



August 2011

**TO: Administrators and Supervisors
School and Department Secretaries**

**FROM: Sheldon Berman
Superintendent**

RE: 2011-12 BEGINNING OF THE YEAR INFORMATION AND REMINDERS

As you begin this school year and are focusing on developing strategies for the success of all students, there are a number of issues and policies you should be aware of and many that need to be shared with staff and parents each fall. **Please note** - Section 1 covers items to be reviewed with your staff and Section 2 includes notices you are required to send to families each fall.

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cc: Board of Directors, Dayna Mitchell, Alan Brown, Teresa Shelby, School Resource Officers

1. ITEMS TO BE REVIEWED WITH STAFF

There are several school board policies and collective bargaining provisions that principals and directors are required to review each fall with your school or department staff. Please review the **Staff Orientation form** with your staff at the beginning of each school year to ensure they are aware of these important policies and provisions.

PDF #1: 2011-12 Staff Orientation Form

- a. **2011-12 District Spending Controls:** Due to the state revenue shortfalls, declining enrollment, PERS rate increases and the expiration of federal stimulus funding, the district continues to project substantial deficits in the future. The following procedures will assist administrators in monitoring expenditures and ensure that expenditures are perceived as reasonable given the current economic issues facing our community.

District Credit Cards

- **Standard Limits:** The limits will be changed on all cards to the following:
 - **Transaction limit - \$1,000**
 - **Monthly limit - \$2,500**
 - Requests for a temporary increase in limit should be sent in writing to the appropriate director.
- **Cardholders:** Directors/Principals should review the list of cardholders at their site and determine ongoing need for card issuance.
- **Disallowed Items:**
 - Computers should be purchased using a purchase order to ensure tracking for inventory and insurance purposes.
 - Foods of minimal nutritional value that do not conform with the wellness policy may not be purchased with a district VISA card (e.g., pop, most candy, candy coated popcorn).
- **Authorization:** Administrator should review and sign credit card expenditure forms. Due to the potential site budget impact and the delay in information flow, signature stamps should not be used.
- **Usage:** Will be monitored periodically by the Superintendent or designee.

Purchase Orders

- Purchase orders over \$1,000 require director approval.

Professional Development Costs (includes administrator professional development):

- **Professional Development Plans:** Plans should be submitted to the appropriate administrator in advance explaining how the training will contribute to the achievement of Board, Superintendent and instructional goals and the funding source for the training.
- **Budget Authority:** Budget authority should be transferred to the appropriate professional development accounts prior to the scheduled training.
- **Meals:** Meals for in-district professional development should be provided only as follows:
 - **Breakfast** – Meeting/Training commences prior to 7:00 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.
 - **Snacks** – May be provided at other times as appropriate.

Travel:

- **Out of District Travel:**
 - Out of state travel must be preapproved by the superintendent.
 - In state overnight travel requires preapproval by a director.
 - Overnight trips should exceed 75 miles one-way.
 - Overnight travel within the state should be for events that span at least two days.
 - Out of district retreats may be scheduled with prior approval of Chief Academic Officer/Chief of Staff/Superintendent.
 - Employees attending functions within driving distance should commute together if schedules permit.
 - Budget authority should be transferred in advance of travel.
 - Exceptions require preapproval by director/Chief Academic Officer/Chief of Staff/Superintendent.

Meals:

Occasionally it's in the best interest of students and the district for district staff to meet with community members, students and other stakeholders over a meal period. In such instances, it is appropriate for the district to pay for that meal; however, meals must be reasonable in the eyes of the public.

- Meetings should be scheduled over meal periods only when it is the most efficient and effective option for conducting district business.
- Reimbursement per person/meal will not exceed the local per diem rate:
 - Breakfast - \$10
 - Lunch - \$13
 - Dinner - \$23
 - **When the local per diem rate is exceeded, the excess cost will be paid with personal funds.**
- Documentation must state attendees' names and titles and the nature of the business conducted.
- Exceptions to the above require preapproval by the director, Chief Academic Officer, Chief of Staff, or Superintendent.

Costs related to staff celebrations should be paid with personal funds.

Employee Reimbursements

- **Encourage other purchasing options:** Purchase orders and VISA cards provide more oversight capabilities for expenditure monitoring and to ensure contracted vendors are utilized.
- **Supply Reimbursements:**
 - Should be for small purchases due to district-wide contracts for most supplies.
 - Limit of \$100/reimbursement.
 - Foods of minimal nutritional value that do not conform with the wellness policy will not be reimbursed (e.g., pop and most candy, candy coated popcorn).
- **Submission of Completed Reimbursement Requests:** Completed reimbursement requests, including mileage, should be received by Financial Services within 60 days of when the expenditure was incurred.

- **Authorization:** Administrator should review and sign reimbursement requests. Due to the potential site budget impact and the delay in information flow, *signature stamps should not be used*. Exceptions require preapproval by Chief Academic Officer/Chief of Staff/Superintendent.

Independent Contractor Agreements

- **Independent Contractor Agreement:** Form should be completed and signed in advance of the work being performed.
 - Payment may not be made without a completed form due to new IRS requirements.
- **Purchase Orders:** Purchase order prepared in advance of work being performed.
- **Authorization:** Administrator should review and sign. Due to the potential site budget impact, *signature stamps should not be used*.

Grants

- **Substitute Costs:** All personnel costs associated with grants should be paid for by the grant.
 - Includes substitutes required due to illness
 - All grants with FTE that would qualify for a substitute should include budget for substitute time.

PDF #2: 2011-12 District Spending Controls Handout

- b. **Wellness Policy:** 4J's wellness policy supports a healthy learning environment and aligns with state requirements for food and beverages sold to students during the regular or extended school day. Please make sure that school staff are familiar with the key elements of the wellness policy that may affect them including:
- Soda pop may not be sold or served to students during the regular or extended school day.
 - Use of candy as a reward is strongly discouraged. Certain candies that are largely sugar with minimal nutritional value may not be given to students as a reward.
 - The Healthy Parties Guidelines lists nutritious and affordable snack ideas. These guidelines may help parents and staff choose nutritious items for parties and celebrations.
 - Recess may be withheld for disciplinary reasons only on an occasional basis as part of an individual or school-wide behavior plan.

Requirements apply to before-school and after-school activities sponsored by the district, except for activities at which adults are a significant part of the audience such as a concert or sports competition. Board policy and administrative rules are posted on the 4J website.

PDF #3: Wellness Policy Information Packet

- c. **Student Discipline Procedures:** Section 12.13 of the bargaining agreement with licensed staff requires the district to "provide each unit member with a written student discipline procedure at the beginning of each school year. This procedure will specify the rights, duties, and responsibilities of unit members in the student discipline procedure." Please provide all staff members with copies of the attached handout, "Student Discipline."

PDF #4: Student Discipline Information. Please distribute by copying this PDF or sending via e-mail to your staff.

PDF #5: Discipline of Students, School Board Policy JG

- d. **Bullying, Intimidation, Harassment, Discrimination, Hazing and Retaliation:** School Board Policy JB requires administrators to provide an overview of the policies and procedures of dealing with discrimination, harassment, intimidation, bullying, hazing and retaliation incidents at a staff meeting each fall. Please review the booklet "*Dealing with Intimidation, Bullying, Harassment, Discrimination, Hazing, & Retaliation – District procedures, complaint processes, forms & guides*" with your staff.

PDF #6: Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation, School Board Policy JB

PDF #7: Booklet – "Dealing with Intimidation, Bullying, Harassment, Discrimination, Hazing & Retaliation – *District procedures, complaint processes, forms & guides*" – 2010 revision (DHIB 2010 booklet.pdf)

- e. **School Board Policy JHCD, Administering Medication in School:** School Board Policy JHCD states, "The principal shall notify school personnel each year about the provisions of this policy dealing with medication."

PDF #8: Administering Medication in School, School Board Policy JHCD

- f. **School Board Policy JHCCA/JHCCB, AIDS, HIV, and Hepatitis B:** Board Policy JHCCA/JHCCB requires "all school staff members, including custodians, bus drivers, and secretaries ...[to] be fully informed..." of the policies and district first aid procedures. It is important that the policy and the first aid precautions be reviewed with your staff early in the school year, and that the current first aid procedures are posted in the health room. If your whole staff participates in the training for blood borne pathogens, this requirement will be met. Please work with the health services staff and Risk Management if you would like assistance with this.

- g. **School Board Policy GBN, Sexual Harassment and District Administrative Rules Prohibiting All Forms of Harassment and Discrimination:** "It is the policy of Eugene School District 4J that sexual harassment of employees in the work environment is unacceptable and will not be tolerated." Please review the board policy and District Administrative Rules G1140-G1170 with your staff and see that they, and the posting, are posted in a conspicuous place. Please also remind staff that the district strictly prohibits all forms of harassment and discrimination. If any employee believes that another employee or agent of the district has violated this policy, he or she must report that by promptly contacting the Human Resources Director or the superintendent's office. In addition, remind staff that district policies are intended to encourage the reporting of violations and therefore, prohibit retaliation against a person who has made a complaint.

PDF #9: Sexual Harassment, School Board Policy GBN

PDF #10: Prohibiting All Forms of Harassment and Discrimination, District Administrative Rules G1140, G1150, G1160 and G1170

PDF #11: Posting on Harassment, Discrimination and Retaliation Complaints.
Please review with staff and post in a conspicuous place.

- h. Professional Conduct and Respectful Workplace:** The district is committed to a positive and professional workplace for all its employees. This means that all employees are expected to treat each other with courtesy and consideration, and to conduct themselves competently and professionally at all times. The district has published administrative rules that describe these policies. Please provide staff with copies of the attached handout.

PDF #12: Professional Conduct and Respectful Workplace, District Administrative Rules G2100 and G2120

- i. School Board Policy GBNA/JFCFA, Cyberbullying:** This policy defines Cyberbullying as "the use of any electronic communication device to convey a message in any form (text, image, audio or video) that violates School Board Policy JB, Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation or which disrupts or prevents a safe and positive educational or working environment, or places a person in reasonable fear of physical harm or damage to their property." The policy prohibits Cyberbullying by students or staff. The board revised Board Policy GBNA/JFCFA last year to reflect recently adopted legislation.

PDF #13: Cyberbullying, School Board Policy GBNA/JFCFA

- j. School Board Policy GBCBA, Drug and Alcohol Abuse by Employees:** School Board Policy GBCBA requires that a copy of the policy be distributed annually to all employees. Staff should also receive a copy of District Administrative Rule G2430, Substance Abuse.

PDF #14: Drug and Alcohol Abuse by Employees, School Board Policy GBCBA

PDF #15: Substance Abuse, District Administrative Rule G2430

- k. School Board Policies GBK, Use of Tobacco Products; JFCG, Use of Tobacco by Students; and Policy JFCH/JFCI, Drug, Tobacco and Alcohol Abuse by Students:**

Effective January 1, 2006, all district schools, buildings and property became tobacco free sites in accordance with a new Oregon Department of Education administrative rule captioned "Tobacco Free Schools." The Oregon Administrative Rule is:

"OAR 581-021-0110, Tobacco Free Schools:

- (1) For the purposes of this rule "tobacco" is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco, also known as smokeless, dip, chew, and snuff, in any form.
- (2) No student, staff member, or school visitor is permitted to smoke, inhale, dip, or chew, or sell tobacco at any time, including non-school hours:

- (a) In any building, facility, or vehicle owned, leased, rented, or chartered by the school district, school, or public charter school; or
- (b) On school grounds, athletic grounds, or parking lots.
- (3) No student is permitted to possess a tobacco product:
 - (a) In any building, facility, or vehicle owned, leased, rented, or chartered by the school district, school, or public charter school; or
 - (b) On school grounds, athletic grounds, or parking lots.
- (4) By January 1, 2006, school districts must establish policies and procedures to implement and enforce this rule for students, staff and visitors. "

The district revised its policy and administrative rules to reflect the requirements of the Tobacco Free Schools Department of Education administrative rule. Since January 1, 2006 employees as well as visitors and students have been prohibited from smoking and using tobacco on district property. Please note that students are also prohibited from possessing these tobacco products on district property as defined above.

If you have questions about the application of this policy to your particular situation, please contact an HR administrator at extension 7660. All employees are expected to comply with this policy and state administrative rule.

PDF #16: Use of Tobacco Products, School Board Policy GBK

PDF #17: Use of Tobacco by Students, School Board Policy JFCG

PDF #18: Drug, Tobacco and Alcohol Abuse by Students, School Board Policy JFCH/JFCI

- I. Technology Appropriate Use Guidelines:** All employees need to review the recommended guidelines, expectations, and procedures for student use of technology so they understand their professional responsibility and potential liabilities when supervising student use of district technology.

If staff members are aware of and follow the district's expectations outlined in "Technology Appropriate Use Guidelines," they will have met their professional responsibility and should be protected from any potential liability. Please review the information in Section 11 below and the guidelines with your staff this fall. The guidelines can be found on the district's home page at www.4j.lane.edu/cis/appropriate_use.

- m. Use of District Property:** On another matter, it is important for all staff to understand that they must also personally follow the guidelines when they are using their district e-mail accounts or accessing the Internet on a district computer. They should not have an expectation of privacy when using a district e-mail account or a district computer. District Administrative Rule G2300.10 – Staff E-mail Usage specifies appropriate usage of district e-mail accounts. It is particularly important to note that staff should not use district e-mail accounts for personal use, except on an incidental basis.

School Board Policy KGF, Use of District Property, responds to a number of issues and questions that have arisen because of advances in technology, especially as it relates to the use of the Internet, 4JNet, and cellular telephones. A copy of the policy, which makes the following clarifications, is attached.

- All district property is to be used in a “manner that is consistent with the district’s public purpose and that will not be a discredit to the district.”
- District property may not be used “to display vulgar and plainly offensive, obscene, or sexually explicit language or images.”
- District property may not be used “for personal gain” without prior written approval of the superintendent.
- Staff may from time-to-time use district property (telephones and e-mail) for personal communication, as long as it is used “in a manner that is consistent with the district’s public purpose, that will not interfere with district operations, and that will not be a discredit to the district.”
- Staff and volunteers may not “use district property that has an associated direct usage charge for personal business unless it is incidental to their assignment.” That is, employees should not use school district cellular phones or make long distance telephone calls for personal reasons unless it is related to their work assignment. For example, an employee may be delayed at a district meeting and need to contact family members to say he or she is late.

PDF #19: Staff E-Mail Usage, District Administrative Rule G2300.10

PDF #20: Use of District Property, School Board Policy KGF

n. Process for Handling Complaints Against Staff by Principal/Department

Director: Please inform all employees that they will be notified in confidence of any complaint against them that is received. In accordance with Article 12.9 of the bargaining contract with the Eugene Education Association, all unit members must be given timely notice of any parent or student complaint. If members are not given notice, the complaint cannot be referenced or used in a performance evaluation or discipline.

o. Political Activities by Public Employees

Public employees cannot use public time or resources to advocate for or against a ballot measure or a candidate or to collect signatures for a ballot measure or candidate. This includes use of our computer network to send information and use of our school communication channels.

Oregon law states:

“No public employee shall solicit any money, influence, service or other thing of value or otherwise promote or oppose any political committee or promote or oppose the nomination or election of a candidate, the gathering of signatures on an initiative, referendum or recall petition, the adoption of a measure or the recall of a public office holder while on the job during working hours. However, this section does not restrict the right of a public employee to express personal political views.”
(ORS 260.432(2)).

Staff members may wear political buttons while on the job. Wearing of political buttons is a constitutional right of freedom of speech.

Political Activities Notice

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

PDF #21: Political Activities Notice

p. **Reporting Child Abuse:** Please review the reporting procedure described below.

- **By law, all school employees must report possible child abuse whenever they believe that a child they come into contact with (both on and off the job) has suffered abuse, or when a person they come into contact with has abused a child.**

Please review this requirement with your staff and remind them that they must file a report with the local office of the Department of Human Services (DHS), the City of Eugene Police Department, or the Lane County Sheriff's office in the following two instances:

1. Whenever they have reasonable cause to believe that a child with whom they have come into contact has suffered abuse. This applies to them both when they are on duty and when they are off duty.
2. Whenever they believe that an adult they come into contact with has abused a child. This also applies to them both when they are on duty and when they are off duty.

By law, each school building must post the name and contact information designated for the building to receive reports of suspected child abuse or sexual conduct by school employees and the procedures the person will follow upon receipt of the report. The district has designated each building principal as such a person and requires that in all cases of suspected child abuse or sexual conduct by a school employee, that the Director of Human Resources or designee also be immediately notified. The reason for this is to ensure that the district follows the process required by law in cases involving alleged abuse or sexual conduct toward a student by a school employee.

PDF #22: Child Abuse and Sexual Conduct Posting. Please review with staff and post in a conspicuous place.

PDF #23: Child Abuse, District Administrative Rule G2400. Please review with staff and post in a conspicuous place.

- **Pregnancy:** It is recommended that you review information about reporting when a student is pregnant.

It continues to be critical that you are sensitive to the counseling needs of young women who become pregnant, to encourage and urge them to inform and involve their parents, and to refer them to appropriate counseling and medical services. There are instances when, as a mandated reporter, you must report your knowledge that a young woman who is pregnant was the possible victim of child sexual abuse. Use the following guidelines in determining when to report that a pregnant girl may have been the victim of child abuse to DHS or a law enforcement agency.

You must always report when you have reasonable cause to believe that a student who is under the age of 18 is pregnant because of child

abuse. There is one exception: if a student between the age of 15 and 18 consented to a sexual relationship, and the person with whom the student had sexual relations is “less than three years older than the victim at the time of the alleged offense” (ORS 163.345) it is not likely to be considered to be sexual abuse, and you are not required to make a report.

It is possible that DHS or a law enforcement agency may make a decision not to investigate the case further, but school employees are required to make the report. Whenever you have questions about when it is necessary to report suspected abuse, please call Laurie Moses, Secondary Services, (x7878) or Christine Nesbit, Human Resources (x7664) to discuss the situation.

q. Reporting Sexual Conduct or Child Abuse by School Employee Towards

Student: State law requires reporting and other procedures when a staff member is suspected of directed sexual conduct toward a student. Please inform your staff about the requirements below:

1. Sexual Conduct by School employees towards students is prohibited.
The District strictly prohibits child abuse and sexual conduct by school employees. “Child Abuse” is defined in District Administrative Rule G2400 and discussed above.

“Sexual conduct” means any verbal or physical conduct by a school employee that:

1. Is sexual in nature;
2. Is directed toward a student;
3. Has the effect of unreasonably interfering with a student’s educational performance; and
4. Creates an intimidating, hostile or offensive educational environment.

Sexual conduct does not include behavior that would be child abuse as outlined in District Administrative Rule G2400 - Reporting Child Abuse.

All employees are subject to this administrative rule.

2. Employees need to follow certain reporting procedures in cases of Suspected Child Abuse or Sexual Conduct by School Employee: Any employee who suspects that another employee, contractor or volunteer has engaged in child abuse or sexual conduct must immediately report it to his/her supervisor and the Director of Human Resources or designee who may be reached at 541-790-7660. This reporting obligation is in addition to the duty of every school employee to report suspected child abuse to a local law enforcement agency or the local office of the Department of Human Services.

No reprisal or adverse action will be taken as a result of an employee who initiates a good faith report about suspected child abuse or sexual conduct by a school employee.

3. Administrative Leave and Investigation: In all cases of suspected child abuse or sexual conduct by a school employee there will be an investigation conducted,

and in some cases, the district will place an employee on paid administrative leave pending the investigation.

4. Required Training: By law, district employees must receive training each year on the prevention and identification of child abuse and sexual conduct and on employees' obligations to report. Additional information on the mandatory training will be provided by Human Resources later in the year.
5. Required Posting: The law requires each school building to post the name and contact information of the persons designated for the school building to receive reports of suspected child abuse by school employees and the procedures the person will follow upon receipt of a report.

PDF #24: Child Abuse and Sexual Conduct by School Employees, District Administrative Rule G2400.01. In addition to posting the "Child Abuse and Sexual Conduct Poster," please post Administrative Rule G2400.01 in a conspicuous place.

- r. **Locked Spaces Announcement:** Please read the following announcement about locked spaces to employees:

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.

- s. **Community Educators (Guest Speakers) and Outside Presenters:** Please review the following new Administrative Rule with your staff:

District Administrative Rule I1700:

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.

2. REQUIRED NOTICE TO FAMILIES

There are a number of notices you are required to give to families during the course of the school year. All of these notices are available in Word format for easy insertion into your newsletter.

- a. Directory Information:** District policy and federal and State Laws permit school principals, or the superintendent, to release directory information in conjunction with a school or school district activity without parent consent if notice is given to parents and they are given a reasonable amount of time to object. Please include the information included in the attachment in a newsletter this fall.

PDF #25: “An Important Note to Parents About Education Records and the Release of Directory Information.”

- b. Second Parent Mailing:** Please inform parents and students when they enroll for school that we can provide duplicate mailings to non-custodial or co-custodial parents. This duplicate mailing system covers grade report mailers and those items that are mailed using address labels. Other items that may be forwarded to the homes of students by other than direct mail are not included.

Please include the following announcement in a parent mailing this fall. It is our obligation to inform parents of the availability of this service.

PDF #26: “School Information Available for Non-Custodial Parents

- c. Hours of School Supervision:** There is a question about a school district’s legal liability if a student is injured or the victim of a crime before or after school. We do not want to discourage students from coming to school, but they and their parents should be aware of the hours during which the school provides supervision.

Please continue to include the attached statement in a fall and winter mailing (or newsletter), student handbooks, parent handbooks, and other appropriate individual school publications.

PDF #26: “Important Information for Parents and Students - Hours of School Supervision”

- d. HIV/AIDS Instruction:** Oregon Administrative Rules, Oregon Statute, and district policies require that parents be notified in advance of instruction about infectious diseases, including HIV, AIDS, and Hepatitis B. Parents must be given the opportunity to review the curriculum material and have the right to request, in writing, that their student be removed from all or a part of the district’s HIV/AIDS instructional program. Please follow the procedures outlined in District Administrative Rule 11500, Infectious Diseases Instruction, Including HIV/AIDS. The District Handbook and Calendar sent to each family includes an explanation about the district’s position on HIV/AIDS instruction. Schools are required to inform families of their individual building plans.

- e. **Threats by Students:** Administrators are required to notify the parent of a student when the student's name appears on a targeted list that threatens violence or harm to the students on the list, or when another student makes threats of violence or harm to the student. The law also requires school administrators to notify school employees if their name appears on a targeted list threatening violence or harm to the school employee.

The law requires verbal notice within 12 hours of learning of the threat, and written notice within 24 hours. Following is a PDF with the guidelines and forms to be used in these situations. Please place an article about this requirement and the notice below in your back-to-school mailing and/or a fall newsletter so that parents are not surprised if they receive such a notice.

PDF #26: "School to Inform Parents if Their Student Receives a Threat"

PDF #27: Notice of Threats to Students and Staff, Guidelines to Comply with House Bill 3444

- f. **Substance Abuse Intervention:** The district's substance abuse intervention procedures have been updated and are available on the district's website (Substance Abuse, [District Administrative Rule G2430](#)).

PDF #15: Substance Abuse, [District Administrative Rule G2430](#)

- g. **Armed Forces Recruiter Access to Students and Student Records:** Federal law provides Armed Forces recruiters access to student recruiting information and access to students. Schools need to provide student information including name, address and telephone listing to recruiters when asked and you need to provide recruiters access to students as you would a college recruiter. However, with respect to the student's name, address and telephone listing, a secondary school student or the parent of the student may request this information not be released without prior parental consent. The law ("No Child Left Behind Act of 2001") requires the school to notify parents of this option. As a result, please make sure this notice is prominently displayed for parents in your school communications, both in print and online, and at student registration times. *When printed, this notice should be on bright yellow paper.*

PDF #28: Armed Forces Recruiter Access to Students and Student Records Form – in English

PDF #29: Armed Forces Recruiter Access to Students and Student Records Form – in Spanish

- h. **Instructions for Communicating the Bullying, Intimidation, Harassment, Discrimination, Hazing and Retaliation Prevention Process to Students and Parents:**

1. Schools will share this information with staff each year.
2. Schools will share this information with students each year. Schools may determine the best way to do this. Principals should document the communication method used.
3. Schools will share this information with parents. Schools may determine the best way to do this; again, principals should document the communication method used.

4. ALL incidents involving Bullying, Intimidation, Harassment, Discrimination, Hazing and Retaliation must be reported electronically in eSIS.
5. Schools will be required to report to the district annually on their efforts to prevent and respond to Bullying, Intimidation, Harassment, Discrimination, Hazing and Retaliation.

Sample Wording for Notification regarding: Bullying, Intimidation, Harassment, Discrimination, Hazing and Retaliation, to be included in a fall 2011 parent newsletter:

Eugene School District 4J has policies and programs to prohibit and prevent bullying, intimidation, harassment, discrimination, hazing and retaliation. Discrimination is prohibited on the basis of disability, race, color, national origin, ethnicity, sex, sexual orientation, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristic, or linguistic characteristic of a national origin group, in any instructional program, extracurricular activity, or in the provision of any other service or benefit.

