

**West Linn-Wilsonville  
School District 3J**

Code: **EB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EB

**Safety Program**

Safe buildings, grounds, and equipment will be maintained in order to prevent accidents or injury to students, employees and other citizens from fire, natural disasters, mechanical and electrical malfunction and other hazards.

Buildings will be planned, constructed, equipped and maintained in accordance with appropriate local, state and federal safety regulations.

Buildings will be provided with fire alarms, fire extinguishers and other safety devices required by state and federal laws and regulations.

The superintendent will develop and implement a safety program which will include but not be limited to compliance with and enforcement of all state and federal laws, rules and regulations.

END OF POLICY

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**Legal Reference(s):**

[ORS 329.095](#)  
[ORS 654.003 to-654.022](#)

[OAR 437-001-0760](#)  
[OAR 437-002-0020 to-0081](#)  
[OAR 437-002-0100](#)

[OAR 437-002-0140](#)  
[OAR 437-002-0144](#)  
[OAR 437-002-0145](#)  
[OAR 437-002-0180 to-0182](#)  
[OAR 437-002-0260 to-0268](#)  
[OAR 437-002-0360](#)

[OAR 437-002-0368](#)  
[OAR 437-002-0377](#)  
[OAR 437-002-0390](#)  
[OAR 437-002-0391](#)  
[OAR 581-022-0606](#)  
[OAR 581-022-1420](#)

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

**Cross Reference(s):**

EBA - Buildings and Grounds Inspection  
EBAC - Safety Committee  
EBB - Integrated Pest Management  
GBE - Staff Health and Safety  
JHF - Student Safety

**West Linn-Wilsonville  
School District 3J**

Code: **EBA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBA

**Buildings and Grounds Inspection**

The director of operations shall be responsible for the safe conditions for the district's buildings and grounds. Any situation that presents a hazard to the safety of students, staff and the public should receive prompt attention and correction. Any serious conditions that cannot be corrected because of budgetary limitations should receive the attention of the superintendent and the Board.

The superintendent should provide for regular inspection of the buildings and grounds of the district and be continuously informed as to the status of district property, so that recommendations can be made and implemented by the Board for any necessary changes for improved safety.

END OF POLICY

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**Legal Reference(s):**

[OAR 437-001-0760](#)  
[OAR 437-002-0020 to -0081](#)  
[OAR 437-002-0140](#)  
[OAR 437-002-0144](#)  
[OAR 437-002-0145](#)

[OAR 437-002-0360](#)  
[OAR 437-002-0368](#)  
[OAR 437-002-0377](#)  
[OAR 437-002-0390](#)

[OAR 437-002-0391](#)  
[OAR 581-022-0705](#)  
[OAR 581-022-1420](#)  
[OAR 581-022-1530](#)

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Americans with Disabilities Act Amendments Act of 2008.

**Cross Reference(s):**

EBAC - Safety Committee  
ECB - Buildings and Grounds Maintenance  
GBE - Staff Health and Safety  
JHF - Student Safety

**West Linn-Wilsonville  
School District 3J**

Code: **EBAA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBAA

**Reporting of Hazards**

All staff are responsible for promptly reporting any hazard that they are unable to correct. A report should be sent to the administrator in charge of the building and grounds. In case of an emergency, the maintenance supervisor should be contacted immediately.

Should a hazard not be corrected immediately, employees and the building administrator should take any necessary precautions to assure the protection of individuals and property. The director of operations shall be responsible for the resolution of any serious or hazardous conditions. The superintendent and Board should be informed of any problem that is beyond resolution by the director of operations.

END OF POLICY

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**Legal Reference(s):**

[OAR 437-001-0760](#)  
[OAR 437-002-0080 to -0081](#)  
[OAR 437-002-0100](#)  
[OAR 437-002-0120 to -0139](#)  
[OAR 437-002-0140](#)

[OAR 437-002-0144](#)  
[OAR 437-002-0145](#)  
[OAR 437-002-0180 to -0182](#)  
[OAR 437-002-0360](#)  
[OAR 437-002-0368](#)

[OAR 437-002-0377](#)  
[OAR 437-002-0390](#)  
[OAR 437-002-0391](#)  
[OAR 581-022-1420](#)  
[OAR 581-022-1530](#)

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

Occupational Safety and Health Standards, Hazard Communication, 29 C.F.R. § 1910.1200 (2006).

**Cross Reference(s):**

GBE - Staff Health and Safety

**West Linn-Wilsonville  
School District 3J**

Code: **EBAC**  
Adopted: 1/11/16

**Safety Committee**

A centralized safety committee shall be established to implement the district's safety program as part of an ongoing effort to help ensure the safety of students, staff and others while on district property.

The director of operations will coordinate the district's safety committee efforts and maintain all necessary records.

The superintendent will develop administrative regulations as may be necessary to implement this policy and meet the applicable Oregon Occupational Safety and Health Division requirements.

END OF POLICY

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**Legal Reference(s):**

[ORS 654.176](#)

[ORS 654.182](#)

[OAR 437-001-0765](#)

**Cross Reference(s):**

EB - Safety Program

EBA - Buildings and Grounds Inspection

GBE - Staff Health and Safety

**West Linn-Wilsonville  
School District 3J**

Code: **EBB**  
Adopted: 3/05/12  
Readopted: 1/11/16  
Orig. Code(s): EBB

## **Integrated Pest Management**

To ensure the health and safety concerns of student, staff and community members, the district shall adopt an integrated pest management plan (IPM)<sup>1</sup> which emphasizes the least possible risk to students, staff and community members and shall adopt a list of low impact pesticides for use with the IPM plan.

