

AGENDA REEDSPORT SCHOOL DISTRICT
REGULAR BOARD MEETING
January 8, 2020 at 6:30 pm

I. CALL TO ORDER

II. ESTABLISH A QUORUM

III. PLEDGE OF ALLEGIANCE

IV. CHANGES TO THE AGENDA

V. ACCOLADES

A. School Board Appreciation

B. Superintendent Awards

VI. COMMUNITY COMMENTS

Individuals may address the Board on agenda items. Please let the Board Chair know which item you wish to address. You are limited to no more than three (3) minutes. You may address the Board on a topic not on the agenda as long as it does not pertain to a complaint against a staff member. However, the Board reserves the right to refer the matter to the administration

VII. REPORTS

A. RCCS Administrator – Jerry Uhling

B. HES Administrator – Amanda O’Brien

C. SPED Director - Parma Roe

D. Leadership Reports-Nikki Cooper/Brendon Harrison

E. Business Manager – Rachel Amos-Audit Presentation

F. Charter Advisory Council Representative-Rachel Carter

G. Certified and Classified Representatives-Guy Marchione/Dana Roane

H. Superintendent – Jon Zwemke

VIII. CONSENT AGENDA

Actions that are routine or usually call for no discussion, such as approving minutes of previous meetings, acceptance of donations and similar actions, are often handled together in one vote by the Board

A. Approval of Work Session and Regular Board Meeting Minutes from December 11, 2019.

B. Acceptance of Resignations/Retirements

C. Approval of New Hires/Assignment Changes/Volunteers:

1. Sandi Donnelly-Aspire-RCCS

2. Christina Crockett-YTP-RCCS

D. Donations-

1. Football Equipment Bags

E. Division 22 Report

F. ARESP intent to bargain

IX. ACTION

A. Policies 1st Readings

1. AC-AR “Discrimination Complaint Procedure”
2. JHCD/JHCDA “Medication”
3. JHCD/JHCDA-AR “Medications”
4. JGE “Expulsion”

B. Promise Grant Scholarships

X. DISCUSSION

A. Trade schools

B. Seismic Retrofit

C. Hiring Bonuses and Incentives

D. Superintendent Evaluation

XI. COMMUNITY COMMENTS

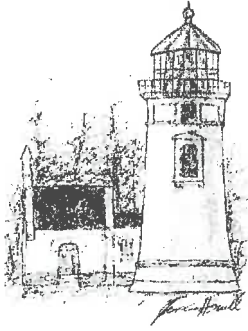
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XII. BOARD MEMBER COMMENTS

XIII. FUTURE AGENDA

A. Regular Board Meeting February 12, 2020 6:30 PM

XIV. ADJOURNMENT



Highland Elementary School

2605 Longwood Drive, Reedsport, Oregon 97467

Phone: (541) 271-3616, Fax: (541) 271-3618

December 16, 2019

January 2020 Superintendent Award

HES Teacher: Mrs. Cape-Lindelin (Mrs. C) Classroom: 14 Grade: 2nd

It is with great pleasure that I present my classroom Superintendent Award to Wyatt Durgeloh!☺ This young man epitomizes all **8 Habits of Healthy Kids** throughout the day, every day since September 3, 2019.

He is a quiet, natural leader. He turns in his weekly Engage NY math homework packet, AR reading log, Journeys spelling/high frequency/vocabulary lesson refrigerator focus wall each week (Initialed by a parent showing his teacher his positive, regular study habits). Habit 1: Be Proactive, Habit 2: Begin with the End in Mind, Habit 3: Put First Things First.

He's an exemplary student academically: 1st Quarter ELA grade: 4; Math grade: 3. STAR Reading Test growth: September 2019 GE: 2.9 to December 2019 GE: 3.4 (+0.5); STAR Math Test growth: September 2019 GE: 2.9 to December 2019 GE: 3.4 (+0.5).

He works so well with students who sit at his table. He helps quietly (**takes the initiative - sees a need and immediately fills it**) throughout the day in so many different ways: from getting our daily snack from the cafeteria with a partner, to getting our cold lunch tub ready for lunchboxes after lunch and lunch recess, to helping his classmates find the correct page(s) in our Journeys anthology, as well as, being a regular table captain who helps gets school materials, laptops, etc. to his tablemates and classmates for our daily learning tasks and activities.

His **example moves all of my students to excell** Habit 4: Think Win-Win, Habit 5: Seek First to Understand, then Be Understood, Habit 6: Synergize, Habit 7: Sharpen the Saw, Habit 8: Find Your Voice.

January 2020 Superintendent Award

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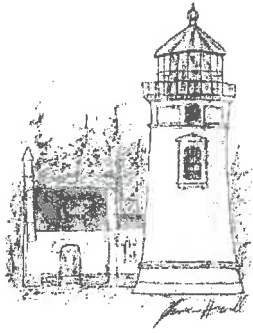
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Highland Elementary School

2605 Longwood Drive, Reedsport, Oregon 97467

Phone: (541) 271-3616, Fax: (541) 271-3618

December 10, 2019

It is a tremendous honor and privilege to write this letter recommending Brody Sullens for the Superintendent's Award. Brody, epitomizes the role of a student leader and holds a tremendous amount of outstanding attributes.

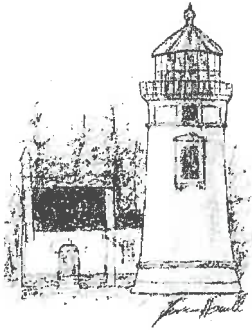
I have been impressed by Brody's achievements in the classroom. He has a superior work ethic and drive that is not matched. His desire to strive to learn is noteworthy. Third grade is not easy all of the time and students do face many academic challenges. Brody always works to perceive through all tasks- even the most challenging. Brody is one of the most conscientious and hardworking students I have ever taught.

Brody is a terrific person and holds a respectable character. He is reserved and may be the most understated student that I have in class; however, he is at the same time strong and self-possessed. Independent, self-reliant and self-motivated, he works well independently.

Furthermore, Brody is a team-player, accepting advice and guidance willingly and easily. He is sensitive to the ideas and needs of those around him, and is well respected by peers. Brody is a deeply ethical person with great integrity, he is responsible, dependable and honest. Simply, Brody is his own person, and genuine in all actions. He is a delight to be around and to work with. He is also an exceptionally engaging, interesting and warm person with tremendous strength of character and integrity.

Sincerely,

Cristina Bettsworth



Highland Elementary School

2605 Longwood Drive, Reedsport, Oregon 97467

Phone: (541) 271-3616, Fax: (541) 271-3618

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Sincerely,

Cristina Bettsworth



Reedsport Community Charter School

A community of learners preparing to meet the challenges of the future

2260 Longwood Drive, Reedsport, OR 97467

Phone (541) 271-2141

www.reedsport.k12.or.us

Creo, it has been a pleasure to have you as a student this year. You make my job as a teacher easier and more enjoyable as you come to class every day with a terrific attitude. In addition, you exemplify all the characteristics required to be a successful student. First, you have a desire to learn. You show this daily with your positive attitude, your participation in classroom activities and your thoughtful questions. Second, you are conscientious. When you knew you were going to be absent from school for an extended period of time, you asked me for the work you would be missing in advance (several times), and when you returned, you had completed your assigned work. In addition, you came in after school to complete the lab you had missed during your absence. Third, you have perseverance. When you do not do well on a classroom assignment or quiz, you are willing to come in after school to make the necessary corrections to improve your grade. Fourth, you are responsible. When placed in a group of students who may not be as focused as you, you have the ability to stay on task and complete the assigned work. In fact, you have come in after school to complete assignments that were not finished in class, as well as to complete extra credit assignments that you were unable to complete during class time. The extra time you spend on your school work requires no prompting from me, rather, you make these choices all on your own. There are very few students of your age who show this amount of responsibility and are willing to put forth this degree of effort in their academic work.

