for those students who engage in rule and policy violations.

All students are entitled to due process as it relates to discipline. Fair treatment of all students is essential and expected. Students are protected from arbitrary and unreasonable decisions. All decisions affecting students must be based on careful and reasoned investigations of the facts and must be consistent in the application of rules and regulations. All students will be informed of the school rules and procedures by which schools are governed and the process by which discipline will be applied.

School officials may find it necessary to discipline a student or remove the student from the formal learning environment for a period of time. School officials have discretionary power to invoke disciplinary actions and procedures in order to maintain a climate conducive to learning and to the protection of individuals and property. The school administrators shall consider the age and past pattern of behavior of a student in determining whether to suspend or expel that student. Before an expulsion can occur, there must be a hearing before the superintendent or the superintendent's designee unless waived by the student's parent or guardian or, if the student is 18 years of age or older, the student.

Informal Discipline Procedures for Minor Infractions

Discipline for a minor infraction may be handled without going through all the steps of the formal process outlined below.

Formal Discipline Procedures:

a. Suspensions

An in-school suspension is a temporary exclusion from regular classroom attendance not to exceed two school days. The student is assigned to a supervised work area and, if permitted by the school administrator, may perform his or her regular class work with access to curriculum and special education related services (OAR 581-015-2400).

An **out-of-school suspension** is a temporary exclusion from school attendance for a period not to exceed 10 school days. In those cases in which the school official states that the suspension will continue until a parent conference occurs, the suspension notice will state that it will not exceed 10 school days. A school administrator may require a student to attend school during nonschool hours as an alternative to suspension. See Appendix 1, Due Process Procedures for Out-of-School Suspension.

b. Expulsions

An **expulsion** is a long-term exclusion from school attendance and requires a hearing before the superintendent or his or her designee. State law provides that the expulsion of a student will not exceed one calendar year. The use of an expulsion is limited to the following circumstances:

- For conduct that poses a threat to the health or safety of students or school employees;
- When other strategies to change student conduct have been ineffective; or
- When expulsion is required by law.

The school principal or designee may recommend an expulsion for any serious misconduct meeting the criteria above. School administration must request an expulsion hearing when he or she believes a student is guilty of the following offenses: the bringing of, possession, concealment or use of a firearm or dangerous weapon on school property or at a school-sponsored event; the sale or distribution of a controlled substance and a Category IV violation of the interagency substance abuse intervention and networking agreement (see Appendix 3). The expulsion period for such offenses will be one calendar year unless a specific exception is made by the superintendent.

The district will provide educational services to a student who is expelled.

c. Expulsion Hearings

Only the superintendent, as the designated representative of the district school board, or his or her designee has the authority to expel a student. A hearing must be conducted before an expulsion occurs unless the student's parents or guardian, or the student if 18 years of age or older, waives the right to a hearing. See Appendix 2, Due Process Procedures for Expulsion.

d. Out-of-School Suspension or Expulsion of Students Fifth Grade or Lower

For a student who is in fifth grade or lower, schools will limit the use of out-of-school suspensions or of expulsions to the following circumstances:

- Non-accidental conduct causing serious physical harm to a student or school employee;
- When a school administrator determines that the student's conduct poses a direct threat to the health or safety of students or school employees; or
- When suspension or expulsion is required by law.

When an out-of-school suspension is imposed, the school will take steps to prevent the recurrence of the behavior and return the student to the classroom setting so as to minimize the disruption of the student's instruction.

Suspension or Expulsion of Students with Disabilities (IEP or 504)

The district may suspend students with disabilities from their current educational placement for up to 10 school days in a school year to the same extent, and with the same notices, as for students without disabilities, if the removals do not constitute a pattern. These removals are not considered a change in placement.

When considering discipline of a student with a disability (or of a student not yet identified as disabled but suspected to have a disability) for more than ten (10) consecutive school days, or when a student would be removed for more than ten (10) cumulative school days from their current educational placement in a school year and the removals constitute a pattern as defined by law, the district must conduct a manifestation determination meeting to determine whether the behavior is related to the student's disability, or the direct result of the district's failure to implement the IEP or 504.

a. Behavior Is Not a Manifestation of Student's Disability

If the team, including the parent and other relevant members of the IEP team, determines that the student's behavior is not a manifestation of his or her disability or direct result of district failure to implement the student's IEP or accommodations on a 504 plan, the district may proceed with its disciplinary action. In addition, the district will:

- On the date the decision is made to expel the student, notify the parents of the decision and provide them with notice of procedural safeguards under OAR 581-015-2415;
- Provide services to the student in an interim alternative educational setting, determined by the IEP team in accordance with OAR 581-015-2445; and
- Provide, as appropriate, a functional behavioral assessment and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

b. Behavior Is a Manifestation of Student's Disability

If the team determines that the student's behavior is a manifestation of his or her disability, the student may not be expelled or suspended more than 10 days. The district will return the student to the placement from which he or she was removed, unless (1) the parent and the school agree to a change of placement, (2) the district removes the student to a 45-day interim alternative educational setting (IAES) for a weapon or drug violation or for infliction of serious bodily injury, or (3) the district obtains an order from an administrative law judge under OAR 581-015-2430 allowing a change of placement to an IAES for injurious behavior. Additionally, the team must either conduct a functional behavioral assessment (unless one has previously been conducted) and implement a behavior support plan; or if the student already has a behavior plan, review and modify it as needed to address the behavior.

Required Reports to Law Enforcement Agencies

Violations of the district's rules related to guns and dangerous weapons; vandalism and the intentional or reckless destruction of school property; and coercion, assault or threats must be reported to the police. A school official may inform the appropriate law enforcement agencies when a student is suspected of committing other illegal acts on the school campus or at a school-sponsored activity.

A Student's Right to Hear His or Her Accuser

a. Complaints and Accusations Made by Staff Members

A student may hear directly from the teacher or other staff member the specific complaints or descriptions of unacceptable behavior.

b. Complaints and Accusations Made by Other Students

Extreme care must be taken by school officials to ensure that a student is not disciplined solely on hearsay evidence. In recognition of the special jeopardy in which student witnesses may be placed, and considering the possible traumatic effects on a student witness of adversarial proceedings conducted by attorneys, police officers or court officials, the complaining student may not be required to face the accused nor to have his or her identity revealed. When it is determined that a complaining student ought not face the accused, a school official may then become the official complainant. No licensed staff member may be examined as to communications between a student and that staff member in official confidence relating to the personal affairs of the student or the student's family if the communication will tend to incriminate or damage the student or the student's family. However, the school official conducting an investigation is under special obligation to ensure the careful and cautious investigation of all relevant facts and testimony.

Teacher–Student Privilege

Except in criminal actions or proceedings, no licensed staff member may be examined in any proceedings as to any conversation between the licensed staff member and a student which relates to the personal affairs of the student or family of the student and which if disclosed would tend to damage or incriminate the student or family.