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
  - a. Protect the health and safety of students and staff;
  - b. Protect the integrity of district buildings and grounds;
  - c. Maintain a productive learning environment; and
  - d. Protect local ecosystem health.
2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;
3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;
4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;
5. Evaluates the need for pest control by identifying acceptable pest population density levels;
6. Monitors and evaluates the effectiveness of pest control measures;
7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;
8. Excludes the application of pesticides for purely aesthetic purposes;

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<sup>1</sup>See Model Integrated Pest Management Plan for Oregon Schools at [http://www.ipmnet.org/tim/IPM\\_in\\_Schools/Model\\_School\\_IPM\\_Plan\\_Main\\_Page.html](http://www.ipmnet.org/tim/IPM_in_Schools/Model_School_IPM_Plan_Main_Page.html)

9. Includes school staff education about sanitation, monitoring, inspection and pest control measures;
10. Gives preference to the use of nonchemical pest control measures;
11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of a public health official.

The district shall designate the Facilities Manager as the Integrated Pest Management Plan Coordinator give them the authority for overall implementation and evaluation of the IPM plan.

### **Integrated Pest Management Plan Coordinator**

The IPM Plan Coordinators shall:

1. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;
2. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;
3. Oversee pest prevention efforts;
4. Ensuring identification and evaluation of pest situation;
5. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;
6. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;
7. Evaluate pest management results; and
8. Keep for at least four years following the application date, records of applied pesticides that include:
  - a. A copy of the label;
  - b. A copy of the Safety Data Sheet (SDS);
  - c. The brand name and USEPA registration number of the product;
  - d. The approximate amount and concentration of pesticide applied;
  - e. The location of where the pesticide was applied;
  - f. The type of application and whether the application was effective;
  - g. The name(s) of the person(s) applying the pesticide;
  - h. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
  - i. The dates and times for the placement and removal of warning signs; and

- j. Copies of all required notices given, including the dates the IPM Coordinator gave the notices.
- 9. Respond to inquiries about the IPM plan and refer complaints to Facilities Manager.
- 10. Conduct outreach to district staff about the district's IPM plan.

END OF POLICY

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**Legal Reference(s):**

[ORS 634.116](#)  
[ORS 634.700 to-750](#)

**Cross Reference(s):**

EB - Safety Program  
EBA - Buildings and Grounds Inspection  
GBE - Staff Health and Safety

**West Linn-Wilsonville  
School District 3J**

Code: **EBBA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBBA

**First Aid\*\***

The district nurse, a member of the building Emergency Response Team or another trained person, if onsite, shall be available for providing emergency services in case of injury or sudden illness to a student or to a staff member. At each school procedures shall be developed for the proper handling of such emergencies.

These procedures should be posted and shall include:

1. The school nurse, if on site, or another trained person shall be responsible for administering first aid;
2. In all cases where the nature of an illness or an injury appears in any way serious, every effort will be made to contact the parents immediately;
3. No student, who is ill or injured, shall be sent home alone without contacting the parent first;
4. In extreme emergencies, the principal, a member of the Emergency Response Team, or the school nurse, if on site, may make arrangements for immediate hospitalization of injured or ill pupils, contacting parents or guardians in advance if at all possible;
5. Any district employee who has witnessed an accident shall inform the office of the circumstances and fill out an accident report;
6. Each school shall have a Emergency Response Team consisting of a minimum of six people who are trained in CPR, First Aid, diabetic and allergic emergencies;
7. If a nonemergency situation occurs where further medical direction is needed by staff during school hours, the school nurse should be contacted.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.800](#)

[OAR 437-002-0120 to -0139](#)

[OAR 437-002-0161](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-0705](#)

[OAR 581-022-1420](#)

[OAR 581-022-1440](#)

[OAR 581-053-0003\(37\)](#)

[OAR 581-053-0220\(3\)\(B\)\(iii\)](#)

[OAR 581-053-0320\(5\)\(b\)](#)

[OAR 581-053-0420\(2\)\(f\)\(B\)](#)

**Cross Reference(s):**

GB - General Personnel Policies

GBE - Staff Health and Safety



**West Linn-Wilsonville  
School District 3J**

Code: **EBBB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBBB

## **Injury/Illness Reports**

### **Student**

All injuries and accidents to students occurring during school hours or at a school activity shall be reported by the employee in charge to the office so that an accident report may be completed. The report must include the name of the child, grade, description of accident/injury, first aid given, whether parents were called, the date and time and the address of the parents. A copy of the report shall be sent to the principal and the child's parents.

### **Employee**

All injuries/illnesses, sustained by any employee while in the performance of the duty of the employee, occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business will be reported immediately to a supervisor. A written report will be submitted within 24 hours to the human resources department. Reports will cover property damage as well as personal injury.

In the event of a work-related<sup>1</sup> illness or injury to an employee resulting in overnight hospitalization for medical treatment<sup>2</sup> other than first aid, the safety officer shall inform the Oregon Occupational Safety and Health Division (OR-OSHA). A report will be made within 24 hours after notification to the district of an illness or injury. Fatalities or catastrophes<sup>3</sup> shall be reported within eight hours.

All injuries/illnesses sustained by any employee while in the performance of the duty of the employee will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

Monthly records will be maintained. An analysis of the data and trends will be made at least annually.

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<sup>1</sup>An injury or illness is work related if an event or exposure in the work environment caused or contributed to the condition or significantly aggravated a preexisting condition.

<sup>2</sup>Medical treatment includes managing or caring for a patient for the purpose of combatting disease or disorder. The following are not considered medical treatment: visits to a doctor or health-care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid.

<sup>3</sup>A catastrophe is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility.

The Board will receive reports on serious injuries/illnesses, including accidents involving district property or employees, students or visiting publics, and periodic statistical reports on the number and types of injuries/illnesses occurring in the district, as well as on the measures being taken to prevent such injuries/illnesses in the future.

END OF POLICY

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**Legal Reference(s):**

[ORS 339.309](#)

[OAR 437-001-0015](#)

[OAR 437-001-0700](#)

[OAR 437-001-0760](#)

[OAR 581-022-1420](#)

**Cross Reference(s):**

GBE - Staff Health and Safety

**West Linn-Wilsonville  
School District 3J**

Code: **EBCB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EBCB

## **Emergency Drills and Instruction**

Each building administrator will conduct emergency drills in accordance with the provisions of the Oregon Revised Statutes.

