

Columbia Gorge ESD

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The following symbol is used on some policies:

- ** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to

ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

Columbia Gorge ESD

Code: EA
Adopted: 3/17/10
Orig. Code: EA

Support Services Goals

(OSBA has removed this policy from its samples)

The Board recognizes that support services are essential to the successful function of the ESD. Support services are those services which provide administrative, technical, personal (such as guidance and health) and logistical support to facilitate and enhance instruction and, to a lesser degree, community services.

Through support services operations, the Board intends to:

1. Ensure proper operation and maintenance of buildings, vehicles, equipment and services; set high standards of safety; promote and protect the health of staff members; and support the efforts of component school district and ESD staff to provide good instruction;
2. Encourage, through the superintendent and staff, the establishment of procedures for managing buildings and grounds, office equipment, vehicles and supplies;
3. Encourage the establishment of a maintenance program, including preventive maintenance, that will ensure a maximum useful life of property, vehicles, buildings and equipment;
4. Encourage adherence to generally accepted management principles and to applicable laws and regulations.

END OF POLICY

Legal Reference(s):

[OAR 437-001-0760](#)
[OAR 437-002-0020 to -0081](#)
[OAR 437-002-0260 to -0268](#)
[OAR 437-002-0360](#)
[OAR 437-002-0377](#)
[OAR 581-024-0225](#)
[OAR 581-024-0275](#)

Columbia Gorge ESD

Code: EB
Adopted: 6/15/11
Orig. Code: EB

Safety Program

The Board recognizes its responsibility for the safety of students, district employees and other citizens while they are on and in the facilities of the district.

The Board shall provide, publish and post rules for safety and the prevention of accidents; shall ensure that students, teachers and other staff members are instructed in safety and accident prevention; shall provide protective devices where they are required for the safety of students and employees and shall provide suitable and safe equipment for the conduct of the program and the operation of the district. Through routine inspection of all facilities, materials and equipment, as well as through staff training, it is expected that all hazardous or potentially hazardous conditions will be identified, reported and acted upon appropriately.

Notwithstanding any regulation requiring specific action, administrators shall take prompt action to correct any unsafe condition or circumstance that is brought to their attention. Likewise, the superintendent shall report to the Board any hazardous and unhealthy conditions if those conditions cannot be corrected through administrative action alone.

The superintendent shall prepare rules governing safety and the prevention when possible of accidents, fire, mechanical and electrical malfunction, natural disasters and other hazards which shall include as a minimum the requirements of law and the applicable rules and regulations of various departments of state government. The superintendent will further develop and maintain a written hazard communication program for the district. All personnel who, during the performance of their duties, or in an emergency, may be exposed to hazardous chemicals will be informed and trained to deal appropriately with these chemicals. The superintendent shall appoint a staff member as safety officer, charged with responsibility for implementing the safety program.

END OF POLICY

Legal Reference(s):

[ORS 654.003](#) to -654.022

[OAR 437-001](#)-0760

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

[OAR 437-002](#)-0100

[OAR 437-002](#)-0140

[OAR 437-002](#)-0144

[OAR 437-002](#)-0145

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

[OAR 437-002](#)-0260 to -0268

[OAR 437-002](#)-0360

[OAR 437-002](#)-0368

[OAR 437-002](#)-0377

[OAR 437-002](#)-0390

[OAR 437-002](#)-0391

[OAR 581-024](#)-0275

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

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

Columbia Gorge ESD

Code: EB-AR(1)
Adopted: 6/15/11
Orig. Code: EB-AR(1)

District Safety and Health Program

(recommend including this in any safety manuals)

The safety and health of all employees is a shared goal of all who work for the Columbia Gorge Education Service District. Our policy is that managers, supervisors, employees, and volunteers share responsibility for taking reasonable steps to engender a safe and healthful workplace.

Our District has a safety committee consisting of a designated Safety Officer; employee representation from each location (StRUT, ESD Main Office, EI/ECSE) and management representation. The goal of the Safety Committee is to assist in identifying hazards & unsafe work practices, mitigating obstacles to accident prevention & evaluating the District's safety program.

Our District expects all management employees, and volunteers to focus on the following:

- Striving to achieve zero accidents and injuries.
- Taking reasonable steps to improve safety and health rules.
- Assisting in loss control efforts aimed at identifying and mitigating safety hazards.
- Identifying reasonable and appropriate mechanical and physical safeguards.
- Conducting reasonable safety and health inspections.
- Training workers as needed in safe work practices and procedures.
- Providing employees with personal protective equipment as appropriate to specific job tasks, and training employees in its appropriate care and use.
- Using appropriate personal protective equipment.
- Reporting hazards, unsafe work practices, and accidents.
- Assisting in the identification of the cause of on the job injuries, and in the identification of reasonable methods to prevent similar occurrences.
- Supervising workers in safe work practices.
- Enforcing applicable safe work rules.
- Disciplining workers that fail to work safely.
- Participating in and supporting safety committee activities.
- Reviewing the District's safety & health program annually or as needed.

Discipline up to and including termination could result from a failure to pay reasonable attention to any of the above.

If loss prevention assistance is needed at any time, contact:
Scott Neufeld, Loss Control Manager
SDAO: 1-800-285-5461
sneufeld@sdao.com

Columbia Gorge ESD

Code: EBAC
Adopted: 3/17/10
Orig. Code: EBAC

Centralized Safety Committee *

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

The superintendent will coordinate the efforts of the ESD's centralized ~~district's~~ safety committee ~~efforts~~ and maintain all necessary records.

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

END OF POLICY

Legal Reference(s):

[ORS 654.176](#)
[ORS 654.182](#)

[OAR 437-001-0765](#)
[OAR 581-024-0275\(3\)](#)

Columbia Gorge ESD

Code: EBAC-AR
Revised/Reviewed: 3-17-10
Orig. Code: EBAC-AR

Safety Committee

(Version 1)

(see proposed AR for centralized safety committee)

District Safety Officer

The superintendent shall designate a district safety officer. The safety officer shall:

1. Establish a centralized safety committee, advisory to the safety officer, to implement and monitor the district safety program;
2. Be responsible for writing and implementing a district safety program (The written program shall include reporting procedures and in-service safety training program.);
3. Coordinate all matters relating to safety and shall make, or cause to be made, periodic inspections of sites;
4. Maintain liaison with applicable agencies outside the district;
5. Assist all administrators and department supervisors as necessary in the preparation and implementation of the district safety program;
6. Maintain the accident record system; make necessary reports, personally investigate fatal, serious and potentially serious accidents; and check corrective action taken by personnel to eliminate causes of accidents;
7. Establish specific goals for the district's safety program and evaluate goals and accomplishments on a regular basis.

District Safety Committee

A district safety committee shall be established by the superintendent to represent the safety and health concerns of district employees and students.

The district safety committee shall be composed of an equal number of employer and employee representatives. When agreed upon by employees and the district, the number of employees on the committee may be greater than the number of district representatives. The committee will consist of no fewer than 4 members for districts with more than 20 employees, with at least one representative from each department and/or program.

A reasonable attempt will be made to ensure that committee members represent major work activities.

Employee representatives shall be volunteers or elected by their peers unless there is a provision in the collective bargaining agreement that addresses the selection of employee representatives. Members of the

committee shall serve at least a continuous one year term. Terms shall be staggered to provide continuity. There shall be a chair elected by the district safety committee.