Student Records

Federal and state laws require school districts to maintain certain education records on students. The records allow the school staff to share progress information with parents and other educational institutions. They also document the eligibility of students for various federal and state mandated programs. Students frequently request copies of their records many years after they have left school to assist them in documenting school attendance and eligibility for certain programs.

The following statement is a summary of school regulations regarding student records. School board policy contains the district's detailed regulations and is available for review at each school, at the Education Center, 200 North Monroe Street, and online at www.4j.lane.edu.

Confidentiality of Education Records

All student records are confidential and may be opened for inspection only in accordance with applicable federal and state law and school board policy.

Inspection of Education Records

Parents, legal guardians and students over 18 years of age ("eligible students") have the right to inspect the student's records within 45 days of the date of the request. Requests should be directed in writing to the school registrar or secretary. If the custody of a student has been granted to only one parent, the non-custodial parent also has access to all education records unless there is a court order to the contrary.

Release of Education Records

Generally, parents or the student, if he or she is 18 or is attending an institution of higher education, have the right to consent to the release of student education records. The school district, however, may release student records without consent where the law permits. Common exceptions in which consent is not required are:

- a. To school board members during an executive session to consider the expulsion of a student;
- b. To district employees who have a legitimate educational interest in the records;
- c. To the officials of another school, school district, institution of post-secondary education, or other educational agency that has requested the records and in which the student seeks or intends to enroll. Schools are required to forward these records within 10 days of receiving the request.
- d. To state and federal officials requiring such information, subject to certain requirements;
- e. In connection with a student's application for or receipt of financial aid;
- f. To organizations conducting studies on behalf of the school district to develop, validate or administer predictive tests, administer student aid programs or improve instruction;
- g. To accrediting organizations to carry out their accrediting functions;
- h. To parents of a dependent student;
- i. To comply with a judicial order or lawfully issued subpoena after the district has made a reasonable attempt to notify the parent or eligible student or as otherwise provided by law; or
- j. For emergency situations involving the health or safety of the student or other persons. A "health and 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.

Directory Information

The district may also release directory information in conjunction with a school or school district related activity. "Directory information" is defined as a student's name, parent's or guardian's name, address, telephone listing, electronic address, photograph, date and place of birth, participation in officially recognized activities and sports, weight and height if a member of an athletic team, grade level, dates of attendance, degrees and awards received, and the school most recently attended by the student. Parents may limit the release of directory information and will be notified annually of this right.

Withholding of Education Records for Nonpayment of Fees, Fines or Damages

The district may withhold the grade reports, diplomas or other records of students who owe fees, fines or damages until those fees, fines or damages are paid, except that records must be released to another school district to which the student has moved, or as required by law. Parents or guardians or the student, if he or she is 18 years of age or older, must be given written notice at least 10 days in advance of the record being withheld. The notice will outline the procedure for challenging the school's decision, as well as the reason for the debt and the amount owed. The notice will also state that the district intends to withhold records or diplomas, and that the matter may be pursued through a collection agency.



Copy of Policy on Education Records

Parents, guardians and eligible students may obtain a copy of the district policies on education records (Policies JO/IGBAB, JOA, and JOB) online or upon request at each school or the district office.

Right to File a Complaint re FERPA Requirements

Parents or eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave. SW, Washington DC 20202-5901.

Amendment of Education Records

Parents, guardians and eligible students have the right to request an amendment of the student’s education records believed to be inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights. Requests should be made in writing to the school administrator, clearly identify the part of the record believed to be inaccurate, misleading or otherwise in violation of the student’s privacy or other rights, and specify why it is inaccurate. If the administrator decides not to amend the record as requested, the administrator will notify the parent or eligible student of the decision, and advise them of their right to appeal the decision, including to have a hearing regarding the request for amendment.

Reference: Board Policy JO/IGBAB, JOA and JOB, FERPA

Students with Disabilities; Child Find

Both state and federal law (Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act) require schools to provide an appropriate education for students who have disabilities.

The district provides a free and appropriate educational program for eligible students with disabilities. Appropriate services for each eligible child, and accommodations and modifications, are based on his or her disability and Individualized Education Plan (IEP) or Section 504 Accommodation Plan. Students with disabilities, or their parents, may contact their classroom teacher, a counselor or the school administrator if they believe accommodations or modifications need to be made or if they would like to be referred to receive special education services.

Child Find

Parents who believe their child may have a disability or would benefit from support services, or who know of any other child who might need special education services, should contact Education Support Services. For more information visit www.4j.lane.edu/ess or call 541-790-7800.

The district’s 504 coordinator is Dr. Cheryl Linder. She may be reached at linder@4j.lane.edu or 541-790-7800.

Technology and Internet Use

The purpose of district-owned technology is to enhance the educational experience of students and to increase the operational and educational efficiency and effectiveness of staff. This includes access to the internet, information services, databases, email and other communication tools. Students are expected to use technology for educational purposes and in an appropriate manner. Teachers and other supervising adults are expected to guide and supervise students

who use district technology. District guidelines are summarized below. More complete guidelines for the use of the district network and other technology are available on the district’s website (www.4j.lane.edu/cis/appropriate_use).

Email Accounts

All district students are issued a district email account. All student email users are expected to use commonly accepted practices.

- a. High school and middle school students** have their district email accounts activated automatically unless a parent or guardian has denied access at the building level or filled out a denial form at the district level.
- b. Elementary students** may have their district email account activated with written consent from their parents or guardians and the consent of their teacher.
- c.** Once activated, email accounts remain activated until the student is no longer a district student or the parent denies consent.

Unacceptable Uses of District-Owned Technology

The unacceptable use of the 4J network, equipment and other technology may result suspension or revocation of network privileges, equipment privileges and/or other disciplinary action. Unacceptable uses include but are not limited to:

- Violation of school board policy, district administrative rules or any provision of this handbook.
- Violation of any local, state, or federal law. This includes but is not limited to transmission of copyrighted materials, threatening or obscene material, or material protected by trade secret.
- Use of district technology to organize activities that are clear violations of the law or district rules.
- Use of profanity, obscenity, or other language that may be offensive to another user.
- Posting information or images that could be a form of harassment or could promote a negative culture in the school environment by causing a student or staff member to feel uncomfortable or unsafe at school.
- Knowingly accessing inappropriate materials or sharing inappropriate materials or their sources with other students.
- Use of district technology to access vulgar and plainly offensive, obscene, pornographic or sexually explicit language or material in any form.
- Use of district technology for financial gain, commercial activity or illegal activity (e.g., hacking).
- Use of district technology for political activity.
- Accessing another person’s individual account.
- Copying and/or downloading commercial software, apps or other material (e.g., music) in violation of federal copyright laws.
- Creating and/or placing a computer virus on the network.
- Activity with a malicious intent to disrupt the network.
- Any form of vandalism, including but not limited to damaging technology equipment (e.g., computers, tablets, printers, projectors, interactive equipment, etc.) or networks or disrupting the operation of the network.
- Installation of unapproved equipment (e.g. wireless access points, routers, switches, network cabling not provided or approved by the district’s Technology Department), unapproved or unlicensed software/apps, or changing of district settings.
- Bypassing of district-specified filtered internet websites on devices used by students.