The district encourages students, parents and other patrons to share their concerns with district officials if they believe they or someone else has been the victim of bullying, intimidation, harassment, discrimination, hazing or retaliation. They can be assured that no reprisal or adverse action will occur as a consequence of initiating a complaint. Complaint forms and information about the complaint process are available in all 4J school offices and at the 4J Education Center, 200 North Monroe Street, Eugene, OR 97402. For more information, contact your school principal or the superintendent's office, 541-790-7707.

3. DISTRICT BACK TO SCHOOL MAILING: DISTRICT HANDBOOK AND CALENDAR

The "2011-12 District Handbook" was mailed to all registered and schools will be sent copies for staff and for incoming families. We have included a great deal of information about district policies and programs. Please review the district handbook so that you are able to refer parents and members of the community to relevant sections. A school calendar is included in the handbook and is also available as a one-page handout; however, there is no longer a wall calendar with a one-page-per-month format due to financial constraints.

Calendar information (including the academic calendars, work-year calendars, and holiday information) is available in a variety of formats at www.4j.lane.edu/calendars.

Additional copies of the district handbook and the one-page block calendar handout are available by calling x7737 or e-mailing Katie McRae at mcray_k@4j.lane.edu.

Please note: The school calendar is changing due to our recently negotiated labor agreements, so there will be minor changes to the calendar that was published in the handbook, including:

- January 30, 2012 will be a school day (the handbook calendar lists it as a no school day).
- The school year may be shortened in June, unless there are hazardous weather days that cause school to be cancelled during the year.

An updated calendar will be proposed to the School Board on August 31 and more information will then be distributed to schools.

4. **STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK**

The 2008 revision of the 4J Student Rights and Responsibilities Handbook is the current version of the handbook. It was mailed to all registered families in summer 2008. Copies of the handbook should be provided to new students.

If you need additional copies for staff and new families, please call the Communications Office at x7737. The PDF of the updated Student Rights Handbook is also posted on the 4J web site (under *About 4J* heading).

5. **SCHOOL SAFETY**

Please pay special attention to these items dealing with school safety.

- a. **Annual Review of Emergency Building Plans:** Over the last several years, each school has customized the district's Emergency Procedure Manual with specific emergency phone numbers and evacuation routes so that you are able to respond to emergencies most effectively. It is very important that you review your procedures annually with your staff and volunteers and make any adjustments that may be required as a result of staff, building, or other operational changes.

Additional copies of the district Emergency Procedure Manual are available from the Risk Management Office. Contact Risk Management if you need someone to work with you on your emergency plans (x7673).

- b. **Immediate Assistance with Students:** We will continue to work with you to provide additional training, information, and support for dealing with students who have extreme behavioral and emotional issues. If you have an extreme safety concern about a student right now, contact Risk Management (x7673) or Educational Support Services (x7800) and someone will ensure that you get assistance and/or make a referral to either in-district or outside resources.
- c. **Sharing Behavioral and Discipline Information with Teachers and Other Staff:** Federal and State Laws regarding student records and confidentiality allow you to share behavioral and discipline information with teachers and other staff if they have a legitimate use for that information. In most instances, it is reasonable for staff to know the reason one of her or his students has been disciplined. It is also reasonable that a teacher or other staff member be aware of students who pose a potential risk because of a pattern of delinquent or violent behavior. Please continue to inform those staff members about any students who are likely to pose a risk to them, what those risks are, and the procedures you are using to minimize them.
- d. **Cooperation with Law Enforcement Officers:** While we are working more closely than ever with the police, it is important that staff continue to follow the procedures outlined in school board policy and the Student Rights and Responsibilities Handbook (page 13) when a police officer wants to interview a student on campus. Please review these procedures with the appropriate staff. Parents become very concerned when police question their youngsters. The police officers assigned to the school district (School Resources Officers or SRO) are familiar with the rules.

The procedural guidelines for contacting parents are outlined below, and are available on the 4J intranet at <http://fsweb.lane.edu/docs/HRdefault.asp>. If you have questions or concerns about this information, please contact Risk Management (x7673).

Investigations related to off-campus illegal acts & not school related:

("Off Campus" means off the campus attended by the student)

- The school administrator will make a reasonable effort to contact the parent when an officer comes to question a student, who is a suspect or a victim, related to criminal acts that are not school-related, unless:
 1. Notification would unduly interfere with the investigation.
 2. The issue pertains to alleged child abuse.
 3. The parent, guardian, or a close relative is a focal suspect in a criminal investigation, and there is a potential risk to the student if notification occurs.
 - The school administrator should ask the police officer about the reason(s) for the interview.
 - District policy does not require that parents be contacted prior to interviews of students who are witnesses, and are not, nor likely to become, suspects. However, it is recommended that you attempt to make contact with the parent to inform them of the situation.
 - If the school administrator is **NOT** successful in contacting the parent they should then:
 1. Attempt to leave a message to inform the parent of the circumstances of the situation, and leave contact information (name and phone number) for both the school official and police officer.
 2. The school administrator should then allow the police officer to proceed with the interview so long as a school administrator, or designee, is present, unless the issue pertains to child abuse.
- Note:** *The administrator, or designee, should not actively participate in the interview process, and should allow the police officer to fully conduct the investigation.*
- If the school administrator is **successful** in contacting the parent:
 1. Let the parent know the police are present and will be questioning their student, as a suspect or a victim, regarding an off-campus criminal act.
 2. If the parent indicates they can arrive within a short period (20 minutes) the school administrator will request the police officer wait for the parent to arrive before questioning begins. However, if the parent does not arrive within the

twenty (20) minute period, and cannot be contacted, the officer may be allowed to proceed with questioning the student.

3. If the parent objects, expresses concerns about the police questioning their student, or wants to be present during the interview, but cannot arrive within a short period (20 minutes), ask the parent to speak directly to the police officer. The officer can then determine how to proceed based on their conversation with the parent.
4. If the parent says they have no concerns about the police questioning their student, and/or indicates they are unable to attend, the school administrator may allow the police officer to proceed. However, a school administrator, or designee, will be present during the interview as an observer, unless the issue pertains to child abuse.

Note: *The administrator, or designee, should not actively participate in the interview process, and should allow the police officer to fully conduct the investigation.*

Investigations related to violations of school policies and rules:

- Under “normal” circumstances, the school officer should **NOT** be involved during investigations of school policy or rule violations. School administrators may pursue such investigations, including interviewing students, without first contacting a parent. In this instance, the administrator is conducting the interview process under the standard of “reasonable suspicion.” (See “*Guidelines for Searches of Students*” on the 4J intranet at <http://fsweb.lane.edu/docs/HRdefault.asp>).
- If during the course of the investigation or search, it is clear a school policy violation occurred, and it reveals evidence of a crime (e.g., possession of drugs, stolen property, etc.), then the parent and the SRO must be notified (as outlined under “illegal acts that occur off-campus”) to report a crime that may have been committed. Once parent notification (or an attempt) has occurred, contact the SRO to investigate the alleged crime. “Crime” in this instance does not include “minor-in-possession” charges for tobacco.

When should you have an officer present during an investigation of school policies and rules violation?:

There are some situations when it is appropriate to have an officer present during investigations regarding violations of school policies and/or rules:

1. It is recommended you include the police officer when there are personal safety/security concerns for district staff during an interview or search.
2. It is generally recommended you attempt to make contact with the parent of a suspect or a victim, to inform them of the situation, and to let them know you have requested the police officer sit in as an observer. However, there is no requirement for the parent to be contacted unless the line of questioning leads to information that a criminal act has been committed. (*District policy does not require that parents be contacted prior to interviews of students who are witnesses and are not, nor likely to become, suspects.*)

3. If during the course of the investigation or search, it is clear a school policy violation occurred, and it reveals evidence of a crime (e.g., possession of drugs, stolen property, etc.), then the investigation must be turned over to the police officer and the parent must be notified (as outlined under “illegal acts that occur off-campus”). “Crime” in this instance does not include “minor-in-possession” charges for tobacco.
4. If there is reasonable suspicion* that a student is in possession of a dangerous or deadly weapon**, a police officer should be contacted immediately. The officer should then be allowed to proceed without delay on determining the appropriate strategy for intervention, including any necessary search of the student’s person. The principal or administrator involved should weigh the necessity of implementing emergency procedures in the building.

***Reasonable suspicion defined:** *It is necessary that the school officials conducting the search have reasonable suspicion that the student being searched has violated a school rule or the law, and that the search be reasonably likely to elicit evidence of such violation.*

****Dangerous or deadly weapons defined:** *“Dangerous weapon” means any weapon, device, instrument, material or substance which under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious injury.*

“Deadly weapon” means any instrument, article, or substance specifically designated for and capable of causing death or serious physical injury. (4J Student Rights & Responsibilities Handbook, pages 9 and 10). Also see School Board Policy KGB, Dangerous Weapons and Firearms.

- e. **Search & Seizure:** Guidelines for searches of students are available on the 4J intranet at <http://fsweb.lane.edu/docs/HRdefault.asp>. If you have questions or concerns about this information, please contact Risk Management (x7673). The information covers: *Search by Police Officers, Reasonable Suspicion, Locker Searches, Search of Personal Possessions, and Search of a Student’s Person.*
- f. **Citations for Truancy:** Oregon law allows a school district to issue a citation of \$100 to parents whose children do not regularly attend school, that is, who are truant. The law also requires the district to follow a process before the citation can be issued. Lane ESD will continue to investigate cases of truancy and conduct any truancy hearings that are recommended by the truant officer. Please follow the ESD procedures; those schools that have used them have found them to be very helpful. The Superintendent’s Office will continue to pay for the cost of conducting any truancy hearings that are scheduled. The process and the referral form are attached. If you have questions regarding the process or referral form, you may call Lane ESD at 541-461-8285.

PDF #30: Lane ESD-Procedures for Documenting and Referring Students for Truancy and Non-Attendance

PDF #31: Lane ESD - Truancy – Non-Attendance Referral Form

- g. Weapons:** School Board Policy KGB, Dangerous Weapons and Firearms, prohibits any person (student, employee, or visitor), other than a law enforcement officer, from having a dangerous weapon on school district property or at school district sponsored events that occur off school property. The policy also prohibits those individuals who have concealed weapons permits from having a dangerous weapon on school district property or at school district sponsored events that occur off school property. In addition, any student or employee found to be in possession of a dangerous weapon may face disciplinary action.

Decals giving notice of these prohibitions have been placed on major entrances of all district buildings. Please make sure that they are visible to the public. Without the notice, a person can reasonably argue that she or he did not know about our rules, especially the one dealing with concealed weapon permits. If you need additional decals contact Facilities (x7400).

PDF #32: Dangerous Weapons and Firearms, School Board Policy KGB

- h. Pocket or Tool Knives and Pepper Spray and Employees:**

Pocket or Tool Knives: The district's weapon policy allows the superintendent to make an exception to the policy. The superintendent has made the following determination: "School Board Policy KGB does not prohibit employees or visitors from possessing a small pocket knife or tool knife with a blade of less than two and a half inches in length when the knife or tool is carried in a manner that can not be readily observed by students except when being used." Students are prohibited from possessing a knife or tool knife of any length as well as any item that may be considered to be a dangerous weapon of any form.

Pepper Spray and Employees: Some employees, especially those who may be at a school alone and after hours, have expressed concern that they may not be able to carry pepper spray for self-protection. The district's weapon policy allows the superintendent to make an exception to the policy.

The superintendent has made the following determination: "School Board Policy KGB does not prohibit employees from carrying pepper spray for self-protection after they have consulted with their supervisor to determine the conditions under which the spray will be carried and stored while at work. No employee, however, is authorized to use pepper spray in the performance of his or her job duties unless physically endangered without provocation."

6. REQUIRED FLAG SALUTES

Oregon Law requires each school "to provide students with the opportunity to salute the United States flag at least once each week of the school year by reciting: "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all." The legislation further states that "Students who do not participate in the salute ... must maintain a respectful silence during the salute."

Each school must develop procedures to comply with the law. Please make sure you continue your practice this school year.

7. SCHOOL BOARD POLICIES AND DISTRICT ADMINISTRATIVE RULES

School Board Policies and District Administrative Rules are available online on the district's website. When updates or additions are made, an e-mail will be sent to administrators and secretaries as to what policy or rule has been revised, added, or deleted. Updated policies and rules will also be posted on the district's website.

8. COMPLAINT PROCEDURES

From time-to-time, parents and other members of the community may wish to make a complaint about staff, programs, or other students. It is important that you inform parents and members of the community of the correct complaint procedure because each one has a different timeline and process.

- a. **Commendation and Criticism of Employees:** If parents or members of the community wish to make a general complaint against a staff member (that is NOT a complaint of Bullying, Intimidation, Harassment, Discrimination, Hazing or Retaliation), they should use the process outlined in School Board Policy KLD, Commendation and Criticism of Employees.

PDF #33: Commendation and Criticism of Employees, School Board Policy KLD

- b. **Bullying, Intimidation, Harassment, Discrimination, Hazing and Retaliation:** The district's process for addressing complaints of Bullying, Intimidation, Harassment, Discrimination, Hazing and Retaliation was revised in 2009 to reflect changes in the district's administrative structure and board policies.

The complaint form is to be used by complainants who have first tried to resolve their issue at the building level, so (in most cases) by the time someone fills out one of these forms and submits it to the superintendent's office, you should have knowledge of the issue, and will likely have eSIS incident documentation already on file.

If you have any questions regarding the complaint process, please contact the superintendent's office at x7707.

PDF #34: Step-by-Step Complaint Process and Form for Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation
Please discard previous version, print and have copies available to provide to people who wish to file an official district complaint.

- c. **Food Services Discrimination Complaints:** The United States Department of Agriculture (USDA), which subsidizes our food services program, has special discrimination complaint procedures that must be followed when a parent or student who participates in the program believes he or she has been discriminated against. A person may submit an anonymous complaint.

Please be aware of the following:

- Any student or parent participating in a USDA program who feels he or she has been discriminated against should write directly to:

United States Department of Agriculture
Office of Civil Rights, Room 326W
Whitten Building
14th and Independence Avenue SW
Washington, DC 20205-9410

- Any staff member who receives a verbal or written discrimination complaint should forward the complaint to Susan Fahey, Chief Financial Officer. We are required to log the complaint and forward it to the USDA.

9. VOLUNTEERS

a. Criminal Background Checks

District Administrative Rule I9600, Placement of Volunteers, requires that volunteers who meet any of the criteria below receive a criminal background check:

- The volunteer will have unsupervised contact with students;
- The volunteer has a regular and ongoing assignment at the school;
- The volunteer will be off campus with students in an unsupervised situation, including driving students on field trips;
- The volunteer is a mentor to a student or students;
- The volunteer is a coach or activity director; or
- The volunteer is unknown to the school or department staff.

The PDF memo describes the criminal background check process. A letter explaining the criminal background check requirement is also included. Feel free to revise it and sign your name to the letter, if you wish.

Additional information for prospective volunteers is available in the district's Volunteer Guidelines handout, which is also included.

PDF #35: Memo regarding Criminal Checks for Volunteers & Information Letter for Parents

PDF #36: Criminal Background Check Form

PDF #37: 4J Volunteer Interest Form

PDF #38: Volunteer Guidelines – Tips for a Positive Volunteer Experience

b. Confidentiality of Student Records

Access to student information is subject to the federal Family Educational Rights and Privacy Act of 1974 (FERPA) as well as the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and Oregon health information law, ORS 746.600 et.seq.

Any volunteer who has access to student records is required to sign and adhere to the district confidentiality agreement. Schools should keep the signed confidentiality agreements on file in the school office.

PDF #39: Student Records Security and Confidentiality Agreement

10. CHILD CUSTODY AND RELATED MATTERS

The number of difficult issues related to child custody continues to increase. Please refer to the PDF memo that discusses how to respond to some of these issues: Student safety; the release of information to non-custodial parents and law enforcement agencies; releasing students to non-custodial parents and other adults; and visitations by non-custodial parents.

PDF #40: Memo entitled Child Custody

11. STUDENT USE OF E-MAIL AND THE INTERNET

The Annual District Handbook contains a discussion about student use of e-mail and the Internet. Please review it and the “Technology Appropriate Use Guidelines for Accessing 4J Net,” which has been prepared by a district committee. It is very important that we protect the privacy of students. Please make sure that your staffs are aware of the “Student Safety and Privacy Guidelines: which include the following:

a. Guidelines for Elementary and Middle School Students:

- Only first names will be used when student work is published on the network;
- Pictures that are a part of a student project will not include other identifying information;
- Under no circumstances will a student’s home address or phone number be included;
- If replies are appropriate, only the sponsoring teacher’s return e-mail address will be displayed, not the student’s; and
- Only in special circumstances, and with parent consent, will identifying information be included.

b. Guidelines for High School Students: While the guidelines for elementary and middle school students generally apply to high school students, there are circumstances where it is appropriate for older students to provide identifying information along with the work they publish on the Internet. Examples include when college entrance or employment opportunities might be enhanced by viewing a student’s work. When high school students want to post identifiable information, they are required to have the approval of a supervising staff member and are encouraged to involve parents. The student and supervising staff member will balance the potential risk against the benefits.

c. Acceptable Use of 4JNet: The Student Rights and Responsibilities Handbook and the district’s “Technology Appropriate Use Guidelines” (http://www.4j.lane.edu/cis/appropriate_use) describe the rules for student use of e-mail and the Internet.

d. E-Mail and the Internet (4JNet): 4J Net is a voice and data network that provides students with access to a wide range of information from throughout the world, and allows them to communicate with people worldwide. It is an important source of information that students need to understand and learn to use. 4JNet allows students access to e-mail and to the World Wide Web. Teachers are expected to provide guidance and supervision of students who use 4JNet. Complete guidelines for the use of 4JNet are available at schools and on the district’s web page (<http://www.4j.edu/4jnet>). District guidelines are summarized below:

- e. **E-Mail Accounts:** Secondary students may be provided with individual 4JNet e-mail accounts unless a parent or guardian has returned a form denying it. Generally, elementary students may be granted e-mail access through a classroom account requested by a teacher. In certain circumstances, an elementary student may be granted an individual e-mail account at the request of the teacher and the approval of the parent. If the student has been granted a 4JNet e-mail account, the student, who is responsible at all times for its proper use, should never share his or her password with other persons. No student shall be required to subscribe to a commercial e-mail service without the consent of the parent, unless approved by the superintendent.
- f. **Unacceptable Uses of 4JNet:** The following uses of 4JNet and the Internet are unacceptable and may result in disciplinary action, including suspension or revocation of network privileges, and suspension or expulsion from school.
- Violation of School Board Policy, District Administrative Rules, or any provision in the Student Rights and Responsibilities Handbook;
 - The use of, or inviting the receipt of vulgar and plainly offensive, obscene, or sexually explicit language or material in any form;
 - Copying commercial software or other material in violation of federal copyright laws;
 - Use of the network for financial gain, commercial activity, or illegal activity;
 - Accessing another person's individual account without prior consent, or accessing a restricted account without the prior consent of the responsible administrator or teacher;
 - Sharing of inappropriate materials or their sources with other students or knowingly accessing inappropriate materials. Students should report any inappropriate material they access to a teacher, other staff person, or their parents; or
 - Use of the network to discriminate, harass, intimidate, bully, haze, or retaliate against another individual or group of individuals.
- g. **Staff Responsibility:** Teachers are expected to provide guidance and supervision of students who use 4JNet in the following ways:
- Teachers and other supervising adults should discuss the appropriate use of 4JNet and Internet with their students, monitor their use, and intervene if the resource is not being used appropriately.
 - Computers that allow access to Internet should be placed in areas supervised by adults.

12. EDUCATION RECORDS

- a. **Records Release:** District policy requires that records be transferred within 10 days of receiving a request from another school, school district, or educational agency. ***(There is an exception to the 10 day standard: When a student is in custody of the state, schools shall provide records to the receiving school within 5 (five) days).*** We have an obligation to maintain confidentiality and to ask that anyone receiving educational records maintains confidentiality. The transfer of records, except for directory information, to a third party shall include the following statement:

“These records are confidential and may not be released to any other person or agency without the written consent of the student’s parent or the student if the student is 18 or attending an institution of post-secondary education.”

Respect the rights of parents and eligible students to consent to release of educational records, let them know that records may be released, when the release could occur, the parties to whom the records may be released, and their right to a copy of the district policy and guidelines for release of educational records. Provide information as to the requirement of federal and state guidelines, such as No Child Left Behind, to furnish records to military recruiters for high school students unless a parent or eligible student requests otherwise.

Guidelines have been developed by the district for copying and retaining copies of the student’s educational records. ORS 166-400-0060:

Original Student Records (a) <i>Original</i>	Documents a core set of information about an individual student. Including, directory information, dates of entry and exit, schools previously attended, attendance, and additional information proscribed by the school or district in which the student attended.	(a) 75 years
Oregon Student Record (b) <i>Copy</i>	Readable photocopy of Documents a core set of information about an individual student. Including, directory information, dates of entry and exit, schools previously attended, attendance, and additional information proscribed by the school or district which the student attended.	(b) maintain for one (1) year after the student transfers out of district.

4J’s practice is to retain copies of the permanent record indefinitely.

- b. **Student Directories:** Many schools distribute a student directory for use by students and parents so that they are able to contact one another to complete school business or make social arrangements. There are two important issues related to these directories.
 1. **Parent Consent:** You must give parents the opportunity to have their students’ names omitted from the directory. You cannot include the names of those children whose parents have asked that directory information about their students not be released, unless they give you written approval.
 2. **Disclaimer:** On occasion, these directories have been used by parents or others in the community for business purposes, that is, to contact possible customers or donors. I suggest that you include a disclaimer in such directories that says something like the following: ***“This student directory is for use of students, parents, and staff for school and school-related business. It is not to be used by them for business, commercial, or fund-raising activities not sponsored by the school, nor is it to be released to other organizations, businesses, or persons.”***

- c. **Directory Information and Distribution of Student Names:** Each year schools and departments receive requests from private businesses and non-profit organizations to release lists of student names. School Board Policy GLB prohibits the release of such lists, and states, ***"No names or addresses of parents or students shall be furnished to any individual, firm, or organization without the approval of the Board. However, the Superintendent or principal may release directory information relating to the students and parents for school-related activities in accordance with Policy JO and other information prescribed in Policy JO."***
- d. **Sharing Information with Non-Custodial Parents:** You routinely are asked what information you are able to share with non-custodial parents. Ordinarily, both parents (custodial and non-custodial parents) have the right to receive all information about their children and to examine all student records of their child unless there is a court order specifying that access to records is limited. This is rarely the case.

When parents are separated and no legal custody has been awarded, or when a parent has been designated a non-custodial parent by a court order, the following procedure shall apply, unless otherwise provided by a court decree or order:

1. Each parent, or a representative of a parent if authorized in writing by the parent, may inspect and review the education records of that parent's child.
2. Each parent has a right to question the appropriate licensed staff and make reasonable requests for explanations and interpretations of the student records. Licensed staff is not required to respond to requests by parent representatives for explanations or interpretations of the records.

There is nothing that limits your ability to inform the custodial parent when you release such records.

Please note, a non-custodial parent does not have the right to make educational decisions for the student. Only a parent with legal custody may do so.

13. WORK SCHEDULE ISSUES FOR LICENSED AND CLASSIFIED STAFF

- a. **Work Schedules for Licensed Staff:** The District/Eugene Education Association collective bargaining agreement requires administrators to provide all unit members the opportunity to collaborate on decisions involving work schedule issues in Article 10. Please review Article 10.

PDF #41: Eugene Education Association Contract Article 10

- b. **Work Schedules for Classified Staff:** Classified staff who work more than five hours a day are guaranteed at least a one-half hour duty free lunch, except in the case of an emergency. They are not paid for their lunch period. They are also guaranteed a fifteen minute break for every four hours worked or each major fraction thereof. Employees are to take the rest break in the middle of each work period insofar as is possible. Please review Articles 21.2 and 21.3 of the OSEA contract and be sensitive to this issue.

PDF #42: Oregon School Employees Association Contract Article 21

14. WORK YEAR ISSUES FOR LICENSED AND CLASSIFIED STAFF

The District, EEA and OSEA are in negotiations and work year issues have not been determined. Until further notice, Licensed and Classified work year schedules are the same as those for 2009-10. Calendars are posted on the HR web page under "Work Year Calendars". For additional information, please call 541-790-7660.

15. SITE-COUNCILS

Below is information about the role of site-councils, the membership requirements that have been established by the district, and how to comply with the requirements of the state's Open Meeting Laws.

- a. **Role of Site-Councils:** The district guidelines for site-based decision making state, "Each school will have a site-council composed of stakeholders that work together collaboratively and cooperatively to plan programs, make operational decisions, consider curriculum issues, adopt building policies, and solve problems." It is appropriate for site-councils to be involved in making these decisions as long as they comply with state and district laws, policies, and rules. Each site-council determines what decisions it will participate in making, within these parameters.

There are two kinds of decisions, however, that site-councils cannot be involved in: they can help make program and policy decisions, but they cannot be involved in final staffing decisions, nor can they be involved in individual student issues. For example, site-councils can participate in decisions about whether there will be a music specialist or what programs will be emphasized in a school, but they cannot determine which teachers will be assigned to teach certain classes once the program decision is made.