The district safety committee will:

1. Hold regular meetings at least once a month except months when quarterly workplace safety inspections are made as per Oregon OSHA guidelines. This does not exclude other months from district safety committee meetings if more frequent safety inspections are conducted;
2. Provide written agendas for each meeting which shall set the order of business;
3. Make written records of each meeting which the district shall review and maintain for three years for inspection;
4. Post and send copies of meeting records to committee members;
5. Assist in creating a hazard-free work environment by:
 - a. Recommending to the district how to eliminate hazards in the workplace and promoting employee adherence to safe work practices; and
 - b. Using lines of communications to promote cooperative attitudes between all persons involved in the operations of the workplace.

Duties of the site safety committee will include:

1. Establishing procedures for minimum quarterly workplace safety inspections of a safety committee inspection member(s) to locate and identify safety and health hazards. The safety committee member(s) shall document the location and identity of the hazards. The safety committee will make recommendations as to how and when the hazards will be corrected;
2. Establishing procedures for investigating all significant safety-related incidents including injury accidents, illnesses and deaths for the purpose of recommending corrective action necessary to prevent similar events from recurring;
3. Evaluating district policies which may affect safety and health in the workplace and make recommendations for changes to existing policies or adoption of new policies;
4. Evaluating all the accident and illness prevention programs brought to the committee's attention and making recommendations necessary to make the programs more applicable to the workplace;
5. Establishing a system whereby the safety committee can obtain information that would help in creating a hazard-free work environment, directly from all persons involved in the operations of the workplace. The information obtained shall be reviewed at the next safety committee meeting;
6. Establishing procedures for the review of all safety and health inspection reports made by the committee and making necessary recommendations;
7. Establishing procedures for the review of corrective action taken on the committee's recommendations or determining the reasons why no corrective action was taken;

8. Making all reports, evaluations and recommendations of the safety committee a part of the minutes of the safety committee;
9. Evaluating employee/supervisor training needs.

Degree of Authority

The district safety committee is authorized to make written suggestions to the district safety officer, based on its experiences, inspections and input from other employees, students and district patrons, as appropriate.

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Columbia Gorge ESD

Code: EBAC-AR
Revised/Reviewed:

Centralized Safety Committee * (Version 2)

ESD Safety Officer

The superintendent shall designate an ESD safety officer. The safety officer shall:

1. Establish a centralized safety committee to advise the safety officer on implementing and monitoring the ESD's safety program.
2. Be responsible for writing and implementing an ESD safety program (The written program shall include reporting procedures and in-service safety training program.).
3. Coordinate all matters relating to safety and shall make, or cause to be made, periodic inspections of sites.
4. Maintain a liaison relationship with applicable agencies outside the ESD.
5. Assist all administrators and department supervisors as necessary in the preparation and implementation of their site safety programs.
6. Maintain the accident record system; make necessary reports, personally investigate fatal, serious and potentially serious accidents; and check corrective action taken by teachers or other personnel to eliminate causes of accidents.
7. Establish specific goals for the ESD's safety program and evaluate goals and accomplishments on a regular basis.

Centralized Safety Committee

A centralized safety committee shall be established to represent the safety and health concerns of all ESD employees and students.

The centralized safety committee shall be composed of an equal number of employer and employee representatives. When agreed upon by employees and the ESD, the number of employees on the committee may be greater than the number of ESD representatives. The committee will consist of no fewer than 4 members for ESDs with more than 20 employees.

A reasonable attempt will be made to ensure that committee members represent major work activities.

Employee representatives shall be volunteers or elected by their peers unless there is a provision in the collective bargaining agreement that addresses the selection of employee representatives. Members of the committee shall serve at least a continuous one-year term. Terms shall be staggered to provide continuity. There shall be a chair elected by the centralized safety committee.

Employee representatives attending safety committee meetings outside the regularly scheduled workday shall be compensated by the employer at the regular hourly wage.

The centralized safety committee will:

1. Hold regular meetings at least once a month except months when quarterly workplace safety inspections are made. This does not exclude other months from safety committee meetings if more frequent safety inspections are conducted. Quarterly safety committee meetings may be substituted for monthly meetings when the committee's sole area of responsibility involves low hazard work environments such as the ESD office.
2. Provide written agendas for each meeting which shall set the order of business.
3. Make written records of each meeting which the ESD shall review and maintain for three years for inspection.
4. Post and send copies of meeting records to committee members.
5. Assist in creating a hazard-free work environment by:
 - a. Recommending to the ESD how to eliminate hazards in the workplace and promote employee adherence to safe work practices; and
 - b. Using lines of communications to promote cooperative attitudes between all persons involved in the operations of the workplace.

Duties of the centralized safety committee will include:

1. Establishing procedures for minimum quarterly workplace safety inspections of a safety committee inspection team to locate and identify safety and health hazards. The safety inspection team shall include employer and employee representatives. The team shall document the location and identity of the hazards and make recommendations as to how and when the hazards will be corrected;
2. Establishing procedures for investigating all significant safety-related incidents including injury accidents, illnesses and deaths for the purpose of recommending corrective action necessary to prevent similar events from recurring;
3. Evaluating ESD policies which may affect safety and health in the workplace and make recommendations for changes to existing policies or adoption of new policies;
4. Evaluating all the accident and illness prevention programs brought to the committee's attention and making recommendations necessary to make the programs more applicable to the workplace;
5. Establishing a system whereby the safety committee can obtain information that would help in creating a hazard-free work environment, directly from all persons involved in the operations of the workplace. The information obtained shall be reviewed at the next safety committee meeting;
6. Establishing procedures for the review of all safety and health inspection reports made by the committee and making necessary recommendations;

7. Establishing procedures for the review of corrective action taken on the committee's recommendations or determining the reasons why no corrective action was taken;
8. Making all reports, evaluations and recommendations of the safety committee a part of the minutes of the safety committee; and
9. Evaluating employee/supervisor training needs.

Degree of Authority

A centralized safety committee is authorized to make written suggestions to the ESD safety officer, based on its experiences, inspections and input from other employees, students and ESD patrons, as appropriate.

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Columbia Gorge ESD

Code:
Adopted:

EBB

Integrated Pest Management

(required policy)

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

The IPM plan is a proactive strategy that:

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

¹ See Integrated Pest Management Program for Oregon Schools at <http://blogs.oregonstate.edu/schoolipm/>. The program includes access to Resources & Forms including Model plans for large school districts and small school districts.

11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

The ESD shall designate the superintendent or designee as the Integrated Pest Management Plan Coordinator give them the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator shall:

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

10. Conduct outreach to ESD staff about the ESD's IPM plan.

END OF POLICY

Legal Reference(s):

[ORS 634.116](#)

[ORS 634.700 to -634.750](#)

Columbia Gorge ESD

Code: EBBA
Adopted: 6/15/11
Orig. Code: EBBA

First Aid**

In cases of sudden illness or injury to a student or staff member, first aid will be given by first-aid-certified district staff, ~~as necessary, parents notified and a report filed as appropriate.~~ Further medical attention for a student ~~to students~~ is the ~~parents'~~ responsibility of the student's parent(s), or of someone the parents ~~or guardians~~ designate in case of emergency.