Perhaps one of the most important qualities you possess is your ability to be a quiet leader, and you lead by example. Because of your positive attitude and strong work ethic, you demonstrate to other students in the class how to be a successful student. I can always count on you to be doing what is asked of you, and also helping those around you to stay on task. I'm not sure what your educational goals are at this time, or your life goals, but I do know that whatever you decide to do, you will be successful because of the qualities you possess. Again, it has been a pleasure to have you as a student this year and I wish you continued success in the future.

Sincerely,

Ron Frakes/Science Teacher



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Phone (541) 271-2141

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December 17, 2019

Dear Amber and George Reynolds,

It is with great pleasure that I nominate your son, Tommy Wolford, for the Superintendent's award for January. I feel that he is most deserving of this award for many reasons.

Tommy comes to class every day with a smile and a desire to learn! It is one of the things I love most about him. He exemplifies a positive attitude, even when things are hard for him. Tommy is collaborative with his peers and is always ready to lend a helping hand to others. He continually works to be the best version of himself.

I admire Tommy's dedication in the classroom, but I am also most impressed with the things he does outside of school as well. He is a member of the RHS Swim team and volunteers on the Reedsport Fire Department, where he helps in our community as well.

Congratulations Tommy, and continue to be BRAVE!

Best Regards,

Jennifer Tymchuk



Reedsport School District 105

100 Ranch Road, Reedsport OR 97467-1739

Phone: (541) 271-3656

Fax: (541) 271-3658

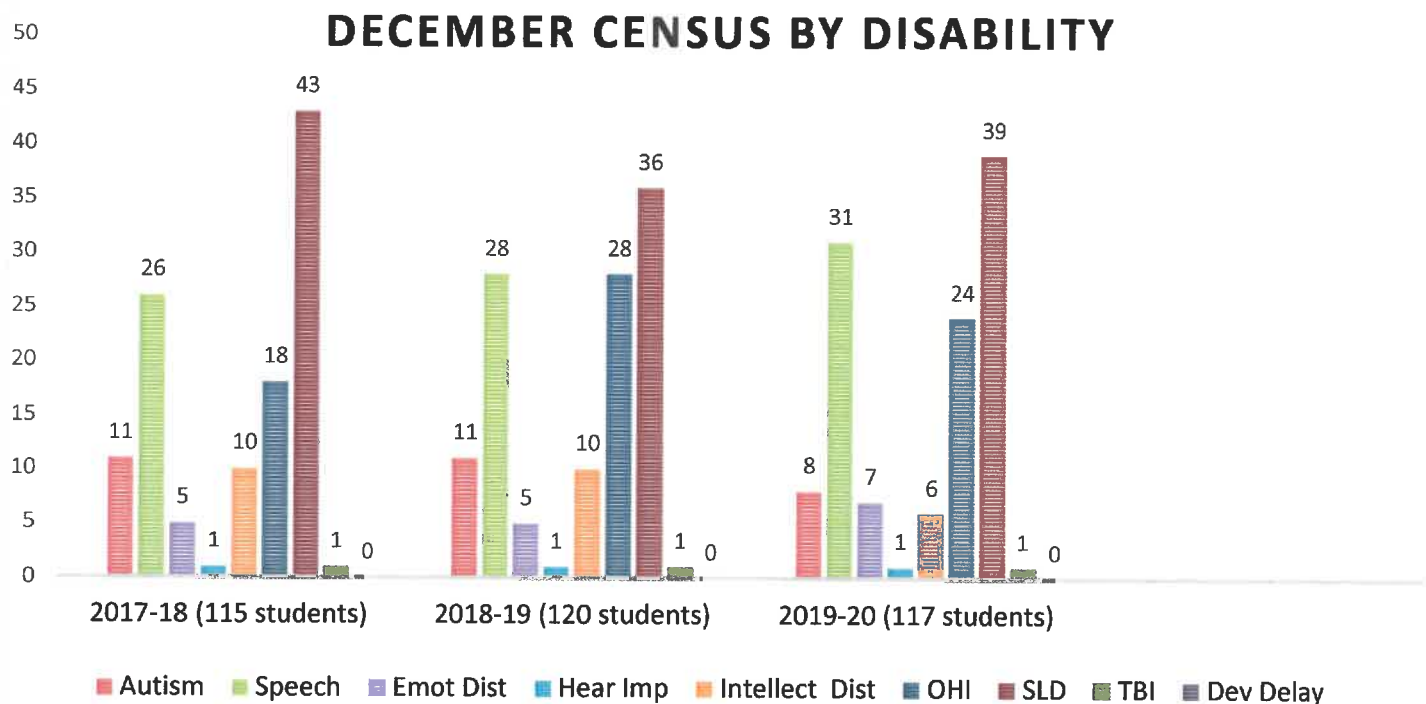
January 09, 2020

To: Board of Directors, Reedsport School District #105

Special Education Report | Parma Roe, Special Education Director

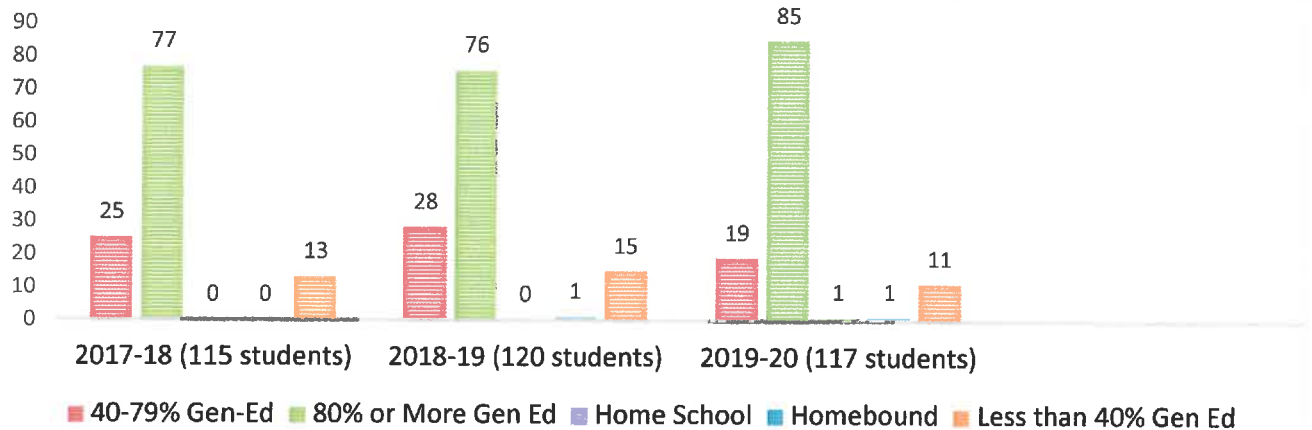
Special Education Child Count (SECC) Collection

December Child Count was submitted just before we left for Christmas. The district claimed 117 Special Education students this year.