- b. **Site-Council Guidelines:** Following is a PDF copy of the most recent set of district guidelines that deal with site-councils.

PDF #44: Guidelines: Site-Based Decision Making, Fall 1997

- c. **Membership:** Each school site-council should include the following members: parents, teachers, classified staff, administrators, and, as determined by the council students. Article 18 of the Collective Bargaining Agreement with the Eugene Education Association, establishes how the number of representatives from each stakeholder group should be determined. It states,

One-half of school or work site committee members shall be unit members (teachers and other licensed staff). The unit members may be less than one-half and not less than the number needed for unit members to be the largest stakeholder group, if the site committee and at least seventy five percent (75%) of the school or work site unit members desire to have fewer unit members.

- d. **Open Meeting Laws:** School site-councils are required by State Law to comply with the open meetings laws. If you follow these guidelines, you will be in compliance:

1. Meetings are open to the public.

All meetings are open to the public and all persons shall be permitted to attend any meeting.

No quorum of the council can meet in private for the purpose of deciding on or deliberating toward a decision.

The meeting site must be accessible to the disabled and interpreter services must be available if they are requested.

2. Public notice of the meeting is required.

The council must give public notice of its meetings and should make an effort to inform parents and staff of the meeting date and agenda items. The meeting notice must be “reasonably calculated to give actual notice to interested persons...of the time and place” of the meeting and of the “principal subjects” that will be discussed at the meeting. Including advanced notices of the meeting in newsletters and posting them on bulletin boards within the school should be sufficient to meet this requirement.

No special meeting can be held without 24 hours notice unless there is an emergency. It is unlikely that any site-council business would be in the category of an emergency.

3. Written minutes must be maintained.

Written minutes must be kept and be available to the public within a reasonable time after the meeting.

The minutes must include the following information: members present, all motions and proposals and their disposition, votes (consensus decisions), and the substance of the discussion.

16. RELIGIOUS RECRUITMENT

District Administrative Rule I1600, Separation of Church and State, outlines our rules related to religious recruitment. In summary, “Visitors whose purpose is to influence or solicit students shall be denied entry to the school based upon the principal’s judgment of their purposes. Board policy forbids allowing non-students to meet with students for religious purposes on school premises, except that which is incidental to renting or leasing of school buildings.” The rules also state, “No non-school person can direct, control, or regularly attend student religious meetings.”

Representatives of religious groups, including Campus Life and Young Life, may volunteer on our campuses as long as they are assigned specific duties, and as long as they do not recruit students or distribute written material.

Our policies, rules, and the Student Rights and Responsibilities Handbook, which are consistent with law, allow students to meet for religious purposes. Please refer to District Administrative Rule No. I1600 for the rules related to these meetings.

17. RELIGIOUS HOLY DAYS FOR 2011-12

District Administrative Rule I1600 states that, “Students are to be excused from school, without any penalty, for religious holy days.” Schools should be sensitive about scheduling activities that may conflict with these observances.

- a. Jewish Holy Days:** Many Jewish children will not be attending school or school activities on major Jewish holy days. These days are as follows:

Rosh Hashanah, Sundown September 28–30, 2011

Yom Kippur, Sundown October 7–8, 2011

Hanukkah, Sundown December 20–28, 2011

Passover, Sundown April 6–8, 2012

- b. Christian Holy Days:** You should also be sensitive about scheduling special events on Christian Holy Days. Many students have conflicts when programs are scheduled during Easter week.

Christmas, December 25, 2011

Ash Wednesday, February 22, 2012

Good Friday, April 6, 2012

Easter, April 8, 2012

- c. Muslim Holy Days:** Many Muslim children will be taking part in this time of fasting.

Ramadan, Sundown August 1–31, 2011

18. PRIORITY MEETING DAYS FOR 2011-12

The following organizations have priority for the days indicated for the 2011-12 school year.

<u>DAY</u>	<u>WEEK OF MONTH</u>	<u>PRIORITY</u>
Monday	1 st , 2 nd , 3 rd	EEA
Monday	4 th	Building
Tuesday	1 st	Building
Tuesday	2 nd	Superintendent
Tuesday	3 rd , 4 th	District
Wednesday,	All	Building
Thursday,	All	District
Friday	All	Open
Monday – Friday	5 th	Open

19. STAFF AND PARENT NOTIFICATION SYSTEMS

The district has two different notification systems (phone and/or e-mail); both provided by our vendor, SynreVoice.

The first one, School Connects, is used for notifying parents of student absences and for general school event notifications. Notifications of student absences happen automatically for those schools requesting it, while event notifications are initiated by trained staff in each school.

The second system is used only as an Emergency Notification System and is hosted off-site by SynreVoice. This system is extremely rapid and will only be used in emergency or high priority situations. It can only be initiated by select, trained Ed Center personnel.

LIST OF PDF DOCUMENTS FOR 2011-12

1. 2011-12 Staff Orientation Form
2. 2011-12 District Spending Controls Handout
3. Wellness Policy Information Packet
4. Student Discipline Information
5. Discipline of Students, School Board Policy JG
6. Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation, School Board Policy JB
7. Booklet – *“Dealing with Intimidation, Bullying, Harassment, Discrimination, Hazing & Retaliation – District procedures, complaint processes, forms & guides” 2010 Revision*
8. Administering Medication in School, School Board Policy JHCD
9. Sexual Harassment, School Board Policy GBN
10. Prohibiting All Forms of Harassment and Discrimination, District Administrative Rules G1140, G1150, G1160 and G1170
11. Posting on Harassment, Discrimination and Retaliation Complaints
12. Professional Conduct and Respectful Workplace, District Administrative Rules G2100 and G2120
13. Cyberbullying, School Board Policy GBNA/JFCFA
14. Drug and Alcohol Abuse by Employees, School Board Policy GBCBA
15. Substance Abuse, District Administrative Rule G2430
16. Use of Tobacco Products, School Board Policy GBK
17. Use of Tobacco by Students, School Board Policy JFCG
18. Drug, Tobacco and Alcohol Abuse by Students, School Board Policy JFCH/JFCI
19. Staff E-Mail Usage, District Administrative Rule G2300.10
20. Use of District Property, School Board Policy KGF
21. Political Activities Notice
22. Child Abuse and Sexual Conduct Posting
23. Child Abuse, District Administrative Rule G2400

24. Child Abuse and Sexual Conduct by School Employees, District Administrative Rule G2400.01
25. An Important Note to Parents About Education Records and the Release of Directory Information
26. Required Notice to Families: School Information Available for Non-Custodial Parents, Important Information for Parents and Students - Hours of School Supervision, and School to Inform Parents if Their Student Receives a Threat
27. Notice of Threats to Students and Staff - Guidelines to Comply with House Bill 3444.
28. Armed Forces Recruiter Access to Students and Student Records – English
29. Armed Forces Recruiter Access to Students and Student Records – Spanish
30. Lane ESD – Procedures for Documenting and Referring Students for Truancy and Non-Attendance
31. Lane ESD – Truancy – Non-Attendance Referral Form
32. Dangerous Weapons and Firearms, School Board Policy KGB
33. Commendation and Criticism of Employees, School Board Policy KLD
34. Step-by-Step Complaint Process and Form for Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation
35. Memo regarding Criminal Checks for Volunteers and Information Letter for Parents
36. Criminal Background Check Form
37. 4J Volunteer Interest Form
38. Volunteer Guidelines – Tips for a Positive Volunteer Experience
39. Student Records Security and Confidentiality Agreement
40. Child Custody Memo
41. Eugene Education Association Contract Article 10
42. Oregon School Employees Association Contract Article 21
43. Guidelines: Site-Based Decision Making

Updated: 8/2/2011

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2011-12 STAFF ORIENTATION

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

- 2011-12 District Spending Controls**
- Wellness Policy**
- Student Discipline Procedures**
- School Board Policy JB, Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation**
- School Board Policy JHCD, Administering Medication in School**
- School Board Policy JHCCA/JHCCB, AIDS, HIV, and Hepatitis B**
- School Board Policy GBN, Sexual Harassment and District Administrative Rules G1140, G1150, G1160 and G1170, Prohibiting All Forms of Harassment and Discrimination**
- District Administrative Rules G2100 and G2120, Professional Conduct and Respectful Workplace**
- School Board Policy GBNAA/JFCFA, Cyberbullying**
- School Board Policy GBCBA, Drug and Alcohol Abuse by Employees and District Administrative Rule 2430, Substance Abuse**
- School Board Policies GBK, Use of Tobacco Products; JFCG, Use of Tobacco by Students; and Policy JFCH/JFCI, Drug, Tobacco and Alcohol Abuse by Students**
- Student Use of Technology**
- District Administrative Rule G2300.10, Staff E-mail Usage**
- School Board Policy KGF, Use of District Property**
- Process for Handling Complaints Against Staff by Principal or Department Director**
- Political Activities**
- Reporting Child Abuse - Child Abuse and Sexual Conduct Posting and District Administrative Rule G2400, Child Abuse**
- Reporting Sexual Conduct Toward Students by School Employees, District Administrative Rule G2400.01**
- Locked Spaces**
- Community Educators (Guest Speakers) and Outside Presenters**

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

Employee

Date

2011-12 Spending Controls

Due to the state revenue shortfalls, declining enrollment, PERS rate increases and the expiration of federal stimulus funding, the district continues to project substantial deficits in the future. The following procedures will assist administrators in monitoring expenditures and ensure that expenditures are perceived as reasonable given the current economic issues facing our community.

District Credit Cards

- **Standard Limits:** The limits will be changed on all cards to the following:
 - **Transaction limit - \$1,000**
 - **Monthly limit - \$2,500**
 - Requests for a temporary increase in limit should be sent in writing to the appropriate director
- **Cardholders:** Directors/Principals should review the list of cardholders at their site and determine ongoing need for card issuance.
- **Disallowed Items:**
 - Computers should be purchased using a purchase order to ensure tracking for inventory and insurance purposes
 - Foods of minimal nutritional value that do not conform with the wellness policy may not be purchased with a district VISA card (e.g., pop, most candy, candy coated popcorn)
- **Authorization:** Administrator should review and sign credit card expenditure forms. Due to the potential site budget impact and the delay in information flow, signature stamps should not be used.
- **Usage:** Will be monitored periodically by the Superintendent or designee

Purchase Orders

- Purchase orders over \$1,000 require director approval

Professional Development Costs (includes administrator professional development):

- **Professional Development Plans:** Plans should be submitted to the appropriate administrator in advance explaining how the training will contribute to the achievement of Board, Superintendent and instructional goals and the funding source for the training.
- **Budget Authority:** Budget authority should be transferred to the appropriate professional development accounts prior to the scheduled training.
- **Meals:** Meals for in-district professional development should be provided only as follows:
 - **Breakfast** – Meeting/Training commences prior to 7:00 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.
 - **Snacks** – May be provided at other times as appropriate

Travel:

- **Out of District Travel:**
 - Out of state travel must be preapproved by the superintendent
 - In state overnight travel requires preapproval by a director
 - Overnight trips should exceed 75 miles one-way.
 - Overnight travel within the state should be for events that span at least two days.
 - Out of district retreats may be scheduled with prior approval of the Chief of Staff or Superintendent.
 - Employees attending functions within driving distance should commute together if schedules permit.
 - Budget authority should be transferred in advance of travel.
 - Exceptions require preapproval by director, Chief of Staff, or Superintendent.

Meals:

Occasionally it's in the best interest of students and the district for district staff to meet with community members, students and other stakeholders over a meal period. In such instances, it is appropriate for the district to pay for that meal; however, meals must be reasonable in the eyes of the public.

- Meetings should be scheduled over meal periods only when it is the most efficient and effective option for conducting district business.
- Reimbursement per person/meal will not exceed the local per diem rate:
 - Breakfast - \$10
 - Lunch - \$13
 - Dinner - \$23
 - **When the local per diem rate is exceeded, the excess cost will be paid with personal funds.**
- Documentation must state attendees' names and titles and the nature of the business conducted.
- Exceptions to the above require preapproval by the director, Chief of Staff, or Superintendent

Costs related to staff celebrations should be paid with personal funds.

Employee Reimbursements

- **Encourage other purchasing options:** Purchase orders and VISA cards provide more oversight capabilities for expenditure monitoring and to ensure contracted vendors are utilized.
- **Supply Reimbursements:**
 - Should be for small purchases due to district-wide contracts for most supplies
 - Limit of \$100/reimbursement
 - Foods of minimal nutritional value that do not conform with the wellness policy may not be purchased with a district VISA card (e.g., pop and most candy, candy coated popcorn)
- **Submission of Completed Reimbursement Requests:** Completed reimbursement requests, including mileage, should be received by Financial Services within 60 days of when the expenditure was incurred.
- **Authorization:** Administrator should review and sign reimbursement requests. Due to the potential site budget impact and the delay in information flow, *signature stamps should not be used*. Exceptions require preapproval by the Chief of Staff or Superintendent.

Independent Contractor Agreements

- **Independent Contractor Agreement:** Form should be completed and signed in advance of the work being performed.
 - Payment may not be made without a completed form due to new IRS requirements
- **Purchase Orders:** Purchase order prepared in advance of work being performed.
- **Authorization:** Administrator should review and sign. Due to the potential site budget impact, *signature stamps should not be used*.

Grants

- **Substitute Costs:** All personnel costs associated with grants should be paid for by the grant.
 - Includes substitutes required due to illness
 - All grants with FTE that would qualify for a substitute should include budget for substitute time.



Wellness Policy: Information for Staff

Children and adolescents need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive. Schools play an important role in promoting sound nutrition and physical exercise. Here are a few key elements of 4J's wellness policy that all school staff should be familiar with:

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).

For more information about 4J's wellness policy, including the school board policy, administrative rules, and specific guidelines for each school level, please see:

www.4j.lane.edu/nutrition/wellness

Eugene School District 4J

Healthy Snacks Guidelines

These healthy snack guidelines apply to items sold in a school at all times during the regular or extended school day, except for events at which adults are a significant part of the audience such as athletic events, carnivals or performances.

Snack Foods

Each individual food item may not contain any trans fat and will have no more than:

- 35% of its calories from fat (excluding legumes, nuts, seeds, nonfried vegetables, cheese, eggs and other nut butters) and 10% of its calories from saturated fat (excluding nuts, eggs and cheese)
- 35% of its weight from added sugars (does not apply to fruit and vegetables)
- 350 mg of sodium per serving for bread, sweets and salty snacks; 480 mg for nutrient-dense snacks, such as nuts, seeds, fruits, vegetables, dairy; 530 mg for pre-packaged entrees, such as “hot pockets,” soups, burritos; 600 mg for freshly made daily entrees.
- Elementary school (K–5) items may not contain more than 150 total calories.
- Middle school (6–8) items may not contain more than 180 total calories.
- High school (9–12) items may not contain more than 200 total calories.

Beverages

Kindergarten–5th Grade: Beverages will be limited to water and the following:

- Fruit or vegetable juice, provided the beverage item is not more than 8 ounces, is 100% juice with no added sweeteners and contains no more than 120 calories per 8 ounces.
- Milk or a nutritionally equivalent milk alternative, provided the beverage item is not more than 8 ounces, is fat-free or low-fat and, if flavored, contains no more than 150 calories per 8 ounces.

6th–8th Grade: Beverages will be limited to water and the following:

- Fruit or vegetable juice, provided the beverage item is not more than 10 ounces, is 100% juice with no added sweeteners and contains no more than 150 calories.
- Milk or a nutritionally equivalent milk alternative, provided the beverage item is not more than 10 ounces, is fat-free or low-fat and, if flavored, contains no more than 190 calories.

9th–12th Grade: Beverages will be limited to water and the following:

- Fruit or vegetable juice, provided the beverage item is not more than 12 ounces, is 100% juice with no added sweeteners and contains no more than 180 calories.
- Milk or a nutritionally equivalent milk alternative, provided the beverage item is not more than 12 ounces, is fat-free or low-fat and, if flavored, contains no more than 225 calories.
- A no-calorie or low-calorie beverage if the beverage contains no more than 10 calories per 8 ounces, excluding beverages defined by the U.S. Department of Agriculture (USDA) as “Foods of Minimal Nutritional Value” (e.g., soda water).
- A beverage that is not more than 12 ounces and contains no more than 100 calories, excluding beverages defined by the USDA as “Foods of Minimal Nutritional Value.”

Eugene School District 4J

Healthy Parties Guidelines

These healthy snack guidelines apply to food distributed during the school day as part of a celebration or school party.

Encouraged Beverages

Kindergarten–5th Grade: Beverages limited to water and the following:

- Fruit or vegetable juice, provided the beverage item is not more than 8 ounces, is 100% juice with no added sweeteners and contains no more than 120 calories per 8 ounces.
- Milk or a nutritionally equivalent milk alternative, provided the beverage item is not more than 8 ounces, is fat-free or low-fat and, if flavored, contains no more than 150 calories per 8 ounces.

6th–8th Grade: Beverages limited to water and the following:

- Fruit or vegetable juice, provided the beverage item is not more than 10 ounces, is 100% juice with no added sweeteners and contains no more than 150 calories).
- Milk or a nutritionally equivalent milk alternative, provided the beverage item is not more than 10 ounces, is fat-free or low-fat and, if flavored, contains no more than 190 calories).

9th–12th Grade: Beverages limited to water and the following:

- Fruit or vegetable juice, provided the beverage item is not more than 12 ounces, is 100% juice with no added sweeteners and contains no more than 180 calories.
- Milk or a nutritionally equivalent milk alternative, provided the beverage item is not more than 12 ounces, is fat-free or low-fat and, if flavored, contains no more than 225 calories.
- A no-calorie or low-calorie beverage if the beverage contains no more than 10 calories per 8 ounces, excluding beverages defined by the U.S. Department of Agriculture (USDA) as “Foods of Minimal Nutritional Value” (e.g., soda water).
- A beverage that is not more than 12 ounces and contains no more than 100 calories, excluding beverages defined by the USDA as “Foods of Minimal Nutritional Value.”

Not allowed: Beverages of Minimal Nutritional Value as defined by the USDA (soda water or “pop”).

Encouraged Foods

Food items that do not contain any trans fat and have no more than:

- 35% of its calories from fat (excluding legumes, nuts, seeds, nonfried vegetables, cheese, eggs and other nut butters) and 10% of its calories from saturated (excluding nuts, eggs and cheese)
- 35% of its weight from added sugars (does not apply to fruit and vegetables)
- 350 mg of sodium per serving for bread, sweets and salty snacks; 480 mg for nutrient-dense snacks, such as nuts, seeds, fruits, vegetables, dairy; 530 mg for pre-packaged entrees, such as “hot pockets,” soups, burritos; 600 mg for freshly made entrees.

Portion Sizes

Portion sizes should be reasonable given the age of the student. Appropriate portion sizes for beverages are noted above under “Encouraged Beverages.”

Eugene School District 4J

Suggestions for Healthy Foods for Snacks and Parties

- Fresh fruits and vegetables
- Dips based on low-fat yogurt or sour cream (be aware of sugar and salt content)
- Canned fruits (preferably packed in natural fruit juices instead of syrups)
- Dried fruits
- Trail mix, chex mix, or popcorn-based snack mix (be aware of products that contain nuts or nut byproducts and sodium content)
- Granola bars (be aware of products that contain nuts or nut byproducts)
- Sunflower or pumpkin seeds
- Yogurt or soy-gurt
- Jerky
- Ritz chips
- Baked chips (be aware that Baked Cheetos and SunChips are higher in fat and sodium than other baked chip varieties)
- Salsa, guacamole, bean dip and fruit salsa
- Pita bread or pita chips and hummus dip
- Whole-grain cereals (be aware of sugar content)
- Whole-grain or multigrain crackers and cheese (cheese made with 2% milk is better)
- 100% frozen fruit juice bars
- Frozen yogurt
- Fruit smoothies (preferably yogurt- or sorbet- based)
- Whole-grain and fruit/vegetable breads and muffins: banana, zucchini, carrot or oatmeal bread, bran muffins, etc.
- Other fruit-based desserts: fruit and yogurt parfaits, strawberry shortcake, mixed berries with whipped cream, baked apples with granola topping
- Fruit or pretzels dipped in a yogurt-based coating: strawberries, raisins, cherries etc.
- Nabisco 100-calorie packs (Wheat Thins, Cheese Nips, Chips Ahoy, Oreo)
- Quaker Multigrain Minis (Honey Graham, Cinnamon Sugar)
- Graham cracker-based items: Honey Maid Squares, Teddy Grahams, Animal Crackers, Goldfish Giant Grahams etc. (individual packets and honey flavored is better)
- Nutrigrain bars
- Pretzels (low salt is better)
- Bagels (whole grain is better)
- Tortilla roll-ups: meat and cheese, cream cheese and salsa, etc. (cut into finger-size pieces)

The 4J catering service offers appealing and healthy classroom snacks and pizza parties, and your order supports the district's nutrition services program. Visit www.4j.lane.edu/nutrition/catering or call 541-790-7654 for menus and more.

EUGENE PUBLIC SCHOOLS
School District 4J, Lane County
Eugene, Oregon

STUDENT DISCIPLINE

Discipline of Students - School Board Policy JG

A balance of student rights and responsibilities is necessary in each school and classroom to assure an atmosphere which is conducive to learning and which assures the safety and welfare of students and school personnel. The Board believes that an educational program designed to meet the learning needs of the students and to produce constructive behavior and self-discipline is the best approach for resolving discipline problems. Disciplinary actions by school personnel will be most effective when applied fairly and consistently and when students and their parents understand the methods and reasons for disciplinary measures.

Specific rights and responsibilities of students have been adopted by the Board and shall be widely publicized in School District 4J. (See Student Rights and Responsibilities Handbook.) The Superintendent is responsible for developing procedures to implement this policy.

Duties of Students - School Board Policy JFA

Students' conduct in School District 4J shall be based on respect and consideration of human rights. All students are required to:

1. Obey the statutes of the state of Oregon and ordinances of the city of Eugene and of Lane County.
2. Comply with the written rules of the Board of Directors as specified in the Student Rights and Responsibilities Handbook (published by the district), pursue the prescribed course of study, and submit to the lawful authority of teachers and school officials.
3. Behave in a socially acceptable manner, which includes avoiding the use of obscene or profane language, treating other people fairly, refraining from racial or sexual harassment or discrimination by words or actions or placing another person or person's property in reasonable fear of harm, respecting personal and public property, and refraining from physical aggression.
4. Obey the rules and regulations developed in their school.

Students who violate these requirements and do not control their behavior will be subject to the enforcement of consequences necessary to develop or maintain the expected behavior or be liable for expulsion from school.

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

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

Consequences for unacceptable behavior will always be appropriate to the student's age, physical condition, and the nature of the misconduct. Psychologically hurtful consequences such as ostracism, ridicule, or rejection shall never be used, and corporal punishment will not be used. Suspension or expulsion may be used, subject to specific guidelines and procedures contained in the Student Rights and Responsibilities Handbook and the Administrative Handbook.

DISTRICT PROCEDURES

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

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

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

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

- a. A teacher may retain a student after school if the parent has been given prior notice. If the parent cannot be contacted on a particular day, the student will normally fulfill his or her obligation to meet after school the following day.
- b. A teacher or other certificated staff member may use reasonable physical restraint when, and to the extent that, he or she believes it necessary to maintain order or protect the safety of a student or staff member. Any staff member using physical restraint shall inform the principal at once of such action and shall make an accurate written account to the principal within 24 hours or on the next working day. A teacher may not use physical punishment.
- c. When, in the judgment of a teacher, a student's behavior is seriously disrupting the instructional program to the detriment of other students, the teacher may temporarily exclude the student from the classroom and refer him or her to the principal. This means that an unruly student may be sent to the office or another prearranged location because of unacceptable behavior. In such case, the principal shall arrange as soon as possible and, under normal circumstances, not later than the conclusion of the following day, a conference to include the principal, the

teacher, and if appropriate, a specialist, to discuss the problem and decide upon appropriate steps for its resolution. Parents or guardians should be kept informed in cases of serious disciplinary problems caused by their children, and the parents may join in any conference involving discussions for resolving those problems.

2. Any serious infraction of a rule or behavior which endangers the safety of a student or staff member, or which substantially disrupts a class, activity, or other school function, shall be reported immediately to the principal or assistant principal. When a serious infraction has been reported which endangers others or substantially disrupts a class, the principal or designee shall take prompt steps to alleviate the problem.
 - a. The principal will hold a conference with the unruly student, the teacher, and, if feasible and appropriate, the parent, to establish reasonable conditions for the student's readmission to the class. The teacher or staff member reporting the misbehavior may be required to make a written report or describe the incident in the presence of the student and his or her parent.
 - b. The principal will seek assistance, if appropriate, from Educational Support Services or responsible community agencies to explore options with the teacher, parent, and student in an effort to resolve the problem.
 - c. If the student chronically disrupts the class, the principal shall give serious consideration to reassigning the student to another class or dropping the student from the course. When such action is considered, the principal shall involve the teacher(s) and the appropriate Director or a member of the Educational Support Services staff.
 - d. Principals may suspend students for a maximum of ten school days. In special circumstances, a suspension may be continued for more than ten school days until some specific action occurs, such as a physical or mental examination, or incarceration by court action. When a suspension is made, the principal must ensure the students and parent the procedural rights provided in the Student Rights and Responsibilities Handbook.
 - e. Expulsion procedures, as defined in the Administrative Handbook, may be recommended by the principal when the above procedures have not significantly changed the disruptive behavior.
3. The principal of each school has been authorized to take appropriate steps to assure an atmosphere which is conducive to learning and which provides for the safety and welfare of students and school personnel. A designee shall be named by the principal to serve in his or her absence. The principal may reassign a student or may involve a law enforcement agency, if necessary, to protect the safety or welfare of students or staff members. When appropriate, principals shall involve students, parents, and staff in resolving disciplinary problems and may also use the expertise of others.