Unacceptable Uses of Personal Devices

Students and staff are encouraged to use district technology devices



whenever possible. Students may be allowed, but are not required, to use their own personal electronic devices that support academic activities and independent communications. Unacceptable use of personal technology devices by students may result in suspension or revocation of personal device privileges and/or other disciplinary action. Unacceptable uses include but are not limited to:

- Use of a personal technology device in a manner that violates any of the restrictions for district-owned technology listed above.
- Use of a personal technology device to gain or give an advantage in a testing situation.
- Downloading and installing district-licensed software/apps on personal technology devices unless specifically allowed by the licensing agreement.
- Use of a personal device during school hours or non-school hours that causes a material and substantial disruption to the educational environment, or creates a foreseeable risk of the same. This could include filming, taping or photographing others without consent.

Use of Force

A teacher, administrator, school employee or school volunteer is authorized to use physical force upon a student only when, and to the extent, the application of force is consistent with the following. Except in case of an emergency, only staff current in the required training program will implement physical restraint with a student. Physical restraint may be used only when and for as long as the student’s behavior imposes a reasonable threat of imminent, serious bodily injury to the student or others and less restrictive interventions would not be effective. Notice of an incident involving the use of physical restraint will be made to the student’s parent or guardian.

Corporal punishment is any act that willfully inflicts or willfully causes the infliction of physical pain on a student. This act is strictly prohibited by the district and by law (ORS 339.250(9)).

Reference: Board Policy JGAB, ORS 339.291, OAR 581-021-0553

Use of Motor Vehicles

Students who are licensed drivers have been granted the privilege of driving a motor vehicle to school. Certain regulations are necessary to control the use of motor vehicles because of limited parking, traffic patterns and the large number of pedestrians around schools.

The administrator of each school or district property is authorized to establish regulations governing the use of motor vehicles on school or district property, and may charge a parking fee. These regulations shall be reasonable and communicated through the school’s parking permit process. Permission to drive a motor vehicle onto school or district premises may be revoked if the driver does not obey school or district regulations and local and state traffic laws.

Students may not transport other students to or from school-related field trips.

Use of Tobacco

The Tobacco Free Schools Rule (OAR 581-021-0110) requires all school district property to be tobacco-free.

No student, staff member or school visitor is permitted to use, and no student is permitted to possess, any tobacco product, nicotine, nicotine delivery device or tobacco substitute at any time (including nonschool hours) on school grounds, including athletic grounds and parking lots, or in any building, facility or vehicle owned, leased, rented or chartered by the school or school district.

Prohibited materials include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette and any other smoking products; smokeless tobacco, also known as spit tobacco, dip, chew, snus and snuff, in any form; and nicotine, nicotine delivering devices and any other tobacco substitute (e.g., e-cigarettes). This does not include FDA-approved nicotine replacement therapy products used for the purpose of cessation.

Visitors and Trespassing

To help protect students and school property, and to prevent disruptive activity, school officials must know if any persons who are not members of the school staff or student body are in the school building or on the school grounds. Any visitors, including former students, who are in violation of visitation rules will be considered to be trespassing.

Visitors Permitted on School Grounds

Visitors are permitted on school grounds as long as their presence is not for the purpose of disrupting school, nor threatening, nor intimidating others in school, and so long as school officials know of and consent to the visit in advance.

Visitors Must Report to the Office

During a regular school day all visitors are required to first report to the school office to arrange for their visit.

Weapons Prohibited

While on school district property or at a school-sponsored event that occurs off of school property, no person, with the exception of law enforcement officers or those authorized by the superintendent, shall have possession of a loaded or unloaded firearm, dangerous weapon, or a replica or facsimile of a dangerous weapon, nor sell or transfer possession of such a weapon to another person.

Students Who Have Been Suspended or Expelled

Students may not attend any district school or any school-sponsored activity or be on any school district property when they are suspended or expelled from school, except with consent of a school district administrator. Students who violate this policy may be prosecuted for criminal trespass.

Violations of Visitation Rules

Visitors who are in violation of this policy will be considered in violation of the law and will be subject to prosecution for criminal trespass in the second degree, as provided by ORS 164.245.



Appendix 1

Due Process Procedures for Out-of-School Suspension

A suspension temporarily denies a student the right to attend school, classes and school activities for a period of up to ten (10) school days. When a student's behavior may lead to a suspension, the administrator or designee will take the following steps.

1. The student shall be given oral or written notice of the charges, including specific acts involved. If the student denies the charges, the student shall be given an explanation of the evidence supporting the charges.
2. The student shall be given an opportunity to explain his or her conduct and to informally contest the charge. If the administrator then determines the student should be suspended, the student shall be informed and the student's parents or guardians shall be notified by telephone, whenever possible, of the suspension and the reasons for the action.
3. The two steps above may be postponed in emergency situations relating to health and safety. Emergency situations shall be limited to those instances where there is a serious risk that substantial harm will occur if suspension does not take place immediately.
4. When parents cannot be contacted, the decision to send the student home, to allow the student to remain on school premises, or to refer him or her to the proper authorities must be made with consideration given to the student's age, maturity and the nature of the misconduct that caused the suspension.
5. The parents or guardians will be notified of the suspension in writing. The notice must state the date, the reasons for the suspension, the length of the suspension (not to exceed ten school days) and the procedures that must be followed by the student and parents or guardian to gain reinstatement.
6. After the parents or guardians receive notice of the suspension, they will be given a conference with the building principal or his or her designee if they so request.
7. After the parents or guardians have discussed the suspension with the principal or his or her designee, they may appeal the decision to the deputy superintendent or a designee, whose decision will be final.

Appendix 2

Due Process Procedures for Expulsion

An expulsion is a long-term exclusion from school attendance and from all district schools and activities unless otherwise specified. The expulsion of a student will not exceed one calendar year.

The superintendent or designee is the only person authorized by the school board to expel a student and in each case must follow an expulsion process including a hearing by the superintendent or designee. The student may be suspended pending the expulsion hearing. Prior to the expulsion of a student, the district will consider and propose alternative programs of instruction or counseling or both for the pupil.

Any student who brings a dangerous weapon onto school property or to a school-sponsored activity, or possesses, conceals or uses a dangerous weapon on school property or at a school-sponsored activity, shall be expelled for one calendar year unless a specific exception is made by the superintendent or the superintendent's designee.

The following is a summary of the expulsion procedures. The expulsion procedures are outlined in detail in district administrative rules.

1. The principal or assistant principal notifies the parent or guardian and the student in writing of the intent to request expulsion, citing the charges against the student.