All schools are required to instruct and drill students on emergency procedures so that students may respond to an emergency without confusion and panic. The emergency procedures shall include drills and instruction concerning fires, earthquakes and safety threats.

Instruction on fires, earthquakes and safety threats and drills for students, shall be conducted for at least 30 minutes each school month.

### **Fire Emergencies**

The district will conduct monthly fire drills in each school. At least one fire drill will be held within the first 10 days of the school year. At least two drills on earthquakes and two drills on safety threats shall be conducted each year. Drills and instruction on fire emergencies shall include routes and methods of exiting the school building.

### **Earthquake Emergencies**

Drills and instruction for earthquake emergencies shall include the earthquake emergency response procedure of “drop, cover and hold on” during the earthquake. When based on the evaluation of specific engineering and structural issues related to a building, the district may include additional response procedures for earthquake emergencies.

### **Safety Threats**

Drills and instruction on safety threats shall include procedures related to lockdown, lockout, shelter in place, evacuation and other appropriate actions to take when there is a threat to safety.

The Board may use ORS 192.660(2)(k) to conduct an executive session to consider matters related to school safety or a plan that responds to safety threats made toward a school in the district.

Local units of government and state agencies associated with emergency procedures training and planning shall review the emergency procedures and assist the district with the instruction and the conducting of drills for students in these emergency procedures.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.660\(2\)\(k\)](#)

[ORS 336.071](#)

[ORS 476.030\(1\)](#)

[OAR 581-022-1420](#)

OREGON STATE FIRE MARSHAL, OREGON FIRE CODE (2014).

**Cross Reference(s):**

GBE - Staff Health and Safety

**West Linn-Wilsonville  
School District 3J**

Code: EBC/EBCA  
Adopted: 10-8-2018

**District Emergency Operations Plan**

The Superintendent will develop, implement and maintain a plan specifying procedures to be used in such emergencies as disorderly conduct, unlawful assembly, disturbances at school activities, natural disasters, fire, illness or injury of a student or staff member, and safety threats on district property. The Superintendent will consult with experts and the appropriate entities while developing this plan.

The District Emergency Operations Plan will meet the standards of the State Board of Education.

Copies of the District Emergency Operations Plan will be available in every school office and other strategic locations throughout the district. Parents will be informed of the district's plan for the care of students during an emergency situation. The Board may use Oregon Revised Statute (ORS) 192.660(2)(k) to conduct an executive session to consider matters related to school safety or a plan that responds to safety threats made toward a school in the district.

The Superintendent will develop a process that ensures the effective development and implementation of the District Emergency Operations Plan.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.660\(2\)\(k\)](#)  
[ORS 332.107](#)

[OAR 437-002-0161](#)

[OAR 581-022-2030\(3\)\(c\)](#)  
[OAR 581-022-2225](#)

**West Linn-Wilsonville  
School District 3J**

Code: **ECAA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): ECAA

**Access to Buildings**

Buildings secured for the night may be entered only by the members of the central staff, the administrator of such facility, the supervisor of maintenance and such personnel as each of these may authorize for a specific date, time, or purpose.

An adequate key system shall be established and maintained which will limit access to buildings to only authorized personnel. The supervisor of maintenance shall be responsible for the control and issuance of building keys.

END OF POLICY

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**Legal Reference(s):**

[ORS 164.205 - 164.270](#)  
[ORS 332.107](#)  
[ORS 332.172](#)

**West Linn-Wilsonville  
School District 3J**

Code: **ECAC**  
Adopted: 6/12/17

## **Video Monitoring**

The Board authorizes the use of video cameras on district property to support the health, welfare and safety of all staff, students and visitors to district property, and to safeguard district facilities and equipment. Video cameras may be used in locations as deemed appropriate by the superintendent or designee.

The district shall notify staff and students that video monitoring may occur on district property and transportation vehicles.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.864](#)  
[ORS 192.420 - 192.505](#)  
[ORS 326.565](#)  
[ORS 326.575](#)

[ORS 332.105](#)  
[ORS 332.107](#)  
[ORS 336.187](#)  
[ORS 342.850](#)

[OAR 581-021-0210 to -0440](#)  
[OAR 581-022-1660](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).

In the matter of A.O., A Minor (March 28, 1988) (Superintendent of Public Instruction Ruling).

**West Linn-Wilsonville  
School District 3J**

Code: **ECB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): ECB

**Buildings and Grounds Maintenance**

The operation of the school plants involves all activities necessary to keep the physical plant open and ready for use, while maintenance refers to the regular upkeep, repair or replacement of any part of the facility.

The principal of each building and the director of operations must work closely and cooperatively together to maintain a high level in the operation and maintenance programs so that the instructional program can operate at a high level. It shall be the principal's responsibility to make recommendations regarding employment, assignment, transfer or dismissal of custodians in his/her building. The principal shall also make periodic inspections of his building and grounds with his building committee and shall make requests for needed repairs and desirable improvements through proper channels to the director of operations.

Teachers should always be aware of any situation in the classroom that can affect learning. Classrooms should be clean, orderly and attractive, and the furniture and equipment should fit the needs of the students. Problems in the classroom should be properly reported to the principal for resolution.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.172](#)

[OAR 437-002-0140](#)

[OAR 437-002-0360](#)

[OAR 437-001-0760](#)

[OAR 437-002-0144](#)

[OAR 437-002-0368](#)

[OAR 437-002-0020 to -0081](#)

[OAR 437-002-0145](#)

[OAR 437-002-0377](#)

[OAR 437-002-0180 to -0182](#)

[OAR 581-022-1530](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

**Cross Reference(s):**

EBA - Buildings and Grounds Inspection



**West Linn-Wilsonville  
School District 3J**

Code: **ECD**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): ECD

**Traffic and Parking Controls**

The director of operations shall authorize parking areas and post notices on district property designated for staff, student, visitor parking and parking for persons with disabilities and other classifications of parking areas as may be necessary. The principal is authorized to establish and enforce regulations and procedures for the parking and movement of all vehicles on properties which the Board has provided and designated for those purposes. Traffic and parking regulations set forth in the West Linn City, Clackamas County and City of Wilsonville ordinances are applicable and shall be enforced on all district properties.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.172](#)  
[ORS 332.445](#)  
[ORS 447.233](#)

[OAR 581-022-1610](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).  
Americans with Disabilities Act Amendments Act of 2008.