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

4. Teachers are responsible for supervising students assigned to them. Teachers may use appropriate disciplinary action in accordance with district and school rules and guidelines. Teachers are obligated to serve as part of the total school team to enforce school and district rules and share in the general supervision of the school.
5. Any employee involved in an assault or battery within the scope of his or her employment shall immediately make a written report of the circumstances. The employee shall make supplemental written reports, attaching copies of any summons, complaints, process, information, indictment, notice, or demand served on him or her in connection with such assault or battery within five (5) days after being served, and shall report the final disposition of any such proceeding. All reports referred to above shall be made to the employee's principal or immediate supervisor.

Such reports shall be forwarded immediately to the Superintendent's office. In the event civil or criminal proceedings are brought against the employee, the Superintendent shall comply with any written requests by the employee for information in the district's possession relating to his or her defense. The district shall not be required to provide information privileged by law.

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

8/12/80
Revised 8/1/89
Revised 7/24/97
DP:pw

Eugene School District 4J

Code: **JG**
Adopted: 7/2/73
Revised: 8/2/76, 8/15/77
Orig. Code(s): 3890, 5700

Discipline of Students

A balance of student rights and responsibilities is necessary in each school and classroom to assure an atmosphere which is conducive to learning and which assures the safety and welfare of students and school personnel. The board believes that an educational program designed to meet the learning needs of the students and to produce constructive behavior and self-discipline is the best approach for resolving discipline problems. Disciplinary actions by school personnel will be most effective when applied fairly and consistently and when students and their parents understand the methods and reasons for disciplinary measures.

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

The superintendent is responsible for developing procedures to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)

[ORS 332.061](#)

[ORS 332.072](#)

[ORS 332.107](#)

[ORS 339.115](#)

[ORS 339.240 - 339.280](#)

[OAR 581-021-0045](#)

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

Cross Reference(s):

JFC - Standard for Student Conduct and Discipline

JGE - Expulsion

Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation

School board policy prohibits discrimination, harassment, intimidation, hazing or bullying, as defined by this policy, against students on or immediately adjacent to school grounds, at any school-sponsored activity, including athletic activities, on school-provided transportation, or at any official school bus stop. Students may face disciplinary consequences for any off-campus behavior that would disrupt the educational process or the operation of the school or district. The district expects that staff, including student teacher, and practicum students, volunteers, and students will provide equal treatment and access to educational programs, services, and aid to students without regard to their disability, race, color, national origin, ethnicity, sex, sexual orientation, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristic, or linguistic characteristics of a national origin group.

1. **“Intimidation or bullying”**:
 - a. Means any act that substantially interferes with a student’s educational benefits, opportunities or performance, and that have the effect of:
 - (1) Physically harming a student or endangering a student’s property;
 - (2) Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or
 - (3) Creating a hostile educational environment, including interfering with the psychological well-being of a student; and
 - b. May include, but is not limited to, actions based on the protected class of a person.
2. **“Harassment”** means unwanted behavior of a nonverbal, verbal, written, graphic, sexual, or physical nature that is directed at an individual or group of students, based upon, but not limited to, the protected class status of the person or persons.
3. **“Discrimination”** means any act that has the purpose or effect of unreasonably differentiating in treatment of any member of a protected class, as defined in Section 6.
4. **“Hazing”** means intentionally taking action or creating a situation that inflicts physical harm, psychological harm, or distress on a student regardless of the consent or location of the participants.
 - a. Hazing occurs when the action or situation has the purpose or effect of demeaning or humiliating a student or group of students.

- b. 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.
 - c. In considering a hazing case, it is not a defense that the student subjected to hazing consented to or acquiesced in the hazing activity
5. **“Retaliation”** is defined as harassment, intimidation or bullying toward a person in response to previously reported harassment, intimidation or bullying. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.
6. **“Protected class” and “Sexual Orientation”:**
 - a. **“Protected class”** means a group of persons distinguished or perceived to be distinguished by disability, race, color, national origin, ethnicity, sex, sexual orientation, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristic, or linguistic characteristics of a national origin group.
 - b. **“Sexual orientation”** means an individual’s actual or perceived heterosexuality, homosexuality, bi-sexuality, 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.
7. **Staff’s Responsibility:** Staff including student teachers and practicum students, will follow school board policy to ensure that students are not discriminated against, harassed, intimidated, or bullied based on disability, race, color, national origin, ethnicity, sex, sexual orientation, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristic, or linguistic characteristics of a national origin group, with regard to the following:
 - a. The direct and indirect supervision of students and enforcement of the rules as defined in Section -9;
 - b. Providing reasonable access to all district programs, classes, services, and aid;
 - c. Use of terms that are derogatory;
 - d. Unfair discrimination between students in use of tests and instructional material.
8. **Informing Volunteers and Others:** Staff are responsible for informing volunteers and other adults working in schools and with extracurricular programs of this policy and for supervising their activities.
9. **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 intimidation, bullying, harassment, discrimination, hazing and comply with this policy.

- a. 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.
 - b. Students who violate this rule are liable for discipline, suspension, or expulsion following the rules established in the *Student Rights and Responsibilities Handbook*.
10. **District Responsibility:** In providing programs, services, benefits, or other aid to students, the district and its staff and volunteers shall not, on any basis prohibited by this policy:
- a. Treat one student differently from another in determining whether he or she satisfies any requirement or condition for the provision of the program, service, benefit, or other aid;
 - b. Provide programs, services, benefits, or other aid, in a manner that differentiates among students;
 - c. Deny any student such programs, services, benefits, or other aid;
 - d. Subject any student to separate or different rules of behavior, sanctions, or other treatment;
 - e. Otherwise limit any student in the enjoyment of any right, privilege, advantage, or opportunity;
 - f. Allow student-to-student harassment, discrimination, intimidation, or bullying and will take direct action when it is observed or reported;
 - g. Allow retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry.
11. **Tracking:** The district and its staff will track incidents of intimidation, bullying, harassment, discrimination, hazing and retaliation and report this information annually to the board.
12. **Training:** The district shall provide for the training and orientation of staff and volunteers on the contents of this policy with the goal that they will be able to avoid, recognize, discourage, and deal with intimidation, bullying, harassment, discrimination, hazing and retaliation.
13. **Complaint Procedures:**
- a. A student or his or her parent or guardian who believes that the student is the recipient of discrimination, harassment, intimidation, or bullying from another student, staff member, or volunteer is encouraged to report the incident to the staff member on duty at the time or to the student's teacher or to the Principal or Assistant Principal. If the Principal is believed to be involved, the report may be made to the Superintendent's office. Information may be presented anonymously. Teachers and other staff who observe students engaging in discriminatory, harassing, intimidating, or bullying behaviors are responsible for taking action to deal with the behavior and reporting the incident, which may include following the rules for discipline outlined in the *Student Rights and Responsibilities Handbook*.
 - b. A student and his or her parent or guardian are encouraged to attempt to resolve concerns through discussions with school staff. Upon a report, or knowledge of, an incident, the Principal or person assigned by the Principal to resolve the issue shall investigate the incident. The investigation shall include interviews of the complainant and the individual(s) alleged to have acted improperly. The Principal or person assigned shall work with the complainant and other parties to resolve the issue.
 - c. If the student or his or her parent or guardian are unable to resolve the complaint after working with school staff, , they are encouraged to file a Complaint of Discrimination or Harassment

with the Superintendent's office, using a form available in school offices and from the Superintendent's office. The Superintendent will follow the procedure outlined in the *Student Rights and Responsibilities Handbook* and the district's Discrimination, Harassment, Intimidation or Bullying Complaint Process and will send a written acknowledgement, postmarked within 10 (ten) working days of receiving the complaint, which will identify the person who has been assigned to handle the complaint.

- d. There will be an attempt to assist students and/or parents in resolving concerns and issues prior to the use of the formal disciplinary or complaint procedures. This may include counseling, education, mediation and/or other opportunities for problem solving between both parties. However, the severity of a specific incident may require immediate disciplinary action.

- 14. **Annual Review:** This policy and any procedures developed as a result of this policy will be reviewed annually, in the fall, with each building and department staff.
- 15. **Policy Review:** The Board will evaluate the effectiveness of this policy on the anniversary of its adoption and every three years thereafter.
- 16. **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.
- 17. 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 163.190](#)
[ORS 166.065](#)
[ORS 166.155 - 166.165](#)
[ORS 326.051](#)
[ORS 329.025](#)
[ORS 329.035](#)
[ORS 332.072](#)
[ORS 332.107](#)
[ORS 336.067](#)
[ORS 336.082](#)

[ORS 336.086](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.254](#)
[ORS 339.260](#)
[ORS 339.351 - 339.364](#)
[ORS 342.123](#)
[ORS Chapter 659](#)
[ORS Chapter 659A](#)

[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0055](#)
[OAR 581-022-1140](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(d).
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(e).
Rehabilitation Act of 1973, 29 U.S.C. Sections 791, 793 and 794.
Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681-1683; 34 CFR Part 106 (2000).
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).



Eugene School District
Investing in Students, Creating the Future

Dealing with

**Intimidation,
Bullying,
Harassment,
Discrimination,
Hazing &
Retaliation**

*District procedures, complaint
processes, forms & guides*

August 2010

Introduction

To be their best and meet new challenges, students need to experience school as a safe and welcoming environment.

Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation have no place in the Eugene School District, nor in any school. When this behavior occurs, we will deal with it seriously.

Our school board policies (Code JB, JFCFA/GBNAA, GBA, GBN) expressly denounce and forbid Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation, and we are always working on school-wide and district-wide programs to improve student conduct to make schools safer and friendlier.

This guide is intended for district administrators, staff, parents and anyone else who needs information on investigating, filing, pursuing or resolving a complaint or incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation.

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Instructions for communicating the Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation prevention process

1. Schools will share this information with staff each year.
2. Schools will share this information with students each year. Schools may determine the best way to do this. Principals will document the communication method used.
3. Schools will share this information with parents. Schools may determine the best way to do this; again principals will document the communication method used.
4. ALL incidents involving Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation must be reported electronically in eSIS.
5. Schools will be required to report to the district annually on their efforts to prevent and respond to Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation.

Instructions for incident recording/eSIS

Each incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation MUST be entered by staff into the district's electronic student information system (eSIS). No paper duplicate is required. For more information, see the "Guide to Assessing and Reporting Incidents," "Documenting Incidents" and "Entering Discipline Referrals into eSIS," attached to this booklet.

Instructions for using complaint form

There is only one paper complaint form, and it can be used by any person to describe an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation. It is intended to be used after attempting to resolve an issue at the school level. It should not be used in place of a school "incident report" form, since it sets into motion a series of serious steps at the district level. The complaint form is available in school offices, and from the 4J Superintendent's office, 200 North Monroe Street. There are no district-level "informal" complaint forms.

Tracking

Incidents of Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation are recorded and analyzed by district staff to look for trends. By regularly evaluating Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation incidents in the district, staff can identify better ways to identify patterns, combat and resolve these incidents. It's also a way to see if the district's practices to prevent Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation are effective. The district and its staff will track incidents and report this information annually to the school board.

Step-by-step process

Complainant (includes parents, students, etc.)

1. If you observe or have experienced an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, you should contact the school principal or other staff member to report it. Say you would like to report an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation.

If you believe the principal is involved in Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, you don't have to report the incident to him or her. You may instead contact the district superintendent's office at 541-790-7707.

2. Tell the principal or person assigned by the principal or superintendent what happened and answer any questions they have.
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. The goal of resolving the issue is to 1) protect and comfort the person who feels they've been a target of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, 2) assign a consequence if necessary and 3) teach the parties skills that help make school safe and welcoming.
4. If you feel like you can't resolve the issue by working with the school principal and/or school staff, you may file a COMPLAINT. There is a single complaint form for use by anyone. It is available from school offices and from the 4J superintendent's office, 200 N. Monroe St. (541-790-7707). The form allows you to describe what happened and the proposed or desired remedy. Fill out the form completely and return it to the 4J superintendent's office.
5. The superintendent's office will send you a written acknowledgement, postmarked within 10 (ten) working days of receiving the complaint. The acknowledgement will tell the date the superintendent received the complaint, and will tell you who has been assigned to handle the complaint. This person is the superintendent's designee.
6. As an alternative to a district investigation, the superintendent's designee may offer voluntary mediation as a way of resolving the complaint. If the parties choose voluntary mediation, the timelines provided in this process may be suspended during the course of mediation. Mediation shall take place within a time frame agreed to by the parties. Upon agreement by both parties, mediated resolutions will be put in writing and will be binding upon the parties involved.
7. If mediation or another alternative resolution isn't practical, the superintendent's designee will initiate a district investigation of the complaint. The investigation will include interviews of the complainant and the individual(s) alleged to have acted improperly.

The superintendent's office will ensure that parents are informed if their student is involved in the complaint.

The superintendent's designee may assign an individual to investigate the complaint, determine the facts, and recommend possible ways of resolving the complaint. In that case, the superintendent's designee will review the findings and recommendations of the investigator and provide this information to the superintendent. The superintendent will send a written decision to the complainant, postmarked within 20 (twenty) working days of the date the superintendent's office received the complaint.

8. A parent, student, or community member who is not satisfied with how the complaint was resolved by the superintendent may appeal to the school board. If the complainant chooses to file an appeal with the school board, it must be received in the superintendent's office within 10 (ten) working days after the complainant receives a decision from the superintendent.

The school board will determine whether or not to hear the complaint within 10 (ten) working days of receiving the appeal. The school board's decision will be based on the written appeal and the record of the investigation.

The written appeal to the school board shall include the following:

- a. A detailed description of the grounds for the appeal, including the reasons for rejecting the response given by the superintendent.
 - b. Name of the complainant's representative, if any, such as an attorney or advocate.
 - c. The date the formal complaint was filed.
 - d. Copies of supporting documentation NOT included in the original complaint.
9. If the school board determines that a hearing is warranted, the school board may refer the matter to the district's hearings officer. If the school board determines that a hearing is not warranted, the school board will notify the complainant and inform him or her of the right to file a complaint directly with the state or federal government.
 10. If the school board refers the complaint to the district's hearings officer, the school board shall forward the appeal and all relevant materials to the hearings officer within 10 (ten) working days of receiving the appeal. The hearings officer will schedule a hearing within 20 (twenty) working days of receiving the appeal. The appeal hearing will be closed to the public. The confidentiality of students, student records, employees, and employee records, will be maintained to the extent allowed by federal and state law. The decision of the hearings officer will be in writing and be made part of the record. His or her decision shall be supported by findings of fact and conclusions, and will be binding on all parties. The hearings officer may affirm, modify, or reverse the decision made by the superintendent, including providing a different remedy for the complainant, and/or directing corrective actions to prevent future recurrence of any discrimination or harassment.

Roles for staff: teachers and classified

1. If you observe an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, stop it and provide correction (if appropriate). Make sure any victims of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation are safe and as comfortable as possible.
2. Report the incident promptly to your principal or supervisor.
3. Assist the principal or supervisor in filing electronic incident reports.
4. If necessary, cooperate with the principal, superintendent, superintendent's designee, or other administrators in an investigation of the incident.
5. For teachers, create a plan for any students involved that will teach that Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation are unacceptable. Make a plan to reintegrate the involved students in a healthy classroom atmosphere.
6. Be sensitive to any later incidents of Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation, especially retaliation. Look for patterns. Keep a line of communication with principal and parents.

Roles for staff: principal or responsible administrator

1. If you observe an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, stop it and provide correction.
2. Make sure the incident is entered into eSIS promptly and accurately. THIS IS REQUIRED. If you did not observe the incident, make sure to talk to the involved parties. If you are not sure about whether the incident qualifies as Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, read and fill out the form "Guidelines for Assessing and Reporting Incidents of Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation." This form is available in this booklet.
3. If the incident is particularly unusual or egregious, contact the offices of the superintendent (541-790-7707) and the assistant superintendent (541-790-7550) to brief them by phone.
4. The same day as the incident, contact the parents or guardians of any students involved. Inform them of the incident and the Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation process. Answer any questions they have.
5. If necessary, investigate the incident further. Talk to all involved parties. Take legible notes and save them.
6. Develop and implement any medium- or long-term corrective plans for the involved parties; again, take notes.
7. If a complaint is filed, you will need to provide information as necessary to the superintendent, superintendent's designee, or hearings officer.

Roles for staff: district director

1. If you hear about an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, make sure the principal has the information and help necessary to promptly report the incident and resolve it at the building level, if possible.
2. If a complaint is filed, the superintendent's office will notify the appropriate director. There is a single complaint form for use by anyone, available from school offices and from the 4J superintendent's office (200 N. Monroe St., 541-790-7707). The form allows a complainant to describe the basis of the alleged Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, and the proposed or desired remedy. The superintendent may ask you to review and discuss the complaint before making a decision regarding how to proceed. The superintendent will then assign a designee to handle the complaint and respond within 20 working days.
3. As an alternative to a formal investigation, the superintendent's designee may offer voluntary mediation as a way of resolving the complaint. If the parties choose voluntary mediation, the timelines provided in this process may be suspended during the course of mediation. Mediation shall take place within a time frame agreed to by the parties. Upon agreement by both parties, mediated resolutions will be put in writing and will be binding upon the parties involved.
4. If mediation or another alternative resolution isn't feasible, the superintendent's designee will initiate a district investigation of the complaint. The investigation will include interviews of the complainant and the individual(s) alleged to have acted improperly. The superintendent's office will ensure that parents are informed if their student is involved in the complaint.

The superintendent's designee may assign an individual to investigate the complaint, determine the facts, and recommend possible ways of resolving the complaint. In that case, the superintendent's designee will review the findings and recommendations of the investigator and provide this information to the superintendent. The superintendent will send a written decision to the complainant, postmarked within 20 (twenty) working days of the date the superintendent's office received the complaint.

5. A parent, student or community member who is not satisfied with how the complaint was resolved by the superintendent may appeal to the school board. If the complainant chooses to file an appeal with the school board, it must be received in the superintendent's office within 10 (ten) working days after the complainant receives a decision from the superintendent.

The school board will determine whether or not to hear the complaint within 10 (ten) working days of receiving the appeal. The school board's decision will be based on the written appeal and the record of the investigation.

The written appeal to the school board shall include the following:

- a. A detailed description of the grounds for the appeal, including the reasons for reject-

- ing the response given by the superintendent.
 - b. Name of the complainant's representative, if any, such as an attorney or advocate.
 - c. The date the formal complaint was filed.
 - d. Copies of supporting documentation NOT included in the original complaint.
6. If the school board determines that a hearing is warranted, the school board may refer the matter to the district's hearings officer. If the school board determines that a hearing is not warranted, the school board will notify the complainant and inform him or her of the right to file a complaint directly with the state or federal government.
7. If the school board refers the complaint to the district's hearings officer, the school board shall forward the appeal and all relevant materials to the hearings officer within 10 (ten) working days of receiving the appeal. The hearings officer will schedule a hearing within 20 (twenty) working days of receiving the appeal. The appeal hearing will be closed to the public. The confidentiality of students, student records, employees, and employee records, will be maintained to the extent allowed by federal and state law. The decision of the hearings officer will be in writing and be made part of the record. His or her decision shall be supported by findings of fact and conclusions, and will be binding on all parties. The hearings officer may affirm, modify, or reverse the decision made by the superintendent, including providing a different remedy for the complainant, and/or directing corrective actions to prevent future recurrence of any discrimination or harassment.



Assessing and Reporting Incidents

of Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation

Defining Incidents

Source: ORS 339.351

Harassment, intimidation or bullying, means any act that substantially interferes with a student's educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on any school-provided transportation or at any official bus stop, and that has the effect of: 1) Physically harming a student or damaging a student's property; 2) Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or 3) Creating a hostile educational environment, including interfering with the psychological well-being of a student.

Source: Board Policy JB

School board policy prohibits discrimination, harassment, intimidation, hazing or bullying, as defined by this policy, against students on or immediately adjacent to school grounds, at any school-sponsored activity, including athletic activities, on school-provided transportation, or at any official school bus stop. Students may face disciplinary consequences for any off-campus behavior that would disrupt the educational process or the operation of the school or district. The district expects that staff, including student teacher, and practicum students, volunteers, and students will provide equal treatment and access to educational programs, services, and aid to students without regard to their disability, race, color, national origin, ethnicity, sex, sexual orientation, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristic, or linguistic characteristics of a national origin group.

Assessing Incidents

Attached is a guide to help assess whether an incident requires documentation in eSIS. Answer yes or no for each item. Unmarked items call for investigation. After completing the guide, consider the following:

In most cases, any questions marked with an asterisk (*) and answered "yes" can be automatically determined to be intimidation, bullying, harassment, discrimination, hazing or retaliation. These behaviors do require eSIS documentation.

Any other questions answered "yes" should cause the reviewer to carefully consider the incident, paying particular attention to clues that might indicate the presence of intimidation, bullying, harassment, discrimination, hazing or retaliation. Although there is no "formula" for labeling incidents, the number and pattern of "yes" answers should assist the reviewer in making his/her determination.

If doubt remains, DO report the incident in eSIS as "intimidation," "bullying," "harassment," "discrimination," "hazing" or "retaliation."

Document the incident regardless of whether it is deemed reportable or not — see next page.

This document is intended to be a guide and should not be interpreted as official or unofficial documentation.

Documenting Incidents

of Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation

<ol style="list-style-type: none"> 1. Document the incident on a referral form. 2. Conduct a prompt and complete investigation. 3. Assess the incident using the attached <u>Guide for Assessing Incidents</u> – does it need to be documented as intimidation, bullying, harassment, discrimination, hazing or retaliation? 4. Record findings on the referral (or attach). 	
<p>If determined <u>TO BE</u> intimidation, bullying, harassment, discrimination, hazing or retaliation:</p>	<p>If determined <u>NOT</u> to be intimidation, bullying, harassment, discrimination, hazing or retaliation:</p>
<ol style="list-style-type: none"> 1. Take appropriate action that includes teaching and consequences. 2. Document actions taken. 3. Decide whether the behavior was discrimination or harassment (both of which are based on one or more of the characteristics listed in School Board policy JB – see page 1) or intimidation, bullying, hazing or retaliation (when there is no apparent basis). 4. Document the incident and actions in eSIS. (For harassment and discrimination, use the “Possible Motivation” field to record the basis.) 	<ol style="list-style-type: none"> 5. Take appropriate action that includes teaching and consequences. 6. Document using agreed-upon procedures (eSIS or other tools used in the school).

For allegations of intimidation, bullying, harassment, discrimination, hazing or retaliation that are not substantiated in investigation:

- Document the investigation.
- If using eSIS, either do not name the perpetrator, or name his/her relationship as “Add Other” rather than “Add Student.” That way the incident will not connect to the student’s records.
- If further investigation does substantiate the incident, revise the eSIS report.

This document is intended to be a guide and should not be interpreted as official or unofficial documentation.