2. The principal or assistant principal submits to the superintendent a written request for expulsion including a description of the charges with supporting facts and evidence.
3. The superintendent sets a date and place for an expulsion hearing.
4. A hearing officer designated by the superintendent conducts the expulsion hearing. The principal or assistant principal presents all evidence supporting the proposed expulsion, and the student has an opportunity to respond to the evidence and to present his or her version of the events. The student may choose to have counsel or representation at the hearing.
5. Where the student or the student's parent does not use English as a primary language, an interpreter will be provided by the district.
6. The hearing officer determines the facts of the case on the evidence presented at the hearing and makes a written recommendation to the superintendent, including findings, conclusions and specific recommendations.
7. The superintendent states the decision in identical form to the student and parent or guardian, their representative and the principal or assistant principal, requesting the expulsion no later than three school days following the hearing.
8. The student and parent or guardian may appeal the decision to the school board through a written request directed to the superintendent within 72 hours after receiving the decision.
9. A parent, or the student if 18 years of age or older, may waive the right to a formal hearing by completing a form entitled "Waiver, Stipulation of Facts and Recommendation for Expulsion" if the student and parents agree to the facts and reasons the administrator has given for proposing an expulsion, and they accept or successfully negotiate the recommended expulsion action and the alternative education option to be provided for the duration of the expulsion. The administrator must provide the student and his or her family with a copy of the district's expulsion procedures, which informs them of their rights before they sign a waiver. This alternative process may not be used for a special education student, or if the administrator is requesting an exception to the requirement that there be a one-calendar-year out-of-school expulsion for a violation of the district's weapons policy.

Appendix 3

Category IV Violations of the Memorandum of Understanding Substance Abuse Intervention/ Networking Program

The following violations of the substance abuse memorandum of understanding while at school or any school-sponsored activity will result in a referral for an expulsion hearing.

1. Repeat of a Category III offense. Category III Offenses:
 - Possession of less than 1 ounce of marijuana;
 - Possession, including possession by consumption, of alcohol;
 - Distribution, for no compensation, of alcohol or less than 1 ounce of marijuana; and
 - Use of toxic vapors, in violation of city or county ordinance.
2. Sale, distribution or unlawful possession of a drug or any controlled substance.
3. Any alcohol, drug or controlled substance related offense that creates a substantial risk to public health.
4. Driving under the influence of intoxicants (DUII).
5. Solicitation by a student or other students to buy, sell or otherwise distribute alcohol, drugs or any controlled substance in any amount.
6. Sale or distribution for compensation of alcohol to a student.
7. Giving or selling hypodermic devices to a student who has no lawful/authorized use for the device.



Index

Note: This index is intended as a helpful guide to the reader. It is not necessarily a complete or comprehensive list.

Admission 3
Alcohol 6, 9, 10, 15
Alternative Education Options 4
Assault, Menacing, Threats, Intimidation, Coercion 9
Assembly of Students 4
Athletic Activities 6
Athletic Probation 6, 7
Athletic Suspension 6, 7
Attendance 3, 4, 6
Bullying 4, 5, 9, 13
Cell Phones 13, 14
Child Abuse 5, 6
Clothing 6, 8, 9
Coercion, Assault, Menacing, Threats, Intimidation 9
Commercial Activities 7
Complaint Process, Discrimination and Harassment 5
Confidentiality of Education Records 12
Controlled Substance 6, 8, 9, 10, 11, 15
Cooperation With Law Enforcement Agencies 5, 6
Copyrighted Material 13
Corporal Punishment 14
Credit and Attendance 3
Damage of Property 9
Dangerous Weapons 8, 9, 10, 11, 14, 15
Desks 9
Directory Information 12
Disabled Students: Suspension or Expulsion 11
Disciplinary Procedures 10, 11, 12, 15
Disciplinary Procedures: Disabled Students 11, 15
Discipline for Off-Campus Behavior 10
Discipline: Physical 14
Discrimination 8, 9
Discrimination Complaint Process 8
Disobedience 9
Display Areas for Students 7
Disruption 9
Distribution of Materials 7
Dress 6, 8, 9
Driving Privileges 3, 14
Drugs 6, 8, 9, 10, 11, 15
Due Process: Expulsion 15
Due Process: Suspension 15
E-Cigarettes 6, 10, 14
Education Records 12, 13
Email 13
Enrollment 3
Expulsion 11, 15
Extracurricular Activities 6
Freedom of Expression 7
Freedom of Religion 7
Fund Raising 7
Gang Activity 8
Grades and Attendance 3
Grooming 6
Guns 8, 9, 10, 11, 14, 15
Harassment 4, 5, 9, 13
Hazing 5
Images 6, 8, 9, 13
Informal Gatherings of Students 4
Inspection of Student Records 12
Inspection of Lockers and Desks 9
Instructional Materials 7
Internet 13
Intimidation, Coercion, Assault, Menacing, Threats 9
Investigations by Law Enforcement Officers 5, 6, 11
Knives 8, 9, 10, 11, 14, 15
Language: Offensive 6, 7, 9, 13
Law Enforcement Agencies 5
Lockers 9
Meetings 4, 7
Menacing, Coercion, Assault, Threats, Intimidation 9
Misconduct 9, 10
Motor Vehicles 3, 14
Newspaper 7
Nondiscrimination 8, 9
Objections to Instructional Materials 7
Offensive Language or Symbols 6, 7, 9, 13
Off-Campus Behavior 10
Patriotic Exercises 7
Personal Devices 13, 14
Personal Opinions 7
Phones 13, 14
Physical Discipline 14
Physical Examination 6
Police 5, 6
Posting Materials 7
Probation: Athletic 6, 7
Profane or Obscene Language 6, 7, 9, 13
Questioning of Students 6
Release of Education Records 12
Release Time for Religious Instruction 7
Religion 7
Religious Instruction 7
Religious Meetings 7
Required Reports to Law Enforcement Agencies 11
Restraint 14
Retaliation 5
Right to Hear Accuser 12
School Newspaper 7
School Publication 7
Search and Seizure 8, 9
Searches of Students 8
Searches of Desks and Lockers 9
Seizure of Property 8, 9
Smoking 6, 10, 14
Speakers 4
Speech 4, 7
Sports 6
Stealing 9
Student Conduct Offenses 9, 10
Student Records 12, 13
Student Searches 8
Student Walkouts 4
Students Who Have Been Suspended or Expelled 3, 4, 14
Substance Abuse 6, 8, 9, 10, 11, 15
Suspension 10, 11, 15
Suspension: Athletic 6, 7
Suspension of Driving Privileges 3
Symbols and Images 6, 8, 9, 13
Technology 13, 14
Teen Dating Violence 5
Theft 9
Threats, Coercion, Assault, Menacing, Intimidation 9
Tobacco 6, 10, 14
Trespassing 14
Vehicles 3, 14
Visitors 14
Walkouts 4
Weapons 8, 9, 10, 11, 14, 15
Withholding of Education Records 12

EUGENE SCHOOL DISTRICT 4J

STUDENT DISCIPLINE PROCEDURES SUMMARY

Student Discipline - School Board Policy JG

Students have the responsibility to follow reasonable rules designed to assure the safety and orderly educational environment for all students and staff.