**Cross Reference(s):**

KGB - Public Conduct on District Property

**West Linn-Wilsonville  
School District 3J**

Code: **EDC/KGF**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EDC

**Authorized Use of District-Owned Materials**

District property may be used by outside entities for any purpose authorized by the Board, so long as it does not interfere with its use by the district schools. Appropriate fees for the use of district property will be assessed. The use of district property for activities unrelated to school, civic, community or educational purposes will be discouraged.

The Board will permit district equipment to be loaned to staff members when such use is directly or peripherally related to their employment, and to students when the equipment is required in their studies or extracurricular activities. Proper regulations should be established to insure the borrower's responsibility for, and return of, all such equipment. Use of district equipment by staff shall be consistent with the Oregon Ethics Laws.

END OF POLICY

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**Legal Reference(s):**

[ORS Chapter 244](#)  
[ORS 332.107](#)

[OAR 584-020-0040](#)

OREGON GOVERNMENT ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

**Cross Reference(s):**

KG - Use of District Facilities  
KGF/EDC - Authorized Use of District-Owned Materials

**West Linn-Wilsonville  
School District 3J**

Code: **EEA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EEA

### **Student Transportation Services**

School transportation services will be provided for students to and from school and for transporting students to and from curricular and extracurricular activities sponsored by the district, transporting from one school or facility to another, school-sponsored field trips that are extensions of classroom learning experiences. Transportation will be provided for homeless students to and from the student's school of origin<sup>1</sup> as required by the No Child Left Behind Act of 2001 (NCLBA). These services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the Superintendent.

Students in grades K-8 who live more than one mile from school will be transported. Students, grades 9-12, who live more than one and one-half miles from school will be transported. Mileage exceptions for health, safety or disability will be made in accordance with the district's approved supplemental plan.

Miles from school will be determined by the director of operations in accordance with Oregon Administrative Rule (OAR) 581-023-0040 (1)(c).

The district may use Type 10 School Activity Vehicles to transport students from home to school, school to home and from district-sponsored activities.

The district may also provide transportation using federal funds<sup>2</sup> or through cooperative agreements with local victims assistance units for a student to attend a safe district school<sup>3</sup> out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous.

If there are no other schools within the district a student may transfer to, the district may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

Students attending any private, parochial or public charter school under the compulsory school attendance laws will, where the private, parochial or public charter school is along or near the bus route, be provided equally the riding privileges given to public school students.

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<sup>1</sup>"School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

<sup>2</sup>Federal funds means funds available through Title IV, Part A, and Title V, Part A.

<sup>3</sup>If there is not another school in the district to which students can transfer, districts are encouraged, but not required, to explore other appropriate options, i.e., an agreement with a neighboring district.

Preschool students with disabilities who have transportation as a related service and children from birth to age three who are enrolled in an eligible program shall be provided home to school transportation.

A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Oregon Department of Transportation under Oregon Revised Statute (ORS) 815.055. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until he/she is four feet nine inches tall or age eight and the adult belt properly fits.<sup>4</sup> A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. In accordance with ORS 811.210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted in each school bus or school activity vehicle. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus or vehicle driver to the director of operations. The director of operations will, as soon as possible, inform the appropriate principal of such occurrence. Violators may be denied use of transportation for a period of time as deemed proper by the principal and/or director of operations.

The principal or designee shall ensure transportation officials and drivers receive notification of students having special medical or behavioral protocols identified in student records.

Appropriate training related to specific protocols, including confidentiality requirements, will be provided to drivers.

Aides or assistants that ride a school bus shall receive training on emergency procedures and their role in the safe transportation of all students on the bus.

The school bus or vehicle driver will be responsible for the school bus or vehicle at all times from departure until return. The driver will not participate in any activities that might impair his/her driving abilities.

The district will comply with all state and federal laws and regulations pertaining to school bus transportation.

END OF POLICY

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<sup>4</sup>“Proper fit” means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

**Legal Reference(s):**

|   |   |   |
|---|---|---|
| <a href="#"><u>ORS 327.006</u></a>            | <a href="#"><u>ORS 815.055</u></a>              | <a href="#"><u>OAR 581-053-0031</u></a> |
| <a href="#"><u>ORS 327.033</u></a>            | <a href="#"><u>ORS 815.080</u></a>              | <a href="#"><u>OAR 581-053-0040</u></a> |
| <a href="#"><u>ORS 327.043</u></a>            | <a href="#"><u>ORS 820.100 to-820.190</u></a>   | <a href="#"><u>OAR 581-053-0053</u></a> |
| <a href="#"><u>ORS 332.405</u></a>            |   | <a href="#"><u>OAR 581-053-0060</u></a> |
| <a href="#"><u>ORS 332.415</u></a>            | <a href="#"><u>OAR 581-021-0050 to-0075</u></a> | <a href="#"><u>OAR 581-053-0070</u></a> |
| <a href="#"><u>ORS 339.240 to-339.250</u></a> | <a href="#"><u>OAR 581-022-1530</u></a>         | <a href="#"><u>OAR 581-053-0210</u></a> |
| <a href="#"><u>ORS 343.155 to-343.246</u></a> | <a href="#"><u>OAR 581-023-0040</u></a>         | <a href="#"><u>OAR 581-053-0220</u></a> |
| <a href="#"><u>ORS 343.533</u></a>            | <a href="#"><u>OAR 581-053-0002</u></a>         | <a href="#"><u>OAR 581-053-0230</u></a> |
| <a href="#"><u>ORS 343.155 to-343.243</u></a> | <a href="#"><u>OAR 581-053-0003</u></a>         | <a href="#"><u>OAR 581-053-0240</u></a> |
| <a href="#"><u>ORS 811.210</u></a>            | <a href="#"><u>OAR 581-053-0004</u></a>         | <a href="#"><u>OAR 735-102-0010</u></a> |
| <a href="#"><u>ORS 811.215</u></a>            | <a href="#"><u>OAR 581-053-0010</u></a>         |   |

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6315, 7912.