Guide for Assessing Incidents

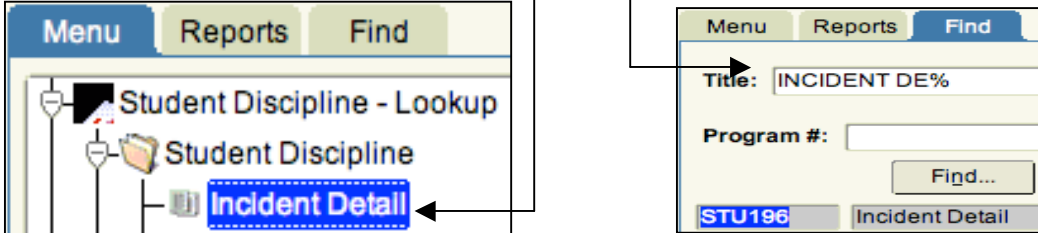

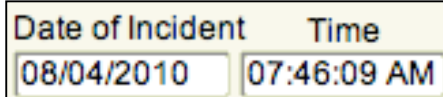
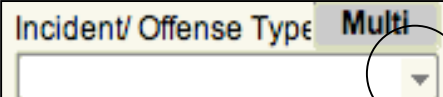
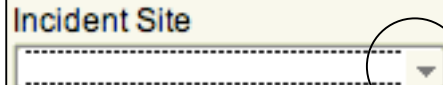
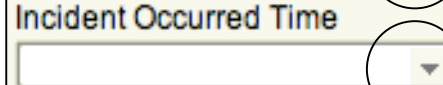
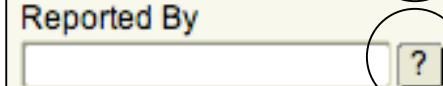

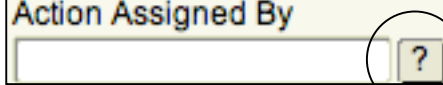
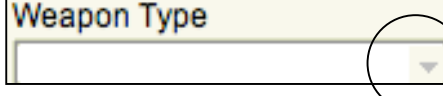
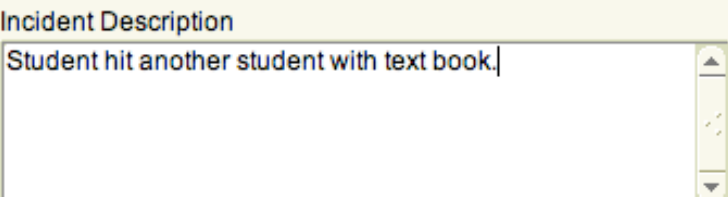
SEVERITY	YES	NO
*Were there implied or overt threats of physical violence, threats of physical acts of aggression or assault, blocking someone's way, grabbing inappropriately, stalking, or insults?		
*Was there direct or indirect reference to disability, race, color, national origin, ethnicity, sex, sexual orientation, age, religion, marital status, socioeconomic status, source of income, cultural background, familial status, physical characteristics, or linguistic characteristics of a national origin group?		
Was the conduct unwelcome and/or uninvited?		
Was there damage to another person and/or property?		
Was the alleged harasser in a position of power over the target (e.g. age, size, grade, authority)?		
Were there multiple alleged harassers?		
Would the conduct be considered clearly offensive by some groups?		
*Was the conduct done in an intentionally offensive manner?		
Did the context (tone, body language, etc.) make the conduct more offensive?		
*Was the conduct a response to a previously filed report?		


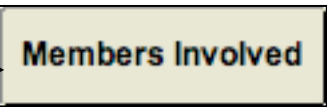
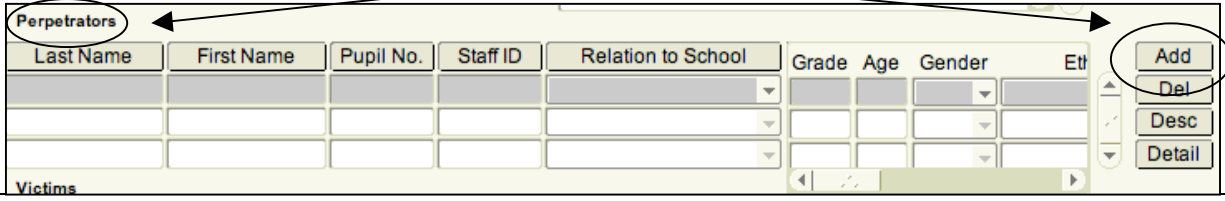
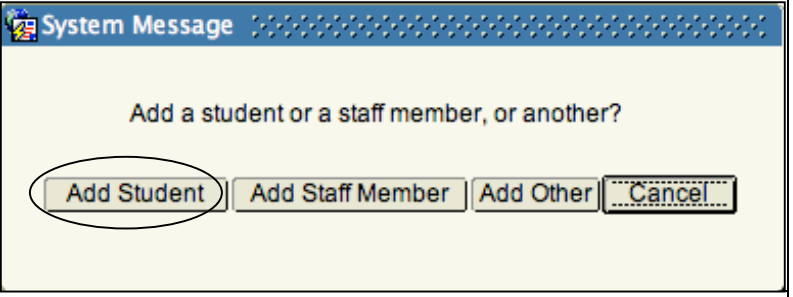
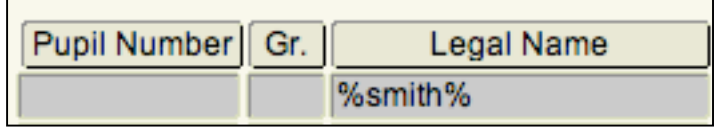

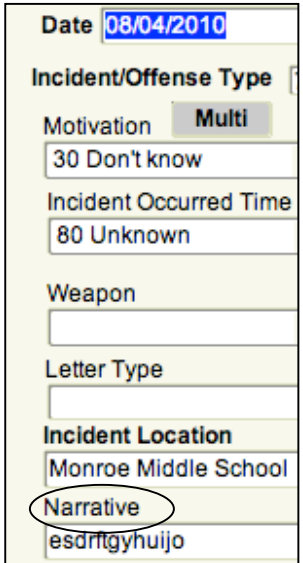
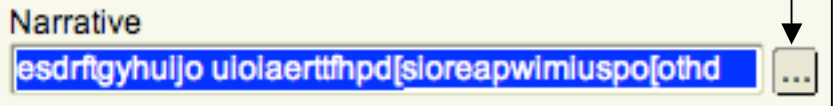
PERVASIVENESS	YES	NO
Did the target demonstrate signs of feeling intimidated or fearful?		
Did the conduct affect the target's or others' educational benefits, opportunities, or performance?		

PERSISTENCE	YES	NO
*Did the conduct continue despite the target's or onlookers' articulation of the desire that the conduct cease?		
*Had the alleged harasser been instructed about the inappropriateness of the conduct prior to the incident?		
Does the alleged harasser have a history of similar conduct? Note: the more severe the harassment, the less need to show a series of incidents.		
Does the target have a history of being harassed/intimidated/bullied?		
Was the incident of significant duration?		

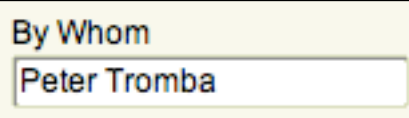


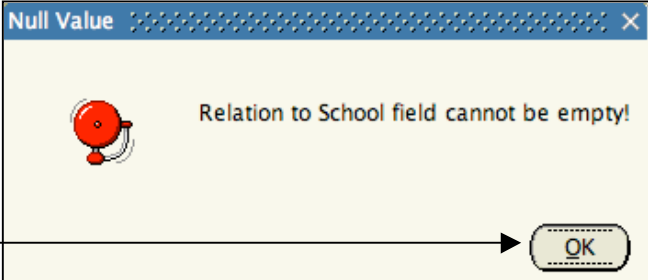
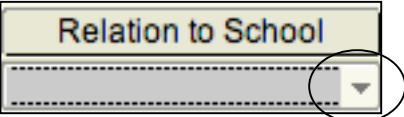
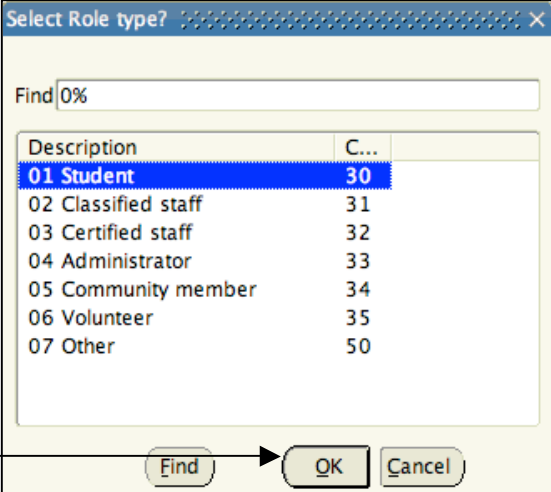
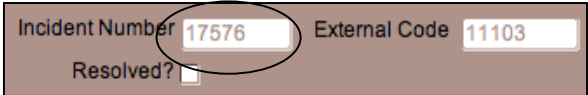
This document is intended to be a guide and should not be interpreted as official or unofficial documentation.

Entering Incidents in eSIS

<p>1</p>	<p>Navigate to Incident Detail from the Menu or Find Tab function.</p> 	
<p>2</p>	<p>When you open this screen, you will need to select the Save icon on the lower right to populate your school code and name.</p>	
<p>3</p>	<p>Starting on the upper left, review and edit the Date of Incident field. <i>(This date will auto populate to the date you open this screen.)</i> Date format: mm/dd/yyyy</p>	
<p>4</p>	<p>Use the down arrow to select an Incident/Offense Type. Use the Multi button if this incident includes more than one incident type.</p>	
<p>5</p>	<p>Use the down arrow to select the Incident Site.</p>	
<p>6</p>	<p>Use the down arrow to select the Incident Occurred Time.</p>	
<p>7</p>	<p>Use the Question Mark to select the person who reported this incident.</p>	
<p>8</p>	<p>Use the down arrow to select incident Motivation. Use the Multi button if selecting more than one.</p>	
<p>9</p>	<p>Use the Question Mark to select the administrator assigning the consequence for this incident.</p>	
<p>10</p>	<p>Use the down arrow to select a Weapon Type. If a weapon was used, this field MUST be populated.</p>	
<p>11</p>	<p>In the Incident Description window, enter the facts of the incident without using specific student names or details. <i>(This is for student confidentiality.)</i></p>	

<p>12</p>	<p>Select the Save icon at the lower right of the screen. The save will cause this incident to receive an Incident number in the upper right of the screen.</p>	
<p>13</p>	<p>Select the Members Involved button on the lower toolbar.</p>	
<p>14</p>	<p>This screen allows you to enter all Perpetrators, Victims and Witnesses for each Incidents. To add a perpetrator, click the Add button to the far right of Perpetrators</p>	
<p>15</p>	<p>Select the appropriate perpetrator type, student, staff member or other. (Select Cancel to exit this screen.)</p>	
<p>16</p>	<p>When Add Student is selected, a query screen will be available. Enter the pupil number, last or first name. Press F8.</p>	
<p>17</p>	<p>Highlight the line for the student you wish to link to this incident as a perpetrator. Press the Select button on the lower toolbar.</p>	
<p>18</p>		<p>You have now returned to the Incident Entry screen. The student you just selected is displayed on the top of the screen.</p> <p>On the lower left is a new field called Narrative. This is the field designed for entry of specific incident details. Select the “...” box on the far right of this field.</p>  <p>Enter all confidential and specific details of the incident in this field.</p>

<p>19</p>	<p>The selected student is now attached to this Incident record.</p> <p>Complete the fields under the Action Taken tab on the right side of the screen. Action Type means the consequence assigned by the administrator for this incident.</p>	
<p>20</p>	<p>Use the Question Mark to select the Action Type assigned to this student for this incident.</p>	
<p>21</p>	<p>Type in the Date an Action was taken. <i>(This must be a school day.)</i> Ignore the Time field.</p>	
<p>22</p>	<p>Enter the date of the first day of the Action in the First Day field.</p>	
<p>23</p>	<p>Enter the number of Action days, including partial days in the Length field.</p>	
<p>24</p>	<p>Use the down arrow to select the Action Location.</p>	
<p>25</p>	<p>Review the Last Day field; it should auto fill, but may not be correct. Edit as needed.</p>	
<p>26</p>	<p>All Alternate Placement information will be entered by central office personnel.</p>	
<p>27</p>	<p>If this student was referred to someone else for help or evaluation, you may use the down arrow to select a Referral Type.</p>	
<p>28</p>	<p>If you have entered a Referral Type, type in the Referral Date. <i>Referral format: mm/dd/yyyy.</i></p>	
<p>29</p>	<p>To keep all contact information linked to this incident, select the Parent Contacted tab.</p>	
<p>30</p>	<p>Use the down arrow in the How field to select the method used to contact this student's parent/s.</p>	
<p>31</p>	<p>Enter the date contacted in the Date field. <i>(Date format mm/dd/yyyy)</i></p>	
<p>32</p>	<p>Use the Question Mark to select the Parents/Guardian Name contacted from the contacts listed in eSIS.</p>	

33	Type in the name of the staff member who contacted this parent in the By Whom field.	
34	If more than one parent was contacted, select the Add button and complete steps 30-33 for each parent contacted.	
35	Save your work by selecting the Save icon . Continue to enter as described above. When complete, select the Door icon to exit.	
36	At this point, a warning occasionally displays indicating that a field is blank. Click the OK button.	
37	Use the down arrow to select the Relation to School for this perpetrator.	
38	<p><i>(You may be taken to this screen immediately after selecting exit in step #35)</i></p> <p>Select the Role Type of the perpetrator from this list of values shown to the right.</p> <p>Highlight the correct description of the perpetrator to your school.</p> <p>Click the OK button.</p>	
39	Write the eSIS Incident Number from the upper left of the screen onto your building paperwork for ease of tracking later.	

Step-by-step complaint process for Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation

Complainant (includes parents, students, etc.)

1. If you observe or have experienced an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, you should contact the school principal or other staff member to report it. Say you would like to report an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation.

If you believe the principal is involved in Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, you don't have to report the incident to him or her. You may instead contact the district superintendent's office at 541-790-7707.

2. Tell the principal or the person assigned by the principal or superintendent what happened and answer any questions they have.
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. The goal of resolving the issue is to 1) protect and comfort the person who feels they've been a target of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, 2) assign a consequence if necessary and 3) teach the parties skills that help make school safe and welcoming.
4. If you feel like you can't resolve the issue by working with the school principal and/or school staff, you may file a COMPLAINT. There is a single complaint form for use by anyone. It is available from school offices and from the 4J superintendent's office (200 N. Monroe St., 541-790-7707). The form allows you to describe what happened and the proposed or desired remedy. Fill out the form completely and return it to the 4J superintendent's office.
5. The superintendent's office will send you a written acknowledgement, postmarked within 10 (ten) working 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. This person is the superintendent's designee.
6. As an alternative to a district investigation, the superintendent's designee may offer voluntary mediation as a way of resolving the complaint. If the parties choose voluntary mediation, the timelines provided in this process may be suspended during the course of mediation. Mediation shall take place within a time frame agreed to by the parties. Upon agreement by both parties, mediated resolutions will be put in writing and will be binding upon the parties involved.

7. If mediation or another alternative resolution isn't practical, the superintendent's designee will initiate a district investigation of the complaint. The investigation will include interviews of the complainant and the individual(s) alleged to have acted improperly. The superintendent's office will ensure that parents are informed if their student is involved in the complaint.

The superintendent's designee may assign an individual to investigate the complaint, determine the facts, and recommend possible ways of resolving the complaint. In that case, the superintendent's designee will review the findings and recommendations of the investigator and provide this information to the superintendent. The superintendent will send a written decision to the complainant, postmarked within 20 (twenty) working days of the date the superintendent's office received the complaint.

8. A parent, student or community member who is not satisfied with how the complaint was resolved by the superintendent may appeal to the school board. If the complainant chooses to file an appeal with the school board, it must be received in the superintendent's office within 10 (ten) working days after the complainant receives a decision from the superintendent.

The school board will determine whether or not to hear the complaint within 10 (ten) working days of receiving the appeal. The school board's decision will be based on the written appeal and the record of the investigation.

The written appeal to the school board shall include the following:

- a. A detailed description of the grounds for the appeal, including the reasons for rejecting the response given by the superintendent.
 - b. Name of the complainant's representative, if any, such as an attorney or advocate.
 - c. The date the formal complaint was filed.
 - d. Copies of supporting documentation NOT included in the original complaint.
9. If the school board determines that a hearing is warranted, the school board may refer the matter to the district's hearings officer. If the school board determines that a hearing is not warranted, the school board will notify the complainant and inform him or her of the right to file a complaint directly with the state or federal government.
 10. If the school board refers the complaint to the district's hearings officer, the school board shall forward the appeal and all relevant materials to the hearings officer within 10 (ten) working days of receiving the appeal. The hearings officer will schedule a hearing within 20 (twenty) working days of receiving the appeal. The appeal hearing will be closed to the public. The confidentiality of students, student records, employees, and employee records, will be maintained to the extent allowed by federal and state law. The decision of the hearings officer will be in writing and be made part of the record. His or her decision shall be supported by findings of fact and conclusions, and will be binding on all parties. The hearings officer may affirm, modify, or reverse the decision made by the district administrator, including providing a different remedy for the complainant, and/or directing corrective actions to prevent future recurrence of any discrimination or harassment.

08/06/2009

Eugene School District 4J

Complaint of Discrimination or Harassment

(SCHOOL BOARD POLICIES JB, GBA, and GBN)

The district's complaint process states that it is most desirable to resolve a complaint at the school level between the complainant and the person whom he or she believes has violated the district's policies prohibiting discrimination and harassment.

Has there been an attempt to resolve the incident/complaint at the site level? ___yes ___no

Please explain results and with whom you dealt, or the reason you did not attempt to resolve the incident/complaint at the site level:

(please continue on back of form if more space is needed or attach another page)

Complaint date: _____

School or department where incident occurred: _____

Name of person reporting: _____

Phone: _____ **(work)** _____ **(home)**

Street Address: _____ **City:** _____ **Zip:** _____

Reported by: **Student** **Parent** **Employee** **Other**

Incident location: _____ **Incident date:** _____

Reported offender (check one):

___ **Student** ___ **Other Staff**
___ **Teacher** ___ **Parent**
___ **Administrator** ___ **Other**

Reported victim (check one):

___ **Student** ___ **Other Staff**
___ **Teacher** ___ **Parent**
___ **Administrator** ___ **Other**

(over)

Administering Medication in School

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

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

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

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

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

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

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

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

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

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

School-Based Health Centers

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

END OF POLICY

Legal Reference(s):

[ORS 109.640](#)

[ORS 339.867](#)

[ORS 339.869](#)

[ORS 339.870](#)

[ORS 433.800 - 433.830](#)

[ORS 475.005 - 475.285](#)

[OAR 581-021-0037](#)

Sexual Harassment

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

District Administrative Rules:

G1140 – Prohibition Against Harassment and Discrimination

Last Updated: April 21, 2009

The District is committed to fair and impartial treatment of all employees, applicants, contractors, volunteers, and agents of the District, and to provide a work environment free from discrimination and harassment, where people treat one another with respect. It is the responsibility of all employees to maintain a work environment free from any form of discrimination or harassment based on race, creed, sex, sexual orientation, gender identity, color, national origin, age, religion, disability, marital status, familial status, source of income, or any other legally protected status. The District prohibits unlawful harassment and/or discrimination. Accordingly, derogatory racial, ethnic, religious, age, gender, sexual orientation, sexual, or other inappropriate remarks, slurs, or jokes will not be tolerated.

1. Any employee who engages in discriminatory or harassing conduct is subject to discipline up to and including termination.
2. Supervisors and managers have responsibility to:
 - a. Model appropriate behavior;
 - b. Solicit feedback and provide direction and coaching to employees on appropriate behavior;
 - c. Monitor the work place and stop any discrimination and harassment; and,
 - d. Listen to and document complaints of discrimination or harassment and work directly with Human Resources staff to investigate and take corrective action where appropriate.

G1150 – Definitions

Last Updated: April 21, 2009

1. Discrimination different treatment of employees or applicants because of their race, sex, sexual orientation, gender identity, color, national origin, age, religion, disability, marital status, familial status, source of income, or any other legally protected status with respect to hiring, promotion, demotion, transfer, recruitment, termination, compensation, or any other term or condition of employment.
2. Harassment a form of unlawful discrimination defined as any unwelcome verbal, physical or visual conduct based on race, sex, sexual orientation, gender identity, color, national origin, age, religion, disability, marital status, familial status, source of income, or any other legally protected status, when that conduct is made explicitly or implicitly a term or condition of employment, is used as a basis for employment decisions, or has the purpose or effect of unreasonably interfering with performance or of creating an intimidating, offensive or hostile work environment. Each employee must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as harassment.
3. Sexual harassment - unlawful discrimination based on gender. Unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature constitute sexual harassment when the conduct is directed toward a person because of his/her gender, and when submission to such conduct is made explicitly or

implicitly a term or condition of employment; submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting that individual; or, when the conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile or offensive work environment.

Whether particular conduct constitutes sexual harassment is viewed from the perspective of a reasonable person in the circumstances of the person alleging harassment. The fact that the alleged harasser did not intend to offend does not mean that his/her actions cannot constitute illegal harassment.

G1160 – Complaint Procedures

Last Updated: August 11, 2010

Harassment, discrimination and retaliation against district staff and students are strictly prohibited by school board policy. Employees who believe this policy has been violated must report it promptly to their building administrator, the Director of Human Resources or designee (541-790-7660), or the Superintendent's office (541-790-7707), Eugene School District Education Center, 200 N. Monroe Street, Eugene, Oregon 97402.

G1170 – Retaliation

Last Updated: April 21, 2009

Any intimidation, coercion, discrimination or retaliation against an individual who files a complaint or who testifies, assists, or participates in any manner in an investigation will not be tolerated. Employees should report retaliation immediately, using any of the avenues for making a complaint described above. Complaints will be investigated according to the District's investigation procedure. Corrective action, including discipline or termination, will be taken where appropriate.

**HARASSMENT, DISCRIMINATION, AND
RETALIATION AGAINST DISTRICT STAFF
AND STUDENTS ARE STRICTLY
PROHIBITED BY BOARD POLICY.**

Employees who believe this policy has been violated must report it promptly to their building administrator, the Director of Human Resources or designee (790-7660), or the Superintendent's office (790-7707), Eugene School District Education Center, 200 N. Monroe Street, Eugene OR 97402.

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.

Eugene School District 4J

Code: **GBNAA/JFCFA**
Adopted: 6/06/07
Readopted: 8/19/09

Cyberbullying

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

The responsibilities of staff, students and the district, as well as the tracking, training, complaint procedures and publicizing provisions of Board Policy JB, are made a part of this policy as though fully set forth herein.

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

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

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

Eugene School District 4J

Code: **GBCBA**

Adopted: 7/43, 9/5/90, 2/1/95

Revised: 2/1/95, 12/11/02, 12/21/05

Orig. Code(s): 2440.1, 2440.3-4, 2440.5-8,
2440.2, 2440.9

Drug, Tobacco, and Alcohol Abuse by Employees

Philosophy

The board believes that all students have the right to learn in an atmosphere that is conducive to their success. The abuse of drugs, tobacco and alcohol by employees will have a deleterious effect on the ability of the student to learn and on the ability of the staff to provide a meaningful educational program. The district intends to provide a safe work environment and encourage personal health. Therefore, this district considers the use or abuse of drugs, tobacco, or alcohol on the job by employees to be an unsafe and detrimental work practice.

With respect to the use and abuse of chemicals, all district employees are responsible to act as role models for students, and shall, as a condition of employment, abide by the provisions of this policy.

Prohibited Conduct

1. The possession, use, or distribution of illicit drugs and alcohol on school premises or as a part of any of the district's activities is prohibited.
2. Any employee who admits to the use of alcohol or illegal drugs while at work or just prior to work or is observed using alcohol or illegal drugs while at work or just prior to the workday or who possesses, sells, trades, or offers for sale illegal drugs in the workplace during working hours, may be subject to disciplinary action up to and including dismissal and referral for prosecution.
 - a. "Drugs" shall include any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance. Alcohol shall include any form of alcohol for consumption, including beer, wine, wine coolers, or liquor.
 - b. "Workplace" shall mean the site for the performance of work done for the district. This includes any district building or any district-approved vehicle (including the employee's own vehicle) used to transport students or fellow employees to and from school or school activities or to transport fellow workers to and from different work sites; off-school property during any district sponsored or district-approved activity, event or function, such as field trip or athletic event, where students are under the jurisdiction of the district.
3. No staff member is permitted to smoke, inhale, dip or chew or sell tobacco at any time, including non-school hours in any building facility, or vehicle owned, leased, rented, or chartered by the school district, school, or public charter school; or an school grounds, athletic grounds, or parking lots, for the purposes of this policy "tobacco" is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking products, and spit tobacco, also known as smokeless, dip, chew, and snuff, in any form. Staff violations of this policy will lead to disciplinary

action up to and including dismissal. The superintendent will develop a plan for implementation of this policy.

Prescription Medication

Any employee who is under the treatment of a physician and who must bring prescription medicines to the workplace shall carry the medicines in the original container bearing the name of the drug, the name of the physician, and the prescribed dosage.

Notice Regarding Violation of Criminal Drug Statutes¹

Any employee who is convicted of any violation of criminal drug statutes occurring in the workplace is required to notify the director of human resources no later than five (5) days after the conviction.

Reporting the Use or Presence of Tobacco, Drugs or Alcohol

Any employee who is aware of the use of tobacco, drugs or alcohol by employees or the presence of controlled substances on district property, in district vehicles, or at school-sponsored activities is encouraged to bring such information to the attention of his or her immediate supervisor or the director of human resources.

Employee Counseling

It is the responsibility of the employee's supervisor to counsel with an employee and/or to refer the employee to the human resources department for appropriate counseling whenever changes in performance are observed that suggest an employee may have a problem with drugs or alcohol. The supervisor or the human resources department may suggest that the employee voluntarily seek help.

Awareness

The administration will make copies of this policy available to each employee annually and will periodically provide information about the dangers of tobacco, drug, and alcohol abuse in and outside of the workplace.

Procedures

The procedures for implementing this policy will be established by administrative rule and shall include a biennial review of the district's program. This policy does not provide for drug testing of employees. Any policy establishing a districtwide employee drug testing program will require prior approval by the board and will not include random testing of employees unless the district has reasonable suspicion that an employee's use or abuse of alcohol or illegal drugs is in violation of this policy.