To ensure a school climate that is appropriate for student learning, repeated minor violations or a single serious violation of school rules may result in a range of consequences for the student including suspension or expulsion from school. Students are subject to disciplinary action for behavior while traveling to and from school and while off campus whenever such behavior has a direct effect on the general welfare of the school and its students and adults.

The school board believes that the desired outcome of student discipline is student learning. Further, disciplinary action must be applied fairly and equitably with the intent of eliminating disparities across all student sub groups.

In all disciplinary cases students will have due process rights, which at minimum will guarantee them a right to hear the charges and an opportunity to provide their perspectives.

Specific rights and responsibilities of students have been adopted by the Board and shall be widely publicized in School District 4J. (See Student Rights and Responsibilities Handbook.)

Student Rights and Responsibilities - School Board Policy JF/JFA and Student Rights and Responsibilities Handbook (SRRH)

Students have certain rights under law. Among these student rights are the following:

1. Civil rights – including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. The right to due process of law with respect to suspension, expulsion and decisions which the student believes injure his/her rights;
4. The right to free inquiry and expression; the responsibility to observe reasonable rules regarding these rights;
5. The right to privacy, which includes privacy with respect to the student's education records. Students have the right to know the behavior standards expected of them as well as to know the consequences of misbehavior.

Students have the responsibility to follow the standards of conduct outlined in the Student Rights & Responsibilities Handbook and reasonable rules adopted by the school. All students are required to:

1. Comply with the written rules as specified in the SRRH.
2. Pursue the prescribed course of study.
3. Submit to the lawful authority of teachers and school officials.
4. Abide by the district's policies on bullying, harassment, intimidation, cyberbullying, hazing and teen dating violence; sexual harassment; and discrimination.
5. Refrain from the use or display of vulgar and plainly offensive, obscene or sexually explicit language or graphics.
6. Obey the law while engaged in school activities.
7. Refrain from theft or receipt of stolen property.
8. Refrain from damage or destruction of school or private property.
9. Refrain from behaviors causing a substantial disruption of a classroom, the school, or school activities. This includes willful defiance of authority, threats of harm, respecting personal and public property and refraining from physical aggression.
10. Not assault, menace, coerce, harass, or intimate another.
11. Not possess, handle or transport a dangerous weapon.
12. Not use or possess controlled substances, alcohol, drug paraphernalia, tobacco, nicotine or inhalation devices.
13. Refrain from sexual misconduct, indecency, sexual harassment and teen dating violence.
14. Obey the rules and regulations developed in their school.

Students who violate these requirements and do not control their behavior will be subject to discipline.

Before any consequence for unacceptable conduct is enforced, the student shall be informed of what he or she has done which has brought about the consequence, and the student shall be given an opportunity to explain his or her conduct.

Consequences for unacceptable behavior will always be appropriate to the student's age, physical condition, developmental capacities, and the nature of the misconduct. Before imposing an out of school suspension or expulsion, the administrator shall consider the past pattern of behavior and age of the student.

Psychologically hurtful consequences such as ostracism, ridicule, or rejection shall never be used, and corporal punishment will not be used. Suspension or expulsion may be used, subject to specific guidelines and procedures contained in the Student Rights and Responsibilities Handbook, district policy and administrative rules.

Use of Physical Restraint and Seclusion – School Board Policy JGAB

Except in the case of an emergency, only staff with current training in the District-designated physical restraint and seclusion training program will implement physical restraint or seclusion with a student. In an emergency, physical restraint and/or seclusion may also be used by a school employee as necessary when the student's behavior poses a reasonable threat of imminent, serious bodily injury to the student or others. The use of physical restraint/ seclusion under these circumstances is permitted

only so long as the student behavior poses a threat of imminent, serious bodily injury. Any student being restrained or secluded either in an emergency or as part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion must allow staff full view of the student and be free of potentially hazardous conditions, such as unprotected light fixtures and electrical outlets. Oregon law prohibits prone restraints (ie, a restraint in which a student is held face down on the floor) and mechanical restraints.

Additional procedures are required following the administration of physical restraint or seclusion. See Policy JGAB Use of Restraints and Seclusion for more information.

DISTRICT PROCEDURES

The following procedures relating to student disciplinary matters shall be followed in implementing Board policies JG, JFA, and JGAB in administering the provisions of the Student Rights and Responsibilities Handbook:

1. A teacher who observes a student breaking a school rule, district rule, or otherwise behaving in an unacceptable manner shall take immediate steps to correct the situation.

The disciplinary action of a teacher shall be reasonably related to the student behavior and shall be fairly and consistently administered.

Actions of teachers may include, but are not limited to, the following:

- a. A teacher may retain a student after school if the parent has been given prior notice. If the parent cannot be contacted on a particular day, the student will normally fulfill his or her obligation to meet after school the following day.
- b. A school employee may use reasonable physical force upon a student when and to the extent the application of force is consistent with Board Policy JGAB – namely, in an emergency when the student’s behavior poses a reasonable threat of imminent, serious bodily injury to the student or others. “Serious bodily injury” means a significant impairment of the physical condition of a person. Any staff member using physical restraint shall inform the principal at once of such action and shall make an accurate written account to the principal by the end of the working day. A teacher may not use physical restraint or seclusion as a punishment.
- c. When, in the judgment of a teacher, a student’s behavior is seriously disrupting the instructional program to the detriment of other students, the teacher may temporarily exclude the student from the classroom and refer him or her to the principal. This means that an unruly student may be sent to the office or another prearranged location because of unacceptable behavior. In such case, the principal shall arrange as soon as possible and, under normal circumstances, not later than the conclusion of the following day, a conference to include the principal, the teacher, and if appropriate, a specialist, to discuss the problem and decide upon appropriate steps for its resolution. Parents or guardians

should be kept informed in cases of serious disciplinary problems caused by their children, and the parents may join in any conference involving discussions for resolving those problems. Teachers may not send students home, suspend them or – except as outlined above – exclude students from the classroom.