Elementary and Secondary Education Act (ESEA) Flexibility Waiver, July 18, 2012.

McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2005).

**Cross Reference(s):**

EEAB - School Bus Scheduling and Routing

EEAC - School Bus Safety Program

EEACC - Student Conduct on School Buses

**West Linn-Wilsonville  
School District 3J**

Code: **EEAB**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EEAB

**School Bus Scheduling and Routing**

It shall be the responsibility of the director of operations, in consultation with the transportation contractor, to make an annual study of bus routes in each local area to make a determination of the safest, shortest and most economical way to get students to and from school. Routes should be so arranged as to equalize the length and times of routes and bus loads. Bus routes should not overlap unless absolutely necessary; and only one bus should cover a road unless overloading occurs.

Students shall not be put off the bus until the student or the bus has reached its destination.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.405](#)

[OAR 581-023-0040](#)

[OAR 581-053-0004](#)

[OAR 581-053-0031](#)

**Cross Reference(s):**

EEA - Student Transportation Services

**West Linn-Wilsonville  
School District 3J**

Code: **EEAC**  
Adopted: 9/10/12  
Readopted: 1/11/16  
Orig. Code(s): EEAC

**School Bus Safety Program**

The district will ensure instruction for all students in school bus safety and emergency evacuation procedures is provided. Drivers shall assist in the instruction. Students who are regularly transported by the district shall receive the following instruction within the first six weeks of each half of the school year:

1. Safe school bus riding procedures, including but not limited to loading, unloading, crossing, etc;
2. Use of emergency exits; and
3. Planned and orderly evacuation of the school bus in case of emergency, including participation in actual evacuation drills.

Students who are not regularly transported by the district will be given the following instruction at least once in the first half of each school year.

1. Safe school bus riding procedures; and
2. Use of emergency exits.

The district will document and maintain records of the content and dates of instruction.

Buses will not exceed vehicle design capacity for seating at any time unless an unforeseen or unusual circumstance arises. Passengers will be provided a seat that fully supports them. A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Department of Transportation under Oregon Revised Statute (ORS) 815.055. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until four feet nine inches or age eight and the adult belt properly fits.<sup>1</sup> A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. In accordance with ORS 811.210 and 811.215 vehicles used for student transportation in excess of 10,000 pounds are exempt from this requirement unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

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<sup>1</sup>“Proper fit” means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

During adverse weather conditions, the district may alter bus schedules or temporarily suspend bus services. The district will advise local radio stations and other media of any changes in bus schedules or services.

In the case of an emergency or disaster, evacuation of students will be carried out according to the district's emergency plan.

An accident review board will study accidents involving district buses and will make recommendations to avoid similar accidents.

END OF POLICY

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**Legal Reference(s):**

|  |                                  |                                  |
|--|----------------------------------|----------------------------------|
| <a href="#">ORS 811.210</a>              | <a href="#">OAR 581-053-0004</a> | <a href="#">OAR 581-053-0410</a> |
| <a href="#">ORS 811.215</a>              | <a href="#">OAR 581-053-0010</a> | <a href="#">OAR 581-053-0420</a> |
| <a href="#">ORS 815.055</a>              | <a href="#">OAR 581-053-0021</a> | <a href="#">OAR 581-053-0430</a> |
| <a href="#">ORS 815.080</a>              | <a href="#">OAR 581-053-0031</a> | <a href="#">OAR 581-053-0440</a> |
| <a href="#">ORS 820.100 to-820.190</a>   | <a href="#">OAR 581-053-0210</a> | <a href="#">OAR 581-053-0445</a> |
|  | <a href="#">OAR 581-053-0240</a> | <a href="#">OAR 581-053-0510</a> |
| <a href="#">OAR 437-002-0220 to-0227</a> | <a href="#">OAR 581-053-0310</a> | <a href="#">OAR 581-053-0520</a> |
| <a href="#">OAR 581-022-1420</a>         | <a href="#">OAR 581-053-0320</a> | <a href="#">OAR 581-053-0530</a> |
| <a href="#">OAR 581-053-0002</a>         | <a href="#">OAR 581-053-0330</a> | <a href="#">OAR 735-102-0010</a> |
| <a href="#">OAR 581-053-0003</a>         | <a href="#">OAR 581-053-0340</a> |                                  |

**Cross Reference(s):**

EEA - Student Transportation Services



### **Student Conduct on School Buses**

The following regulations will govern student conduct on school buses and Type 10 School Activity Vehicles if used for transporting students from home to school, school to home and to and from district-sponsored activities and will be posted in a conspicuous place in all buses:

1. Students being transported are under authority of the bus driver;
2. Fighting, wrestling or boisterous activity is prohibited on the bus;
3. Students will use the emergency door only in case of emergency;
4. Students will be on time for the bus, both morning and evening;
5. Students will not bring firearms, weapons or other potentially hazardous material on the bus;
6. Students will not bring animals, except approved assistance guide animals, on the bus;
7. Students will remain seated while bus is in motion;
8. Students may be assigned seats by the bus driver;
9. When necessary to cross the road, students will cross in front of the bus or as instructed by the bus driver;
10. Students will not extend their hands, arms or heads through bus windows;
11. Students will have written permission to leave the bus other than for home or school;
12. Students will converse in normal tones; loud or vulgar language is prohibited;
13. Students will not open or close windows without permission of the driver;
14. Students will keep the bus clean and must refrain from damaging it;
15. Students will be courteous to the driver, fellow students and passersby;
16. Students who refuse to promptly obey the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.