Each employee is charged with providing for the immediate care of ill or injured persons within his/her area of control.

Staff members shall report self-administered first aid treatment to an immediate supervisor.

In each school/program, procedures for handling health emergencies will be established and made known to the staff. Each ESD school/program and ESD district vehicle will be equipped with appropriate first-aid supplies and equipment.

All employees are expected to know where first-aid supplies and equipment are kept in their work areas. Designated employees shall hold current first-aid cards. All employees, however, are encouraged to maintain a current first-aid card. Names of the designated employees will be posted when appropriate.

END OF POLICY

Legal Reference(s):

[ORS 30.800](#)

[OAR 437-002-0042](#)

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

[OAR 437-002-0161](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-024-0275](#)

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

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

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

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

Columbia Gorge ESD

Code: EBBB
Adopted: 2/21/18
Orig. Code: EBBB

Injury/Illness Reports

All injuries/illnesses, sustained by the employee while in the actual performance of the duty of the employee, occurring on ESD premises, in ESD vehicles, at ~~an~~ ESD-sponsored **activity activities** or involving staff members who may be elsewhere on ESD business will be reported immediately to a supervisor. All accidents involving students, visiting public or ESD property will be reported immediately to a supervisor.

A written report will be submitted **within 24 hours** to the ESD's safety officer. Reports will cover property damage as well as personal injury.

In the event of a work-related¹ illness² or injury to an employee resulting in **an** overnight hospitalization for medical treatment³ other than first aid, the ESD safety officer shall report the incident to the Oregon Occupational Safety and Health Division (OR-OSHA). This report will be made within 24 hours after notification to the ESD of an illness or injury. Fatalities or catastrophes⁴ shall be reported to OSHA within eight hours.

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

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

The records will include monthly reporting information and an analysis of the data and trends will be conducted at least annually. Such reports will be submitted to the superintendent for review annually⁵.

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

~~² An injury or illness is work-related if an event or exposure in the work environment caused or contributed to the condition or significantly aggravated a pre-existing condition~~

³ Medical treatment includes managing or caring for a patient for the purpose of combatting disease or disorder. The following are not considered medical treatment: visits to a doctor or health-care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid.

⁴ A "catastrophe" is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility.

⁵ Annual reporting is required, but may occur more often.

END OF POLICY

Legal Reference(s):

[ORS 339.309](#)

[OAR 437-001](#)-0015

[OAR 437-001](#)-0700

[OAR 437-001](#)-0760

[OAR 437-002](#)-0377

[OAR 581-024](#)-0275

Columbia Gorge ESD

Code: EBBC
Adopted: 6/15/11
Orig. Code: EBBC

Resuscitation

(is this current practice?)

The district will call 911 emergency services whenever resuscitation appears to be needed.

The district staff, consistent with their level of first aid training, shall use resuscitation techniques with the objective of prolonging/protecting life. If possible, such efforts shall continue until trained medical assistance arrives.

The district defines resuscitation as an attempt to restore breathing and/or a pulse.

If possible, the district will attempt to honor a student and parent's wishes by not using resuscitation techniques given the following conditions:

1. The district has on file a physician-signed "DNR" (Do Not Resuscitate) order;
2. The district has on file a signed (parent/student of majority) request for the DNR order accompanied by a liability waiver which also informed the parents that the conditions of this policy must be met in order for a DNR order to be effective as to the district; and
3. The student must be wearing a DNR bracelet at the time that any resuscitation may otherwise be required.

~~The superintendent shall develop administrative regulations to implement this policy.~~

END OF POLICY

Legal Reference(s):

[ORS 30.800](#)

[OAR 437-002-0161](#)

[OAR 581-024-0275](#)

Columbia Gorge ESD

Code: EBC
Adopted: 9/20/17
Orig. Code: EBC

Emergency Plan

The superintendent will develop and maintain a plan specifying procedures to be used in ~~such~~ emergencies such as, but not limited to: disorderly conduct, unlawful assembly, disturbances at the ESD; disturbances at school activities, natural disasters, injury accidents, fire, chemical spills, hazardous materials, exposure to contagious disease, firearms, and other illegal acts that threaten the health and safety of staff and students. The ESD emergency plan will be coordinated with appropriate police and fire services, ambulance services, and area hospitals.

Copies of the Emergency Plan will be available in the ESD offices, ESD schools, and other strategic locations throughout the ESD.

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

The ESD will provide an adequate internal communication system in ESD-operated facilities to transmit emergency information to staff and students in a rapid and clear manner. Periodic training will be provided to staff and students.

Appropriate first-aid supplies and at least one staff member~~s~~ with a current first-aid/CPR card shall be available in all ESD-operated facilities.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\)\(k\)](#)
[ORS 334.125](#)
[ORS 433.260](#)

[ORS 433.441](#)
[OAR 437-002-0161](#)
[OAR 581-022-2030\(3\)\(c\)](#)

[OAR 581-024-0275](#)

Columbia Gorge ESD

Code: EBCB
Adopted: 5/20/15
Orig. Code: EBCB

Emergency Drills

The ESD will conduct emergency drills in accordance with the provisions of Oregon Revised Statutes.

Students served in ESD ~~owned or leased~~ facilities shall participate in emergency procedures. The emergency procedures shall include ~~including~~ drills and instruction ~~on~~~~for~~ fires and earthquakes.

Instruction on fires, earthquakes, and safety threats and drills for students shall be conducted for at least 30 minutes each school month. The ESD will conduct monthly fire drills. At least one fire drill will be held within the first 10 days of the school year. At least two drills on earthquakes and two drills on safety threats shall be conducted each year.

Fire Emergencies

Drills and instruction on fire emergencies shall include routes and methods of exiting the ESD facilities.

Earthquake Emergencies

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

Safety Threat

Drills and instruction on safety threats shall include appropriate actions to take when there is a threat to safety, such as lockdown procedures or other procedures appropriate to the safety threat.

Local units of government and state agencies associated with emergency procedures training and planning shall review the emergency procedures.

END OF POLICY

Legal Reference(s):

[ORS 336.071](#)

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

[OAR 581-024-0275](#)

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

Columbia Gorge ESD

Code: ECA
Adopted: 6/15/11
Orig. Code: ECA

Security of Buildings and Grounds

(OSBA has removed this policy from its samples)

Buildings constitute one of the greatest investments of the district and should be protected. Security includes:

1. Minimizing fire or other safety hazards;
2. Reducing the probability of faulty equipment;
3. Keeping records and funds in a safe place;
4. Protection against vandalism and burglary;
5. Controlling keys by the supervisor.

The superintendent or designee is directed to establish regulations as may be needed to provide for security of buildings and grounds.

Incidents of illegal entry, theft of district property, vandalism or damage to district property from any cause shall be reported by phone to the office of the superintendent and to the appropriate law enforcement agency as soon as discovered. A written report of the incident shall be made within 24 hours of discovery and forwarded to the superintendent's office.

END OF POLICY

Legal Reference(s):

[ORS 334.125](#)

[OAR 437-002-0020 to -0075](#)

Columbia Gorge ESD

Code: ECAB
Adopted: 6/15/11
Orig. Code: ECAB

Vandalism/Malicious Mischief/Theft

Students and ~~patrons~~ ~~citizens~~ are urged to cooperate in reporting any incidents of vandalism, ~~/malicious mischief or /theft~~ and the name or names of the person or persons believed to be responsible.

