



2019–20 STAFF ORIENTATION

There are several 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 that they have been informed of the information & then sign & date the document.

All 4J employees must review the following:

- 2019-20 Summary of Spending Guidelines and Controls
- Nondiscrimination Notice
- Sexual Harassment Administrative Rule JBA/GBN–AR
- Professional Conduct & Respectful Workplace: Administrative Rules G2100 and G2120
- Attendance Expectations and Notice Requirements
- Substance Abuse (Staff): Administrative Rule 2430
- Child Abuse & Sexual Conduct Reporting Requirements: Board Policy JHFF
- Locked Spaces
- Community Educators (Guest Speakers) and Outside Presenters
- FAQ for Staff – Supporting Undocumented Students, Revised April 2018
- Visitors to Schools and Properties: Board Policy KK

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

- Wellness Policy Summary
- Harassment, Intimidation, Bullying, Cyberbullying, Hazing, Teen Dating Violence, Domestic Violence and Student Safety Reporting Form: Board Policy JFCF
- Transgender and Gender Nonconforming Students: Administrative Rule JBC-AR
- Administering Medication in School: Administrative Rule JHCD/JHCDA-AR

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. I also understand that additional policies, administrative rules, and/or procedures may be released later in the year and I guarantee that I will review that information when it is released.

Print Employee Name

Employee Signature

Date

Position

Building

ID Number

All 4J employees must review
the following:



OVERVIEW

This summary intends to provide high-level guidance for school and department staff who are not primarily assigned to financial positions. A more detailed explanation of topic areas is included in the Financial Procedures for Schools and Departments FY20 manual, which is located on the Financial Services Intranet.

- Board polices 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 4J Staff and Board Members

As public officials, all district staff, board members, and even some district volunteers are subject to government ethics laws (Oregon Revised Statute (ORS) 244). Among other requirements, Oregon government ethic laws prohibit public officials from using their position for financial gain and require public disclosure of economic conflicts of interest. As public officials, district staff and board members are held personally responsible for complying with the provisions in Oregon Government Ethics law. This means that each public official must make a personal judgment in deciding such matters as the use of their position for financial gain, what gifts are appropriate to accept, or when to disclose the nature of conflicts of interest. If a public official fails to comply with the law, a violation cannot be dismissed by placing the blame on direction provided by the District (the employer) or the School Board (the governing body).

- 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” goes even further than what is required by ORS 244, and 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 bid on district solicitations or be awarded an Independent Contractor Agreement (ICA) or personal services contract.
- Employees should avoid the intent and appearance of unethical or uncompromising practice in relationships, actions, and communications.

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- Employees should refrain from any private business or professional activity that would create a conflict between personal interests and the interests of the District.

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–\$25,000. An additional penalty equal to twice the amount of the financial benefit of the public official may also be imposed. (See ORS 244.350 to 244.400 for full text of enforcement)

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 public (parents, other students, etc.) perception will be if the gift acceptance became common knowledge.
- A public official should not accept anything of economic value if the gift is offered by a person or entity associated with a current or potential public procurement (purchase/contract/ICA).

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.

Public Funds Law

Oregon Revised Statute (ORS) 295 “Depositories of Public Funds and Securities” addresses the deposit of public funds, which are defined as, “...funds that a public official has custody of or controls by virtue of office.” District employees and board members, as well as some volunteer positions, are considered public officials, so any funds they collect in the course of their employment or official duties would be considered public funds. Public funds must be deposited into a District-owned bank account established with a financial institution authorized by the Board of Directors (see Resolution 2019-16 “Designate Depositories for School Funds” for a listing of current authorized depositories authorized through June 30, 2020).

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District employees, board members and volunteers may collect funds from students, families or others in the course of their official or assigned duties (examples include school fees and donations, athletic gate receipts, payments for athletic participation and field trips). They may also collect donations or payments as part of a fundraising activity for a school-sponsored athletic team, club or activity. These funds should be kept in a secure location (whenever possible, a district safe or vault) and deposited into an authorized district bank account as soon as possible after their receipt per Board Policy DFC "Cash Management." Placing these funds in a personal or third-party bank account, even for a short time, violates district policy. Using any portion of the funds collected to purchase goods or services prior to deposit would also be a violation of District purchasing policy – deposits must be intact and include all funds collected. Per ORS 295, a public official who fails to properly safeguard and deposit public funds in their custody can be held personally liable for the loss of the public funds.

If you collect funds in the course of your official or assigned duties and are unsure if the account into which you deposit those funds is an authorized District account, please contact Financial Services (accounting@4j.lane.edu) for verification.

All revenues and expenditures recorded in the funds noted above, including those processed through Student Body accounts maintained by individual schools, are considered *public funds* and are subject to federal and state laws as well as District policies, procedures, and guidelines. To ensure good stewardship, use of these monies must be well-documented and closely controlled. If you would like assistance in determining the appropriateness of an expenditure or documentation, contact Financial Services at x 7600, or email: Accounting (accounting@4j.lane.edu) or Budget (budget@4j.lane.edu).

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 (the Clerk), Deputy Clerks and the Director of Support Services have authority as delegated to **sign contracts and agreements that commit resources**, 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)).

Contracts

Before services begin, a contract must be submitted to Purchasing for review and approval. Completing the agreement well before services start is critical as 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 personal

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services agreement as some services are restricted to district employees. Work with your finance clerk or secretary to complete contracts for goods and services.