Across the last 3 years, the types of disabilities and the number of students we serve appears relatively stable.

SECC BY FEDERAL PLACEMENT



We have improved in our Federal Placement ratios, as general education inclusion is a legal requirement. The core of Least Restrictive Environment resides in the amount of time a student with disabilities is educated alongside his/her non-disabled peers.

Sec. 300.116 Placements

In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that—

(a) The placement decision—

(1) Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

(2) Is made in conformity with the LRE provisions of this subpart, including §§300.114 - 300.118;

(b) The child's placement—

(1) Is determined at least annually;

(2) Is based on the child's IEP; and

(3) Is as close as possible to the child's home;

(c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

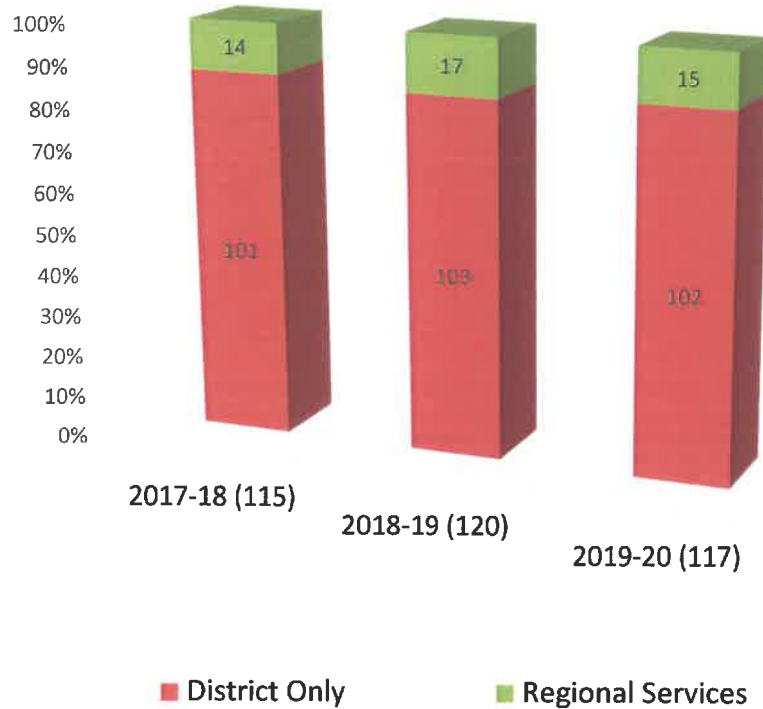
(d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and

(e) A child with a disability is not removed from education in age-appropriate regular

Oregon-Specific Placement Requirements:

- **73% (or more)** of students with IEPs must be included in general education classes at least 80% of the day. **The green bar from 2019 represents 85/117 Special Education students, or 73%. We just met!**
- **10.6% (or less)** of students on IEPs to be included in general education classes less than 40% of the day. **The orange bar from 2019 represents 11/117 Special Education students, or 9% which we met.**
- **1.8% (or less)** to be served in public or private separate schools, residential placements, or home-bound and hospital placements, while ensuring a continuum of placement options based on individual need. **The turquoise bar you do not see represents 1/117 students (Home-bound), which is less than 1%. We met this standard as well.**

SECC by Serving Agency



Regional Services are specialized services provided for students with low-incidence disabilities (Vision, Hearing, Deaf/Blind, Orthopedic, Traumatic Brain Injury, and Autism) through our South Coast Regional ESD.

2019 COSA Law Conference December 4-6th

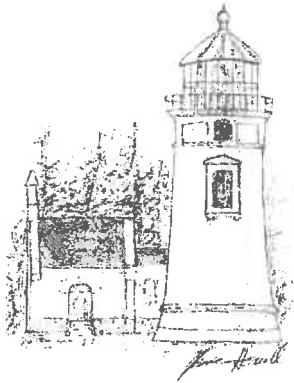
SpEd Director Roe attended Wednesday through Friday:

- Legal Issues for Oregon Small School Districts
- Legislative Changes for Oregon Administrators
- Mitigating Liability in Special Education Classrooms
- Tips for Special Education in Adversarial Situations with Parents
- Navigating the intersection of Free Speech and Anti-Harassment: Supporting a Healthy School Climate
- Special Education Best Practices from a Parent Attorney's Perspective

Plenty of good information to provide case managers at our next meeting....

Reedsport School District
Student Enrollment Numbers by Grade Level
2019-2020

	2018-2019			2019-2020									
Grade Level	9/6/18	6/6/19		9/4/19	10/2/19	11/6/19	12/4/19	1/3/20	2/7/20	3/7/20	4/4/20	5/2/20	6/6/20
K	54	57		49	49	49	48	49					
1	56	48		56	56	56	53	54					
2	50	49		51	51	53	53	53					
3	45	49		46	47	46	46	47					
4	67	62		46	47	47	47	47					
5	50	45		63	64	63	67	66					
6	45	45		42	45	46	45	45					
Elementary Total	367	355		353	359	360	359	361	0	0	0	0	0
7	50	44		48	49	49	48	47					
8	39	37		38	38	37	37	36					
9	55	57		40	41	39	39	40					
10	51	56		56	56	53	49	49					
11	50	56		63	56	55	46	44					
12	49	52		57	55	52	47	47					
Charter School Total *	294	302		302	295	285	266	263	0	0	0	0	0
School Totals	661	657		655	654	645	625	624	0	0	0	0	0
IDT In**	NA	NA		NA	NA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
IDT Out***	NA	NA		NA	NA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	



Reedsport School District 105

100 Ranch Road, Reedsport OR 97467-1739

Phone: (541) 271-3656

Fax: (541) 271-3658

Work Session Board Meeting Minutes For December 11, 2019

Call to Order – Chairman Eric Brandon called the work session meeting to order at 6:00 pm.

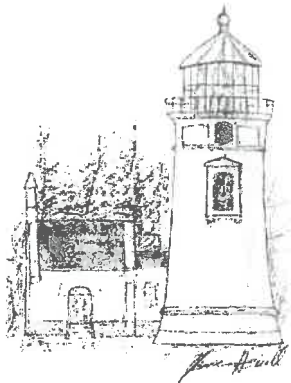
The work session began with Business Manager Rachel Amos going over the New credit cards and acceptable usages. She explained to the Board members the new check out systems and the acceptable receipt handling.

Work Session was adjourned at 6:25 pm

Respectfully submitted by Donna Shaw.

Eric Brandon, Chairman Date

Jon Zwemke, Superintendent Date



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School Board Meeting Minutes For December 11, 2019

Call to Order – Chairman Eric Brandon called the meeting to order at 6:33 pm.

A quorum was established with the following board members in attendance: Chairman Eric Brandon, Vice Chairman Carey Jones, Director Greg Carter. Director Chuck Ostmeyer was absent.