Each ~~ESD~~ ~~district~~ employee will report to ~~a program~~ ~~the~~ supervisor or ~~administrator~~ ~~other person in authority~~ incidents of vandalism, ~~/malicious mischief or /theft~~ and the name of the person or persons responsible, if known.

A program supervisors or administrators ~~Supervisors~~ will submit a report of any incidents of vandalism, ~~/malicious mischief, /theft or damage to their buildings, to~~ the superintendent. The superintendent will report to the Board ~~regarding~~ major reports of vandalism, ~~/malicious mischief, /theft or damage to any ESD~~ ~~district~~ property.

The ~~ESD~~ ~~district~~ may offer a reward to an individual(s) who provides information that results in the apprehension of a person(s) guilty of vandalism, ~~/malicious mischief, /theft or other criminal acts against the ESD~~ ~~district~~. The amount of reward shall be determined by the superintendent on a case-by-case basis within any guidelines set by the Board.

The superintendent is authorized to sign a criminal complaint and to press charges against those committing acts of vandalism ~~or /malicious mischief against ESD property or /theft of or against ESD~~ ~~district property. Because incidents of willful or malicious abuse, destruction, defacing and theft of district property. It are clearly contrary to the best interests of the district and injurious to the rights and welfare of the entire community, it~~ is the policy of the Board to seek all legal remedies against persons found to have committed such acts. Full restitution for the damage will be sought from such persons, or, in the case of minors, from their parents. ~~Until such fees or restitutions are paid, certain restrictions and/or penalties may be imposed.~~

Records requested by another educational agency to determine a student's appropriate placement may not be withheld.

A students ~~Students and staff~~ who willfully destroys ESD ~~destroy~~ ~~district~~ property through vandalism, ~~/malicious mischief, /theft or arson, who commits larceny or who creates a hazard to the safety of other people on ESD~~ ~~district~~ property will be disciplined in accordance with state law and the Board's ~~applicable Board~~ policies on student discipline¹ and referred to law enforcement ~~authorities~~.

Any staff member who fails to report such an act, or willfully destroys ESD property through vandalism, malicious mischief, theft or arson, who commits larceny or who creates a hazard to the safety of other people on ESD property will be disciplined, up to and including dismissal and referred to law enforcement.

¹ Use of suspension or expulsion as discipline for a student in violation of this policy is limited to criteria found in Oregon Revised Statute (ORS) 339.250.

The ESD is not liable or responsible for personal property brought onto ESD property.

END OF POLICY

Legal Reference(s):

[ORS 30.765](#)
[ORS 164.345](#)
[ORS 164.365](#)

[ORS 334.125\(7\)](#)
[ORS 326.575](#)
[ORS 339.240](#)

[ORS 339.250](#)
[ORS 339.270](#)
[ORS 419C.680](#)

Columbia Gorge ESD

Code: EDC/KGF
Adopted: 2/19/13
Orig. Code: EDC/KGF

Authorized Use of District Equipment and Materials

ESD materials and equipment will be used only for ESD purposes by ESD personnel on ESD properties.

Exceptions to this policy must be approved by the superintendent and/or the Board, and shall be consistent with Oregon Revised Statute (ORS) Chapter 244 and the Oregon Government Ethics Commission guidance.

~~The Board believes that although district equipment is purchased by tax dollars, the equipment is primarily purchased to provide for and/or enhance students' educational programs. It is the Board's responsibility to protect and maintain this equipment. The Board is also responsible for establishing guidelines concerning equipment that may be used by the public and conditions under which it can be used.~~

In all cases of public use, equipment shall not be used for private financial gain. An equipment use form must be submitted and approved, and all conditions outlined for the specific use must be adhered to. There are no equipment use fees. In the event of "excessive damage," a fee will be determined according to repair or replacement costs. Transportation of borrowed equipment will be the user's responsibility. ~~No equipment may be transported off ESD property unless used for an ESD-sponsored activity.~~

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#)
[ORS 334.125\(7\)](#)

[OAR 581-024](#)-0240
[OAR 584-020](#)-0040

OR. ETHICS COMM'N, OR. GOV'T ~~Gov't~~ ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

Columbia Gorge ESD

Code: EDE
Adopted: 9/21/11
Orig. Code: EDE

Acceptable Use of Technology/Electronic Network Services

(see policy and AR IIBGA)

The CGESD electronic network is intended to facilitate the exchange of information in furtherance of education and research by students and staff of CGESD and its component districts and service contracts with CGESD.

Network services are not intended for private use, and a person has no right to or expectation of privacy in using the services. CGESD has the right to inspect and monitor all use of network services. Persons are required to use network services consistent with applicable laws, regulations, CGESD Board policies and administrative regulations. The Superintendent will adopt administrative regulations for the use of the CGESD network.

Use of the network services for a prohibited purpose or inconsistent with CGESD policy or regulations is a ground for termination of the privilege to use the services, and such a user may also be subject to discipline.

END OF POLICY

Legal Reference(s):

[ORS 30.765](#)
[ORS 133.739](#)
[ORS 163.435](#)
[ORS 164.345](#)
[ORS 164.365](#)
[ORS 167.060](#)
[ORS 167.065](#)
[ORS 167.070](#)
[ORS 167.080](#)

Columbia Gorge ESD

Code: EDE-AR
Adopted: 9/21/11
Orig. Code: EDE-AR

Technology Acceptable Use Policy

1. System Use. Acceptable use of technology including, but not limited to, computers, software, telephones, Internet, e-mail, fax machines and similar equipment, by CGESD employees is for the purpose of:
 - a. Improving employee productivity in their work assignments;
 - b. Enhancing their ability to communicate with others regarding their CGESD work; and
 - c. Improving educational opportunities for students.

Such use will also be responsible, ethical, efficient and legal.

2. Employee Privacy in the Use of Technology. Because technology is provided to accomplish the work of the agency, employees have a limited expectation of privacy in their use of the technology. Routine maintenance and monitoring of the system may lead to discovery that the employee has violated law, regulation, procedure or policy. An individual search, within the context of the suspected violation, may be conducted when reasonable suspicion is established.
3. Violations. Employee violations of law, regulation, policy or procedure when using district technology may result in discipline up to and including discipline and/or report to the Teacher Standards and Practices Commission and legal authorities. Fees, fines or charges may also be imposed.
4. Student Use of Technology. When students use technology provided by CGESD or use technology under the supervision of CGESD staff, the use will be consistent with the Children's Internet Protection Act (CIPA). Employees who supervise students in locations where technology is available for student use must assure responsible, efficient, ethical and legal use of the technology by students.

Program administrators will ensure that staff and students are informed of the Acceptable Use of Technology/Electronic Network Services and will develop procedures to assure compliance. Student violations may result in discipline according to the school's procedures.