2. Any serious infraction of a rule or behavior which endangers the safety of a student or staff member, or which substantially disrupts a class, activity, or other school function, shall be reported immediately to the principal or assistant principal. When a serious infraction has been reported which endangers others or substantially disrupts a class, the principal or designee shall take prompt steps to alleviate the problem.
 - a. The principal will hold a conference with the unruly student, the teacher, and, if feasible and appropriate, the parent, to establish reasonable conditions for the student's readmission to the class. The teacher or staff member reporting the misbehavior may be required to make a written report or describe the incident in the presence of the student and his or her parent.
 - b. The principal will seek assistance, if appropriate, from Student Support Services or responsible community agencies to explore options with the teacher, parent, and student in an effort to resolve the problem.
 - c. If the student chronically disrupts the class, the principal shall give serious consideration to reassigning the student to another class or dropping the student from the course. When such action is considered, the principal shall involve the teacher(s) and the appropriate Director or a member of the Student Support Services staff.
 - d. Principals may suspend students for a period of time not to exceed 10 school days. Removals beyond 10 days require approval of an SSD administrator and additional procedures required by law. When a suspension is made, the principal must ensure the student and parent the procedural rights provided in the Student Rights and Responsibilities Handbook, IDEA and /or Section 504.
 - e. For a student who is in fifth grade or lower, schools will limit the use of out-of-school suspensions or of expulsions to the following circumstances:
 - Non-accidental conduct causing serious physical harm to a student or school employee;
 - When a school administrator determines that the student's conduct poses a direct threat to the health or safety of students or school employees; or
 - When suspension or expulsion is required by law.
 - f. Principals may recommend the expulsion of a student. The use of an expulsion is limited to the following circumstances:

- For conduct that poses a threat to the health or safety of students or staff;
 - When other strategies to change student conduct have been ineffective; or
 - When expulsion is required by law.
3. The principal of each school has been authorized to take appropriate steps to assure an atmosphere which is conducive to learning and which provides for the safety and welfare of students and school personnel. A designee shall be named by the principal to serve in his or her absence. The principal may reassign a student or may involve a law enforcement agency, if necessary, to protect the safety or welfare of students or staff members. When appropriate, principals shall involve students, parents, and staff in resolving disciplinary problems and may also use the expertise of others.

The principal is responsible for establishing school procedures or guidelines which may be necessary to supplement the district policy and procedures. School staffs, advisory councils, and students shall be invited to participate in the development of written procedures or guidelines.

4. Teachers are responsible for supervising students assigned to them. Teachers may use appropriate disciplinary action in accordance with district and school rules and guidelines. Teachers are obligated to serve as part of the total school team to enforce school and district rules and share in the general supervision of the school.
5. Any employee involved in an assault or battery within the scope of his or her employment shall immediately make a written report of the circumstances and submit it to the employee's principal or immediate supervisor.

The school district reaffirms its policy to provide safe working conditions for employees and to support reasonable policies to maintain order in the schools.

Harassment, Intimidation, Bullying, Cyberbullying, Hazing, Teen Dating Violence and Domestic Violence

The district is committed to providing a safe, positive and productive educational environment. Harassment, intimidation, bullying, cyberbullying or hazing of students, staff and third parties is prohibited. Teen dating violence is unacceptable behavior and prohibited. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, for willful damage or injury to district property, or for the use of threats, intimidation, harassment or coercion. Students may also be referred to law enforcement officials.

Scope

This policy applies to student behavior on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, in all instances that student discipline applies as provided in the code of conduct. The policy also applies to off campus conduct that causes or threatens to cause a substantial and material disruption at school or other district property, or interferes with the rights of students or employees to be free from a hostile educational or employment environment taking into consideration the totality of the circumstances. This policy also applies to adult behavior when a student is the victim.

Definitions

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance and has the effect of physically harming a student or endangering a student’s property; knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or creating a hostile educational environment, including interfering with the psychological well-being of a student. It may be based on, but is not limited to, the protected class status of a person.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation¹, gender identity or expression, national origin, marital status, familial

¹ “Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

status, source of income or disability.

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

“Hazing” means intentionally taking action or creating a situation that inflicts physical harm, psychological harm or distress on a student regardless of the consent of the participants. Hazing occurs when the action or situation has the purpose or effect of demeaning or humiliating a student or group of students. Hazing is typically but not exclusively committed as a form of initiation, discipline or rite of passage for a particular club, team or activity, and almost always includes new members showing subservience to existing members. In considering a hazing case, it is not a defense that the student subjected to hazing consented to or acquiesced in the hazing activity

“Teen dating violence” means:

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

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

“Retaliation” means any form of reprisal, harassment, intimidation or bullying, cyberbullying, hazing, or teen dating violence against a person in response to a student for actually or apparently reporting or participating in the investigation of conduct prohibited by this policy.

“District” includes district facilities, district premises and nondistrict property if the student 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.

“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 district-sponsored programs and activities.

Staff’s Responsibility

Every staff member, including student teachers and practicum students, who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the school administrator. If the administrator is believed to be involved or to have a conflict of interest, the report may be made to the Superintendent’s office.

The school administrator has overall responsibility for compliance with this policy and investigations of alleged violations at the school level.

Staff members are expected to comply with this policy. Violations of this policy, including failure to

report an act of harassment, intimidation or bullying, cyberbullying, hazing, or teen dating violence may be subject to remedial action, up to and including dismissal.

Employees are responsible for informing volunteers and other adults working in schools and with extracurricular programs of this policy and for supervising their activities. Volunteers and third parties working in schools and with district programs are encouraged to report concerns as outlined in this policy.

Student Responsibility

Students are expected to follow the standards for student behavior outlined in school board policy and the district's *Student Rights and Responsibilities Handbook*, which includes the requirement that they refrain from harassment, intimidation or bullying, cyberbullying, hazing, teen dating violence, and retaliation and comply with this policy.

Students are expected to hold their peers and other students to the standards established by this policy and are encouraged to bring violations to the attention of a teacher, counselor or administrator. These reports may be made anonymously.

Students who violate this rule are subject to discipline, suspension or expulsion following the rules established in the *Student Rights and Responsibilities Handbook*.

Training

The district shall incorporate into existing training programs for students and staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation, bullying, hazing and cyberbullying. The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grades 7 through 12.

The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation, bullying, hazing, cyberbullying, teen dating violence and domestic violence. This policy and implementing regulations will be reviewed annually, in the fall, with each building and department staff.

Reporting and Complaint Procedures

A student, parent or guardian of a student, or a volunteer who believes that the student is the recipient of harassment, intimidation, bullying, cyberbullying, hazing or teen dating violence is encouraged to report the incident to the administrator or assistant administrator, teacher, counselor or other staff member. Information may be presented anonymously.

Teachers and other staff who observe students engaging in acts in violation of this policy are responsible for taking action to deal with the behavior. Every school employee is responsible for reporting suspected violations of this policy to the school administrator.

Complaints about the school administrator may be reported to the superintendent's office. Complaints about the superintendent shall be reported to the chair of the board of directors.

Upon a report, or knowledge of, an incident, the school administrator or designee shall assess the

allegation and conduct an appropriate investigation. The administrator or designee shall promptly take interim action deemed necessary to maintain a safe learning environment. The principal or person assigned shall work with the complainant and other parties to resolve the issue, which may include corrective and remedial measures designed to prevent the recurrence of the behavior. Parents will be notified of the outcome of the investigation and, as appropriate, that remedial action has been taken.

Students, parents and guardians are encouraged to attempt to resolve concerns through discussions with school staff at the school level. If the student or his or her parent or guardian are unable to resolve the complaint after working with school staff, they may request a district-level review by filing a complaint with the superintendent's office, using the district complaint form available on the district website, in school offices and from the superintendent's office.