Drug and Alcohol Testing for Commercially Licensed Drivers

In a continuing effort to prevent accidents and injuries that might result from the misuse of drugs and alcohol by district drivers who are required to hold commercial licenses, the superintendent will establish and maintain administrative rules that comply with the requirements of the federal Omnibus Transportation Employee Testing Act of 1991 and Federal Motor Carrier Safety Administration rules.

END OF POLICY

Legal Reference(s):

[ORS Chapter 475](#)
[ORS 657.176](#)
[ORS 659.840](#)
[ORS 659A.300](#)

[OAR 581-053-0015](#)
[OAR 581-053-0545](#) (4)(c)(R,S,T)
[OAR 581-053-0550](#) (5)(t,u,v)

[OAR 584-020-0040](#)
[OAR 839-006-0200](#) to -0265

Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).
Americans with Disabilities Act of 1990, 42 U.S.C., Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

G2430 - Substance Abuse

Last Updated: Apr 21 2009 - 11:04am

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

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

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

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

Citings

Board Policy

Drug, Tobacco, and Alcohol Abuse by Employees - GBCBA

State Law

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

G2430.01 - Definitions

Last Updated: Apr 21 2009 - 11:04am

For purposes of this document, the following definitions apply:

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

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

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

G2430.02 - Prohibited Conduct

Last Updated: Apr 21 2009 - 11:05am

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

Violations may result in discipline up to and including discharge.

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

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

G2430.03 - Consequences of Positive Test Results

Last Updated: Apr 21 2009 - 11:06am

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

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

G2430.04 - Interference With Policy

Last Updated: Apr 21 2009 - 11:07am

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

G2430.05 - Employee Rights

Last Updated: Apr 21 2009 - 11:07am

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

Eugene School District 4J

Code: **GBK**
Adopted: 6/19/96
Revised: 12/21/05
Orig. Code(s): 2800

Use of Tobacco Products

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

Junction City Police Assn. v. Junction City, Case No. UP-94-88 and UP-124-88, 11 PECBR 732 (1989).

Tualatin Valley Bargaining Council v. Tigard School District 23J, Case No. UP-120-87, 11 PECBR 42 (1988); adhered to on reconsideration, 11 PECBR 53 (1988).

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

Eugene School District 4J

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

Use of Tobacco by Students

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

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

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

END OF POLICY

Legal Reference(s):

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

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

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

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

Eugene School District 4J

Code: **JFCH/JFCI**
Adopted: 11/16/86
Revised: 8/15/90, 6/19/96,
12/21/05
Orig. Code(s): 5215

Drug, Tobacco and Alcohol Abuse by Students

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 161.605](#)

[ORS 161.625](#)

[ORS 332.107](#)

[ORS 336.067](#)

[ORS 336.222](#)

[ORS 336.227](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS Chapter 475](#)

[OAR 584-020-0040](#)

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

[OAR 581-022-0413](#)

[OAR 581-053-0015](#)

[OAR 581-053-0545](#)

(4)(c)(R,S,T)

[OAR 581-053-0550 \(5\)\(t,u,v\)](#)

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

Administrative Rule G2300.10 - Staff E-mail Usage

Last Updated: August 10, 2009

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

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

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

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

Citings:

Board Policy [KGF](#)

Board Policy [JFCFA/GBNAA](#)

Board Policy [JB](#)

State Law: [ORS 244.040](#)

State Law: [ORS 260.432](#)

Eugene School District 4J

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

Orig. Code(s): 6900

Use of District Property

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

Removal of District Property

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

Personal Use of District Property

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

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

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#)

[ORS 332.107](#)

[OAR 584-020-0040](#)

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

POLITICAL ACTIVITIES NOTICE

ATTENTION ALL PUBLIC EMPLOYEES:

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

It is therefore the policy of the state and of your public employer that you may engage in political activity except to the extent prohibited by state law when on the job during working hours.

ORS 260.432. (3)

August 2010

Eugene School District 4J, 200 North Monroe Street, Eugene, Oregon 97402

Did You Know?

Every school employee is required to report suspected child abuse and sexual conduct.

In cases of suspected child abuse by anyone, employees must immediately make a report to the local office of Department of Health and Human Services (541 686-7555) or a local law enforcement agency (call 911), and to the building or other administrator. Every school employee is a mandatory reporter.

In cases of suspected sexual conduct by a school employee, employees must report it immediately to their building administrator and to the Director of Human Resources or designee (541 790-7660).

District Administrative Rule G2400

Last Updated: April 21, 2009

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

Abuse is defined in the statute as:

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

[Citings](#)

State Law:

[ORS 419B.010](#)

District Administrative Rule G2400.01 – Reporting Sexual Conduct or Child Abuse by School Employee Towards Student

Last Updated: August 12, 2010

Reporting Sexual Conduct or Child Abuse by School Employee Towards Student: A new law, effective July 1, 2010, requires reporting and other procedures when a staff member is suspected of directed sexual conduct toward a student. Please inform your staff about the requirements below:

1. Sexual Conduct by School employees towards students is prohibited.
The District strictly prohibits child abuse and sexual conduct by school employees. “Child Abuse” is defined in District Administrative Rule G2400 and discussed above.

“Sexual conduct” means any verbal or physical conduct by a school employee that:

1. Is sexual in nature;
2. Is directed toward a student;
3. Has the effect of unreasonably interfering with a student’s educational performance; and
4. Creates an intimidating, hostile or offensive educational environment.

Sexual conduct does not include behavior that would be child abuse as outlined in District Administrative Rule G2400 - Reporting Child Abuse.

All employees are subject to this administrative rule.

2. Employees need to follow certain reporting procedures in cases of Suspected Child Abuse or Sexual Conduct by School Employee: Any employee who suspects that another employee, contractor or volunteer has engaged in child abuse or sexual conduct must immediately report it to his/her supervisor and the Director of Human Resources or designee who may be reached at 541-790-7660. This reporting obligation is in addition to the duty of every school employee to report suspected child abuse to a local law enforcement agency or the local office of the Department of Human Services.

No reprisal or adverse action will be taken as a result of an employee who initiates a good faith report about suspected child abuse or sexual conduct by a school employee.

3. Administrative Leave and Investigation: In all cases of suspected child abuse or sexual conduct by a school employee there will be an investigation conducted, and in some cases, the district will place an employee on paid administrative leave pending the investigation.
4. Required Training: By law, district employees must receive training each year on the prevention and identification of child abuse and sexual conduct and on employees’ obligations to report. Additional information on the mandatory training will be provided by Human Resource later in the year.
5. Required Posting: The law requires each school building to post the name and contact information of the persons designated for the school building to receive reports of suspected child abuse by school employees and the procedures the person will follow upon receipt of a report. In addition to this notice, please post District Administrative Rule G2400.01 in a conspicuous place.

**AN IMPORTANT NOTICE TO PARENTS ABOUT EDUCATION RECORDS
AND THE RELEASE OF DIRECTORY INFORMATION**

August 2011

The following statement is a summary of school regulations regarding education records. School Board Policy contains the district's detailed rules and regulations. You may review or receive a copy at each school and at the Education Center, 200 North Monroe Street.

1. Confidentiality of Education Records: All education records are confidential and may be opened for inspection only in accordance with federal and state law and school board policy.
2. Inspection of Education Records: Students and their parents or legal guardians have the right to inspect their own education records and to challenge the content of the records. Once the student reaches age 18, these rights transfer to the student alone. When parents are separated and no legal custody has been awarded, or when a parent has been designated a non-custodial parent by a court order, the following procedure shall apply, unless otherwise provided by a court decree or order:
 - a. Each parent, or a representative of a parent if authorized in writing by the parent, may inspect and review the education records of that parent's child.
 - b. Each parent has a right to question the appropriate licensed staff and make reasonable requests for explanations and interpretations of the student records. Licensed staff is not required to respond to requests by parent representatives for explanations or interpretations of the records.
3. Amending Education Records: Parents or legal guardians or students, once the student has reached the age of 18, have the right to request an amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
4. Release of Education Records: Generally, parents or students, if the student is 18 or is attending an institution of higher education, must consent to the release of all education records. The school district, however, may release education records without consent in the following instances:
 - a. To the officials of another school district or an institution of post secondary education in which the student seeks to enroll or has already enrolled (District 4J forwards education records that are requested by a new school district or educational agency no later than ten days after receipt of the request);
 - b. To school board members during an executive session closed to the public to consider the expulsion of a student or to examine confidential medical records;
 - c. To other school district employees who have a legitimate educational interest in the records;
 - d. To state and federal governmental agencies requiring such information;
 - e. In connection with a student's application for or receipt of financial aid;
 - f. To organizations conducting studies on behalf of the school district;
 - g. To accrediting organizations if the information is needed to carry out their accrediting functions;
 - h. To parents of a dependent student;
 - i. To comply with a judicial order or lawfully issued subpoena after the district has made a reasonable attempt to notify the parent; and
 - j. For emergency situations involving the health or safety of the student or other persons.
5. Directory Information: The district may also release directory information in conjunction with a school or school district activity. This means that directory information will not be treated as a public record, unless its release is related to what the administrator believes to be a school-related activity. "Directory Information" is defined as the student's and parent or guardian's name, address, and telephone listing, the student's photograph, date and place of birth, participation in officially recognized activities and sports, weight and height if a member of an athletic team, dates of attendance, degrees and awards received, and the school most recently attended by the student. Parents may limit the release of directory information and will be notified annually of this right. Directory information relating to students no longer in attendance may be released without the foregoing notice to parents.
6. Complaints: You may file a complaint with the Family Policy Compliance Office, United States Department of Education, Washington, DC 20202, if you believe the district has failed to comply with the requirements of the federal Family Educational Rights and Privacy Act.

If you do not want directory information released, including photographs for use in district publications, please complete the form on the back of this page and return it to your child's school within ten calendar days of the date you receive this notice. Your statement of objection will be placed in your child's records, and we will not release directory information to other than school personnel without your consent.

(over)

Eugene Public Schools
School District 4J, Lane County
Eugene, Oregon

TO: PRINCIPAL at _____ School

I, _____ parent or legal

guardian of _____ do not wish School District 4J to release
directory information about my child.

Parent or Legal Guardian's Signature

Date

**A PARENT OR STUDENT SIGNATURE AT THE BOTTOM OF THIS
FORM WILL WITHHOLD THE STUDENT'S PERSONAL
INFORMATION FROM MILITARY RECRUITERS**

The "No Child Left Behind Act of 2001" passed certain new requirements with respect to Armed Forces Recruiter Access to Student Personal Information.

1. Duty to Provide Information to Military Recruiters. Unless the parent or student otherwise requests, the District must provide upon request by military recruiters access to high school student's names, addresses and telephone listings.
2. Withholding Information. Either the parent **or** the student may request that the student's name, address and telephone number not be released without the prior parental consent. Schools are required to notify parents of this option to make a request and shall comply with the request.

If you **DO NOT** want your name or your student's name, address and telephone number released to Armed Forces recruiters, please complete the form on the bottom of this page and return it to your child's school. Your statement of objections will be placed in your child's personal records, and we will not release this information to military recruiters without your written consent.

TO: Principal at _____ School

I, _____ student, parent or guardian

of _____ do **not** wish School District 4J to release directory information about my child.

Parent/Legal Guardian or Student's Signature

Date

The Eugene School Board of Directors strongly supports the privacy of student record information. Federal Law requires the District to provide name, address and telephone number to military recruiters. The District will comply with the law, although it considers this law in conflict with board policy and district values regarding access to student information.

LA FIRMA DE UN ESTUDIANTE O UN PADRE DE FAMILIA EN LA FORMA AL FINAL DE ESTA PAGINA NEGARA ACCESO A LA INFORMACION PERSONAL DEL ESTUDIANTE A LOS OFICIALES DE RECLUTAMIENTO MILITAR

El Acta de 2001 "Que Ningún Niño Se Quede Atrás" aprobó nuevos requisitos con respecto al acceso que tienen los oficiales de reclutamiento de las Fuerzas Armadas para obtener información personal de los estudiantes.

1. **Obligación de proveer información a los oficiales de Reclutamiento:** Cuando el Distrito recibe la solicitud de los oficiales de reclutamiento para obtener los nombres de los estudiantes, domicilio y lista de teléfono, el Distrito tiene la obligación de suministrar estos datos a menos que los padres de familia o el estudiante hayan especificado que no deben proporcionarlos.
2. **Negar Acceso a la Información Personal:** El estudiante o los padres de familia pueden solicitar que el nombre, domicilio y teléfono del estudiante no sean dados.

Si usted **NO QUIERE** que su nombre ó el nombre, el número de teléfono, domicilio de su estudiante sean suministrados a los oficiales de reclutamiento, por favor llene la forma al final de esta página y devuélvala a la escuela de su estudiante. Su notificación de oposición al suministro de información será puesta en el expediente de su estudiante, por lo que nosotros no daremos ninguna información a los oficiales de reclutamiento sin su autorización escrita.

PARA: Director _____ Escuela

Yo, _____ estudiante, padre(s)/tutor(es)

de _____ **No** quiero que el Distrito Escolar 4J provea la información de mi estudiante que está en el directorio escolar

Firma del/los Padre(s)/Tutor(es) o Estudiante

Fecha

La Mesa Directiva del Distrito Escolar firmemente respalda máxima privacidad del expediente de educación de los estudiantes. La Ley Federal requiere que se suministre a los oficiales de reclutamiento, el nombre, domicilio y número de teléfono de los estudiantes. El Distrito cumplirá con esta ley aunque está en conflicto con sus normas y valores con respecto al acceso a la información de los estudiantes.