5. Personal Use of CGESD Technology. Personal use of this ESD resource is permitted on the employee's non-work time, for non-prohibited uses, and when the ESD incurs no added cost because of the employee's use.
6. Inappropriate and Prohibited Use of Technology for Employees and Students Includes:
 - Violations of state or Federal law or regulation, violations of CGESD Board policies or administrative regulations, and violations of school regulations;
 - Use of technology to interfere with or disrupt other users, services or equipment;
 - Use of district resources primarily to benefit a commercial operation or political activity;

- Raising funds for outside organizations;
 - Political lobbying, except for communication with elected representatives;
 - Propagation of computer worms or viruses;
 - Unauthorized entry to other computational, informational or communications devices;
 - Violations of copyright law;
 - Attempts to intentionally transmit or access any media, or to engage in a conference or e-mail that includes material which is libelous, obscene, indecent, vulgar, profane, lewd, threatening, harassing or insulting;
 - Attempts to intentionally transmit or access any material or advertisement for any product or service not permitted to minors by law;
 - More than minimum use for personal business;
 - Use of unlicensed software on district-owned machines or unauthorized copying of district-licensed or school-licensed software; and
 - Invasion of the privacy of other users, e.g. posting personal information.
7. Inadvertent Misuse. If a user inadvertently encounters inappropriate or prohibited material, s/he should promptly report the occurrence to the supervisor in writing.
 8. Access to Internet and E-Mail. CGESD has established a wide-area network of computers reaching most work sites and providing access to the Internet and e-mail for most employees. The primary function of this access and personal use is listed in section 1 above.
 9. Publishing on the Internet and World Wide Web. Any material created and/or placed on the Internet and World Wide Web using CGESD resources (hardware, software, server space, personnel), whether or not the material appears with the ESD or a school name, must serve an instructional purpose. Failure by staff or students to adhere to CGESD Board policies and related procedures may result in discipline up to and including dismissal.

All materials related to CGESD must be linked to the CGESD web page.

When the personal opinions of students and staff are expressed, notice will be given that the opinions are those of the author(s) and do not necessarily represent those of the CGESD.

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Columbia Gorge ESD

Code: EEAE
Adopted: 3/17/10
Orig. Code: EEAE

Student Transportation in Private Vehicle

ESD staff will not transport students in private vehicles to and from ESD and/or school district activities.

~~Transportation of students will be by the ESD's district's transportation system or by an ESD district employee's vehicle, properly insured, except as provided below.~~

~~Parents, employees and other designated adults may be permitted to use private vehicles to transport students other than their own on field trips or other school activities if the following conditions have been met prior to the activity:~~

- ~~1. The appropriate [program supervisor] [school administrator] has approved the activity.;~~
- ~~2. A permission slip signed by the student's parent(s) has been received by the appropriate [program supervisor] [administrator] principal or his/her designee, granting permission for the student to participate in the field trip/activity and to ride in a privately-owned vehicle;~~
- ~~3. The parent/parents, employee or other adult driving the vehicle is properly licensed to drive and has provided proof of insurance. Such insurance shall meet or exceed minimum requirements as established by the state of Oregon and as set by the ESD district;~~
- ~~4. The vehicle contains an adequate number of seat restraints, including when applicable, a child safety system for a child who weighs less than 40 pounds, regardless of age, and the adult driver requires their use. The child safety system must elevate the person so that a safety belt or safety harness properly fits the individual and meets the minimum standards and specifications of law. A person who weighs over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until he or she and who is under four feet nine inches tall or age and under eight and the adult years of age must be properly secured with a child safety system that elevates the person so that a safety belt or harness properly fits.[†] the person. A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under Oregon Revised Statute (ORS) 815.055. Training in the proper installation and use of child safety system may be required. The driver is responsible for not placing children under the age of 13 in the front seat of a vehicle equipped with passenger-side air bags.~~

~~The ESD district will develop procedures to implement this policy.~~

END OF POLICY

Legal Reference(s):

[†] "Proper fit" means the lap belt of the safety belt or harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

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

[ORS 811.215](#)
[ORS 815.055](#)

[ORS 815.080](#)
[OAR 735-102-0010](#)

Columbia Gorge ESD

Code: EEAE-AR
Revised/Reviewed: 6/19/13
Orig. Code: EEAE-AR

Field Trip Permission Form

Date of Trip: _____

Destination: _____

Purpose of trip, including educational activities: _____

Transportation: Private Vehicle _____ District Vehicle _____ Other _____

Time of Departure: _____ Time of Return: _____

Student's Name: _____

Student's Grade: _____

Student's School: _____

My child, _____, has my permission to
participate in the field trip list above.

Parent/Guardian Signature

Date

Emergency Contact Number: _____

- ☐ Please check here if you can help. Adult volunteers are appreciated.
(CGESD policy requires an Oregon criminal records check for all parents/guardians serving as
volunteers.)

Columbia Gorge ESD

Code:
Adopted:

EEBB

Use of Private Vehicles for ESD Business

Employees who are expected to use a personal vehicle when traveling for business purposes will be reimbursed in an amount that meets requirements as set forth in mileage reimbursement rates established by the Board and/or collective bargaining agreement as applicable.

Employees using private vehicles for ESD business are subject to ESD policies as long as the vehicle is being used for ESD business.

Employees using private vehicles for ESD business must carry vehicle insurance in accordance with Oregon Revised Statutes. The employee's personal vehicle insurance is the primary carrier in case of accident or damage. The ESD's insurance serves as the secondary carrier for liability purposes only.

END OF POLICY

Legal Reference(s):

[ORS 30.260 to -30.265](#)
[ORS 334.125\(7\)](#)
[ORS 801.455](#)

[ORS 811.210](#)
[ORS 815.055](#)
[ORS 815.080](#)

[OAR 581-024-0240](#)
[OAR 735-102-0010](#)

Columbia Gorge ESD

Code: EGAAA
Revised/Reviewed: 8/17/11
Orig. Code: EGAAA

Reproduction of all Copyrighted Materials

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

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

Violations may result in criminal or civil suits.

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 334.125\(7\)](#)

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2012).
HR6/01/16 | PH

Reproduction of all Copyrighted Materials – EGAAA

Columbia Gorge ESD

Code: EGAAA-AR
Revised/Reviewed: 8/17/11
Orig. Code: EGAAA-AR

Guidelines for the Use of Copyrighted Materials

The superintendent is responsible for the establishment of practices which will ensure compliance with the provisions of the U.S. Copyright law as they affect the ESD district and its employees.

1. General Responsibilities

- a. The superintendent or designee will be designated with the responsibility responsible for disseminating and interpreting copyright regulations at the building level. He/She-They will provide employee training as needed, distribute and review ESD district policy and administrative regulations with employees, control the approval process and maintain written records regarding permissions, response to requests and license agreements, as may be necessary.
- b. The superintendent or designee will ensure that budget recommendations include appropriate funds for the purchase of multiple copies of needed software.
- c. The superintendent or designee will ensure that appropriate warning notices are posted to educate and warn individuals using ESD district equipment of the applicable provisions of the copyright law. Warning notices will be posted as follows:
 - (1) On or near all copiers;
 - (2) On all forms used to request copying services;
 - (3) On all video recorders;
 - (4) On all computers;
 - (5) At the library or media center or other places where interlibrary inter-library loan orders for copies of materials are accepted.
- d. The superintendent or designee will ensure that building computers and computer labs are used only with proper supervision to help protect against unauthorized copying.
- e. The superintendent or designee will annually inspect the library/media center and any video collections to ensure all copies are acquired and maintained in accordance with applicable provisions of the copyright law.
- f. All computer software license agreements must be signed by the superintendent or designee.
- g. The employee reproducing a copyrighted work will determine whether copying is permitted by law in accordance with ESD district policy and administrative regulations.
- h. The employee will obtain written permission to reproduce material from the copyright holder(s) whenever copying does not fall within the "fair use" guidelines of copyright law. ~~Permission forms, as provided by the district, will be used.~~
- i. The employee using emerging technology will be responsible to ensure that the intended use of the media does not conflict with copyright law. Such technology includes, but is not limited to, digital video, videodisc, satellite transmission, distance learning, CDs, online CD-ROM, on line data bases (and their down loading), informational networks and other emerging electronic information which can be manipulated into new copyrightable forms of expression.