Tracking

District administration shall track major incidents of conduct violating this policy, and will report the information annually to the board.

Publicizing this Policy

This policy shall be publicized within the district by making the policy annually available to parents, guardians, school employees and students in the student handbook, and readily available to parents, guardians, school employees, volunteers, students, school administrators and community representatives at each school office, the school district office and the district website.

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

The superintendent is responsible for developing appropriate administrative rules, procedures or guidelines for implementation of this policy, as needed.

END OF POLICY

Legal Reference(s):

[ORS 107.705](#)
[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051](#)
[ORS 329.025](#)
[ORS 329.035](#)
[ORS 336.067](#)
[ORS 336.082](#)

[ORS 336.086](#)
[ORS 339.356](#)
[ORS 339.366](#)
[ORS 342.123](#)
[ORS 659.850](#)
[ORS Chapter 659](#)
[ORS Chapter 659A](#)
[ORS 659A.003](#)
[ORS 659A.006](#)

[ORS 659A.030](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-022-1140](#)
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2006).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12113; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Americans with Disabilities Act Amendments Act of 2008.

R7/20/18|CN



Student Safety Reporting Form

for reporting bullying, harassment and other concerns

Do the best you can filling out this information. Please do not write on the back of this form. Turn this form in to the school office or a staff member at your school.

Today's date: _____ School: _____

Name of the person(s) who experienced the incident: _____

Contact information: _____

Name of person filling out form (if different): _____

(Note: you may report anonymously if you prefer, but having this information may help us investigate the concern.)

Name(s) of the person(s) of concern: _____

Describe what is happening or has happened: (Use additional paper if you need more room)

Where did it happen? (example: classroom, Instagram, off campus): _____

When did it happen? _____

Who was involved? _____

Who saw it? _____

Has this type of behavior happened before? Yes (please tell us more about it) or No

Do you have a teacher, counselor or advisor supporting you? Who? _____

If possible, would you like this person with you when talking to administration? Yes or No

Besides stopping the unsafe behavior, what would you like to see happen?

(Use additional paper if you need more room)

STUDENTS – Please return this to the school office or to a staff member. DO NOT WRITE ON THE BACK.

STAFF – Return this form to the school administrator. If the administrator is alleged to have engaged in wrongdoing, return to the superintendent's office.

This side of the form is to be filled out by an administrator. The reporting person does not write on this side.

Date received: _____ (Initial contact should be within 24 hours.)

Date student was met with: _____

Name of school personnel supporting in this resolution: _____

Area of concern (mark all those that apply):

- | | | | |
|---|---|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Teasing | <input type="checkbox"/> Physical (Hitting, Kicking, Pushing) | <input type="checkbox"/> Threatening | <input type="checkbox"/> Name calling |
| <input type="checkbox"/> Gossip/Rumor spreading | <input type="checkbox"/> Cyberbullying (social media) | <input type="checkbox"/> Intimidating | <input type="checkbox"/> Self-harm |
| <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Sexual assault | | |
| <input type="checkbox"/> Other (please describe): _____ | | | |

Does the issue/situation target the person's: race, color, ethnicity, religion, sex, sexual orientation, gender identity or expression, national origin, marital status, familial status, source of income or disability? Yes, describe or No

Admin should consider:

- *The applicable policies, rules and/or code of conduct (For example: JBA/GBA-AR Sexual Harassment, JFCF Harassment, Intimidation, Bullying, Cyberbullying, Hazing, Teen Dating Violence and Domestic Violence)*
- *Would the student feel safer if there was someone of their gender identity and/or cultural identity present? Who on staff needs to be in the room to support the student?*
- *Has the student experienced this kind of incident before? Who responded in that incident? What was the outcome/resolution and why?*
- *Where is this addressed in the Student Rights and Responsibilities Handbook?*
- *What restorative steps need to be taken?*

Outcome & next steps:

Does the student(s) or adult filling out this form feel the situation has been resolved? Why or why not? How do you know? What is your plan for following up/checking with the student/adult in a few weeks?

Date parent was contacted: _____ Method of contact: _____

Response from parent (explain) or Parent not contacted due to student safety concern (explain):

Store these forms in a folder in the administration office.

Transgender and Gender Nonconforming Students

This administrative rule is intended to clarify existing laws, rules and policies, and to guide how best to support the needs of the district's gender nonconforming students and their families. It does not anticipate every scenario and situation that may occur with respect to gender nonconforming students, and not all gender nonconforming students' needs may be the same. Therefore, it is encouraged that administrators discuss these issues with each gender nonconforming student and family on a case-by-case basis to determine how best to support the student within the parameters of this administrative rule.

1. Definitions

- a. "Gender identity" is a person's deeply held sense or psychological knowledge of their own gender, regardless of the sex they were assigned at birth. Everyone has a gender identity.
- b. "Transgender" describes people whose gender identity is different from their gender assigned at birth.
- c. "Gender expression" refers to the way a person expresses gender, such as clothing, hairstyles, activities, or mannerisms.
- d. "Gender nonconforming" or "gender variant" describes people whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous.
- e. "Sex" is the physical makeup of a human being, referred to as their biological or natal sex. A person's biological sex is sometimes also referred to as their "assigned gender."

2. Discrimination, Harassment, Intimidation, Bullying and Cyberbullying

Board policies JB - Harassment, Intimidation, Bullying, Cyberbullying, Hazing and Teen Dating Violence and AC - Nondiscrimination prohibit discrimination, harassment, intimidation, bullying and cyberbullying based on a student's gender identity and expression. Complaints alleging discrimination, harassment, intimidation, bullying and cyberbullying based on a person's actual or perceived gender identity or expression are to be handled in the same manner as all other discrimination, harassment, intimidation, bullying and cyberbullying complaints. The guidelines for such complaints are set forth in the district's published guidelines entitled *Bullying, Harassment, & Discrimination: Step-by-Step Complaint Process*.

3. Names/Pronouns

As set forth by the Oregon Department of Education's Gender & First Name Change Process for Transgender Students in ODE Systems and the district's *Student Rights & Responsibilities Handbook*, transgender and gender nonconforming students have the right to be addressed and referred to by a name and pronoun that corresponds with the student's gender identity, as determined by the parent and student. District employees may not intentionally refuse to refer to a student by the name or pronoun identified as corresponding with the student's affirmed gender identity.

4. Registration Forms and Student Information System Records

There is a process for handling name and gender changes in the student information system. This process is outlined in the Oregon Department of Education's Gender & First Name Change Process for Transgender Students in ODE Systems. Forms for requesting these changes are available from the district's technology department.

5. Dress Code

Students have the right to dress in accordance with their gender identity, in conformance with the dress and grooming standards contained in the *Student Rights & Responsibilities Handbook* and any dress and grooming standards prescribed by a student's school of attendance.