Board Policy JFCF “Hazing, Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence and Domestic Violence – Student” is fully applicable to students’ conduct when riding the school bus between school and home and to-and-from district-sponsored activities.”

The superintendent will establish other regulations as necessary for the safe conduct of students riding district school buses or other forms of district transportation and for disciplinary procedures. Such regulations will be available to all parents and students and posted in each school bus or other district vehicle.

Students who violate bus rules of conduct may be denied the use of district transportation.

END OF POLICY

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**Legal Reference(s):**

[ORS 339.240](#)  
[ORS 339.250](#)  
[ORS 820.100 - 820.190](#)

[OAR 581-021-0050 to- 0075](#)  
[OAR 581-023-0040](#)  
[OAR 581-053-0002](#)  
[OAR 581-053-0003](#)

[OAR 581-053-0004](#)  
[OAR 581-053-0010](#)  
[OAR 581-053-0210](#)

Letter Opinion, Office of the OR Attorney General (Nov. 22, 1988).

**Cross Reference(s):**

EEA - Student Transportation Services

**West Linn-Wilsonville  
School District 3J**

Code: **EEACCA**  
Adopted: 3/02/15  
Readopted: 1/11/16  
Orig. Code(s): EEACCA

**Video Cameras on Transportation Vehicles**

The Board recognizes the district's continuing responsibility to maintain and improve discipline, and ensure the health, welfare and safety of its staff and students on school transportation vehicles.

The Board, after having carefully weighed and balanced the rights of privacy of students and staff with the district's duty to ensure discipline, health, welfare and safety of staff and students on school transportation vehicles, supports the use of video cameras on its transportation vehicles.

Video cameras may be used to monitor student behavior on school transportation vehicles transporting students to and from curricular and extracurricular activities.

Such equipment may also be used to monitor the performance of district employees, agents and contractors in the fulfillment of their duties on school transportation vehicles transporting students to and from curricular and extracurricular activities.

Students in violation of district conduct rules shall be subject to disciplinary action in accordance with established Board policy and administrative regulations governing student conduct and discipline.

Staff shall be subject to established Board personnel policies, administrative regulations and collective bargaining agreements including provisions related to evaluation, discipline and dismissal.

Video recordings, depending on how they are used in student disciplinary proceedings, may become a part of a student's education record. In such cases, the district shall comply with all applicable state and federal laws related to education records. Such records will also be subject to established district procedures regarding education records including access, review and release of such records.

The superintendent or designee shall develop procedures for the notification of staff, students, parents and others as necessary of the use of video cameras on school transportation vehicles and such other procedures as may be required for the implementation of this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 30.864](#)  
[ORS 192.420 - 192.505](#)  
[ORS 326.565](#)  
[ORS 326.575](#)

[ORS 336.187](#)  
[ORS 342.850](#)

[OAR 581-021-0210 to- 0440](#)  
[OAR 581-022-1660](#)  
[OAR 581-053-0240\(82\)](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).

In the matter of A.O., A Minor (March 28, 1988) (Superintendent of Public Instruction Ruling).

**Cross Reference(s):**

JO/IGBAB - Education Records/Records of Students with Disabilities

**West Linn-Wilsonville  
School District 3J**

Code: **EEAE**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EEAE

**Student Transportation in Private Vehicles**

All athletic teams and other school groups traveling for any reason will travel by district contracted services or by other district vehicles unless approval has been granted by the principal to travel otherwise. Exceptional cases will be determined by review of number traveling, relative costs, safety factors, adequate insurance coverage, distance and responsibility of drivers.

Occasions may arise where certain staff members may need to transport students in their own automobiles. However, this shall only be done by expressed approval of the administrator in charge, with verification of adequate insurance coverage.

END OF POLICY

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**Legal Reference(s):**

[ORS 801.455](#)  
[ORS 811.210](#)

[ORS 815.055](#)  
[ORS 815.080](#)

[OAR 735-102-0010](#)

**Cross Reference(s):**

IICA - Extended Field Trips

**West Linn-Wilsonville  
School District 3J**

Code: **EAAF**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EAAF

**Student Transportation Insurance**

Any bus company serving the district shall be required by the Board to maintain, at all times, adequate insurance which covers all the operations pertaining to transportation of pupils, authorized persons and school personnel. The director of operations shall request the bus company to file with the Board, certificates of insurance attesting to such coverage.

END OF POLICY

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**Legal Reference(s):**

|  |  |                                  |
|--|--|----------------------------------|
| <a href="#">ORS 327.006</a>            | <a href="#">ORS 815.055</a>              | <a href="#">OAR 581-053-0031</a> |
| <a href="#">ORS 327.033</a>            | <a href="#">ORS 815.080</a>              | <a href="#">OAR 581-053-0040</a> |
| <a href="#">ORS 327.043</a>            | <a href="#">ORS 820.100 to-820.190</a>   | <a href="#">OAR 581-053-0053</a> |
| <a href="#">ORS 332.405</a>            |  | <a href="#">OAR 581-053-0060</a> |
| <a href="#">ORS 332.415</a>            | <a href="#">OAR 581-021-0050 to-0075</a> | <a href="#">OAR 581-053-0070</a> |
| <a href="#">ORS 339.240 to-339.250</a> | <a href="#">OAR 581-022-1530</a>         | <a href="#">OAR 581-053-0210</a> |
| <a href="#">ORS 343.155 to-343.246</a> | <a href="#">OAR 581-023-0040</a>         | <a href="#">OAR 581-053-0220</a> |
| <a href="#">ORS 343.533</a>            | <a href="#">OAR 581-053-0002</a>         | <a href="#">OAR 581-053-0230</a> |
| <a href="#">ORS 343.155 to-343.243</a> | <a href="#">OAR 581-053-0003</a>         | <a href="#">OAR 581-053-0240</a> |
| <a href="#">ORS 811.210</a>            | <a href="#">OAR 581-053-0004</a>         | <a href="#">OAR 735-102-0010</a> |
| <a href="#">ORS 811.215</a>            | <a href="#">OAR 581-053-0010</a>         |                                  |

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6315, 7912.