Employee Reimbursements

While employees are strongly encouraged to use district purchasing systems to buy goods, 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 personal services; employees providing services are 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. ***Per IRS requirements, employee reimbursement requests that are submitted more than 60 days following the expenditure will be considered TAXABLE INCOME to the employee.***
- All technology purchases must be made by the Technology Department; do not use your district visa for a technology purchase or purchase with your own funds and seek reimbursement without written, prior approval from the Technology Department.

Meals & Refreshments for Meetings, Trainings and Activities

Meetings and training 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 District events will not interfere with employee break or meal times.

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

- regularly scheduled staff meetings
- office social events such as celebrating holidays or birthdays

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 by the District* (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 of at least 10 people 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.

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The timeframes below provide guidelines for which, if any, meals or refreshments may be provided.

Breakfast	Meeting/Training commences prior to 6:00 a.m.
Lunch	Meeting/Training runs continuously from 11:00 a.m. to 1:00 p.m.
Dinner	Meeting/Training extends past 7:00 p.m.
Refreshments	More than 10 participants and exceeds one hour

Additional considerations for in-district food or beverage purchases include:

- Original, itemized receipts are required. If the receipt is not itemized, an invoice or billing that itemizes the purchase may be used to support a request for payment or reimbursement.
- Documentation supporting the expenditure must include a list of attendees and describe the District business/educational purpose. You do not have to list students, parents or other community members by name if the meeting or event is “open” to all, such as a school open house event, a community meeting to discuss changes to school buildings or programs, or a school event such as a reading night. Simply include the announcement of the event (e-mail, letter, flier, etc) to support a request for payment or reimbursement.
- Alcohol costs are non-reimbursable. No exception to this rule is allowed.
- Costs exceeding the spending limits noted in the **Spending Limits for In-District Meal and Refreshment Purchases** section below are not eligible for reimbursement; any over-expended District Funds must be paid with the authorizing administrator’s personal funds.
- Exceptions to these guidelines require preapproval by the Director of Financial Services.

Spending Limits for In-District Meal and Refreshment Purchases

Non-travel expenditures for meals or refreshments should be reasonable in cost and generally not exceed the related GSA rate for Eugene (<http://www.gsa.gov/portal/content/104877>). For the fiscal year ending June 30, 2020, the full-day meal per diem rate is set at \$61.00 per person. The following guidelines provide the per meal maximum cost per person including gratuity:

Meal(s)	Spending Limit with Gratuity	Per Person Limit to June 30, 2020
Breakfast only	25% of per diem limit	\$15.25
Lunch only	25% of per diem limit	\$15.25
Dinner only	50% of per diem limit	\$30.50
Refreshments only		\$ 7.50

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Non-Overnight Travel Costs

Meals (Per Diem and Actual Cost)

A per diem meal allowance is a fixed amount of reimbursement for a meal. It is not reimbursement for the actual cost incurred. Receipts are not required for meals if claiming a per diem. A meal per diem is permitted under the following conditions during non-overnight travel:

- Breakfast – staff must be on travel status for two hours or more before the beginning of their scheduled work shift to receive a breakfast allowance (currently \$15.25 for the 2019-20 school year).
- Lunch – no allowance is provided for lunch during non-overnight travel unless the staff member is attending an official business meeting and the meal is an agenda item that was not included in the fee, and the cost and choice of having the meal were beyond the control of the staff member. A receipt is required.
- Dinner – staff must be on travel status for two hours or more beyond the end of their scheduled work shift to receive a dinner allowance (currently \$30.50 for the 2019-20 school year).

Meal allowances that do not involve an overnight stay are taxable income to the staff member and must be processed by 4J Payroll.

Staff members may be directed to seek reimbursement for meals at actual cost (meal plus a tip of no more than 15%) if the funding provider for the reimbursement requires it. For example, the Perkins Grant requires that all reimbursement requests be supported by an itemized receipt or invoice. This includes any costs (registration, transportation, lodging, meals, etc.) associated with a 4J staff member's attendance at an approved conference or professional development event. If receipts are required by the funding provider, administrators and school or department finance staff should ensure that staff members are aware of this requirement. If the District cannot bill for the expenditure due to failure to retain a receipt or invoice, the school or department's discretionary budget will be used to fund the staff member's reimbursement.

Transportation and Related Costs

1. Employees attending functions within driving distance should commute together if schedules permit.
2. Direct costs for personal cars such as a tank of gas, repairs, washing, and maintenance are not reimbursable. **Only a mileage allowance may be claimed and a District Visa cannot be used for related travel purchases (e.g. gas).**
3. When preapproved by a supervisor, use of an employee's personal vehicle for District business will be reimbursed at the IRS mileage rate for miles (currently \$0.58 per mile) as supported by documentation (e.g. Google Maps). The IRS updates this rate at the beginning of each calendar year. Before using your personal vehicle for district travel, review the Insurance Coverage page on the 4J website (<https://www.4j.lane.edu/hr/risk/insuranceissues/autoaccidentsinsurance/insurancecoverageauto/>) to ensure that the District's insurance coverage will be in effect for your trip.
4. The actual expense for tolls and parking is reimbursable and must be documented with receipts.
5. 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.

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Overnight and Out of State Travel Costs

District employees may be authorized for overnight or out-of-state travel when required for essential professional development or attendance at specific conferences or meetings related to District operations, programs, or curriculum. Staff are expected to use sound judgment to ensure travel and related expenses are necessary and reasonable. Non-travel options for training are preferred (e.g. web-based trainings, group onsite training, videos) when comparable and less expensive.

Qualifying Overnight Travel

- Lodging is only allowed for trips that exceed 75 miles one-way, unless an exception is preapproved by an Assistant Superintendent or the Chief Operating Officer (COO). Safety, multi-day event, or other issues may be considered in this determination.
- Overnight travel within the state should be for events that span at least two days.