6. Restroom Accessibility

Students shall have access to a restroom that corresponds to their gender identity. A student shall not be required to use a restroom that is incongruent with the student's gender identity. Where available, a single stall bathroom may be used by any student who desires increased privacy, regardless of the reason. The use of a single stall bathroom shall be a matter of choice for a student, and no student shall be compelled to use such a bathroom. Use of restrooms by transgender or gender nonconforming students shall be determined on a case-by-case basis depending on specific circumstances.

7. Physical Education, Athletics and Activities

Students shall be permitted to participate in gender-separated physical education, intramural athletics, and non-high school interscholastic athletics and activities in accordance with the student's gender identity. Participation in high school interscholastic athletics and sports is governed by the Oregon School Activities Association, which has its own policy with respect to transgender student participation. Activities that may involve the need for accommodations to address student privacy concerns, such as overnight trips, will be addressed on a case-by-case basis using the guiding principles of safety and honoring the student's gender identity and expression.

8. Locker Room Accessibility

A student shall not be required to use a locker room that is incongruent with the student's gender identity. Locker room usage shall be determined on a case-by-case basis, using the guiding principles of safety and honoring the student's gender identity and expression. Some options include:

- a. Use of a private area in the locker room (e.g., a bathroom stall with a door; an area separated by a curtain; a physical education instructor's office in the locker room).
- b. A separate changing schedule (e.g., using the locker room before or after the other students).
- c. Use of a nearby private area (e.g., a nearby restroom; a nurse's office).

Administering Medication in School

School personnel shall not provide any medication to students, except as provided for in this policy. A parent or guardian and a qualified physician must provide written notice before prescribed medicine may be given, except as provided for in School-Based Health Centers below. However, school nurses or their designees, acting under medical directives signed by a physician, may administer specific emergency medication. School personnel who have successfully completed a training course developed by the Oregon Medical Association may administer epinephrine for anaphylactic emergencies.

Students who must depend upon prescribed medication as defined by OAR 581-021-0037 in order to stay in school must have written permission from a parent or guardian requesting that the school district comply with the instructions of the physician. The medication is to be in the original prescription bottle or container, clearly labeled with the name of the student, drug dosage, name of the prescribing physician, and the time interval that the medication is to be taken. The label may serve as the physician's instruction. Parents will provide written permission for their child to receive nonprescription medication as defined in OAR 581-021-0037, except as provided for in this policy. However, any product that contains aspirin requires a physician's order.

School staff shall keep medication that is brought to school by the parent in the original container, appropriately labeled by the pharmacy or physician. Nonprescription medication must be provided to and maintained by the school staff in the original bottle or container unless the student self-administers his or her own medication as specified below. The principal's office shall maintain a list of students receiving medication and document when they have been administered. The principal shall designate the staff members who will assist with the medications. Staff shall store student medications in a locked cabinet. Any consent forms required by this policy will be returned to and maintained in the school office.

Before assisting a student with medication, school personnel shall contact the building principal or school nurse to receive required medication training, review the policies and procedures, and complete the necessary forms.

There are instances when it is advisable for a student to carry and administer his or her own medication.

A student may administer his or her own medication in the following situations unless the school determines that the student does not demonstrate the ability, developmentally and/or behaviorally, to administer medication to him or herself without the assistance of a trained staff member:

- Students in grades K-8 may carry inhalers or any other emergency prescription medication with the written consent of the parent and the school administrator;

- Students in grades K-8 may carry and self-administer one day’s dose of nonprescription medication with the written consent of the parent;
- Students in grades 6-8 may carry and self-administer one day’s dose of noncontrolled prescription medications, including inhalers with the written consent of the parent and school administrator. Controlled prescription medications may not be self-administered;
- Students in grades 9-12 may carry and self-administer one day’s dose of noncontrolled prescription medication (including inhalers) with the written consent of the parent;
- Students in grades 9-12 may carry and self-administer one day’s dose of a controlled medication with the written consent of the parent.

In the event of an emergency that requires treatment with medication, a designated member of the school staff must notify parents or guardian as quickly as possible. The student’s record should contain the current telephone number of the parent specifically for this purpose.

The principal shall notify school personnel each year about the provisions of this policy dealing with medication.

School-Based Health Centers

School nursing staff assigned to a school-based health center may provide medication for students in accordance with clinic rules and statutes and regulations.

END OF POLICY

Legal Reference(s):

[ORS 109.640](#)

[ORS 339.867](#)

[ORS 339.869](#)

[ORS 339.870](#)

[ORS 433.800 - 433.830](#)

[ORS 475.005 - 475.285](#)

[OAR 581-021-0037](#)

AIDS, HIV, and Hepatitis B

The Board of Directors believes “that every child within district boundaries, whatever his or her ability, school neighborhood, social membership, or any other variable, should have an equal chance to benefit from the best educational program we can provide” (District 4J Philosophy of Education, adopted May 19, 1982). It is the belief of the board that this statement applies to all students including those few who may have AIDS¹, be HIV² positive, or have Hepatitis B.

The Board of Directors takes seriously its responsibility to provide a safe and healthy environment for students, employees, and patrons. All available evidence indicates that there is no established risk of the casual person-to-person transmission of HIV within the school or work setting. Further, because several years may transpire between exposure and positive identification, and because of the laws related to confidentiality, it is unlikely that the school district will know the identity of the majority of those who are infected with the diseases.

It is the intent of the school board that, as a general rule, a student with HIV or Hepatitis B will be allowed to attend school in regular classrooms and that employees with HIV or Hepatitis B will be allowed to continue employment. It is also the intent of the school board to adopt routine procedures for the administration of first aid and the clean up of blood and other body fluids which are designed to further protect against the risk of transmission within the school and work setting.

In adopting this policy, the board has attempted to balance the following interests:

- The rights of an individual who may be infected with the rights of other persons to a safe and healthy environment;
- The rights of an individual to confidentiality with the need of others to have information about who may be infected;
- The fact that the district may know the identity of a few infected students and staff members with the knowledge that the district **will not** know the identity of most infected persons; and
- The public concern about the spread of the disease with established medical knowledge about how the diseases are spread.

¹AIDS - Acquired Immune Deficiency Syndrome

²HIV - Human Immunodeficiency Virus

Volunteers and Independent Contractors

The district policy shall apply to volunteers and independent contractors who provide direct services to students as if they were employees of the district. All independent contracts for direct services to students shall be presumed to include this specific policy.

Standard Precautions

The district-established procedures shall be used at all times in the administration of first aid and the clean up of blood and other body fluids.

Education of Staff

All school staff members, including custodians, bus drivers and secretaries, should be fully informed of these policies and procedures on an annual basis.

END OF POLICY

Legal Reference(s):

[ORS 433.255](#)

[ORS 433.260](#)

[OAR 333-019-0015](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-0705](#)

Cross Reference(s):

GBEBA - AIDS, HIV and Hepatitis B - Employees

JHCCA/JHCCB - AIDS, HIV and Hepatitis B - Students