Elementary and Secondary Education Act (ESEA) Flexibility Waiver, July 18, 2012.

McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2005).

# West Linn-Wilsonville School District 3J

Code: **EFA**  
Adopted: 2/02/15  
Readopted: 1/11/16  
Orig. Code(s): EFA

## **Local Wellness Program**

The Board recognizes the importance of a comprehensive Wellness Program to support each student in becoming a self-directed person who pursues a healthy lifestyle. The Wellness Program will create the conditions for students to learn to:

1. Pursue physical, emotional and mental health.
2. Make responsible personal choices that contribute to ongoing self-development, a healthy lifestyle and a positive future.
3. Demonstrate self-control across a wide range of situations.

The components of the district comprehensive Wellness Program are:

1. Healthy Environment;
2. Health Education;
3. Nutrition/Food Service Program;
4. Physical Education;
5. Character Education;
6. Guidance and Counseling;
7. School Health Services Program;
8. Family and Community Involvement.

Objectives and goals of the district comprehensive Wellness Program are: Healthy Environment

The district will provide a school and classroom environment conducive to learning. A healthy learning environment addresses factors directly related to the well-being of students and staff, including:

1. Safe and efficient physical surroundings;
2. Aesthetics (e.g. temperature, noise, lighting, etc.);
3. Supportive climate and culture.

## **Health Education**

The district will provide a well-planned K-12 Health Education Program to include age appropriate instruction in these areas defined by the Oregon Department of Education:

1. Alcohol, Tobacco and Other Drug Prevention;
2. Prevention and Control of Disease;
3. Promotion of Environmental Health;
4. Promotion of Healthy Eating;
5. Promotion of Mental, Social and Emotional Health;
6. Promotion of Physical Activity;
7. Promotion of Sexual Health;
8. Unintentional Injury Prevention;
9. Violence and Suicide Prevention.

The district will recognize and grant credit to students who demonstrate a level of knowledge meeting or exceeding district academic standards as allowed by Board policy (IKH - Proficiency Based Credit).

## **Nutrition/Food Service Program**

The district will provide a Nutrition and Food Service Program that promotes a proactive role in encouraging students to make nutritious food choices. Foods and beverages served at district schools should be nutritious and delicious and shall meet the minimum state and federal standards. Exceptions to this requirement include items that are part of the USDA National School Lunch Program or School Breakfast Program. Other exceptions are foods and beverages provided in the following instances:

1. When the school is the site of school-related events for which parents and other adults are a significant part of the audience; or
2. The sale of food or beverage items before, during or after a sporting event, interscholastic activity, a play, band or choir concert.

The superintendent or designee shall develop administrative regulations to implement nutritional guidelines and shall ensure that nutritious foods are available as an affordable option whenever food is sold or served in schools



## **Reimbursable School Meals**

The district may enter into agreement with the Oregon Department of Education (ODE) to operate reimbursable school meal programs. The superintendent will develop administrative regulations that meet the requirements of state and federal law. The administrative regulations shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. 1779) and section 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a)(0)).

## **Physical Education**

The district will provide a well-planned K-12 Physical Education Program to include age appropriate instruction in three major areas:

1. Expressive and efficient moving;
2. Fitness for lifetime;
3. Self-Management and social behavior.

The district will recognize and grant credit to students who demonstrate a level of knowledge and fitness meeting or exceeding district academic standards as allowed by Board policy (IKH – Proficiency Based Credit).

## **Character Education**

The district recognizes that character education is the pathway to academic achievement and personal/community character development in school and beyond. The district will facilitate school experiences that intentionally utilize opportunities to foster both qualities needed to realize one's potential for excellence and qualities needed for successful interpersonal relationships and ethical behavior.

## **Guidance and Counseling Program**

The district will provide a comprehensive K-12 Guidance and Counseling Program, focusing on the developmental needs of all students, which includes age-appropriate instruction and planning relative to three major goals:

1. Academic Development – students will participate in planning their educational experiences so that their education is consistent with educational requirements and career aspirations.
2. Career Development – students will develop knowledge and awareness of career options consistent with their interests, abilities and values; career development includes focus on vocation, avocation, family life and citizenship.
3. Personal and Social Development – students will develop appropriate behaviors for a variety of social settings; students will develop awareness of self and confidence in their own abilities.

## School Health Services Program

The district will provide a K-12 and Special Education School Health Services Program delivering services to appraise, protect, and promote health. Services include:

1. Development and implementation of nursing care plans for identified students with special or chronic needs;
2. Direct student health care in the case of emergency (e.g., acute illness or injury, abuse, etc.);
3. Health-related counseling, training, and resources for students and staff (e.g., classroom instruction, district and school ERTs, medication administration procedures, etc.);
4. Prevention and control of communicable disease and other health problems;
5. Assessment of student health requirements/needs (e.g., immunizations, screening, home visits, etc.);
6. Referral to health care resources for students and families with identified needs (e.g., community service agencies, school mental health specialists, etc.).

## Family and Community Involvement

The district recognizes the primary importance of parents and family to support students' development as self-disciplined people who pursue a healthy lifestyle. The district will invite students, parents and families into partnership through the district Wellness Program.

The superintendent or designee will regularly evaluate the implementation of the district Wellness Program in established school and program review processes. The process will involve staff (including but not limited to, physical education and school health professionals), parents, students, representatives of the school food authority, public health professionals, school administrators and the public.