The following Reedsport School District Staff members in attendance: Superintendent Jon Zwemke, Business Manager Rachel Amos, Special Education Coordinator Parma Roe, Principal Jerry Uhling, Principal Amanda O'Brien, Board Secretary Donna Shaw, Teachers Guy Marchione, Ron Frakes, Molly Goossens, Paige Allen, Jessica Zaita, Connie Coffman. Also in attendance Media Specialist Karen Plagmann, and Custodian Ron Short.

The Pledge of Allegiance was recited.

Changes to the Agenda- A revised agenda was looked over and Director Greg Carter motioned to accept the revised agenda, Director Carey Jones seconded the motion and the motion carried 3-0.

Superintendent Awards-Letters were read by the teachers to the students: for November, Jaden Austin by Teacher Paige Allen, Zac Barnes by Teacher Jessica Zaita for Teacher Jeff Foster, Myles Morgan by Principal Jerry Uhling for Teacher Bill Shaw, for December, Elijah Zaita by Teacher Connie Coffman, Thomas Morgan by Teacher Molly Goossens, and Grady Sevits by Teacher Guy Marchione.

Community Comments-None

RCCS Principal, Jerry Uhling's report was on hand for review and had nothing further to add.

HES Principal, Amanda O'Brien's report was on hand for review and added Kudos for the staff at Highland and the teachers going above and beyond.

SPED Director, Parma Roe's report was on hand and had nothing to add.

Superintendent Jon Zwemke informed the Board that Parma would be doing a Special Education Handbook presentation at the February meeting.

Leadership spokesperson Nikki Cooper told the board of the events happening at the High School, Winter Assembly will take place on Thursday December 19th. Brendon Harrison talked about upcoming games and informed the board on how the basketball teams as well as the wrestlers have been doing.

Business Manager Rachel Amos report was on hand for review, and added she went to the Fall conference and a topic that was talked about was criminal defrauding of the districts. She explained to the board about the SSA funding structure moving monies and corporate tax. Business Manager Rachel Amos wants the board to be aware and stay tuned for the money has not been disbursed as of yet. Director Carey Jones had no questions for Business manager Rachel Amos.

Shop Teacher Guy Marchione asked to speak and told the board that he has been remodeling the shop and they should come take a look, He is waiting for a call from Workforce of Oregon and his cell phone is open for calls on Students to work.

Superintendent Jon Zwemke told the board that the Tech Committee will make a final decision on what School Information System to go with. We will be training in the Spring and be ready for full use by July 1st, 2020.

Evaluation process going smooth with both Unions communicating and everyone in compliance for March deadline.

Health counseling push to hire, Toolkit for SIA due April 16th. Need to survey and Assess approach requiring proof we went through the process. Tours at Highland with a yellow ribbon cutting, open house for community to see the changes and upgrades at Highland Elementary School. Director Carey Jones asked if the Lions club and Rotary would be good groups for survey. Also Chelsea Duncan with Douglas ESD helping with Facebook communication.

During the Flood day, Teachers Bettencourt and Zaita were quick to act and take care of the crisis at hand., Superintendent added that staff responded well with mopping and clean up. April third Job fairs, think about Incentives to attract new hires. Jon asks the board for guidance on this with pros and cons. Director Carey Jones mentioned using SIA funds.

Director Carey Jones motioned to approve the consent agenda, Director Greg Carter seconded the motion and the motion carried 3-0.

Director Greg Carter motioned to accept the KL-4 Policy being recommended by Superintendent Jon Zwemke, Director Carey Jones seconded the motion, and the motion carried 3-0.

Director Greg Cater motioned to remove the Policy DLC, Director Carey Jones seconded the motion and the motion passed 3-0.

Director Greg Cater motioned to accept the policy DLC-AR as modified and recommended by Superintendent Jon Zwemke, Carey Jones seconded the motion after a question was raised if this would be something we need to address with the CBA, answer is no. The motion passed 3-0

Repeal as recommended by the ODE as of January 1 2020 due to PERS changes Policy GCPC is no longer. Business manager Rachel will research last years and will hopefully have something for the board at the January meeting when she knows more about changes. Greg Carter motion to repeal the policy GCPC,” Retirement of Licensed Staff” and Director Carey Jones seconded the motion and the motion passed 3-0.

The board interviewed two candidates for Board of Director seat. Liza Wenzel and Savannah Wright. Both were asked questions by Chairman Eric Brandon. The board voted to accept Savannah Wright as the new member of the Board and it was unanimous. 3-0 Chairman Eric Brandon then had Savannah Wright read the Oath of Office and then she sat down with the Board.

Action Item C, Director Greg Carter made a motion to Vote for Fred Brick OSBA Legislative Policy Committee member and the motion failed for lack of second.

Action Item D-The board discussed and asked Business Manager Rachel Amos to have the auditors present the audit findings at the January Board meeting in person. The audit is due to the State by December 31st. Carey Jones asked what would happen if it was late and we do not approve an explanation was given and that monies are not dispersed to the schools until the audit is in. Business manager Rachel Amos stated that the auditor was late in getting us this audit, however it looks great everything matched. We can RFP next year again for a new Auditor company.

Greg motioned to accept the audit 18-19 as presented and Carey Jones seconded the motion and the motion carried 4-0.

Discussion items:

Chairman Eric Brandon discussed more on promoting trade schools as an alternative for some of our students. Principal Jerry Uhling mentioned that The Workforce comes in just to talk to students, they were proctoring 16 students on Tuesday.

Director Carey Jones asked if we still have Abbey’s Closet and yes we do.

Superintendent Jon Zwemke mentioned we are purchasing MakerBot’s which are 3-D printers where kids can make and create.

Promise Grant Scholarship committee will be made up of RCCS Principal Jerry Uhling, RCCS Counselor Karin Smith, Director Savannah Wright and Director Carey Jones. They will give us some feedback at the January 8th board meeting.

Discussion ensued.

No community Comments.

Board Member Comments:

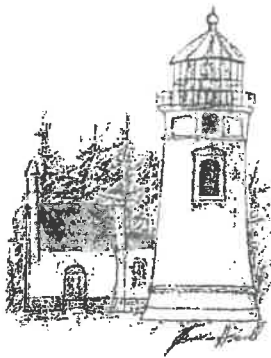
Director Greg Carter talked about OSBA Conference and the workshop he went to on CTE. Director Eric Brandon talked on the smaller committees and the hearings workshop he went to. Director Carey Jones commented that the conference on certain issues had too much outdated materials.

Meeting was adjourned at 8:47 pm

Respectfully submitted by Donna Shaw.

Eric Brandon, Chairman Date

Jon Zwemke, Superintendent Date



Reedsport School District 105

100 Ranch Road
Reedsport, OR 97467-1739
Phone: (541) 271-3656
Fax Phone: (541) 271-3658

RECEIPT FOR DONATION

Name of donor: Tom Darley
Address: 18116 Cedar Ave Reedsport
Telephone Number: 54-361-039
Description of donation: Football Equipment bags
Value of donation: \$1051.56
Purpose(s) for which donation is given, including any conditions or limitations on the use of the donation:
Football program

Item added to Fixed Asset Inventory
Yes ☐ No ☐
(Only items valued at \$5,000 or more.)