In the absence of clearly granted rights, the employee must contact the copyright holder in writing for permission to manipulate or use these technologies in alternative ways.

Any contract provided by the distributor of such technology must be submitted to the superintendent or designee for approval.

FAIR USE

2. Printed Materials

a. Permissible uses — ESD district employees may:

- (1) Make a single copy of the following for use in teaching or in preparation to teach a class:
 - (a) A chapter from a book;
 - (b) An article from a periodical or newspaper;
 - (c) A short story, short essay or short poem, whether or not from a collective work;
 - (d) A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.
- (2) Make multiple copies for classroom use (not to exceed one copy per student in a course) from the following:
 - (a) A complete poem, if it has fewer than 250 words and does not exceed two printed pages in length;
 - (b) A complete article, story or essay of less than 2,500 words;
 - (c) Prose excerpts not to exceed 10 percent of whole or 1,000 words, whichever is less;
 - (d) One chart, graph, diagram, cartoon or picture per book or per issue of a periodical;
 - (e) An excerpt from a children's book containing up to 10 percent of the words found in the text.

b. All permitted copying must bear an appropriate reference. References should include the author, title, date and any other pertinent information.

c. Prohibited uses — ESD district employees may not:

- (1) Copy more than one work or two excerpts from a single author during one class term;
- (2) Copy more than three works from a collective work or periodical volume during one class term;
- (3) Copy more than nine sets of multiple copies for distribution to students in one class term;
- (4) Copy to create or replace or substitute for anthologies or collective works;
- (5) Copy "consumable" works, such as workbooks, exercises, standardized tests and answer sheets;
- (6) Copy the same work from term to term;
- (7) Copy the same material for more than one particular course being offered (may not copy every time a particular course is offered) unless permission is obtained from the copyright owner.

- d. All sound recordings, ~~including phonograph records, audiotapes, compact discs and laser discs,~~ will be treated under the same provisions that guide the use of print materials unless as may otherwise be excepted by regulations governing the reproduction of works for libraries /media centers.

3. Sheet and Recorded Music

- a. Permissible ~~uses~~ — ~~ESD~~~~Uses~~ ~~district~~ employees may:

- (1) Make emergency copies to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies will be substituted in due course;
- (2) Make, for academic purposes other than performance, multiple copies (one per student) of excerpts not constituting an entire performance unit such as a section, movement or aria, but in ~~any~~~~no~~ case no more than 10 percent of the whole work;
- (3) Make, for academic purposes other than performance, a single copy of an entire performable unit such as a section, movement or aria if confirmed by the copyright holder to be out of print or the “unit” is unavailable except in a larger work. The copy may be made solely for the purpose of scholarly research or in preparation to teach a class;
- (4) Edit or simplify printed copies which have been purchased provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist;
- (5) Copy complete works which are out of print or unavailable except in large works and used for teaching purposes;
- (6) Make a single copy of a recorded performance by students to be retained by the school or individual teacher for evaluation or rehearsal purposes;
- (7) Make a single copy of a sound recording, ~~such as a tape, disc or cassette,~~ of copyrighted music owned by the school or an individual teacher for constructing aural exercises or examinations and retained for the same purposes.

- b. Prohibited uses — ~~ESD~~~~district~~ employees may not:

- (1) Copy to create or replace or substitute for anthologies, compilations or collective works;
- (2) Copy works intended to be “consumable,” such as workbooks, exercises, standardized tests and answer sheets;
- (3) Copy for the purpose of performance, except as noted above (a. ~~(A-1)~~), ~~in emergencies;~~
- (4) Copy to substitute for purchase of music except as noted above (a. ~~(A-1)~~, ~~(-2)~~, and ~~(3)~~); ~~;~~
- (5) Copy without inclusion of the copyright notice on the copy.

4. Television Off ~~the~~ ~~Air~~ ~~Recording~~ ~~Taping~~

- a. Permissible uses — ~~ESD~~~~district~~ employees may:

- (1) Record a broadcast program off ~~air~~ simultaneously with the broadcast transmission, including simultaneous cable or satellite retransmission, and retain the recording for a period not to exceed the first 45 consecutive calendar days after the date of the recording.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy will be subject to all provisions governing the original recording.

Unless authorized by the library or media center supervisor ~~administrative office personnel~~, at the conclusion of the retention period, all off-air recordings shall be erased or destroyed immediately.

The library or media center supervisor

~~Individuals who wish to retain programs beyond the 45-day period need to complete and return the preview portion of the “Request for Off Air Digital Recording” form to the administrative office for each program digitally recorded. The administrative office personnel~~ will coordinate requests for permission to use or retain copyrighted television programs beyond the 45-day¹ retention period.

- (2) Retain ~~recordings videotapes~~ of commercial programs only with written approval of appropriate copyright holders;
- (3) Use off-air recordings once for each class in the course of relevant teaching activities and repeat once only when instructional reinforcement is necessary and only within the first ~~10ten~~ consecutive school days of the 45-~~consecutive calendar~~-day retention period;
- (4) Use off-air recordings for evaluation purposes only, after the first ~~10ten~~ consecutive school days up to the end of the 45-~~consecutive calendar~~-day retention period. Evaluation purposes may include use to determine whether or not to include the broadcast program in the teaching curriculum;
- (5) Use off-air recordings made from a satellite dish if they conform to the 45-~~consecutive calendar~~-day retention period established for broadcast or cable programming and are not subscription channels;
- (6) Use copies of off-air recordings, as stipulated in these guidelines, only if the copies include the copyright notice on the broadcast program;
- (7) Request that a library/media center record and retain for research purposes commercial television news programs from local, regional or national networks; interviews concerning current events; and on-the-spot coverage of news events. Documentary, magazine-format and public affairs broadcasts, ~~however~~, are not included in the definition of daily newscasts of major events of the day.

Requests for retention of programs recorded off-air will be directed to the producers of those programs directly through the network (not affiliate).

b. Prohibited ~~uses — ESD~~ ~~Uses — district~~ employees may not:

- (1) Record off-air programs in anticipation of an educator's requests;
- (2) Request that a broadcast program be recorded off-air more than once for the same educator, regardless of the number of times the program may be broadcast;
- (3) Use the recording for instruction after 45-~~consecutive calendar~~ days;
- (4) Hold the recording for weeks or indefinitely because:
 - (a) Units needing the program concepts are not taught within the 45-day use period;
 - (b) An interruption or technical problems delayed its use; or

¹ Means 45 consecutive calendar days.