LANE EDUCATION SERVICE DISTRICT

Procedures for Documenting and Referring Students for Truancy and Non-Attendance

~~~~~  
*Communication between the ESD and school district personnel at every step  
is a key factor in the success of the attendance/truancy process.*

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### Oregon Laws:

The person responsible for student attendance should be familiar with the ORS regarding unexcused absences: 339.005, 339.010, 339.030, 339.040, 339.055, 339.065, 339.080, and 339.090.

### Public School Suggestions:

If a student has unexcused absences, a file should be started in which the following should be placed:

- Copies of all letters to parents.
- All documentation including anecdotal records regarding home visits, conferences, and phone calls.
- Attendance printout of all absences - with unexcused absences noted. (include a key for absences)

A student falls under the compulsory school attendance law when he/she is between the ages of 7 and 18. (Unexcused absences must be **after** the student's seventh birthday.) When a student has a minimum of 8 unexcused half-day absences in any four week period, he/she is determined to be truant.

A certified letter(s) may be sent to the parent explaining the son/daughter's attendance irregularities and informing them of the action the school will take if the student's attendance does not improve (i.e. referral to the Lane ESD attendance officer, and ultimately, if necessary, to the court). Sample letters are available upon request.

### Referral to ESD:

Truancy may be part of a larger problem. If all the school's available internal and external resources have been exhausted, and the problem continues, a referral to the Attendance/Truancy Program Assistant at the Lane ESD may be warranted.

To refer to the Lane ESD, please submit the following:

- Non-attendance referral form - completely filled out if possible. Also attach a printout listing all unexcused/excused absences. If one isn't available you may indicate on the referral form what days are unexcused, when the student was dropped for non-attendance, and/or any extenuating circumstances that do not excuse the student from school.

The following are suggestions for additional documentation that may be helpful during/following the truancy investigation:

- Any available documentation outlining the school's and/or attendance department's attempts to work with the student and family. This may include, but is not limited to, conferences with the principal, vice principal, school counselor, school attendance person, social worker, community agent, and/or teachers.
- Any reports outlining attempts the school has made to either modify the student's program or seek alternative educational programs.
- Any description available as to the parent's involvement, attitudes, strengths, and weaknesses.
- Any description or statements of the student which may show attitude and problems which contribute to the truancy problem.

### Home School:

Students between the ages of 7 and 18 who withdraw from Lane County public schools to home school are required by law to register with the Lane ESD. Students who have withdrawn from their public school to home school but have neglected to enroll with Lane ESD are truant. The student's resident public school may initiate the truancy procedures for these students.

### ESD Support:

The following is support that the schools can expect from the Lane ESD Attendance officer:

- A letter explaining the attendance/truancy law as well as a copy of the statute will be given to the parent/guardian during a home visit. If the parent/guardian is not available, the letter is sent via regular and certified mail.

- Upon completion of the home visit, the attendance officer will make a report that will include a synopsis of the conversation with the parent/guardian and a recommendation for further action if the problem should continue. A copy of this report is forwarded to the referring school via courier.
- If the student does not maintain regular attendance following the Lane ESD attendance officer's visit to the parent/guardian, the school may refer the student to the Lane ESD again. Truancy action on second referrals will follow the recommendations of the attendance officer's previous report.
- The Lane ESD will maintain communication with the school at all times. Open communications between school personnel and the Lane ESD attendance office is essential.

Occasionally the attendance officer receives erroneous information from the parent/guardian or the student. The information contained in the report is investigative in nature and is not necessarily factual.

Be sure to communicate all changes in status immediately to the attendance/truancy program assistant, i.e., student moving, another parent taking custody, student being removed from home, student transferring to another school, etc..

### Continued Non-Attendance:

If the student does not maintain regular attendance following the truant officer's investigation, the public school may refer the student for truancy again. Please follow the same procedures (see the section entitled Referral to ESD) for 2<sup>nd</sup> and all subsequent ESD referrals.

### Conference and Citation:

If the attendance officer's recommendation (from the previous investigation) states "the case should be prepared for conference and possible citation if the problem continues", please forward a completed non-attendance referral form to the Attendance/Truancy Program Assistant. A designated conference official will arrange for a conference with school personnel, the parent or guardian, and the student. A citation will be issued to the parent or guardian if he/she fails to attend the conference, or if the school administrator and/or conference officer determines that the evidence presented supports the issuance of a citation.

While awaiting a citation conference, continue to document all contact with the student and parent/guardian. This includes continued monitoring of unexcused absences. This information is very helpful while conducting the conference.

### Interpreters:

School districts are responsible for obtaining interpreters when needed for conferences. Conference officers can assist with this process if the school is unable to locate one.

### Court Arraignment:

Upon the issuance of a citation, an arraignment date will be set by the conference officer at which the defendant (parent/guardian) must appear in the Central Lane Justice Court. School district staff are not required to appear at arraignments. If the defendant pleads "not guilty", a trial date will be set. If the defendant pleads "guilty", bail will be set by the presiding judge (\$180 per student plus court costs). Occasionally the judge determines that the defendant's testimony warrants a temporary suspension of the fine and the case is put on probation for a period of time. The defendant is required by the court to submit an attendance printout and grade report following the probation period.

### ***ASSOCIATED FEES:***

Truant Officer services for districts with enrollment exceeding 1,000 students –

\$55 per case for initial investigations; plus mileage\*\* for residences outside a 20-mile radius  
 \$25 per hour for follow-up work with a \$55 cap per case; plus mileage

Conference Officer services for all districts –

\$65 per case plus mileage\*\*  
 \$25 per hour for follow-up work

\*\*Mileage is reimbursed at the Federal IRS rate.



# LANE EDUCATION SERVICE DISTRICT NON-ATTENDANCE REFERRAL

INSTRUCTION TO SCHOOL: Please send this completed referral to the Lane ESD Attendance Supervisor as provided in ORS 339.080. The Truancy Dept. fax number is (541) 461-8301. The information on this form will be used to conduct an interview with the parent or legal guardian of the truant student.

DATE: \_\_\_\_\_

FULL NAME OF THE STUDENT: \_\_\_\_\_

FULL ADDRESS: \_\_\_\_\_

STUDENT DATE OF BIRTH: \_\_\_\_\_ CURRENT GRADE: \_\_\_\_\_

STUDENT PROVIDED WITH DMV-STATEMENT OF ENROLLMENT (if so what date)? : \_\_\_\_\_

FULL NAME OF PARENT/GUARDIAN: \_\_\_\_\_

PARENT/GUARDIAN DATE OF BIRTH: \_\_\_\_\_

NUMBER OF YEARS STUDENT HAS BEEN IN THE SCHOOL DISTRICT: \_\_\_\_\_

PARENT/GUARDIAN'S NATIVE LANGUAGE IF OTHER THAN ENGLISH: \_\_\_\_\_

TO YOUR KNOWLEDGE, DOES PARENT/GUARDIAN SPEAK AND READ ENGLISH? : \_\_\_\_\_

TO YOUR KNOWLEDGE, IS THE STUDENT ON PAROLE OR PROBATION?: : \_\_\_\_\_

PLEASE LIST PERTINENT INFORMATION REGARDING PAROLE/PROBATION: : \_\_\_\_\_

BEST TIME /PLACE TO CONTACT PARENT/GUARDIAN (place of employment, work hours, phone no., etc.): \_\_\_\_\_

SUMMARY OF STUDENT'S ATTENDANCE (Please attach the attendance record. Note which absences are excused/unexcused, and additional background information such as chronology of home contacts, copies of letters to parents, etc.)

NAME OF REQUESTOR: \_\_\_\_\_

TITLE/POSITION: \_\_\_\_\_

SCHOOL: \_\_\_\_\_ TELEPHONE NO.: \_\_\_\_\_

*Copies of reports pertaining to the investigation of this student(s) will be returned to the person who requested our intervention as well as the school principal.*

**For office use only.**

Date received: \_\_\_\_\_ File No. \_\_\_\_\_ District: \_\_\_\_\_

## Dangerous Weapons

No person shall possess, handle, or transmit any object that is reasonably considered a weapon on school district property or at a school-sponsored activity, function, or event, that occurs off of school property, (including those with a concealed weapons permit), with the exception of law enforcement officers or those authorized by the superintendent.

A weapon includes the following:

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

### Violations of Policy

Any **student** who violates this policy shall be expelled for one calendar year, unless a specific exception is made by the superintendent or the superintendent's designee on a case-by-case as provided for in ORS 339.250 and the district's *Student Rights and Responsibilities Handbook*. Special education students shall be disciplined in accordance with procedures included in special education policies and procedures approved by, and on file with, the Oregon Department of Education.

Any **employee** who violates this policy shall be disciplined up to and including dismissal.

Any **other person** who violates this policy will be considered to be unlawfully present on the premises and will be subject to prosecution for criminal trespass in the second degree, as provided by ORS 164.245.

### Referral to Law Enforcement Agency

The appropriate law enforcement agency will be promptly informed of the identity and activity of any person who violates this policy.

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

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

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

END OF POLICY

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Legal Reference(s):

|                                       |                                             |
|---------------------------------------|---------------------------------------------|
| <a href="#">ORS 161.015</a>           | <a href="#">OAR 581-021-0050 to -0075</a>   |
| <a href="#">ORS 166.210 - 166.370</a> | <a href="#">OAR 581-053-0010 (5)</a>        |
| <a href="#">ORS 166.382</a>           | <a href="#">OAR 581-053-0015 (7)(k)</a>     |
| <a href="#">ORS 332.107</a>           | <a href="#">OAR 581-053-0545 (4)(c),(w)</a> |
| <a href="#">ORS 339.115</a>           | <a href="#">OAR 581-053-0550 (5)(y)</a>     |
| <a href="#">ORS 339.240</a>           |                                             |
| <a href="#">ORS 339.250</a>           |                                             |
| <a href="#">ORS 339.260</a>           |                                             |
| <a href="#">ORS 339.315</a>           |                                             |
| <a href="#">ORS 339.327</a>           |                                             |
| <a href="#">ORS 809.060</a>           |                                             |
| <a href="#">ORS 809.260</a>           |                                             |

Gun-Free School Zone Act of 1990, 18 U.S.C. Sections 921(a)(25), (26) and 922(q); as amended by P.L. 104-208, Section 101(f) (1996) and P.L. 103-322, Section 320904 (1994).

Education of the Handicapped Act of 1975, as amended, 20 U.S.C. Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997). [P.L. 94-142 is a well-known “short” reference to this federal legislation.]

Youth Handgun Safety Act, 18 U.S.C. Sections 922(x) and 924(a)(6).

Cross Reference(s):

JFCM - Violence and Threats of Violence

## Commendation and Criticism of Employees<sup>1</sup>

The board encourages citizens to communicate directly with members of individual school staffs and with district-level personnel on matters pertaining to the operation of the public schools. General comments, questions or concerns about the district can be directed to the Community Relations Office at 200 North Monroe or to an individual school office if the matter concerns a particular school. Both commendations and constructive criticisms are welcomed by the board and should serve to keep communications open between the schools and the citizens of the community.

When commendations are received by the administration concerning specific schools or employees, the commendation will be shared appropriately with staff, i.e., personal contact, note, media release, etc. When complaints about district employees are received, the board believes that they should be handled fairly and with concern for the rights of the people involved. Every effort should be made to resolve a complaint initially with the person who is directly involved in the matter resulting in the complaint. To ensure prompt attention to complaints and fair treatment to involved parties, the following process has been approved. District administrators and supervisors are responsible for informing the public about this complaint process.

### 1. School Level<sup>2</sup>

The responsible administrator shall encourage any parent, student, or other person who has a complaint about a district employee to discuss the complaint directly with the employee in confidence and not in the presence of others. If the complaint is not resolved informally by the parties, the complainant or the employee may submit the matter to the principal (or to the immediate supervisor when the employee is not directly assigned to a school). If the principal or supervisor determines that the complaint may have validity and could affect the person's employment<sup>3</sup>, a conference will be scheduled so that both parties can present information concerning the complaint. When the complaint is judged to be invalid or regards a less serious matter that would not affect employment status, the principal or supervisor may attempt to resolve the complaint without a conference attended by both parties and shall exercise discretion as to whether to share the complaint with the employee.

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<sup>1</sup>The term "employee" includes teachers, administrators, other licensed staff members, and all classified employees working for Eugene Public Schools.

<sup>2</sup>Complaint processing will start at the level at which the employee is assigned and against whom the complaint has been filed.

<sup>3</sup>No derogatory material will be placed in a licensed employee's file unless the person has had reasonable notice and opportunity to review the material. A licensed employee may make a written answer to such material to be attached to the material and placed in the file. The licensed employee will acknowledge the opportunity to review the material by affixing his or her signature with the expressed understanding that such a signature shall not indicate agreement with the contents. (See ORS 342.850[6].)



However, complaints deemed invalid or less serious may later be deemed valid and to affect employment by nature of subsequent complaints of a similar nature.

2. District Level

If the complainant or the employee is dissatisfied with the decision rendered at the school or department level, either person may, within fifteen (15) school days, submit that complaint in writing to the superintendent. The superintendent or his or her designee will investigate the complaint. As part of the investigation of the complaint, the superintendent or designee may invite the employee and the complainant to a conference in an effort to resolve the conflict. Following investigation, the superintendent will render a decision. In arriving at his or her decision, the superintendent will consider the nonbinding recommendation of a designee if one has been appointed to investigate the complaint.

Refusal of any party to the dispute to attend a conference shall not prohibit the superintendent or designee from meeting with other parties to the dispute or from making an independent judgment about the validity of the complaint.

3. Board Level

If the complainant or the employee is dissatisfied with the decision of the superintendent, he or she may within ten (10) school days file a written, signed complaint with the Board of Directors in care of the superintendent. The superintendent shall provide the board with copies of the complaint. If the board decides to provide the complainant or employee with an opportunity to be heard, the date will be set and concerned parties will be notified. The board will discuss a complaint against an employee only in executive session, as provided in ORS 192.660 (1)(b) unless the employee requests the matter be discussed in open session.

**Complaints Made Directly to Board Members**

When a complaint about an employee is made initially to a board member or to the Board of Directors as a whole, the complaint process shall be explained to the person and he or she will be encouraged to follow procedures.

The aforementioned procedures are subject to and shall not deprive employees of their rights and due process provided under Oregon Revised Statutes, the Oregon Constitution, the U.S. Constitution, and respective collective bargaining agreements.

END OF POLICY

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Legal Reference(s):

[ORS 192.660](#)

[ORS 332.107](#)

[OAR 581-022-1940](#)

## Step-by-step complaint process for Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation

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### **Complainant (includes parents, students, etc.)**

1. If you observe or have experienced an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, you should contact the school principal or other staff member to report it. Say you would like to report an incident of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation.

If you believe the principal is involved in Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, you don't have to report the incident to him or her. You may instead contact the district superintendent's office at 541-790-7707.

2. Tell the principal or the person assigned by the principal or superintendent what happened and answer any questions they have.
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. The goal of resolving the issue is to 1) protect and comfort the person who feels they've been a target of Intimidation, Bullying, Harassment, Discrimination, Hazing or Retaliation, 2) assign a consequence if necessary and 3) teach the parties skills that help make school safe and welcoming.
4. If you feel like you can't resolve the issue by working with the school principal and/or school staff, you may file a COMPLAINT. There is a single complaint form for use by anyone. It is available from school offices and from the 4J superintendent's office (200 N. Monroe St., 541-790-7707). The form allows you to describe what happened and the proposed or desired remedy. Fill out the form completely and return it to the 4J superintendent's office.
5. The superintendent's office will send you a written acknowledgement, postmarked within 10 (ten) working 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. This person is the superintendent's designee.
6. As an alternative to a district investigation, the superintendent's designee may offer voluntary mediation as a way of resolving the complaint. If the parties choose voluntary mediation, the timelines provided in this process may be suspended during the course of mediation. Mediation shall take place within a time frame agreed to by the parties. Upon agreement by both parties, mediated resolutions will be put in writing and will be binding upon the parties involved.

7. If mediation or another alternative resolution isn't practical, the superintendent's designee will initiate a district investigation of the complaint. The investigation will include interviews of the complainant and the individual(s) alleged to have acted improperly. The superintendent's office will ensure that parents are informed if their student is involved in the complaint.

The superintendent's designee may assign an individual to investigate the complaint, determine the facts, and recommend possible ways of resolving the complaint. In that case, the superintendent's designee will review the findings and recommendations of the investigator and provide this information to the superintendent. The superintendent will send a written decision to the complainant, postmarked within 20 (twenty) working days of the date the superintendent's office received the complaint.

8. A parent, student or community member who is not satisfied with how the complaint was resolved by the superintendent may appeal to the school board. If the complainant chooses to file an appeal with the school board, it must be received in the superintendent's office within 10 (ten) working days after the complainant receives a decision from the superintendent.

The school board will determine whether or not to hear the complaint within 10 (ten) working days of receiving the appeal. The school board's decision will be based on the written appeal and the record of the investigation.

The written appeal to the school board shall include the following:

- a. A detailed description of the grounds for the appeal, including the reasons for rejecting the response given by the superintendent.
  - b. Name of the complainant's representative, if any, such as an attorney or advocate.
  - c. The date the formal complaint was filed.
  - d. Copies of supporting documentation NOT included in the original complaint.
9. If the school board determines that a hearing is warranted, the school board may refer the matter to the district's hearings officer. If the school board determines that a hearing is not warranted, the school board will notify the complainant and inform him or her of the right to file a complaint directly with the state or federal government.
  10. If the school board refers the complaint to the district's hearings officer, the school board shall forward the appeal and all relevant materials to the hearings officer within 10 (ten) working days of receiving the appeal. The hearings officer will schedule a hearing within 20 (twenty) working days of receiving the appeal. The appeal hearing will be closed to the public. The confidentiality of students, student records, employees, and employee records, will be maintained to the extent allowed by federal and state law. The decision of the hearings officer will be in writing and be made part of the record. His or her decision shall be supported by findings of fact and conclusions, and will be binding on all parties. The hearings officer may affirm, modify, or reverse the decision made by the district administrator, including providing a different remedy for the complainant, and/or directing corrective actions to prevent future recurrence of any discrimination or harassment.

08/06/2009

Eugene School District 4J

## **Complaint of Discrimination or Harassment**

**(SCHOOL BOARD POLICIES JB, GBA, and GBN )**

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**The district's complaint process states that it is most desirable to resolve a complaint at the school level between the complainant and the person whom he or she believes has violated the district's policies prohibiting discrimination and harassment.**

**Has there been an attempt to resolve the incident/complaint at the site level? \_\_\_yes \_\_\_no**

**Please explain results and with whom you dealt, or the reason you did not attempt to resolve the incident/complaint at the site level:**

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**(please continue on back of form if more space is needed or attach another page)**

**Complaint date:** \_\_\_\_\_

**School or department where incident occurred:** \_\_\_\_\_

**Name of person reporting:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **(work)** \_\_\_\_\_ **(home)**

**Street Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Reported by:**  **Student**  **Parent**  **Employee**  **Other**

**Incident location:** \_\_\_\_\_ **Incident date:** \_\_\_\_\_

**Reported offender (check one):**

\_\_\_ **Student**      \_\_\_ **Other Staff**  
\_\_\_ **Teacher**      \_\_\_ **Parent**  
\_\_\_ **Administrator**      \_\_\_ **Other**

**Reported victim (check one):**

\_\_\_ **Student**      \_\_\_ **Other Staff**  
\_\_\_ **Teacher**      \_\_\_ **Parent**  
\_\_\_ **Administrator**      \_\_\_ **Other**

**(over)**



August 2010

To: Administrators

From: Barb Bellamy

Re: Criminal Checks for Volunteers

The district requires criminal checks on any volunteers (including parents) who meet the following criteria:

- the volunteer will have unsupervised contact with students;
- the volunteer has a regular and ongoing assignment at the school;
- the volunteer will be off campus with students in an unsupervised situation, including driving students on field trips;
- the volunteer is a mentor to a student or students;
- the volunteer is a coach or activity director; or
- the volunteer is unknown to the school or department staff.

**Communications and Intergovernmental Relations staff** are responsible for coordinating criminal checks for volunteers. They can be reached at **541-790-7716**. The staff are responsible for:

- conducting the criminal records check in a confidential manner;
- informing the school when volunteers are cleared or talking with the principal if the records check shows cause for possible concern;
- maintaining the database of volunteers cleared this year and in previous years; and
- supplying schools with copies of volunteer interest forms, criminal background check forms, and 4J volunteer guidelines upon request.

***Please remember, a volunteer may not begin until they have been cleared.***

To ensure that the criminal checks are completed, please follow this process.

1. Community and parent volunteers new to your school need to complete two forms:
  - 4J Volunteer Interest Form (or your school's volunteer interest form)
  - Criminal Background Check form

Parents who have concerns about confidentiality should be encouraged to place the Criminal Background Check form in a sealed envelope. All information on this form is sensitive and must be maintained in a confidential manner.

No criminal background check is needed for those who have volunteered in your school in the past and have already had a 4J criminal check. Contact us, or look online to confirm whether a check has been done.

Criminal Check for Volunteers  
Page 2

The Volunteer Interest form is for your school office staff and volunteer coordinator to use to contact and place volunteers.

2. Send the Criminal Background Check form to Communications and Intergovernmental Relations. **Do NOT keep a copy of this form at your school.**
3. Staff will conduct the criminal records search, and when a volunteer is cleared their name will appear on the database list under your school.

The Criminal Background Check form will then be stored in a confidential manner in the Human Resources Department.

4. Staff will inform the principal of any individual whose Criminal Background Check form contains questionable information. The principal will determine whether the offense relates directly to the capability or suitability of the volunteer to work in the school. The principal will consult with Human Resources as needed in making this decision.
5. An individual who disagrees with any decisions regarding their status as a volunteer that results from the criminal background check may appeal that decision to Barbara Bellamy, Director of Communications and Intergovernmental Relations.
6. Volunteers must complete the Criminal Background Check form only once while their student is in continuous attendance at your school.

This requirement to conduct a criminal background check for volunteers is covered by District Administrative Rule G9500, (formerly Administrative Rule No. 2999) Placement of Volunteers. A sample letter to parents, which you may choose to use and sign, is also attached.

Volunteer forms are available online at:  
<http://www.4j.lane.edu/volunteers>

Please let me know if you have any questions.

BB:ka

**(SAMPLE LETTER TO PARENTS REGARDING VOLUNTEER  
BACKGROUND CHECKS)**

August, 2010

Dear Parents,

The school district requires criminal checks on all volunteers who will be performing tasks that could put them in close and unsupervised contact with students. Our purpose is to help assure parents and the community that our students are safe while at school. You may already know that all school employees complete a more extensive criminal check before they are hired.

Volunteers who meet one or more of the following criteria must fill out a confidential volunteer background check form:

- the volunteer will have unsupervised contact with students;
- the volunteer has a regular and ongoing assignment at the school;
- the volunteer will be off campus with students in an unsupervised situation, including driving students on field trips;
- the volunteer is a mentor to a student or students;
- the volunteer is a coach or activity director; or
- the volunteer is unknown to the school or department staff.

The conviction of a crime will not automatically disqualify a person from volunteering in a school. We will consider each situation individually and any decision may be appealed to the Communications office. The confidential information sheet will be kept confidential and may be submitted in a sealed envelope, if you wish.

If you completed a school district volunteer background check in the past and are still wishing to volunteer at the same school, you do not have to repeat the criminal check this year.

Our schools very much depend on the work of volunteers! If you have any questions about this rule or about volunteer opportunities at our school, please contact the school office or your student's teacher.

Sincerely,

(name of principal)





# Eugene School District 4J Criminal Background Check Form

This information is confidential and will be stored in a confidential manner.  
(Please print clearly and complete all sections)

**Student Information:**

School(s): \_\_\_\_\_ I do not have a student in a 4J school

Name(s): \_\_\_\_\_

**Parent/Volunteer Information:**

Last Name:

First Name:

Middle Name:

(Not Maiden, Full Name Required)

Date of Birth (mm/dd/yyyy): \_\_\_\_\_

Other Last Names Used (Maiden): \_\_\_\_\_

Driver's License # & State: \_\_\_\_\_

- A. Have you ever been convicted of any drug or child abuse related crimes? \_\_\_Yes \_\_\_No
- B. Have you ever been convicted of any crimes related to violence? \_\_\_Yes \_\_\_No
- C. Have you ever been convicted of a major traffic violation, including DUII? \_\_\_Yes \_\_\_No
- D. Have you ever been convicted of ANY misdemeanor or felony crimes? \_\_\_Yes \_\_\_No
- E. Have you ever been charged with a crime for which there has not yet been an acquittal or dismissal? \_\_\_Yes \_\_\_No
- F. Have you ever had a restraining order filed against you? \_\_\_Yes \_\_\_No

**If "Yes" to any question, please complete the following:**

Date: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_

Type of Offense: \_\_\_\_\_

Explanation: \_\_\_\_\_

The facts set forth on this form are true and complete to the best of my knowledge. I understand that false statements on this form shall be considered sufficient cause for non-consideration as a volunteer. By my signature, I authorize District 4J to check criminal and/or civil records.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Office Use Only**

|                   |           |             |
|-------------------|-----------|-------------|
| _____ Approved    | By: _____ | Date: _____ |
| _____ Forwarded   | To: _____ | Date: _____ |
| _____ Disapproved | By: _____ | Date: _____ |



Eugene School District 4J  
**Volunteer Interest Form**

Name: \_\_\_\_\_  
 \_\_\_\_\_  
**Last First Middle ( full name required )**

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone #: \_\_\_\_\_  
 \_\_\_\_\_  
**Home Work Message/Cell/Pager**

E-mail address: \_\_\_\_\_

School/s for volunteer placement: \_\_\_\_\_

Student's Name: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_  
 Name: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_  
 Relationship to student: \_\_\_\_\_

**Choices for Volunteering (Please indicate area of interest)**

| <b>Instruction</b>                                                                         | <b>Library</b>                                 | <b>Special Projects</b>                       |
|--------------------------------------------------------------------------------------------|------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> General Classroom                                                 | <input type="checkbox"/> Clerical/shelving     | <input type="checkbox"/> Arts & Crafts        |
| <input type="checkbox"/> Computer                                                          | <input type="checkbox"/> Storytelling          | <input type="checkbox"/> Bulletin Board       |
| <input type="checkbox"/> Language Arts Tutor                                               | <b>Cafeteria</b>                               | <input type="checkbox"/> Calligraphy          |
| <input type="checkbox"/> Mathematics                                                       | <input type="checkbox"/> Lunchroom Facilitator | <input type="checkbox"/> Display Case         |
| <input type="checkbox"/> Physical Education                                                | <input type="checkbox"/> Food Server           | <input type="checkbox"/> Drama                |
| <input type="checkbox"/> English Language Learners Tutor                                   | <b>Office</b>                                  | <input type="checkbox"/> Music                |
| <input type="checkbox"/> Bi-lingual Tutor/Interpreter                                      | <input type="checkbox"/> General Duties        | <input type="checkbox"/> Child Care           |
| _____ (language/s)                                                                         | <input type="checkbox"/> Telephoning           | <input type="checkbox"/> Field Trips          |
| <input type="checkbox"/> Talented & Gifted Program (TAG)                                   | <b>Other</b>                                   | <input type="checkbox"/> Fund-Raising         |
| <input type="checkbox"/> Vocational Education                                              | <input type="checkbox"/> Volunteer Coordinator | <input type="checkbox"/> Teacher Appreciation |
| <input type="checkbox"/> Special Needs Education                                           | <input type="checkbox"/> Health Screening      |                                               |
| <input type="checkbox"/> Publishing Center                                                 | <input type="checkbox"/> Health Room Helper    |                                               |
| <input type="checkbox"/> SMART Reading Program                                             | <input type="checkbox"/> Playground            |                                               |
| <input type="checkbox"/> Other _____                                                       |                                                |                                               |
| <input type="checkbox"/> I would be interested in being a presenter on these topics: _____ |                                                |                                               |

**Emergency Information (list two people to contact in case of emergency):**

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Primary Doctor's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Do you have a hospital preference?  Yes  No Hospital: \_\_\_\_\_

Do you have a medical condition, or are you taking medication/s we should know about in case of an emergency?  Yes  No

If yes, please explain: \_\_\_\_\_

# Volunteer guidelines

*tips for a positive volunteer experience*

## What 4J gets from volunteers

**Volunteers make the impossible possible.** In today's schools, there are simply far more jobs and responsibilities than there are people to do them. By helping with special events and routine tasks, volunteers allow teachers and staff to focus more on helping children learn and grow. The school can accomplish more, and offer children and families more services, with the help of volunteers.

## What do you get?

4J gets a lot from its volunteers. But the return for volunteers can be great, too. Here are just some of the benefits for volunteers:

- **You may develop new skills** which you may use in future paid work.
- **New friendships** with people of all ages and backgrounds.
- Perhaps most importantly, **you can share your special skills and talents with students, and make a real difference for children and our community.**

Some other benefits include:

- **Mileage:** Volunteers may be able to deduct, on their federal and state tax returns, the number of miles driven to and from their volunteer site. Remember to keep track of mileage. If you take a bus or a taxi to your volunteer site, you may be able to deduct those costs, too. Please read the tax rules thoroughly or ask a tax professional if these deductions work for you.
- **Teacher license renewal:** 120 hours of volunteer experience within one academic school year may be substituted for up to three credit hours as experience necessary for Oregon teaching license renewal; 360 verified volunteer hours may substitute for all nine credits needed (OAR, section 584-48-0020). For more information, see your principal.
- **Oregon Community Education membership:** Volunteers have the opportunity to join the Oregon Community Education Association. This organization provides information and training to help develop and improve skills to become a professional. If using volunteer time to enhance your skills is a priority for you, this is something to look into. Call 503-315-5816 for more information.



## How to be a good volunteer

- **Be a good ambassador.** As a volunteer, you will represent the school and the district not just "on the job," but everywhere in the community. Help spread the word about the good things that your school is doing. Answer questions when you can, or urge people to call the school for more information. Above all, please don't speak badly about the school. If you have concerns about anything happening in the school, please speak to the principal.
- **Be courteous and respectful.** You make the school a happier place by doing so, and this helps the school be a good member of its community. The appreciation you receive makes your volunteer time more fun, too.

- **Set a good example for students and visitors by following school and district rules. This includes dress, language and conduct.** We expect our students to dress modestly and use respectful language, and we expect the same from our volunteers. Please, no revealing clothing. Also, no alcohol, tobacco or drug references are allowed on clothing. By wearing businesslike clothes and using respectful language, you can help set a good example for students that school is an important place that deserves our respect.
- **Be punctual and reliable.** Volunteers are most helpful when they can be counted on. If you can't make it for your shift or will be late, please call the school office as far in advance as possible. Be fair and realistic with yourself about the times you can volunteer, and then stick with that schedule. Make it a priority.
- **Keep confidential information confidential.** As a volunteer, you may learn confidential information about 4J students. This includes grades, behaviors and disciplinary actions, Individual Education Plan (IEP) information, and more. It is critical that you keep that information confidential, and not divulge it, even to friends or family. Students are trusting you to maintain their rights and privacy.

### **Assignments**

- Volunteers are placed by, and work under the direction of, school administrators.
- **Assignments in special cases:** A special rule applies when the volunteer applicant is a spouse or significant other of a parent who is a non-custodial parent under the terms of any court decree. The school will not accept the applicant's proposed assignment in the room or class of a child of the non-custodial parent, without the prior written consent of the custodial parent, or a court order.