Signature of donor: Thomas A. Darley
Date of donation: 12-19-19

The donated item listed above was publicly reported to the board during the Regular Board Meeting held: _____ Date
Shawn For Sergio L. L. L.
Signature of Superintendent / Principal / Designee

The Reedsport School District (Taxpayer I.D. number 93-0565903) is a Political Subdivision of the State of Oregon as defined in Section 4221(a) of the Internal Revenue Code, and as such is a qualified tax-exempt organization. Donations to the Reedsport School District are tax deductible for Federal and State income tax purposes within the limits specified in the Internal Revenue Code and State law.

Copy to District Office.

Revised 9/21/17 MLH

From: orders <orders@epicsports.com>
To: jdove240 <jdove240@aol.com>
Subject: Epic Sports Order Confirmation #4315940
Date: Thu, Dec 19, 2019 12:23 pm



Epic Sports

Baseball

Soccer

Football

Closeouts

Thank you for your order, THOMAS DAILEY.

IMPORTANT: Please check that everything is correct below.

To CANCEL or make CHANGES to your order, please do so immediately by visiting "[My Account](#)" on our home page. It may or may not be too late to make changes to your order, depending on its status.

Please inspect your order when it arrives and contact our office at (888) 269-2440 within 5 business days if anything is missing or damaged.

If you need to return any items on your order, please review our return policy located at <http://www.epicsports.com/returnpolicy.html>.

Order Information

Billing:

THOMAS DAILEY
 1816 CEDAR AVE.
 REEDSPORT, OR 97467
 Ph: 541-361-0390

Shipping:

THOMAS DAILEY
 1816 CEDAR AVE.
 REEDSPORT, OR 97467
 Ph: 541-361-0390

Ship Via: Standard

Order Details

Order #: 4315940

Order Date: 8/23/2019 8:35:00 PM

Product	Unit Price	Qty	Price
Champro Varsity Football Equipment Bag B43 Epic SKU: B9564 COLOR: BLACK - BLK SIZE: 26"L X 15"W X 15"H	\$28.19	(35)	\$986.65
Subtotal:			\$986.65
Standard (ETA 9/3/2019):			\$64.91
Order Total:			\$1051.56
VISA ending in 2168			

Thank you again for visiting Epic Sports!

If you have questions or need assistance, please call (877) 539-9591 or email us at customerservice@epicsports.com.

SMS Notifications

Are you in the know?

Stay even more connected by signing up for EPIC SPORTS text alerts. It's easy and at your fingertips!

OSBA Model Sample Policy

Code: AC-AR

Adopted:

Discrimination Complaint Procedure

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step 1: ^[1]Complaints may be oral or in writing and must be filed with the [principal]. Any staff member that receives an oral or written complaint shall report the complaint to the [principal].

The [principal] shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within [10] school days of receipt of the complaint.

Step 2: If the complainant wishes to appeal the decision of the [principal], the complainant may submit a written appeal to the superintendent [or designee] within [five] school days after receipt of the [principal]'s response to the complaint.

The superintendent [or designee] shall review the [principal]'s decision within [five] school days and may meet with all parties involved. The superintendent [or designee] will review the merits of the complaint and the [principal]'s decision. The superintendent [or designee] will respond in writing to the complainant within [10] school days.

Step 3: If the complainant is not satisfied with the decision of the superintendent [or designee], a written appeal may be filed with the Board within [five] school days of receipt of the superintendent's [or designee's] response to Step 2. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative [at the next regular or special Board meeting] [a Board meeting]. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within [10] days of this meeting.

If the [principal] is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent [or designee].

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair. [The Board may refer the investigation to a third party.]

¹ [For district information. The district's timeline established by each step of the district's complaint procedure must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. The district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)]

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step 3 and be referred directly to the [district counsel] [Board vice chair]. The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing[, but will not be longer than 30 days from the date of the submission of the complaint at any step]. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district[,] [or] a parent or guardian of a student who attends school in the district[or a student,] is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initialing filing of the complaint, may appeal² the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Charter Schools of which the District Board is a Sponsor

[The district Board, [through its charter agreement with [name of charter school sponsored by the district board]] [through a board resolution] [through this administrative regulation], will review an appeal of a decision reached by the Board of [name of public charter school] on a complaint alleging violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination). A complainant may appeal will submit such appeal to the [superintendent] [Board chair] on behalf of the district Board within [30] days of receipt of the decision from the public charter school board. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.]

OR

[The district Board, [through its charter agreement with [name of public charter school sponsored by the district board]] [through a board resolution] [through this administrative regulation], will not review an appeal of a decision reached by the Board of the [name of public charter school] on a complaint alleging a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination), for which the district Board has jurisdiction, and recognizes a decision reached by the Board of [name of public charter school] as the district Board's final decision. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.]

² An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

DISCRIMINATION COMPLAINT FORM

Name of Person Filing Complaint _____ Date _____ School or Activity _____

Student/Parent ☐ Employee ☐ Job applicant ☐ Other ☐ _____

Type of discrimination:

- | | | |
|--|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Mental or physical disability | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital status | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Familial status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Economic status | <input type="checkbox"/> Discriminatory use of a Native American mascot |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Veterans' status | <input type="checkbox"/> Other _____ |

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of the discussion.) _____

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

This complaint form should be mailed or submitted to the [principal].

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Discrimination Complaint Procedure

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step 1: Complaints may be oral or in writing and must be filed with the principal. The principal shall investigate and determine the action to be taken, if any, and reply, in writing, to the complainant within 10 school days of receipt of the complaint.

Any staff member that receives a written or oral complaint shall report the complaint to the principal.

Step 2: If the complainant wishes to appeal the decision of the principal, he/she may submit a written appeal to the superintendent or designee within five school days after receipt of the principal's response to the complaint. The superintendent or designee may review the principal's decision and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the principal's decision and respond in writing to the complainant within 10 school days.

Step 3: If the complainant is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within five school days of receipt of the superintendent's or designee's response to Step 2. The Board may decide to hear or deny the request for appeal. The Board may meet with the concerned parties and their representative at the next regular or special Board meeting. The Board's decision will be final and will include the legal basis for the decision, findings of fact and conclusions of law. A copy of the Board's final decision shall be sent to the complainant in writing within 10 days of this meeting.

If the principal is the subject of the complaint, the individual may file a complaint with the superintendent or designee. If the superintendent is the subject of the complaint, the complaint should be referred to the Board chair. The Board may refer the investigation to a third party.

Complaints against the Board as a whole or against an individual Board member, should be made to the Board chair and may be referred to district counsel. Complaints against the Board chair may be made directly to Board vice chair.

Timelines may be extended based upon mutual consent of both parties in writing.

If the complainant is not satisfied after exhausting local complaint procedures, or 90 days, whichever occurs first, he/she may appeal in writing to the Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-022-1940.

DISCRIMINATION COMPLAINT FORM

Name of Person Filing Complaint _____ Date _____ School or Activity _____

Student/Parent ☐ Employee ☐ Nonemployee ☐ (Job applicant) Other ☐ _____

Type of discrimination: ☐ Race ☐ Color ☐ Religion
☐ Sex ☐ National Origin ☐ Disability
☐ Marital Status ☐ Age ☐ Sexual Orientation
☐ Other _____

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of informal discussion.)