Procedure for Requesting Approval and Reimbursement for Travel

1. Complete an **In State Overnight Travel Approval Request** form for in-state overnight travel or an **Out of State Travel Approval Request** form for out-of-state overnight travel. Forms can be found at (<http://www.4j.lane.edu/finance/forms/>)
 - Estimate all travel costs and consider expenses for lodging, air and ground travel, mileage, meals, parking, registration, baggage fees, substitute, etc.
 - Include the funding source for travel (such as PD funds, a specific grant, general fund, etc.). Note that reimbursements may be limited in certain instances by contractual restrictions found in some grants, by the availability of funds, or by the approving administrator. Travelers and administrators should determine whether there are any such limitations before committing to travel. *Note: Perkins grants require actual receipts for all reimbursements-schools will be responsible for any charges that cannot be billed to Perkins.*
 - Provide the event or training registration and the conference or event agenda as applicable
2. Submit your form and all relevant supporting document to your supervisor for review. If approved by your supervisor, the following additional approvals will be required:
 - All in state overnight travel **must be preapproved by a Director** for each employee.
 - All out of state travel **must be preapproved by a Director, an Assistant Superintendent and the Superintendent** for each employee.
3. Once all required approvals have been received, the original request form should be provided to the employee and an electronic copy sent to Financial Services (billings@4j.lane.edu). No travel reservations, transportation or lodging payments, or other travel-related expenditures may be made prior to approval by all parties noted above. Reimbursement requests and Visa reconciliation amounts related to overnight and out-of-state travel will be confirmed against the approved form sent to Financial Services. Any expenditures made prior to approval or outside of the categories approved in the travel form will be considered “personal” expenditures that are the responsibility of the traveler. Exceptions will be made for emergency circumstances and unforeseen costs with the written approval of the Assistant Superintendent for Administrative Services.
4. Traveler requests substitute coverage (as applicable and authorized by their supervisor). If substitute coverage is not available for the absence, the supervisor is responsible for ensuring adequate backup coverage for essential functions.

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5. Traveler completes travel and submits reimbursement form to supervisor, including original receipts for all expenditures except meals (paid at per diem unless the funding provider requires actual cost reimbursement for travel).
6. Supervisor verifies appropriateness of reimbursement and submits approved reimbursement form with backup documentation to Finance.
7. Finance processes reimbursements received by the 15th of each month with the next payroll (last working day of the month).

Transportation and Related Costs

District employees are expected to use the least cost carrier and class available and to car pool, where possible.

Air travel tickets for 4J staff, Board members and other parties should be booked in coach class regardless of funding source unless the difference is paid from the traveler's personal funds (in advance of the booking). Business and first class airfare are not reimbursable. Air travel may be paid for with a District Visa. For travel involving multiple staff members where the charges would exceed regular Visa card limits, please contact Purchasing at purchasing@4j.lane.edu for assistance. Personal vehicle mileage to and from the airport is reimbursable. Parking at the airport will also be reimbursed up to \$10/day (the current rate for economy parking at Eugene and Portland airports).

Other forms of travel (train, bus or use of a private vehicle) may be allowed, providing that the total cost to the District of transporting the staff member to the location does not exceed the equivalent cost of an airline ticket to the destination and the time required to complete travel is reasonable. Reimbursement will be made at the actual cost of travel (train or bus ticket or private vehicle mileage). The District will take into account any special circumstances presented by the traveler when making this determination, but does not guarantee that a traveler's request for alternative transportation options will be approved. Before using your personal vehicle for district travel, review the Insurance Coverage page on the 4J website (<https://www.4j.lane.edu/hr/risk/insuranceissues/autoaccidentsinsurance/insurancecoverageauto/>) to ensure that the District's insurance coverage will be in effect for your trip.

Staff members who wish to combine personal travel with a 4J trip must have prior approval. This can be accomplished by clearly detailing all personal travel costs in the travel approval form for review and approval by 4J administration. If personal travel results in an increased cost to the District, the staff member will be required to submit a check for the amount of the increased cost prior to travel.

A rental car may be booked for 4J staff, Board members and other parties. The size of the rental car should be appropriate to the number of travelers and cost effective. Car rental costs may be paid for with a District Visa. If you are reserving a car for another employee with your District Visa, ensure that you obtain and return an authorization form for the rental agency to charge the cost to your card. Simply reserving a car with your District Visa does not provide authorization and the staff member will be asked to provide their own credit card for the car rental when they check in. For travel involving

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multiple staff members where the charges would exceed regular Visa card limits, please contact Purchasing at purchasing@4j.lane.edu for assistance.

Before booking a rental car for district travel, review the Insurance Coverage page on the 4J website (see

<https://www.4j.lane.edu/hr/risk/insuranceissues/autoaccidentsinsurance/insurancecoverageauto/>)

to ensure that the District's insurance coverage will be in effect for your rental.

The District will reimburse 4J staff, Board members and other parties for district-travel related taxi rides, bus rides, shuttle, subway costs or other transportation options during authorized travel when a rental car or personal vehicle is not available. Original receipts must be submitted for reimbursement or attached to the Visa reconciliation, and a tip up to 15% may be included in the cost.