### **Learn the basics**

Your job will be easier if you learn the following:

- The layout of your school or other volunteer site, including the location of restrooms, supply and workroom areas, staff lounge areas, storage for personal belongings, and entrances and exits
- Where to sign in and out, and how to get a name tag
- How and where to use the school phone
- How to operate any necessary equipment, like a copy machine, fax or computer
- What to do in an emergency (see following sections)
- Who to call if you can't make it in
- Where to park
- Your school's calendar and schedule
- School discipline policies
- How to order lunch from the cafeteria

### **Background checks**

For the safety of our students, all 4J volunteers are required to pass a criminal background check before they are placed near students. For more information, go to [www.4j.lane.edu/schools/volunteers](http://www.4j.lane.edu/schools/volunteers).

### **Name badges**

All 4J volunteers must wear a district name tag, so staff and students will recognize you as a safe volunteer.

## Sign-in

All 4J volunteers are required to sign in at the start of a volunteer shift. This lets the office staff know you are in the building and where they can find you if they need you. This also makes sure you are covered by the district's liability insurance in case of an accident. 4J also collects volunteer statistics and uses them in applying for grants that help schools.

## Healthy volunteers

Schools need to provide a healthy and safe environment for students, staff and visitors. Please don't come to school if you are ill. Remember to call the school if you won't be in. Some schools keep a "substitute volunteer" list; check with your school office.

## Emergencies

Each classroom and office should have a copy of the 4J **Emergency Procedure Manual**. You should ask for a copy, and *read it thoroughly*. The manual includes procedures for many emergency situations, including evacuations, lock downs, injuries, fires, electrical outages and child abuse reporting. You should speak with your principal about how you can help in the event of an emergency. Schools hold regular drills for various emergency procedures; find out your role during these drills and help out by sticking to the plan.

## Evacuation

Each district building has an evacuation map posted. Please study it and become familiar with the required evacuation routes. Success during emergencies relies on everyone following the same plan. Also note the location of exits and fire alarms.

## Harassment and discrimination

Harassment and discrimination of any type are not permitted in Eugene School District 4J. See the 4J Student Rights and Responsibilities Handbook, or the school board policy on Intimidation, Bullying, Harassment, Discrimination, Hazing and Retaliation (Code JB), for the complete district policy and definitions of discrimination, harassment, intimidation, bullying and retaliation. These documents are available in the school office. If you observe harassment or discrimination, you should stop what is happening, if it is safe to do so, and *always* report the incident to the principal. This is crucial.



## Child abuse

Volunteers should report suspected incidents of child abuse. This can include physical abuse, sexual abuse, and malnutrition or neglect. See the *principal*, and refer to the section on child abuse reporting in the 4J Emergency Procedure Manual. **Do not** share this information with the child's family. **Do not** share the information with *anyone* else. **The information must be kept confidential.**

## Intruders and strangers

All visitors to 4J schools are expected to go straight to the office to check in. Buildings should have signs on all outside doors with maps directing people to the office. All visitors to schools, including volunteers, should wear badges that identify them. If you see

someone in the school who is not a staff member and who does not have a volunteer or visitor badge, please do the following:

1. Approach the person and from a safe distance (what feels safe is up to you) and politely ask the person if you can help them.
2. If they are looking for a particular room or person, offer to take them to the main office so they can get a badge and the office staff can help them find who or what they need. The person may be looking for the office.
3. Always be courteous. You can apologize for the inconvenience of needing to take the person to the office to get a visitor's badge, but explain that students feel safer when they know the adults in the building are supposed to be there.
4. If you do not feel safe approaching a person in the building, note the person's appearance and location, and go straight to the office and share the information.

### **Weapons policy**

Eugene School District 4J has a "zero-tolerance" policy for weapons in district buildings. No one except for police, or persons specifically designated by the superintendent, may carry any weapon onto 4J property (see school board policy section KGB). According to state law (ORS 166.370), violation is a Class C felony. If you suspect that someone is carrying a weapon on 4J property, please note the person's appearance and location and report the information to the principal or another administrator immediately.

### **Rumors**

If you should hear a rumor about some kind of threat to the school or people in it, tell the principal as soon as possible. The principal will work with district officials and public safety personnel to follow up on rumors and make sure schools are safe. Do not assume a rumor is false, but do not assume a rumor is true and help spread it. Inform the principal and let her or him separate fact from fiction.

### **In case of problems...**

If you have problems in your volunteer assignment, talk to your immediate supervisor. If you have problems with your supervisor, speak with the building volunteer coordinator. Please let these people know about any difficulties you are having in your work so you can work together to find a solution. We want you to be productive *and* happy.

### **Information resources**

Publications available in school offices or at the 4J Education Center, 200 N. Monroe:

- The **4J Handbook and Calendar** includes information about programs and policies.
- The **4J Student Rights and Responsibilities Handbook** includes important rights and rules for students.
- 4J's **School Board Policy** is available for review in school offices, at the 4J Education Center, 200 N. Monroe Street, and online at [www.4j.lane.edu](http://www.4j.lane.edu).

Other information resources:

- 4J's website: [www.4j.lane.edu](http://www.4j.lane.edu)
- Volunteer information online: [www.4j.lane.edu/schools/volunteers](http://www.4j.lane.edu/schools/volunteers)
- Volunteer information by phone: 4J communications office, 541-790-7737 🍏



**Eugene School District 4J**  
 200 North Monroe Street  
 Eugene, OR 97402-4295  
 541-790-7700  
*www.4j.lane.edu*

## Student Records Security and Confidentiality Agreement

Security and confidentiality of student records are matters of concern to all volunteers and student workers having access to student records. Access to student information is subject to the federal Family Educational Rights and Privacy Act of 1974 (FERPA) as well as the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and Oregon health information law, ORS 746.600 et.seq. FERPA deals with all student information while HIPAA deals specifically with individually identifiable health information. Both laws basically say that persons should only have access to the specific information required in the performance of their individual job function. Since conduct either on or off the job could affect or threaten the security and confidentiality of student record information, each volunteer, or student worker is expected to adhere to the following:

1. No one may make or permit unauthorized use of any information in files maintained, stored or processed by the employing department, school or school district.
2. No one is permitted to seek personal benefit or allow others to benefit personally by knowledge of any confidential information, which has come to them by virtue of their work assignment.
3. No one is to exhibit or divulge the contents of any record or report to any person except in the conduct of their work assignment.
4. No one may knowingly include or cause to be included in any record or report a false, inaccurate, or misleading entry. Only authorized personnel should be working on confidential materials.
5. No official record or report, or copy thereof, may be removed from the office where it is maintained, except in the performance of a person's duties.
6. No one is to aid, abet, or act in conspiracy with another to violate any part of this Agreement.
7. Any knowledge of a violation of this Agreement must immediately be reported to the person's supervisor.

Participants are required to adhere to the Student Records Security and Confidentiality Agreement. Specifically all school district staff, volunteers and student workers are expected to adhere judiciously to the regulations and requirements in this document.

Official documents (electronic records, student folders, transcripts, microfiche printouts, etc.) are to be used only as required in the performance of delegated supervised activities. Questions and concerns should be referred to the immediate supervisor.

Violation of this Agreement may lead to reprimand or dismissal of duties from the district consistent with the general district policies. Violation can also lead to action under the State of Oregon Statutes pertaining to theft, alterations of public records, or other applicable sections.

I have received a copy of, have read, do understand, and will comply with the Student Records Security and Confidentiality Agreement.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

School Administrator approving account

Title

*New eSIS accounts will be set up from this application only. Please make a copy for your records and a copy for the signer: please forward/fax (541-790-7773) the original to Gunawan Darmadi in CIS. Thank you!*

August 2011

TO: Administrators  
School Secretaries  
Counselors  
Educational Support Services Staff

FROM: Sheldon Berman

RE: Child Custody

The purpose of this memorandum is to review some general guidelines about child custody issues. REMEMBER, each situation is different, some of them are very complex, and these general guidelines may not apply to all situations.

Call either Sara Cramer (Pre-K - 5) at x7562 or Laurie Moses (6-12) at x7878, whenever you have a question or just want to talk about how to deal with a situation.

### 1. **Safety of Students First**

School staffs are responsible for ensuring that children are safe while at school. If you are going to make a mistake, make one that protects the safety of the student, even if it makes a custodial or non-custodial parent angry.

You need, however, to be objective and ultimately make a decision that is legally correct, even if you disagree with it.

### 2. **Directory Information**

We have instances when people call or visit a school asking for directory information (e.g., address and phone number).

Generally, directory information is released only in conjunction with school or school district related activities. School Board policy prohibits distributing a list of student names.

**NEVER** release directory information about a student to a stranger (including an attorney or private detective) unless you know that person is authorized to have the information.

Parents have a right to directory information about their children, but if someone says he or she is the parent, obtain proof that they are the parent.

Tell that person that you will call the custodial parent (or the parent in whose control the child is) before releasing the directory information.



3. **Release of Information to the Department of Human Services DHS and Law Enforcement Agencies**

You may release directory information and other personally identifiable information to the Department of Human Services (DHS) or a law enforcement agency, if they say they need it to protect the health and safety of the student or other individuals or they are investigating child abuse.

4. **Releasing a Child**

Release a child only to an adult that the parent with whom the child lives authorized, except as provided below.

Do not release a child to a non-custodial parent without the consent of the custodial parent.

If a parent you do not know comes to school with a court order that appears to give that parent custody of one of your students, do not automatically release the child to that parent. The parent with whom the child lives may have a more recent court order or other information that is important to consider.

Tell the parent that there are two things you can do:

- (1) You can call the parent with whom the child lives to see if he or she consents to releasing the child. If the parent who came to school decides to withdraw the request and says, "Don't tell the custodial parent," find out why and say that you think you need to inform the custodial parent. If you believe there is a legitimate reason to withhold the information from the custodial parent, let's talk.

If this does not resolve the issue and the parents are going to have a dispute at school about who should take the child or you believe there is something odd, you should call your supervisor or a law enforcement officer to help you determine how to proceed. We may decide to consult with our legal counsel.

- (2) You can tell a parent who comes to school claiming to have custody that you will release the child as soon as you have discussed the court order with either the Central Office and you get approval and/or if directed to by the Department of Human Services (DHS) or a law enforcement officer. Parents with legitimate claims often have already contacted the police or DHS.

A police officer or an official from DHS may not take a child from school without a court order, an arrest, protective custody, or permission of the parent or guardian.

5. **Visitation**

Non-custodial parents do not have an automatic right to visit their children at school. The custodial parent controls who visits the child at school unless the divorce decree or court order specifies otherwise. It usually does not.

The primary purpose of school is for a student to receive instruction, not to visit with parents.

6. **Non-Custodial Parent's Rights to Records**

Ordinarily, both parents (custodial and non-custodial parents) have the right to receive all information about their children and to examine all student records of their child unless there is a court order specifying that access to records is limited. This is rarely the case.

When parents are separated and no legal custody has been awarded, or when a parent has been designated a non-custodial parent by a court order, the following procedure shall apply, unless otherwise provided by a court decree or order:

1. Each parent, or a representative of a parent if authorized in writing by the parent, may inspect and review the education records of that parent's child.
2. Each parent has a right to question the appropriate licensed staff and make reasonable requests for explanations and interpretations of the student records. Licensed staff is not required to respond to requests by parent representatives for explanations or interpretations of the records.

There is nothing that limits your ability to inform the custodial parent when you release such records.

SB: eed

member's full knowledge that schedule and assignment of the position may be adjusted based on the needs of the curriculum, subject to the following conditions:

1. He/she submits a written statement to the District promising to return to his/her same building by a specific date within one (1) year of beginning the leave.
2. The District is able to find a qualified teacher under the terms of Section 9.12 to fill the position for the leave period.
3. If the unit member takes leave beyond one (1) year, then the unit member's rights in Section 9.11 are terminated.
4. The unit member's rights in Section 9.11 are subject to the terms of Section 12.10 on reduction in force and recall.
5. The District notifies the unit member before the leave is granted that the unit member's return to work position can not be at the same building or position because a staff reduction is contemplated and subsequently occurs.

9.12 **TEMPORARY UNIT MEMBER:**

The District may hire a temporary unit member as provided in Section 1.1.6 or to fill a vacant position created by another unit member's leave taken under the terms of Sections 9.11 and 9.3.1.d or voluntarily transfer a unit member to fill this vacant position. The District may also hire, for the remainder of a school year, a temporary unit member to fill a vacant position created by a retirement, resignation or termination if the vacancy has occurred on or after the first day of classes.

A temporary unit member hired solely for the purpose of filling a vacancy created by a leave listed in Section 9.11 or a personal leave in Section 9.3.1.d, may be hired only for the term of the study, parental, medical or personal.

A temporary unit member hired solely for the purpose of filling a vacancy created by a retirement, resignation or termination, may be hired only for the balance of the school year.

## **ARTICLE 10 - WORK SCHEDULE**

10.1 **UNIT MEMBERS' WORKDAY:**

Building Administrators will provide all unit members the opportunity to collaborate on decisions involving the work schedule issues in this Article. For purposes of salary computation, the workday shall be fixed at eight (8) hours.

10.1.1 **THE PROFESSIONAL DAY:** For purposes of fulfilling professional responsibilities associated with teaching, an eight (8) hour workday will be flexible, and will be guided by these principles:

- a. Unit members recognize that their responsibility to students requires the performance of duties involving the expenditure of time beyond that of the student day, and shall be available for student and/or parent consultation, as well as other professional activities and responsibilities.
  1. On those occasions when unit members will not be available immediately after the student day, they will notify the building office personnel.
  2. It is not the intent of this article to require unit members to work beyond an eight (8) hour day.
- b. Unit members will schedule regular times when they will be available, and will communicate these hours to their students and parents in a timely manner.
  1. Unit members will make reasonable efforts to adjust their hours in order to be available to students and parents as necessary.
  2. Bargaining unit members will provide written notification to the building principal of their established hours of availability.

10.1.2 **FACULTY MEETINGS:** Building staffs will collaborate with the building administration to set a yearly schedule (including dates and times) of staff meetings. Unit members will make attendance at these meetings a high priority. It is not the intent of this Section to require unit members to work beyond an eight (8) hour day. Administrators and staffs are encouraged to regularly schedule no more than two (2) staff meetings per month.

10.1.3 **OTHER MEETINGS:** Department, Team, Grade Level, Student Staffing, Continuous Progress, and other professional meetings shall be scheduled (including beginning and ending times) as needed by participating unit members in collaboration with the building principal. Unit members will not normally be required to participate in these additional meetings on more than one day each week, excluding IEP meetings. On that day, it is not the intent of this section to require unit members to work beyond an eight (8) hour day. Other meetings will not be scheduled

during grading days, grading and conference days, and progress report days as designated on the adopted school year calendar. In addition, meetings will not be scheduled during the one-hour uninterrupted elementary continuous preparation time (Section 10.1.5.e). The intent of this Section is not to preclude individuals or team members from voluntarily meeting/planning together on the aforementioned days or preparation time. During such informal voluntary meetings, decisions affecting unit members will not be made.

- a. The District and Association recognize that meetings are a regular part of the special education bargaining unit member's day. These commitments will be considered when special education unit members build their schedules (including student contract meetings, preparation time, and itinerant teacher travel time).

- 10.1.4 **PROGRAM COMMUNICATION:** Communication on educational offerings of the District schools will generally be established collaboratively by the administration and unit members at each site.

With parental input, unit members and the administration at each site will determine how to spend their time and talent to involve the public in their programs. Decisions, for example, on Open House, Curriculum Meetings, Group Conferences, the building-wide scheduling of Individual Conferences, or other communication-related programs will be co-determined by the administration and the staff.

- 10.1.5 **PREPARATION TIME:** All unit members shall be provided at least one period of preparation time during their work day.

- a. Unit members shall not be assigned to supervise or instruct students during their preparation time.
- b. Middle and high school unit members shall be guaranteed a preparation period during the instructional day.
- c. Elementary unit members shall have at least one hundred fifty (150) minutes of preparation per week, with no daily portion smaller than twenty (20) continuous minutes. Every effort will be made to make the daily preparation time thirty (30) continuous minutes in length. This 150 minutes is in addition to the one (1) hour of uninterrupted preparation time in Section 10.1.5.e.
- d. When an administrator initiates and assigns unit members to work during their preparation period, they are paid at their prorated per diem rate.
- e. The purpose of Section "e" is to have elementary schools schedule an hour of continuous preparation time for bargaining unit members.

Each elementary school bargaining unit member shall have a continuous hour per week of preparation time during the normal student day. Student instructional time must meet or exceed state standards. The school administration will schedule required meetings at times other than during this additional hour of preparation time. This hour of preparation time must be continuous except as provided below.

1. A school may adopt a plan for a non-continuous hour of preparation time if the school bargaining unit staff members and administration adopt the schedule by consensus, and the length of the student instructional day is not increased for the purpose of adding the hour. The non-continuous schedule must have a clear benefit for the school's program and every effort must be made to minimize the impact on the school's normal class size.

- 10.1.6 **MORNING BREAK:** District will make every effort to schedule a fifteen (15) minute break for every unit member every morning. In no case will the bargaining unit member be required to supervise students during the break.

10.1.7 **KINDERGARTEN CONFERENCING AND REPORTING:** The kindergarten unit member and building administrator will collaborate on a parent/teacher conference schedule which meets the guidelines of one of the following:

|                                                              | Option 1:<br>Half-Day Release                                                                                                  | Option 2:<br>Extended Contract                                                                                                                                | Option 3:<br>Full Day Release                                                                                                                                         |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Unit members assigned to teach one (1) kindergarten session  | Use up to five (5) half-days of sub release time for conducting parent/teacher conferences.                                    | Conduct parent/teacher conferences on their own time and convert each unused half-day release time (provided in Option 1) to two (2) hours extended contract. | Use up to two (2) full days (eight (8) hours each) of sub release time for conducting parent/teacher conferences.                                                     |
| Unit members assigned to teach two (2) kindergarten sessions | Use up to ten (10) half-days of sub release time (i.e. five (5) half-days per each session) for conducting parent conferences. | Conduct parent/teacher conferences on their own time and convert each unused half-day release time (provided in Option 1) to two (2) hours extended contract. | Use up to two (2) full days of release time and either: (a) five (5) half-days of release time; or (b) two (2) hours extended contract time for each unused half-day. |

Unit members who are assigned to teach full-time or two kindergarten sessions will release students for the purpose of parent/teacher conferences on the same school conference schedule as grades 1-5.

All unit members assigned to teach kindergarten will schedule a minimum of one parent/teacher conference and complete two report cards to report student progress during the school year.

Any extended contract time provided by this section will be paid at the unit member's per diem rate.

Unit members assigned to teach one (1) kindergarten session will receive an additional one-half (1/2) release day for the purpose of preparing reports. In the alternative, the member may convert the one-half (1/2) release day to two (2) hours extended contract.

Unit members assigned to teach two (2) kindergarten sessions will receive an additional full release day for the purpose of preparing reports. In the alternative, the member may convert the release day to four (4) hours extended contract.

10.1.8 **KINDERGARTEN IA TIME:** The District will allocate the budgeted time for kindergarten Instructional Assistants (IAs) only to kindergarten sessions.

10.1.9 **ELEMENTARY CONFERENCES:** Elementary school principals will collaborate with the school's unit members before deciding when and how to conduct all-school parent conferences. Elementary school unit members who participate in all-school parent conferences after 4:00 p.m. will be compensated with an equal amount of workday hours off. If an elementary school unit member has greater than twenty-eight (28) students for the all-school parent conference, he/she will be compensated for one half (1/2) day at his/her per diem rate.

10.1.10 **MIDDLE SCHOOL CONFERENCES:** Middle school principals will collaborate with the school's unit members before deciding when and how to conduct all-school parent conferences. Middle school unit members who participate in all-school parent conferences after 4:00 p.m. will be compensated with an equal amount of workday hours off.

## 10.2 WORK YEAR:

The Board shall adopt a school calendar of one hundred ninety-two (192) contract days which includes a teacher planning day as the first day of the scheduled year.

10.2.1 Five (5) paid holidays shall be Labor Day, Veteran's Day, Thanksgiving Day, President's Day and Memorial Day.

10.2.2 If any of these holidays fall on a Sunday, the holiday shall be observed on the following Monday. If the holiday falls on Saturday, the holiday shall be observed on the preceding Friday. Part-time unit members shall receive holiday compensation on a pro-rata basis. As needed, their regularly scheduled hours will be adjusted in order to assure appropriate pro-rata holiday compensation and scheduled hours.

10.2.3 Unpaid vacations shall be continuous blocks of time, excluding Saturdays, Sundays, and holidays. The work year shall include:

- a. Thanksgiving unpaid vacation shall be at least one (1) day.
- b. The length of winter unpaid vacation shall be determined by the procedure outlined in Section 10.2.4.
- c. Martin Luther King Day is an unpaid day.
- d. Spring unpaid vacation shall be at least five (5) days.

10.2.4 Procedures for Association involvement in the development of a school district calendar:

- a. The District shall present the proposed school calendar to the Association at least sixty (60) days prior to the Board's consideration of the proposed calendar. The Superintendent or designee will attempt to resolve any differences regarding the calendar.
- b. In the event of disagreement between the Association and the Superintendent, the Association may present its calendar with appropriate rationale directly to the Board for consideration.
- c. If the Board rejects any of the Association's recommendations, the Chairperson of the Board shall notify the Association in writing of the reason(s) for the rejection.
- d. The District shall give the Association at least forty (40) days notice prior to the District's proposed calendar change for specific unit members. The District and Association shall collaborate in addressing any difference on a proposed calendar change.
- e. In the event of an unresolved issue on a proposed calendar change for specific unit members, the Association, within the forty (40) days notice, may present its desired calendar with appropriate rationale to the Superintendent for review and a final calendar decision.
- f. Except for the provisions of Article 10.1.5.e – Elementary Preparation Time, the following process will be used to implement a schedule change for a school's student-day late start, early release, or full day release:
  1. The principal, site council and licensed bargaining unit members will collaborate to create a late start, early release, or full day release schedule change and forward the proposed change to JCAC.
  2. JCAC will review the proposed schedule change and verify that the change does not violate the collective bargaining agreement prior to implementation.
  3. The schedule change must be approved by both the principal and by a vote of at least 75% of the licensed bargaining unit members voting at the site in support of the schedule change.

## 10.3 EMERGENCY SCHOOL CLOSURES:

Whenever hazardous weather forces school closures for students, the Superintendent will notify unit members regarding whether they must report for duty by following the same procedures he/she uses to notify students and parents of the emergency school closure. When hazardous weather conditions make it imprudent for a reasonable person to travel to the unit member's assigned school, the unit member should notify the principal or immediate supervisor immediately. This shall be District-wide policy.

Individuals not in attendance will have the option of using a personal leave day, vacation time if they are entitled to such a benefit, or they may take unpaid personal leave. The provision will not be applied when there is an emergency school closure for unit members as well as students.

10.4 STAFF DEVELOPMENT TIME FOR STANDARDS BASED INSTRUCTION:

In addition to already planned staff development unit members responsible for Standards Based Instruction record keeping and assessment will be provided release time as follows.

Each unit member with work sample responsibility will be provided up to twelve (12) hours of release time that can be scheduled during the school year in increments of four (4) hours, subject to substitute availability. This day can be used for record keeping, assessment or planning related to standards based instruction. The amount of funds available for these release days will be \$50,600. If the payments in one year exceed the cap of \$50,600 then the cap in the successor year will be reduced proportionally and for that year, unit members will be provided only one full release day or two half days.

10.5 STAFF DEVELOPMENT AND PROFESSIONAL PLANNING DAYS:

10.5.1 The District may require unit members to participate in mandatory staff development provided it is during the workday unless the workday is designated as a teacher planning day by the terms of this Agreement.

10.5.2 Only for the term of this Agreement through June 30, 2013, if unit members voluntarily participate in paid staff development outside paid contract time, they will be paid at a daily rate of \$276 (for eight [8] hours) or an hourly rate of \$34.50.

10.5.3 The work year shall include a unit member professional planning day as the first day of the scheduled work year.

10.5.4 On the professional planning day following Winter and Spring breaks, the District will provide full-time members with at least two (2) hours of uninterrupted preparation time on site. The preceding will be prorated for part-time employees.

10.5.5 The first day of the second semester will be a no student day, divided into no more than 3.75 hours of professional development and no fewer than 3.75 hours of uninterrupted planning time. All reasonable efforts will be made to have the professional development time in the morning. The Association and the District will collaborate to determine placement of this day in the trimester calendar.

10.5.6 For 2010-11 the school year will be reduced by six (6) student days and the new day established in Article 10.5.5 for a total of seven (7) contract days. The District and the Association will collaborate on the distribution of these days on the work calendar. In the event the District receives additional state support, federal funds, or unexpected funding from any source other than grants, one day will be added back for each \$450,000, up to a total of five (5) days.

10.6 SPLIT-SHIFT SCHEDULE:

Part-time unit members will not be required to work a split-shift schedule. A split-shift schedule is when a unit member's work day schedule is split by any unpaid time that exceeds a total of 15 minutes at a school. A unit member who volunteers to work a split-shift schedule will be paid a .065 FTE stipend. This stipend will be included as salary compensation and will be considered as such in determining all benefits. The District will inform the Association of all positions that will include a split-shift prior to posting and at the conclusion of the displacement process in September.

10.7 PART-TIME FTE CALCULATION:

Part-time unit member FTE will be calculated as follows: assigned weekly student instructional minutes divided by assigned weekly student instructional minutes of a similar 1.0 FTE assignment at the same site. The resultant number will rounded up to the hundredth place.

By October 15 and March 15 of each school year, the District will report to JCAC any current FTE assignments that are 0.45 - 0.49.

## ARTICLE 11 - POSTING, DISPLACEMENT, AND TRANSFER

11.1 POSTING:

11.1.1 Postings for the following school year shall begin with an exclusive three-week posting period for qualified bargaining unit members. The District shall continue to post all known vacancies until July 31.

11.1.2 Bargaining unit positions in the District Educational Support Services Department (ESS) can be posted in an exclusive three-week posting session with a different beginning and ending date.

## ARTICLE 21 - WORK RULES AND MISCELLANEOUS MATTERS

- 21.1 Calculation of Paid Absences - Variable Hours
- 21.1.1 Calculation of Paid Absences - Variable Hours Paid Absences. Employees whose number of assigned hours vary will have their pay for paid absences calculated as follows:  
Using the time report period prior to the paid absence that is most recent and in which the employee was in a paid status for at least five (5) days, the District will compute the employee's average work day. This average will be computed based on all the hours the employee was in a paid status during the previous month excluding overtime, divided by the number of contract days the employee was in a paid status during the previous month. The result will be the number of hours in the employee's average work day. The resulting average work day will be used to calculate paid leave benefits.
- 21.1.2 Calculation of eligibility for Insurance Benefits. Employees whose number of assigned hours vary will have their eligibility for insurance benefits calculated as follows: Using the time report period prior to the paid absence that is most recent and in which the employee was in a paid status for at least five (5) days, the District will compute the employee's average work day for the purpose of determining the employee's eligibility for insurance benefits. This average will be computed based on all the hours the employee was in a paid status during the previous month divided by the number of contract days the employee was in paid status in the previous month. Therefore, an employee's portion of an insurance premium that is shared with the District may vary from month to month.
- 21.2 Duty-free Lunch Period. All employees in the bargaining unit working five (5) or more hours shall be allowed a duty-free lunch period of not less than thirty (30) minutes, except in case of emergency. The lunch period shall come at a midpoint in the shift as nearly as possible. However, if an employee works during the scheduled thirty (30)-minute lunch period, the time worked shall be deducted from the employee's work day and entitle the employee to take time off equal to that worked during the thirty (30)-minute lunch period.
- 21.3 Rest Periods. Every member of the bargaining unit shall be provided a paid rest period of fifteen (15) minutes for every four (4) hours worked or major fraction thereof. Insofar as is possible the rest break is to be taken in the middle of each work period.
- 21.4 Non-student Attendance Work Days. Employees whose work years are either nine and one-half (9-1/2) months, ten (10) months, or eleven (11) months who would otherwise be required to work on a day during which students are not in attendance and who are not required by the principal of the school in which they work to work on a non-student day, may, upon the approval of the principal:
- 21.4.1 Be excused from work on a non-student day and work another day which they would otherwise not be required to work, or,
- 21.4.2 Be excused from work on a non-student day without pay.
- 21.4.3 A one-half (1/2) day (4-hour) or less employee may be excused from work on a non-student day and work a full day on another regular work day.



## GUIDELINES

### SITE-BASED DECISION MAKING

1. Each school has a council composed of stakeholders. The school site-council will be of reasonable size, have parent, teacher, classified, and administrative representation. Active classroom teachers will be the majority of the council. Each stakeholder group, including parents, will select its own representatives to the council.

Membership requirements: One-half of school or work site committee members shall be teachers and other licensed staff. The teachers may be less than one-half of not less than the number needed for unit members to be the largest stakeholder group, if the site committee and at least seventy-five percent (75%) of the school or work site unit members desire to have fewer unit members.

2. Each site is clear about which decisions are reserved for a building administrator and the staff and which decisions are made by the site-council.
3. Each school will have a site-council that works together collaboratively and cooperatively to plan program, make operational decisions, consider curriculum issues, adopt building policies, and solve problems.
4. If all the members of each stakeholder group who sit on the site-council agree, they may veto a council proposal.
5. The site-council will meet regularly.
6. An accountability system is established that meets the needs of the individual site, the school district, the community, and the state and federal governments. The system is designed to assist schools and departments to receive the feedback necessary to move toward their site-plans and to evaluate educational output and the decision-making process.
7. An information and communication plan that facilitates the exchange of clear and direct information between and among the schools and departments and the stakeholder groups is established. Information and communication is available, accurate, timely, and designed to help schools and departments do the work they are charged with doing.
8. Each site will adhere to the following boundaries: state and federal regulations, school board policies, district administrative rules, and collective bargaining agreements.
9. While basic tenets or rules cannot be waived, if a site finds a specific boundary to interfere with its operations, it can request a waiver.
10. An individual's participation on decision-making groups will be voluntary, however all staff members at a site are responsible for implementing the site decision.
11. Compensation for employees who assume leadership positions at the local site will be consistent with the terms of the collective bargaining agreement.
12. Site councils must comply with the Open Meeting laws, which require that meetings be open, notice of meeting time be provided, and minutes be recorded.