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

The complaint form should be mailed or taken to the principal. Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

OSBA Model Sample Policy

Code: JHCD/JHCDA
Adopted:

Medications**/*

The district recognizes that administering a medication to a student and/or permitting a student to administer a medication to them self, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the district may administer or a student may be permitted to administer to them self prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The district shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, trained personnel designated by the district may administer epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

[Current first-aid and CPR cards are strongly encouraged for designated personnel.] [A current first-aid and CPR card is required for designated personnel.]

~~When a licensed health care professional is not immediately available, personnel designated by the district may administer to a student, epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.~~

The district reserves the right to reject a request for ~~district personnel to administer, or to permit a student to administer to them self, a when such medication~~ administration of medication at school, either by ~~district personnel or student self-administration, if the~~ medication is not necessary for the student to remain in school.

The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the district has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also

¹ Under proper notice given to the district by a student or student's parent or guardian.

requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication.

A request to the district to administer or allow a student to self-administer prescription medication ~~or a nonprescription medication that is not approved by the Food and Drug Administration (FDA)~~ shall include a signed prescription and treatment plan from a prescriber² ~~or an Oregon licensed health care professional.~~

A request to the district to administer or allow a student to self-administer nonprescription that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

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

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

[⁴Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.]

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

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

³ Subject to ORS 109.610, 109.640 and 109.675.

[⁴ The district is not required to provide or administer this medication. If the district plans on providing and administering this medication this policy language and other associated bracketed policy language is required. If the district does not plan to provide or administer this medication, do not include this language or other associated bracketed language in this policy.]

A school administrator, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration, in good faith and pursuant to state law, of prescription and/or nonprescription medication, ~~subject to state law~~.

A school administrator, school nurse, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in Oregon Revised Statute (ORS) 339.866, ~~when~~ if that person in good faith and pursuant to state law, assisted the student in self-administration of the medication, ~~subject to state law~~.

A school administrator, school nurse, teacher or other district employee designated by the school administration is not liable in a criminal action or for civil damages, ~~when~~ as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy, who is unable to self-administer the medication, ~~subject to state law~~ regardless of whether the student or individual has a prescription for epinephrine[, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug].

The district and the members of the Board are not liable in a criminal action or for civil damages ~~when a student or individual is unable to self-administer medication, when~~ as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the district or at an activity under the jurisdiction of the district, administers autoinjectable epinephrine to a student or other individual, ~~subject to state law~~ with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine[, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug].

The superintendent shall develop administrative regulations as needed to meet the requirements of law; ~~Oregon Administrative Rules~~ and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.610](#)
[ORS 109.640](#)
[ORS 109.675](#)
[ORS 332.107](#)
[ORS 339.866 - 339.871](#)
[ORS 433.800 - 433.830](#)

[ORS 475.005 - 475.285](#)
[OAR 166-400-0010\(17\)](#)
[OAR 166-400-0060\(29\)](#)
[OAR 333-055-0000 -055-00350115](#)
[OAR 581-021-0037](#)

[OAR 581-022-2220](#)
[OAR 851-047-0030](#)
[OAR 851-047-0040](#)
[Senate Bill 665 \(2019\)](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012~~8~~); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017~~9~~).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration in Oregon Schools: A Manual for School Personnel* (2016).

Prescription Medication

The district recognizes that the administration of prescription medication to students and/or student self-medication may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of students who require regular doses or injections of medication as a result of experiencing a severe allergic reaction, or have a need to manage hypoglycemia, asthma or diabetes. When a licensed health care professional is not immediately available, a designated trained staff member may administer to a student, epinephrine, glucagon or other medications as prescribed and allowed by Oregon law.

When directed by a physician or other licensed health care professional, students in grades K-12 will be allowed to self-administer prescription medication, including medication for asthma or severe allergy as defined by state law, and subject to age-appropriate guidelines.

A written treatment plan for a student who self administers medication will be developed and signed by a physician¹ or other Oregon licensed health care professional and kept on file. A written request and permission form signed by a parent or guardian is required and will be kept on file. If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

A request for the district to administer prescription medication to a student shall include the written permission of the parent or guardian and shall be accompanied by written instruction from a physician, physician assistant or nurse practitioner. A prescription label prepared by a pharmacist will be deemed sufficient to meet the requirements for a physician's order.

The district reserves the right to reject a request to administer or allow self administration of a medication when such medication is not necessary for the student to remain in school.

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

A process shall be established by which, upon parent written request, a backup prescribed autoinjectable epinephrine is kept at a reasonable, secured location in the student's classroom as provided by state law.

Training shall be provided to designated staff as required by law in accordance with approved protocols as established by the Oregon Health Authority. Staff designated to receive training shall also receive

¹Added to Oregon Revised Statute 678.010 to -678.410: A registered nurse who is employed by a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days (House Bill 3149 (2015)). (This is to allow time for new students to find an Oregon licensed physician.)

bloodborne pathogens training. Current first-aid and CPR cards are strongly encouraged for designated staff.

Prescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district regulations governing administering noninjectable or injectable, or prescription or nonprescription medicines to students including procedures for the disposal of sharps and glass.

The superintendent will ensure student health management plans are developed as required by training protocols, maintained on file and pertinent health information is provided to district staff as appropriate.

Such plans will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities.

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

END OF POLICY

Legal Reference(s):

ORS 109.640
ORS 339.866 to -339.871
ORS 433.800 to -433.830
ORS 475.005 to -475.285

OAR 166-400-0010(17)
OAR 166-400-0060(29)
OAR 333-055-0000 to -0035
OAR 581-021-0037

OAR 581-022-0705
OAR 851-047-0030
OAR 851-047-0040

OSBA Model Sample Policy

Code: JHCD/JHCDA-AR

Adopted:

Medications**/*

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

1. Definitions

- a. “Medication” means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies. ^[1] Medication also includes naloxone or any similar medication that is in any form available for the safe administration and that is designed to rapidly reverse an overdose of an opioid drug.]
- b. “Prescription medication” means any medication that under federal or state law requires a prescription by a prescriber.
- c. “Nonprescription medication” means medication that under federal law does not require a prescription from a prescriber.
- d. “Adrenal crisis” means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. “Adrenal insufficiency” means adrenal insufficiency as defined in ORS 433.800.
- f. “Notice of a diagnosis of adrenal insufficiency” means written notice to the district from a student or the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. “Prescriber²” means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.

^[1] If the district plans to provide and/or administer naloxone in the district this language and other associated bracketed language is required. If the district does not plan to provide and/or administer naloxone in the district do not include this language or other associated bracketed language.]

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

- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to district policy and procedure.

2. Designated Staff/Training

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

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

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

4. ³Administering Naloxone or Other Similar Medication to a Student or Other Individual

Naloxone or any other similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an opioid overdose.]

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

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

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health Authority;
- c. The student or the student's parent or guardian must provide adequate supply of the student's prescribed medication to the district;
- d. The district will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

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

³ Ibid. p. 1.]

- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Method of administration;
- (iv) Dosage;
- (v) Frequency of administration;
- (vi) Other special instructions from the prescriber, if any; and
- (vii) Signature of the prescriber.