- (c) Another teacher wishes to use it, or any other supposedly “legitimate” educational reason.
- (5) Record programs off-air without written permission from the author/producer/distributor when a special notice is provided specifically prohibiting reproduction of any kind;
- (6) Alter off-air programs from their original content. Broadcast recordings may not be physically or electronically combined or merged to constitute teaching anthologies or derivative works.
- (7) Off-air recordings, however, need not be used in their entirety;
- (8) Exchange program(s) with other schools in the ESD district or other school ESDs districts without the approval of the administrative office.
- (9) Programs will be used for the specific curriculum application for which the request was intended. No other curriculum application is authorized;
- (10) Use the recording for public or commercial viewing;
- (11) Copy or use subscription programs transmitted via subscription television cable services, such as HBO or Showtime. Such programs are licensed for private home use only and cannot be used in public schools.

“Pay” programs received via satellite dish are also subject to these prohibitions.

5. Rental, Purchase and Use of Video Recordings/CDs/DVDs

a. Permissible uses — ESD district employees may:

- (1) Use purchased or rented video recordings/CDs/DVDs such as feature films, as part of a systematic course of instruction, in accordance with ESD district policy. Such use shall be for direct instruction and must take place in a classroom or similar area devoted to instruction;
- (2) Use only rented lawfully made video recordings/CDs/DVDs;
- (3) Arrange for the local school to transmit videotapes/CDs/DVDs over their closed circuit television systems for direct instruction;
- (4) Use off-air video recordings videotapes made at home for classroom instruction and only in accordance with television off-air guidelines and ESD district policy.

b. Prohibited uses — ESD district employees may not:

- (1) Use rented or purchased video recordings/CDs/DVDs where a written contract specifically prohibits such use in the classroom or direct teaching situation;
- (2) Use rented or purchased video recordings videotapes/CDs/DVDs such as feature films for assemblies, fund raising, entertainment or other applications outside the scope of direct instruction without public performance rights.

6. Computer Software

a. Permissible uses — ESD district employees may:

- (1) Make a copy of an original computer program for the purpose of maintaining the availability of the program should it be damaged during use. Either the copy or the

original may be retained in archives. Only one, either the original or the copy, may be used at any one time;

- (2) Make a copy of a program as an essential step in using the computer program as long as it is used in conjunction with the machine and in no other manner;
- (3) Make a new copy from the archival program in the event that the program in use is damaged or destroyed;
- (4) Use a purchased program sent from a manufacturer labeled “archival” simultaneously with the original copy of the program provided its use is permitted (not excluded) by the terms of the sales agreement;
- (5) Make an archival copy of a rightfully owned disk that is labeled “archival” by the software manufacturer;
- (6) Load a software program from a single disk into a distribution network or to individual stand-alone computers for simultaneous use when the distribution network is only accessible to the owner-user if not otherwise prohibited by terms of a sales agreement;
- (7) Adapt a copyrighted program from one language to another for which it is not commercially available or add features to a program to better meet local needs.

b. Prohibited uses — ESD~~district~~ employees may not:

- (1) Load the contents of one disk or download a program or software into multiple computers at the same time in the absence of a license permitting the user to do so;
- (2) Load the contents of one disk or download a program or software into local network or disk-sharing systems in the absence of a license permitting the user to do so;
- (3) Make or use illegal copies of copyrighted programs on ESD~~district~~ equipment;
- (4) Allow any student to surreptitiously or illegally duplicate computer software or access any data base or electronic bulletin board;
- (5) Make copies of software provided by a software publisher for preview or approval;
- (6) Make multiple copies of copyrighted software (or a locally produced adaptation or modification) even for use within the school or ESD~~district~~;
- (7) Make replacement copies from an archival or back-up copy;
- (8) Make copies of copyrighted software (or a locally produced adaptation or modification) to be sold, leased, loaned, transmitted or even given away to other users;
- (9) Make multiple copies of the printed documentation that accompanies copyrighted software.

c. With permission from the copyright holder, prohibitions may be significantly modified or removed altogether.

7. Reproduction of Works for Libraries/Media Centers

a. Permissible uses — ESD~~district~~ employees may:

- (1) Arrange for interlibrary loans of photocopies of works requested by users, provided that copying is not done to substitute for a subscription to or purchase of a work;
- (2) Make for a requesting entity, within any calendar year, five copies of any article or articles published in a given periodical within the last five years prior to the date of the request for the material;
- (3) Make single copies of articles or sound recordings or excerpts of longer works for a student making a request, provided the material becomes the property of the student for private study, scholarship or research;

- (4) Make a copy of an unpublished work for purposes of preservation, of a published work to replace a damaged copy of an out-of-print work that cannot be obtained at a fair price;
- (5) Make off-the-air recordings of daily television news broadcasts for limited distribution to researchers and scholars for research purposes;
- (6) Make one copy of a musical work, pictorial, graphic, sculptural work, motion picture or other audiovisual work if the current copy owned by the library ~~for~~ media center is damaged, deteriorated, lost or stolen; and it has been determined that an unused copy cannot be obtained at a fair price.

b. Prohibited uses — ~~ESD~~ ~~district~~ employees may not:

- (1) Make copies for students if there is reason to suspect that the students have been instructed to obtain copies individually;
- (2) Copy without including a notice of copyright on the reproduced material.

8. Performances

a. Permissible uses — ~~ESD~~ ~~district~~ employees must:

- (1) Contact the copyright holder in writing for permission whenever copyrighted works such as plays and musical numbers are to be performed.

This is particularly important if admission is to be charged or recordings of the performance are to be sold.

9. Notices

Text of warning notice to be posted on or near copiers. It is recommended that type be at least 18 points in size:

NOTICE:

THE COPYRIGHT LAW OF THE UNITED STATES (TITLE 17 U.S. CODE) GOVERNS THE MAKING OF PHOTOCOPIES OR OTHER REPRODUCTIONS OF COPYRIGHTED MATERIAL. THE PERSON USING THIS EQUIPMENT IS LIABLE FOR ANY INFRINGEMENT.

Text of warning notice to be displayed at places where orders for copies of materials are accepted by libraries/media centers or archives. Type must be at least 18 points in size; the notice printed on heavy paper or other durable material and displayed prominently within the immediate vicinity of the place where orders are accepted.

The warning is also required on any form that is used to request copying service. There ~~are~~^{is} no specific requirements for type size on request forms.

NOTICE WARNING CONCERNING COPYRIGHT RESTRICTIONS

THE COPYRIGHT LAW OF THE UNITED STATES (TITLE 17, UNITED STATES CODE) GOVERNS THE MAKING OF PHOTOCOPIES OR OTHER REPRODUCTIONS OF COPYRIGHTED MATERIAL.

UNDER CERTAIN CONDITIONS SPECIFIED IN THE LAW, LIBRARIES AND ARCHIVES ARE AUTHORIZED TO FURNISH A PHOTOCOPY OR OTHER REPRODUCTION. ONE OF THESE SPECIFIC CONDITIONS IS THAT THE PHOTOCOPY OR REPRODUCTION IS NOT TO BE "USED FOR ANY PURPOSE OTHER THAN PRIVATE STUDY, SCHOLARSHIP OR RESEARCH." IF A USER MAKES A REQUEST FOR, OR LATER USES, A PHOTOCOPY OR REPRODUCTION FOR PURPOSES IN EXCESS OF "FAIR USE," THAT USER MAY BE LIABLE FOR COPYRIGHT INFRINGEMENT.