Lodging

1. Commercial lodging expenses are normally reimbursed at actual cost up to the specific daily maximum allowable lodging rate in effect at the time of travel for the specific area or locality. Before booking lodging, check the GSA site for the applicable lodging rate for your destination (<https://www.gsa.gov/travel/plan-book/per-diem-rates>). Note that:
 - When making lodging reservations you must request the government rate if available, or the lowest rate available
 - Lodging taxes are not included in the U.S. lodging per diem rates and will be reimbursed at actual cost supported by the lodging invoice/bill
 - Hospitality fees or resort fees that are beyond the control of the staff member are not included in the U.S. lodging per diem rates and will be reimbursed at actual cost supported by the lodging invoice/bill
2. Exceptions to the published lodging per diem rates are allowed under the following circumstances, but must be supported by appropriate documentation and director approval:
 - Conference/meeting hotel: staff may stay at the official hotel(s) for the event even if the cost exceeds the per diem (as supported by the conference/meeting registration or agenda)
 - Availability of lodging: there may be locations or times of year where lodging is universally more expensive than the per diem. If a search of lodging within close proximity (1 to 2 block radius) does not produce a lodging option within per diem, document booking of the most reasonable option and include with the reimbursement request or Visa reconciliation.
 - Special Circumstances: contact Financial Services (billings@4j.lane.edu) if you believe that your lodging requirements cannot be met within the lodging per diem. The Director of Financial Services will review your request and provide approval if allowable.
3. A staff member facing a district travel delay due to weather, accident, or a similar safety concern that prevents further travel should seek emergency lodging that is safe and in close proximity. They should alert their supervisor to their circumstances once they are in a safe and secure location. This is the only situation where the District will reimburse lodging costs prior to formal approval.
4. Lodging may be paid for with a District Visa. If you are reserving a room for another employee with your District Visa, ensure that you obtain and return an authorization form for the hotel to charge the room to your card. Simply reserving a room with your District Visa does not provide authorization and the staff member will be asked to provide their own credit card for the room charge when they check in. For travel involving multiple staff members where the charges would

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exceed regular Visa card limits, please contact Purchasing at purchasing@4j.lane.edu for assistance.

- Charges for business related faxes, internet service, photocopying, parking and business related local or long-distance calls will be reimbursed when free services are not available and must be detailed on the hotel receipt. Document on the receipt the business purpose.
- Charges for staying with friends or relatives are not reimbursable.
- In-room movies, room service, use of the room safe or mini-bar charges are not reimbursable.

Meals (Per Diem and Actual Cost)

- Meal expenses are normally reimbursed at the meal per diem rates set by the federal government. A per diem meal rate is a fixed amount of reimbursement for a meal. It is not reimbursement for the actual cost incurred. Receipts are not required for meals if claiming a meal per diem. To complete the meal estimate for your travel approval form, look up the meal per diem rates for your destination city and state (<https://www.gsa.gov/travel/plan-book/per-diem-rates>). When calculating your travel per diem estimate, remember the following:
 - Do not claim per diem for any meal that will be provided to you as part of the event, conference or training
 - Do not claim per diem if your hotel provides a full breakfast as part of your lodging cost (note that a continental breakfast does not count as “breakfast” so you can claim per diem)
 - A single per diem rate is used for an entire date. During overnight travel, if a staff member travels to more than one location in one day, the per diem rates for each day are the rates for the location in which the staff member will spend the night.
 - Calculate per diem for the first and last day of travel as follows (multiple the percentage below by the daily per diem rate for the city you are traveling to (first day) or the city you spent the last night in (last day):

	Prior to 6:00 am	6:00 am to Noon	12:01 pm to 6:00 pm	After 6:00 pm
Initial Day of Travel – Leave:	100%	75%	50%	25%
Final Day of Travel – Return:	25%	50%	75%	100%

- Staff members may be directed to seek reimbursement for meals at actual cost (meal plus a tip of no more than 15%) if the funding provider for the reimbursement requires it. For example, the Perkins Grant requires that all reimbursement requests be supported by an itemized receipt or invoice. This includes any costs (registration, transportation, lodging, meals, etc) associated with a 4J staff member’s attendance at an approved conference or professional development event. If receipts are required by the funding provider, administrators and school or department finance staff should ensure that staff members are aware of this requirement. If the District cannot bill for the expenditure due to failure to retain a receipt or invoice, the school or department’s discretionary budget will be used to fund the staff member’s reimbursement.
- Food and beverages cannot be charged to a District Visa during travel (to prevent accidental payment for both the charged meal and a per diem reimbursement). Once travel is complete, the

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reimbursement form is submitted and eligible meal costs (either per diem or actual cost, depending on the requirements of the funding provider) will be paid to the employee. Note that if travel related meals are accidentally charged to a District Visa, then the amount charged will either be deducted from the employee's travel reimbursements or the employee will be required to reimburse the District.

Additional Travel Considerations

- Costs in excess of approved travel reimbursement and available funding must 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. If personal travel results in additional cost for the District, the difference in cost must be paid by the staff member prior to travel.
- 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.

Time Reporting & Payroll

- Staff paid through timesheets record time over the period from the 16th of the previous month to the 15th of the current month. Please submit appropriately signed timesheets by the end of the next business day following the 15th.
- Direct deposit forms are due by the 15th of the month for current month payroll. Forms received after the 15th will be entered if possible up to the point in time that payroll records are transmitted to the bank (about 3 business days before payday). Due to concerns regarding fraudulent attempts to change staff member direct deposits, **all requests** to initiate or change a direct deposit must be submitted to Payroll (at the Ed Center office) in hard-copy format by the staff member. Remember that a paper check will be printed the first payday after a direct deposit account is established or changed. This allows the bank to verify the deposit information.
- The following forms must be received by the 15th of the month to be paid in the payroll run at the end of the month. Forms received after the 15th will be processed the following month. **Forms that are not complete (all fields include the correct, requested employee information) and/or signed by the employee's supervisor will not be processed.** Other payroll forms include:
 - Extended Contract Form
 - W4 Federal Tax Withholding Form
 - Request for Removal from Payroll Deduction
 - Tax Sheltered Annuity (TSA, 403b) Enrollment Form
 - Mileage Reimbursement Form
 - Travel Reimbursement Form (will not be processed unless an approved **In State Overnight Travel Approval Request** form for in-state overnight travel or an **Out of State Travel Approval Request** form for out-of-state overnight travel in on file with Financial Services).
 - Employee Reimbursement Form
- 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. Requests will be completed within 3 business days. Copies can be mailed to the employee's official 4J home

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address or picked up at the Finance Office – indicate your preference when submitting your request. W-2's cannot be e-mailed to staff.