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

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
 - (a) The nonprescription medication is necessary for the student to remain in school;
 - (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
 - (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:

- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Method of administration;
- (iv) Dosage;
- (v) Frequency of administration;
- (vi) Other special instructions, if any; and
- (vii) Signature of the student's parent or guardian.

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

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

- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school,

at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;

- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;
- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent[, and documentation will be made on the district's Accident/Incident Report form]. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the district.

7. Administration of Medication by a Student to Themselves

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a school setting.

- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
 - (b) The student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.
 - (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. The student may have in ~~his/her~~ their possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
 - c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
 - d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
 - e. Upon written request from a parent or guardian, and with a prescriber's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom;
 - f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the district;
 - g. Permission for a student to administer medication to themselves may be revoked if the student violates the Board policy and/or this administrative regulation;
 - h. A student may be subject to discipline, up to and including expulsion, as appropriate;
 - i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.

8. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students
- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
 - b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another district employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
 - c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian, and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
 - d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box [used solely for the storage of medication];
 - (2) Medications requiring refrigeration will be stored in a [locked box in a refrigerator] [separate refrigerator used solely for the storage of medication];
 - (3) Access to medication storage keys will be limited to the principal and designated personnel.
 - e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
 - f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

9. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent or guardian[, school nurse] and principal will be notified immediately.
- b. Minor adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

10. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within [five]

school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:

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

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

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

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

11. Transcribing, Recording and Record Keeping

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

Prescription/Nonprescription Medication

Students may, subject to the provisions of this regulation, have prescription or nonprescription medication administered by designated, trained staff. Self-medication by students will be permitted in accordance with this regulation and state law.

1. Definitions

- a. "Prescription medication" means any noninjectable drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken either internally or externally by a student under the written direction of a physician. Prescription medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. Prescription medication does not include dietary food supplements. As per Oregon Administrative Rule (OAR) 851-047-0030 through 851-047-0040, a registered nurse may administer a subcutaneous injectable medication.
- b. "Nonprescription medication" means only commercially prepared, nonalcohol-based medication to be taken at school that is necessary for the student to remain in school. This shall be limited to eye, nose and cough drops, cough suppressants, analgesics, decongestants, antihistamines, topical antibiotics, anti-inflammatories and antacids that do not require written or oral instructions from a physician. Nonprescription medication does not include dietary food supplements.
- c. "Physician¹" means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, a nurse practitioner with prescriptive authority licensed by the Oregon State Board of Nursing, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon or a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon.
- d. "Student self-medication" means a student must be able to administer medication to himself/herself without requiring a trained staff member to assist in the administration of the medication.
- e. "Age-appropriate guidelines" means the student must be able to demonstrate the ability, developmentally and behaviorally, to self-medicate with permission from parent or guardian, administrator and in the case of a prescription medication, a physician.
- f. "Training" means yearly instruction, by a qualified trainer, to be provided to designated staff on the administration of prescription and nonprescription medication, based on requirements set out in guidelines approved by the Oregon Department of Education (ODE), including discussion of applicable district policies, procedures and materials.

¹Added to Oregon Revised Statute 678.010 to -678.410: A registered nurse who is employed by a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days (House Bill 3149 (2015)). This is to allow time for new students to find an Oregon licensed physician.

- g. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a physician, or a pharmacist licensed by the State Board of Pharmacy for the state of Oregon.
- h. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen or dust.
- i. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- j. “Designated staff” means the staff person who is designated by the building principal to administer prescription or nonprescription medication.

2. Designated Staff/Training

- a. The principal will designate trained staff authorized to administer prescription or nonprescription medication to students while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this regulation.
- b. The principal will ensure the training required by law and Oregon Administrative Rules is provided. Training must be conducted by a qualified trainer.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects and allergic reactions, and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. Training will be provided yearly to designated staff authorized to administer medication to students.
- e. A copy of the district’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- f. A statement that the designated staff member has received the required training will be signed by the staff member and filed in the district office.

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

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

4. Administering Medications to Students

- a. A request for designated staff to administer medication to a student may be approved by the district and subject to the following:
 - (1) A written request for the district designated staff to administer prescription medication to a student, if because of the prescribed frequency for the medication, the medication must be given while the student is in school, at a school-sponsored activity, while under the

supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities, must be submitted to the school office and shall include:

- (a) The written signed permission of the parent or guardian;
- (b) The written instruction from the physician, physician assistant or nurse practitioner for the administration of the prescription medication to the student including:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration; and
 - (vi) Other special instruction, if any.

The prescription label will be considered to meet this requirement if it contains the information listed in (i.)-(v.i.) above.

- (2) A written request for the district to administer nonprescription medication must be submitted to the school office and shall include:

- (a) The written signed permission of the parent or guardian;
- (b) The written instruction from the parent or guardian for the administration of the nonprescription medication to the student including:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instruction, if any.

- b. Medication is to be submitted in its original container;
- c. Medication is to be brought to and returned from the school by the parent;
- d. It is the parent's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- e. It is the parent's responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- f. In the event a student refuses medication, the parent will be notified immediately. No attempt will be made to administer medication to a student who refuses district-administered medication;
- g. Any error in administration of medication will be reported to the parent immediately [and documentation made on the district's Accident/Incident Report form]. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration, method of administration, etc.;
- h. Medication shall not be administered or self-medication allowed until the necessary permission form and written instructions have been submitted as required by the district.

5. Student Self-medication of a Prescription or Nonprescription Medication

- a. Student self-medication of prescription medication by K-12 students, including students with asthma or severe allergies, will be allowed subject to the following:
 - (1) A parent or guardian signed permission form and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - (2) A prescription written by an Oregon licensed health care professional that includes a written treatment plan for managing of the student's asthma, diabetes and/or severe allergy, and for use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities, and acknowledgment the student has been instructed in the correct and responsible use of the medication;
 - (3) Principal permission for all self-medication of prescription medicine requests is required.
- b. Student self-medication of nonprescription medication by K-12 students may be allowed subject to the following:
 - (1) A parent or guardian permission form and other documentation requested by the district must be submitted for self-medication of all nonprescription medications. The signed form from the parent or guardian will ensure the student has received proper instruction for use;
 - (2) Principal] permission for all self-medication of nonprescription medicine requests is required.
- c. Students who are developmentally and/or behaviorally unable to self-medicate will be provided assistance by designated school staff. A permission form and written instructions will be required as provided in Section 4.a. and b. above;
- d. All prescription and nonprescription medication must be kept in its appropriately labeled, original container, as follows:
 - (1) Prescription labels must specify the name of the student, name of the medication, dosage, method of administration and frequency or time of administration and any other special instruction including permission for the student to self-medicate;
 - (2) Nonprescription medication must have the student's name affixed to the original container.
- e. The student may have in his/her possession only the amount of medication needed for that school day, except for manufacture's packaging that contains multiple dosage, the student may carry one package, such as but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- f. Sharing and/or borrowing of any medication with another student is strictly prohibited;
- g. Any medication required for use longer than 10 school days will be permitted only upon the written request of the parent;
- h. For students who have been prescribed bronchodilators or epinephrine, staff will request from the parent or guardian, that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided by the parent or guardian, will be kept at

- b. Minor adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent immediately.