END OF POLICY

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### Legal Reference(s):

[ORS 329.496](#)  
[ORS 332.107](#)  
[ORS 336.423](#)

[OAR 581-051-0100](#)  
[OAR 581-051-0305](#)

[OAR 581-051-0310](#)  
[OAR 581-051-0400](#)

National School Lunch Program, 7 C.F.R. Part 210 (2006).  
School Breakfast Program, 7 C.F.R. Part 220 (2006).  
Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296 Section 204.

### Cross Reference(s):

EFAA - District Nutrition and Food Services

**West Linn-Wilsonville  
School District 3J**

Code: **EFAA**  
Adopted: 1/11/16

**District Nutrition and Food Services**

The district may enter into an agreement with the Oregon Department of Education (ODE) to operate the National School Lunch Program (NSLP) and the Commodity Food Distribution Program (CFDP) by signing a permanent Sponsor-ODE Agreement entitling the district to receive reimbursement for all meals that meet program requirements and to earn USDA Food entitlement based on the number of lunches served.

The permanent agreement shall be signed by the superintendent or other school official with authority to obligate the district to legally binding contracts, subject to annual ODE renewal and will include, at the district's option, an agreement to operate the School Breakfast Program (SBP), Summer Food Service Program (SFSP), the Child and Adult Care Food Program (CACFP) and the Special Milk Program (SMP). The district recognizes that meals and snacks served by the district will not be eligible for reimbursement until the annual program update is received and approved by ODE.

The permanent Sponsor-ODE Agreement shall include assurances by the district that it will follow all NSLP regulations regarding:

1. Free and reduced price process (updated annually);
2. Financial management of the nonprofit school food service;
3. Civil rights and confidentiality procedures;
4. Meal pattern and nutrition content of meals served;
5. Use and control of commodity foods;
6. Accuracy of reimbursement claims;
7. Food safety and sanitation inspections.

The superintendent will develop administrative regulations as necessary to implement this policy and meet the requirements of state and federal law. The regulation(s) will be reviewed and adopted by the Board as required by law.

END OF POLICY

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**Legal Reference(s):**

[ORS 327.520 to -327.535](#)

[OAR 581-051-0100](#)

[OAR 581-051-0400](#)

[OAR 581-022-1530\(2\)](#)

[OAR 581-051-0305](#)

[OAR 581-051-0310](#)

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, 7 C.F.R. Part 15b (2001).

U.S.D.A., ELIGIBILITY GUIDANCE FOR SCHOOL MEALS MANUAL.

U.S.D.A., FNS INSTRUCTION 765-7 REV. 2: HANDLING LOST, STOLEN AND MISUSED MEAL TICKETS.

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 203, 205.

**Cross Reference(s):**

EFA - Local Wellness Program

**West Linn-Wilsonville  
School District 3J**

Code: **EGAAA**  
Adopted: 2/12/07  
Readopted: 1/11/16  
Orig. Code(s): EGAAA

**Reproduction of All Copyrighted Materials**

Among the facilities available to teachers in carrying out their educational assignments are a variety of machines for reproducing the written and spoken word, either in single or multiple copies.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, audio tape, video or computer-programmed materials, is a serious offense against federal law and contrary to the ethical standards required of staff and students alike.

Violations may result in criminal or civil suits.

The Board therefore requires that all reproduction of copyrighted materials be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as “fair use” under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form.

“Fair use” is not a rigidly defined term. “Fair use” is based on the following standards:

1. The purpose and character of the use;
2. The nature of the copyrighted work;
3. The amount of and the substantiality of the portion used;
4. The effect of the use upon the potential market for, or value of, the copyrighted work.

If an individual questions the legality of duplicating materials, he/she should seek permission from the copyright holders.

Employees in violation of copyright law may be required to remunerate the district in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

The superintendent will develop administrative regulations that provide guidelines for the “fair use” of copyrighted materials that meet the requirements of Section 107 of the Copyright Act of 1976 and applicable amendments.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

Copyrights, 17 U.S.C. §§ 101- 1332; 19 C.F.R. Part 133 (2006).

**Cross Reference(s):**

GCQBA - Copyrights and Patents

**West Linn-Wilsonville  
School District 3J**

Code: **EHA**  
Adopted: 1/11/16

**Health Insurance Portability and Accountability Act**

(For districts that bill for Medicaid or use a contracted service – ESD or other – to bill for Medicaid)

The Board has determined that it meets the definition of a hybrid of covered entities<sup>1</sup> under the Health Insurance Portability and Accountability Act (HIPAA). As the district offers health-care provider programs and services that include electronic billing for the reimbursement of services under Oregon Medicaid programs, or contracts with another entity to provide such services, it is subject to HIPAA.

As a covered entity, the district will meet the national electronic transaction standards and applicable requirements of federal law. In all electronic transactions involving student education records information, the district will adhere to the confidentiality requirements of the Family Educational Rights and Privacy Act (FERPA).

The superintendent will ensure that training is provided to appropriate staff with access to, and responsibility for, electronic transactions of student education records information as required by HIPAA. Notice will be provided to students and parents of their rights pertaining to the disclosure of personally identifiable information, complaint procedures and the district official to contact in the event of questions, as provided in established student education records related Board policies and administrative regulations.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d-d-8 (2006); 45 C.F.R. Parts 160, 164 (2006). Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2011).

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<sup>1</sup>A “covered entity” is an entity subject to HIPAA. These include those entities defined under the Act as a health plan, health-care clearinghouse, health-care provider or a hybrid entity. A hybrid of covered entities is a single legal entity that is a covered entity and whose covered functions are not its primary function. Self-insured health plans and Internal Revenue Service Section 125 plans with 50 or more participants operated or maintained by public schools entities are covered health plans for HIPAA privacy rule purposes. Similarly, any provider of services, a provider of medical or health services as defined in section 1861 of the Act, 42 U.S.C. § 1395X(s)(5), and any person or organization who furnishes, bills or is paid for health care in the normal course as defined by 45 C.F.R. § 160.103 is also subject to HIPAA requirements as a health-care provider. District’s should review their programs and services with their legal counsel in determining HIPAA applicability.