- 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 Overtime/Additional Hours

- Overtime and Compensatory Time must have **prior, written approval from a supervisor**
- Additional hours (straight time) for time worked up to 8 hours per day or 40 hours per week
- Overtime or Compensatory (comp) time (time and a half) 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.)
- Overtime should be submitted on an employee timesheet
- Comp time must be tracked at the building level
 - Only for occasional and irregular overtime work
 - Maximum of 60 hours (30 hours for part-time staff) may be accumulated. Any time over the maximum accumulation must be paid to the employee as overtime.
 - If employee changes buildings, send comp time records to secretary/principal at the new building
 - Comp time balances must be paid when an employee discontinues working for the district - notify principal, human resources and payroll

Nondiscrimination

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, genetic information, military or veterans' status.

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 VI & 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
eeo@4j.lane.edu

Disabilities

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

ADA Accessibility Coordinator for Employees
Human Resources Department
200 North Monroe Street
Eugene OR 97402
541-790-7672
hr_ada@4j.lane.edu

Other Contacts

The superintendent has overall responsibility for the district's compliance with equal employment and nondiscrimination laws and policies:

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

[Formal Complaint Form](#)

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

Eugene School District 4J

Code: **JBA/GBN-AR**
Revised/Reviewed: 4/21/09; 8/27/18
Orig. Code: JBA/GBN-AR; G1140-G1170

Sexual Harassment Complaint Procedure

1. 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.

2. 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:

- a. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
- b. 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
- c. 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

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

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.

- (1) Conduct may be verbal, nonverbal or physical. Examples include:
 - (a) 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;
 - (b) Nonverbal conduct, such as graffiti, display or distribution of sexually explicit drawings, pictures or written materials, text messages, or notes; and/or
 - (c) 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.

- d. 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:

- (1) 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.
- (2) An employee makes offensive or inappropriately suggestive comments or jokes.
- (3) An employee displays inappropriate sexual or suggestive illustrations in the workplace or on school property.
- (4) An employee stalks another employee.
- (5) A school employee makes a student believe that he or she must submit to sexual conduct or sexual advances.
- (6) 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.
- (7) 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.

- (8) 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.
- (9) A student is subjected to a sexual assault.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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, legally protected leaves such as 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.

Type of Leave	Notice Expectation ²
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	Schedule with immediate supervisor at least 24 hours in advance unless emergency in nature. Supervisor must have advance approval from the Human Resources Director or designee if the day is adjacent to a holiday or break.
Family Illness Days (MAPS)	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.

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

² "Notify" means you will directly contact your supervisor by email, text, phone or other method specified by your supervisor.

<p>Unpaid Day</p>	<p>Must have written approval from the Human Resources Director or designee 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 must complete a Leave Request for Unpaid Days form. The form can be found on the district website at https://www.4j.lane.edu/hr/loa/.</p>
<p>Vacation (12 month employees)</p>	<p>Schedule with and obtain approval from immediate supervisor at least three weeks in advance.</p>
<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>

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: **JHFE**
Adopted: 5/07/14
Readopted: 11/28/18
Orig. Code: JHFE

Reporting of Suspected Abuse of a Child

Any district employee who has reasonable cause to believe that any child with whom the employee has come in contact has suffered abuse or neglect, as defined in state law, by any adult or by a student with whom the employee is in contact has abused a child, will immediately notify the Oregon Department of Human Services or the local law enforcement agency. The district employee shall also immediately inform his/her supervisor, principal or superintendent.

Abuse of a child by district employees or by students will not be tolerated. All district employees are subject to this policy and the accompanying administrative regulation(s). If a district employee is a suspected abuser, reporting requirements remain the same. The district will designate the human resources director or designee to receive reports of abuse of a child by district employees and specify the procedures to be followed upon receipt of an abuse report. In the event the human resources director or designee is the suspected abuser, the superintendent or Board chair shall receive the report of abuse. The district will post in each school building the name and contact information of the person designated to receive child abuse reports, as well as the procedures the human resources director or designee will follow upon receipt of a report. When the human resources director or designee takes action on the report, the person who initiated the report must be notified.

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

Upon request, the district shall provide records of investigations of suspected abuse of a child by a district employee or former district employee to law enforcement, Oregon Department of Human Services or Teachers Standards and Practices Commission.

Any district employee participating in good faith in the making of a report, pursuant to this policy and Oregon law and who has reasonable grounds for the making thereof, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of any such report. Further, the initiation of a report in good faith about suspected abuse of a child may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected abuse of a child by a district employee or a student, in good faith, the student will not be disciplined by the Board or any district employee. Intentionally making a false report of abuse of a child is a Class A violation.

The district shall establish written procedures to provide annual training: 1) for district staff in the prevention and identification of abuse of a child and on the obligations of district employees under ORS 419B.005, as directed by Board policy, to report suspected abuse of a child; 2) for parents and legal guardians of students attending district schools on the prevention, identification of abuse of a child and the obligation of district employees to report suspected abuse of a child, separate from district staff training; and 3) designed to prevent abuse of a child available to students attending district-operated schools.