8. Disposal of Medications

- a. Medication not picked up by the parent at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated staff in a nonrecoverable fashion as follows:
 - (1) Medication in capsule, tablet and liquid form will be removed from their original container (destroy any personal information). Crush solid medications, mix or dissolve in water (this applies to liquid as well) and mix with an undesirable substance such as coffee grounds, kitty litter, flour etc., and place it in impermeable non-descriptive containers such as empty cans or sealable bags, placing these containers in the trash. Flush prescriptions down the toilet only if the accompanying patient information specifically instructs it is safe to do so;
 - (2) Other medication will be disposed of in accordance with established training procedures including sharps and glass.
- b. All medication will be disposed of by designated staff in the presence of another school employee and documented as described in 9. a., below.

9. Documentation and Record Keeping

- a. A medication log will be maintained for each student administered medication by the district. The medication log will include, but not be limited to:
 - (1) The name, dose and route of medication administered, date, time of administration and name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication²;
 - (4) Emergency and minor adverse reaction incidents¹;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medicines, including permission slips and written instructions, will be maintained in a separate medical file apart from the student's education records file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- c. Student medical files will be kept confidential. Access shall be limited to those designated school staff authorized to administer medication to students, the student and his/her parents. Information may be shared with staff with a legitimate educational interest in the student or others as may be authorized by the parent in writing.

²Designated staff may note incident by symbol in medication log and attach detailed documentation as necessary.

A school administrator, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription and/or nonprescription medication as per state law.

A school administrator, school nurse, teacher or other district employee designated by the school administrator, are not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, when that person in good faith assisted the student in self-administration of the medication, as per state law.

A school administrator, school nurse, teacher or other district employee are not liable in a criminal action or for civil damages, when in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy, who is unable to self administer the medication, as per state law.

A school district and the members of a school district board are not liable in a criminal action or for civil damages when a student or individual is unable to self-administer medication, when any person in good faith administers autoinjectable epinephrine to a student or individual, as per state law.

- the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
- i. Upon written parent request and with a physician's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom;
 - j. Permission to self-medicate may be revoked if the student violates the Board policy and/or these regulations. Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

6. Handling, Storage, Monitoring Medication Supplies

- a. Medication administered by designated staff or self administered by the student, must be delivered by the parent to the school, in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated staff in the presence of another district employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated staff will follow the written instructions of the physician and parent and training guidelines as may be recommended by ODE for administering all forms of prescription and/or nonprescription medications.
- d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box used solely for the storage of medication;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator separate refrigerator used solely for the storage of medication;
 - (3) Access to medication storage keys will be limited to the principal and designated school staff.
- e. Designated staff will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated staff will notify the parent immediately.

7. Emergency Response

- a. Designated staff will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent, school nurse and principal will be notified immediately.

OSBA Model Sample Policy

Code: JGE
Adopted:

Expulsion**

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

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

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

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

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

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

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service¹ or by certified mail² at least [five] days prior to the scheduled hearing. Notice shall include:
 - a. The specific charge or charges;
 - b. The conduct constituting the alleged violation, including the nature of the evidence of the violation and reason for expulsion;
 - c. A recommendation for expulsion;

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

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

- d. The student's right to a hearing;
- e. When and where the hearing will take place; and
- f. The right to representation.

2. The Board may expel, or may delegate the authority to decide on an expulsion to the superintendent or superintendent's designee, who may also act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer designated by the Board will conduct the hearing and will not be associated with the initial actions of the building administrators;
3. Expulsion hearings will be conducted in private and will not be open to the general public unless the student or the student's parents request an open session;
4. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;
5. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney and/or parent. The district's attorney may be present;
6. The student shall be afforded the right to present ~~his/her~~ their version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;
7. The student shall be permitted to be present and to hear the evidence presented by the district;
8. The hearings officer or the student may record the hearing;
9. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;
10. If the Board is conducting the expulsion hearing, the Board may designate the Board chair or a third party as the hearings officer. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records. The hearings officer will provide to the Board, findings as to the facts, the recommended decision and whether or not the student has committed the alleged conduct. This will include the hearings officer's recommended decision on disciplinary action, if any, including the duration of any expulsion. This material will be available in identical form to the Board, the student if age 18 or over and the students' parents at the same time. Following the review by the Board of the hearings officer's recommendation, the Board will make the final decision regarding the expulsion;
11. If the Board has delegated authority to the superintendent [or designee] to act as the hearings officer, the superintendent may designate ~~him or herself~~ themselves, or a third party, as the hearings officer. The hearings officer's decision is final. However, a decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review. If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student and the student's parents at the same time. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify or reverse the decision;

12. A Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:

- a. The name of the minor student;
- b. The issues involved, including a student's confidential ~~medical records~~ and ~~that student's educational program~~;
- c. The discussion;
- d. The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion, the district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative education programs have been made.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.061](#)
[ORS 336.615 - 336.665](#)

[ORS 339.115](#)
[ORS 339.240](#)
[ORS 339.250](#)

[OAR 581-021-0050 - 021-0075](#)
[House Bill 2514 \(2019\)](#)

Expulsion

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

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service¹ or by certified mail² at least five days prior to the scheduled hearing. Notice shall include:
 - a. The specific charge or charges;
 - b. The conduct constituting the alleged violation, including the nature of the evidence of the violation and reason for expulsion;
 - c. A recommendation for expulsion;
 - d. The student's right to a hearing;
 - e. When and where the hearing will take place; and
 - f. The right to representation.
2. The Board may expel, or may delegate the authority to decide on an expulsion to the superintendent or superintendent's designee, who may also act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer designated by the Board will conduct the hearing and will not be associated with the initial actions of the building administrators;
3. Expulsion hearings will be conducted in private and will not be open to the general public unless the student or the students' parents request an open session;
4. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;
5. The student shall be permitted to have a representation present at the hearing to advise and to present arguments. The representation may be an attorney and/or parent. The district's attorney may be present;
6. The student shall be afforded the right to present his/her version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;

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

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

7. The student shall be permitted to be present and to hear the evidence presented by the district;
8. The hearings officer or the student may record the hearing;
9. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;
10. If the Board is conducting the expulsion hearing, the Board may designate the Board chair or a third party as the hearings officer. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records. The hearings officer will provide to the Board, findings as to the facts, the recommended decision and whether or not the student has committed the alleged conduct. This will include the hearings officer's recommended decision on disciplinary action, if any, including the duration of any expulsion. This material will be available in identical form to the Board, the student if age 18 or over and the students' parents at the same time. Following the review by the Board of the hearings officer's recommendation, the Board will make the final decision regarding the expulsion;
11. If the Board has delegated authority to the superintendent [or designee] to act as the hearings officer, the superintendent may designate him or herself, or a third party, as the hearings officer. The hearings officer's decision is final. However, a decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review. If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student and the students' parents at the same time. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify or reverse the decision;
12. A Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:
 - a. The name of the minor student;
 - b. The issues involved, including a student's confidential medical record and that student's educational program;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion, the district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative education programs have been made.

END OF POLICY

Legal Reference(s):

**Expulsion - JGE
2-3**

ORS 192.660
ORS 332.061
ORS 336.615 to -336.665

ORS 339.115
ORS 339.240
ORS 339.250

OAR 581-021-0050 to -0075