The superintendent shall implement such regulations as are necessary to accomplish the intent of this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370](#) to -339.400
[ORS 418.746](#) to -418.751

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

[OAR 581-022-2205](#)

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

Cross Reference(s):

JHFF - Reporting Requirements Regarding Sexual Conduct with Students

Eugene School District 4J

Code: **JHFF**
Adopted: 9/01/10
Readopted: 11/28/18
Orig. Code: JHFF

Reporting Requirements Regarding Sexual Conduct with Students

Sexual conduct by district/school employees as defined by Oregon law will not be tolerated. All district employees are subject to this policy.

“Sexual conduct,” as defined by Oregon law, is any verbal or physical conduct by a school employee, contractor or volunteer that is sexual in nature; directed toward a kindergarten through grade 12 student; unreasonably interferes with a student’s educational performance; and creates an intimidating, hostile or offensive educational environment. The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law and district Board policy JHFE and JHFE-AR - Reporting of Suspected Abuse of a child.

Any district employee who has reasonable cause to believe that another district employee, contractor or volunteer has engaged in sexual conduct with a student must immediately notify his/her immediate supervisor and the director of human resources or designee.

When the district receives a report of suspected sexual conduct by a district employee, the district may decide to place the employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with students while conducting an investigation. An investigation is a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the complainant, witnesses, the district employee or student who is the subject of the report. If the subject of the report is a district employee, the investigation must meet any negotiated standards of an employment contract or agreement.

If, following the investigation, the report is substantiated, the district will inform the employee that the report has been substantiated and provide information regarding the appeal process. The employee may appeal the district’s decision to a neutral third party through the appeal process provided by the applicable collective bargaining agreement or administrative rule. A substantiated report is one that: a) an educational provider has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and b) involves conduct that the educational provider determines is sufficiently serious to be documented in the employee’s personnel file.

If the employee decides not to appeal the determination or if the determination is sustained after an appeal, a record of the substantiated report will be placed in the employee’s personnel file. The employee will be notified that this information may be disclosed to a potential employer.

The district will post in each school building the name and contact information of the person designated to receive sexual conduct reports, as well as the procedures the director of human resources or designee will follow upon receipt of a report. In the event that the designated person is the suspected perpetrator the superintendent shall receive the report. When the director of human resources or designee takes action on the report, the person who initiated the report must be notified.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected sexual conduct by a district employee in good faith, the student will not be disciplined by the Board or any district employee.

The district will provide annual training to district employees, parents and students regarding the prevention and identification of sexual conduct. The district will provide to employees at the time of hire a description of conduct that may constitute sexual conduct and a description of records subject to disclosure if a sexual conduct report is substantiated.

Educational providers shall follow hiring and reporting procedures as outlined in Oregon Revised Statute (ORS) 339.374 for all district employees.

END OF POLICY

Legal Reference(s):

[ORS 339.370 - 339.400](#)

[ORS 418.746 - 418.751](#)

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

Every Student Succeeds Act, 20 U.S.C. § 7926 (2012).

Cross Reference(s):

GCAB - Personal Electronic Devices and Social Media - Staff

JHFE - Reporting of Suspected Abuse of a Child

All 4J employees must report child abuse and boundary violations

Child Abuse Reporting

In cases of suspected child abuse/ neglect by anyone, employees must immediately make a report to the Department of Human Services, 1-855-503-SAFE (7233), or a local law enforcement agency (call 911), and to the building or other administrator.

When the suspected abuser is a school employee, a report must also be made to the Director of Human Resources or designee 541-790-7670. Every school employee is a mandatory reporter.

Boundary Violation Reporting

Any school employee who believes another employee has violated appropriate adult boundaries with a student must report it immediately to their building administrator and to the Director of Human Resources or designee at 541- 790-7670.

The district's practice is to make a locked space available to all employees so they may secure small personal valuables (such as a wallet or purse). The space may be located in the school office, classroom, locking file cabinet, or any other location that you determine is secure. Buildings may also provide employees a locked space inside a classroom or work area by installing a lock on a file cabinet or desk drawer.

Administrators will work with employees to ensure that they are aware of what locked space is available at each site. If a locksmith's services are needed, the administrator will call Facilities and make arrangements with Facilities directly. Please note that there could be a substantial wait time for a locksmith's services because the district's financial circumstance has curtailed this service.

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 Summary

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.

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.



Eugene School District 4J
Step-by-step complaint process
(including harassment and discrimination)

1. Parents, students and staff work together frequently to address concerns and improve the educational experience for students. You are encouraged to raise concerns directly with the involved employee, school or department because that is often the most effective way to resolve them.

For incidents of bullying or harassment (including harassment, intimidation, cyberbullying, hazing and teen dating violence) or of discrimination, you should contact the school principal or other staff member to report it. Say you would like to report an incident of harassment, intimidation, bullying, cyberbullying, hazing, teen dating violence or discrimination. An optional *Student Safety Reporting Form* is available from your school.

If you believe the principal engaged in the wrongdoing, you don't have to report to him or her. You may instead contact the district superintendent's office.

2. Tell the principal or person assigned by the principal or superintendent your concern and answer any questions they have. Administrators should respond to most concerns within 10 working days.
3. Work with the principal or person assigned by the principal or superintendent to resolve the issue. This could include talking with a teacher and discussing what may happen with the involved people.
4. If you are unable to resolve the issue by working with the school principal and/or school staff, you may send a written request to the administrator's supervisor who should respond within 10 working days. If you are unsure who that is, you may call the superintendent's office at 541-790-7706.

Alternatively you may file a formal complaint with the district at any time. There is a single complaint form for use by anyone. It is available at www.4j.lane.edu/complaints, from school offices and from the 4J superintendent's office, 200 N. Monroe St, 541-790-7706. Complete the form and return it to the 4J superintendent's office.

5. When the superintendent's office receives your complaint, it will assign a decision maker to investigate and resolve the complaint. If the complaint has not yet been addressed at the school level, the superintendent may refer the complaint to the principal. If you have worked with the school but have been unable to resolve the issue, or if the principal is alleged to have acted improperly, the superintendent will assign a different decision-maker.

The superintendent's office will send you a written acknowledgement, postmarked within 10 calendar days of receiving the complaint. The acknowledgement will tell you the date the superintendent received the complaint and who has been assigned to handle the complaint.

CONTINUE TO PAGE 2 

6. The decision maker will review the complaint, conduct interviews, determine the facts, and consider possible ways of resolving the complaint. Your complaint will receive a final written response and decision within 30 calendar days of receipt. Timelines may be extended by mutual agreement.
7. If the issue is not resolved, you may appeal to the superintendent. The appeal needs to be submitted in writing within 10 calendar days of receiving the decision referred to in section 6. The appeal may be by letter or email, and should describe the complaint, the remedy being requested, and why the original decision (in section 6) is incorrect or insufficient. The superintendent (or designee) will review the record and any additional information necessary, and will decide if specific action needs to be taken in response to the complaint, or that no substantial evidence exists and that no further action will be taken in response to the complaint. The superintendent's response will be provided within 30 calendar days of receipt of the appeal, unless timelines have been extended by mutual agreement.
9. The superintendent's decision constitutes the final decision of the district.
10. Certain complaints may be appealed to the Oregon Department of Education (ODE). For more information about appeals, see district administrative regulation KL-AR or contact ODE directly.
11. This step-by-step guide is only a summary. For more information about how the district resolves complaints, visit the district's webpage at www.4j.lane.edu/complaints or call the superintendent's office at 541-790-7706.



Eugene School District 4J
Formal Complaint Form
(including harassment and discrimination)

Parents, students and staff work together frequently to address concerns and improve the educational experience for students. Raising concerns directly with the involved employee, school or department is often the most effective way to resolve them.

While problem-solving at the local, school level is encouraged, some complaints are not resolved at the local level and in some circumstances, a person may wish to raise their concern with district administration immediately.

You may file a formal, district-level complaint by submitting this form to the Office of the Superintendent.

Information about complainant

Name: _____ or **Anonymous**

Person reporting: Student Parent Employee Volunteer Other: _____

I am filing this complaint on behalf of: Myself My child Another student Other

Phone home _____ work _____ cell _____

Address _____ **City** _____ **Zip** _____

Email address _____ **School name** _____

Date of complaint _____

Type of complaint (please check the appropriate box)

Legal compliance

Alleged noncompliance with Oregon school regulations (OAR 581-022 Program Standards) or other law applicable to district programs. Examples include: Special Education, Talented and Gifted, Alternative Education, Instructional Hours, Health and Safety, Nutrition, Restraint and Seclusion, or Title IX.

Discrimination or harassment based on a legally protected characteristic

Please check the actual or perceived characteristic upon which the alleged conduct was based.

- | | | |
|--------------------------------------------------------|-------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Age | <input type="checkbox"/> National origin | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Sex or gender |
| <input type="checkbox"/> Gender identity or expression | <input type="checkbox"/> Race or ethnicity | <input type="checkbox"/> Sexual harassment |
| <input type="checkbox"/> Marital status | <input type="checkbox"/> Religion | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Military or veteran status | <input type="checkbox"/> Other (describe) _____ | |

Bullying, harassment, intimidation, cyberbullying or hazing not based on a legally protected characteristic.

Other concern

CONTINUE TO PAGE 2 ➡

Details of complaint

What happened? Please describe the incident or concern you experienced that led to this complaint, including the events and actions in as much detail as possible. Please attach additional pages if you need more space.

Are you making a complaint about a specific staff person? Yes Name _____

Who was involved in the incident or concern?

Who witnessed it?

Where did it happen?

When did it happen and/or when did you learn about it?

Have you attempted to resolve the incident or concern at the school level?

YES Who did you talk to?
What were the results?

NO Why not?

How would you like the district to resolve your complaint?

Submit to: Eugene School District 4J, Superintendent's Office, 200 N. Monroe St., Eugene, Oregon 97402

What comes next? The superintendent's office will send you a written acknowledgement, within 10 working days of receiving this form, telling you who will follow up on your complaint.

Questions? Contact the superintendent's office at 541-790-7706 or find additional information about district complaint procedures at www.4j.lane.edu/complaints.

Eugene School District 4J

Code: **JBC-AR**
Revised/Reviewed: 5/06/15; 10/29/18
Orig. Code: JFG-AR

Transgender and Gender Nonconforming Students

This administrative regulation is intended to clarify existing laws, rules and policies, and to guide how best to support the needs of the district's transgender and gender nonconforming students and their families. It does not anticipate every scenario and situation that may occur with respect to transgender and gender nonconforming students, and not all students' needs may be the same. Administrators are encouraged to assess, in consultation with the impacted student and family, how best to support the student within the parameters of this administrative regulation.

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.
- 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 non-binary" is an umbrella term for gender identities used by people whose gender is not exclusively male or female.
- e. "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.
- f. "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. Names/Pronouns

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, consistently asserted by the student at school. Transgender and gender nonconforming individuals often use pronouns such as he/him or she/her but may prefer pronouns such as "they/their." 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.

3. Registration Forms and Student Information System Records

There is a process for handling name and gender changes in the student information system, which is outlined in the district's Request for Student Gender/Name Change in Student Records form. Forms for requesting these changes are available from a school counselor or administrator, or from the District's Equity, Instruction and Partnership Administrator.

4. Confidentiality of Information

Students have the right to keep their transgender status private. Staff may not disclose information that may reveal a student's transgender identity except as allowed under the Family Education Rights Privacy Act (FERPA) or as authorized by the student. Under FERPA, only those school employees with a legitimate educational interest may have access to a student's records or the information contained in those records.

In some circumstances, a student who identifies as transgender may not want their parents to know the identity they are expressing at school. Administrators should consult their level director, the Equity, Instruction and Partnership Administrator, and legal counsel for guidance on confidentiality issues.

5. Dress Code

Students have the right to dress in accordance with the gender identity they consistently assert at school, in conformance with the dress and grooming standards contained in the *Student Rights & Responsibilities Handbook*.

6. Restroom Accessibility

Students shall have access to a restroom that corresponds to the gender identity they consistently assert at school.

Where available, a single stall bathroom may be used by any student – transgender or not – 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 a single stall bathroom because the student is transgender.

7. Locker Room Accessibility

A student shall have access to a locker room that is congruent with the gender identity consistently asserted by the student at school.

Any student – transgender or not – may request increased privacy, regardless of the reason, and should be provided with a reasonable alternative. Reasonable alternatives include:

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

8. Physical Education, Athletics and Activities

Students shall be permitted to participate in gender-separated physical education, intramural athletics, and non-high school interscholastic athletics in accordance with the gender identity they consistently assert at school.

Participation in high school interscholastic athletics and sports is governed by the Oregon School Activities Association, which has its own policy with respect to participation by students who identify as transgender.

9. Overnight School Trips

Schools should work with the student, family, level director and equity administrator to create an accommodations plan for a particular trip so that the needs of all students are considered.

Students should be provided overnight accommodations that are congruent with the gender identity they consistently assert at school and should not be compelled to stay in single-occupancy accommodations or to disclose personal information when not required of other students. In no case should a student who identifies as transgender be denied the right to participate in an overnight field trip because of the student's transgender status.

10. Gender Segregation

As a general rule, schools should consider options to avoid separating students by gender when there is a reasonable alternative. For example, instead of having students form two lines by gender, instruct students to form two lines based on the first letter of their name. In the circumstances where students are separated by gender for safety or privacy reasons, such as overnight field trips, students shall be permitted to participate in accordance with the gender identity consistently expressed by the student at school.

11. Student Safety

Schools shall promote the safety of students while honoring the right of students to be treated respectfully in their gender of identification. Studies have established that transgender and gender nonconforming students experience violence and harassment at a higher rate than their peers. Administrators will consider convening a safety team and developing a safety plan whenever circumstances indicate the need.

Staff shall intervene to stop harassing behavior against a transgender or gender nonconforming student, and will report to administration any incidents of bullying or harassment against students as required by Board Policy JFCF. Administrators will investigate and document the incident, determine corrective and remedial actions, and monitor to prevent a recurrence of the behavior.

Eugene School District 4J

Code: JHCD/JHCDA-AR
Adopted: 4/15/19

Medications**

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

1. Definitions

- a. “Medication” means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies.
- b. “Prescription medication” means any medication that under federal or state law requires a prescription by a prescriber.
- c. “Nonprescription medication” means medication that under federal law does not require a prescription from a prescriber.
- d. “Adrenal crisis” means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. “Adrenal insufficiency” means adrenal insufficiency as defined in ORS 433.800.
- f. “Notice of a diagnosis of adrenal insufficiency” means written notice to the district from a student or the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. “Prescriber¹” means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to district policy and procedure.

¹ A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

2. Designated Staff/Training

- a. The principal will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, as required by Oregon law. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The principal will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. A copy of the district's policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- e. A statement that the designated personnel has received the required training will be signed by the staff member and maintained by the school nurse.

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

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

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

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

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health Authority;
- c. The student or the student's parent or guardian must provide adequate supply of the student's prescribed medication to the district;
- d. The district will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;

- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

5. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the district and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and
 - (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
 - (a) The nonprescription medication is necessary for the student to remain in school;
 - (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
 - (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student's parent or guardian.

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

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

- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;
- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent, and documentation will be made in the medical log for that student. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the district.

6. Administration of Medication by a Student to Themselves

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the district must be submitted for self-medication of all prescription medications;

- (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a school setting.
- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
 - (b) The student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. The student may have in his/her possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
- d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
- e. Upon written request from a parent or guardian, and with a prescriber's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom;
- f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the district;

- g. Permission for a student to administer medication to themselves may be revoked if the student violates the Board policy and/or this administrative regulation;
 - h. A student may be subject to discipline, up to and including expulsion, as appropriate;
 - i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.
7. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students
- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
 - b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another district employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
 - c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian, and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
 - d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
 - (3) Access to medication storage keys will be limited to the principal and designated personnel.
 - e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
 - f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.
8. Emergency Response
- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent or guardian, school nurse and principal will be notified immediately.
 - b. Minor adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
 - c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.
9. Disposal of Medications
- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:

- (1) Medication will be removed from its original container and personal information will be destroyed;
- (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
- (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
- (4) Placed in impermeable non-descriptive containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another school employee and documented as described in Section 10, below.

10. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the district. The medication log will include, but not be limited to:
 - (1) The name of the student, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to medication;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate medical file apart from the student's education record file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and his/her parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.