THIS INSTITUTION RESERVES THE RIGHT TO REFUSE TO ACCEPT A COPYING ORDER IF, IN ITS JUDGMENT, FULFILLMENT OF THE ORDER WOULD INVOLVE VIOLATION OF COPYRIGHT LAW.

Text of warning notice to be affixed to video recorders and computers. (There is no specific requirement for type size.):

NOTICE:

MANY VIDEO RECORDED MATERIALS AND COMPUTER PROGRAMS ARE PROTECTED BY COPYRIGHT (TITLE 17 U.S.CODE). UNAUTHORIZED COPYING MAY BE PROHIBITED BY LAW.

Text of warning notice to be affixed to package containing the copy of a computer program subject to loan. The notice must be printed in such a manner as to be clearly legible, prominently displayed and durably attached to the copies or to a box, reel, cartridge, cassette, disc, CD, DVD or other container used as a permanent receptacle for the copy of the computer program:

WARNING: THIS COMPUTER PROGRAM IS PROTECTED UNDER THE COPYRIGHT LAW. MAKING A COPY OF THIS PROGRAM WITHOUT PERMISSION OF THE COPYRIGHT OWNER IS PROHIBITED. ANYONE COPYING THIS PROGRAM WITHOUT PERMISSION OF THE

COPYRIGHT OWNER MAY BE SUBJECT TO PAYMENT OF \$150,000 OR MORE IN DAMAGES AND, IN SOME CASES, IMPRISONMENT FOR ONE YEAR OR MORE.

Request Number _____

(Office use only)

REQUEST FOR OFF-AIR VIDEO RECORDING

I, the undersigned, having requested the (ESD) to video recording the following program(s) within the parameters of the policy set forth by the Board, (Date), am aware of said policy, have reviewed ESD policy and administrative regulations and agree to accept responsibility for the use and erasure of this material to prevent any infringement of copyright law in lieu of expressed written approval of the copyright proprietor.

Title of Program to be Copied: _____

Date of Program: _____ Date Program is Needed: _____

Time of Program: _____ Station or Channel: _____

Length of Program: _____

Special Instructions: _____

Requestor's Name: _____ Location: _____

(please print)

Signature: _____ Department: _____

PREVIEW AND EVALUATION

____ Yes ____ No Do you want the video recording of this program retained until information regarding the sale, lease, free loan or rental of this material is obtained?

INSTRUCTIONAL QUALITY (circle the appropriate number on the rating scale below)

Criteria	Suggested Guidelines for Rating Scale	5	4	3	2	1	0
Instructional Design	Well-organized, content-load appropriate, maturity level consistent with the content.						
Content	Accurate, authentic, current, thorough, relevant.						
Curriculum Match	Supports what is commonly taught in this subject at this grade level.						
Interest	Supports or enhances communication of content.						
5=Exemplary 4=Desirable (very good) 3=Desirable (good) 2=Fair 1=Poor 0=Unacceptable							
OVERALL (AVERAGE) RATING OF QUALITY:							

____ Yes (High Priority) ____ Yes (Low Priority) ____ No Do you recommend acquisition of this program?

SENSITIVE CONTENT

____ Yes ____ No Is nudity, excessive violence, glamorization of drugs/dangerous substances, profanity and/or a sexual nature present in this program?
IF YES, please verify by circling the topics present.

ADDITIONAL INFORMATION

Subject Area(s) _____ Grade Level _____ Ability Level _____

____ Yes ____ No Previewed?

____ Yes ____ No ____ Uncertain Do presently owned materials adequately cover the subject area?

OVERALL EVALUATION (SUMMARY, USE, ETC.) AND/OR REASONS FOR REQUESTING RETENTION OF THIS RECORDING:

VIDEO RECORDING STATUS - OFFICE USE ONLY

Date: _____

AVAILABLE: Format: ____ CD ____ DVD ____ Other (Specify) _____

Price: _____

____ May be retained indefinitely

____ May be kept on an indefinite basis pending updated information on the program's future availability

May be kept permanently on a licensed basis _____ Must be erased immediately

**SAMPLE LETTER:
REQUEST FOR PERMISSION TO COPY**

Author, Publisher or Distributor _____ **Date:** _____
Permission Department

I am requesting permission to copy and use:

Title: _____ Author/Editor: _____

Year published: _____ Number of copies: _____

Will copies be sold? (Circle) **YES NO**

Description of materials to be copied (Photocopy enclosed): _____

Intended use of materials: _____

Type of reproduction: _____

A self-addressed, stamped envelope is enclosed for your convenience in replying to this request. Should you be unable to authorize this request, please forward this letter to the proper person/agency.

Sincerely,

Permission granted: _____ Date: _____

Conditions (if any): _____

**SAMPLE PRODUCER INQUIRY LETTER: REQUEST FOR INFORMATION OF AGENCY HOLDING RIGHTS TO A TV
BROADCAST AND PERMISSION TO RETAIN PROGRAM IF IT IS NOT FOR
SALE, RENT OR LEASE.**

Network Address (ABC, NBC, CBS – not affiliate) _____ **Date:** _____
Permission Department

I am requesting information on the availability and retention of the following program:

Title: _____ Air date: _____

Can a copy of this program be retained for classroom use? (Circle) YES NO

Is this program available for sale? (Circle) YES NO

_____ If Yes, specify agency distributing this program: _____

_____ Specify format: _____ Cost (if known): _____

Enclosed is a self-addressed, stamped envelope for your convenience in replying to this request. Should you be unable to authorize this request, or provide the above information, please forward this letter to the proper person/agency.

Sincerely,

Permission to retain off-air copy on a free basis: _____ Date: _____

Conditions (if any): _____

Columbia Gorge ESD

Code: EGAC
Adopted: 8/17/11
Orig. Code: EGAC

Telephone Services

(OSBA has removed this policy from its samples)

All long-distance calls must concern official district business. No personal long distance calls shall be charged to the district.

END OF POLICY

Legal Reference(s):

[ORS 334.125 \(7\)](#)

Columbia Gorge ESD

Code: EGACA
Adopted: 11/20/13
Orig. Code: EGACA

Cell Phones

(Version 1)

(see proposed version)

The superintendent may require certain CGESD employees to provide their own cell phones for the convenience of the ESD. When such requirement is made, a cell phone allowance of \$37.50 per month will be provided to the employees by the ESD. In accordance with Internal Revenue Service requirements, this allowance will be considered taxable income and included in the employee's monthly pay check. The allowance will be charged against the telephone budget of the department to which they are assigned. To receive the allowance, the employee must annually sign a request for such allowance and provide the ESD the phone number of the cell phone to be used for ESD business. No accounting for the personal use of the cell phone will be required since the employees are receiving a taxable reimbursement in the form of a monthly allowance.

However, all phone records, text messages, emails to and from the cell phone, and other communications made with the cell phone may be public records.

Employees shall not use cell phones for non-ESD related business while attending to and/or performing their job responsibilities except in the case of personal or family emergency.

The Department Directors of CGESD are required to provide their own cell phones for the convenience of the CGESD, and therefore qualify for the cell phone allowance. Department Directors may submit written requests to the superintendent to require certain of their CGESD employees, who regularly provide services to multiple schools, to provide their own cell phones. Such written request must contain a justification for the requirement, and the signature of the employee agreeing to the requirement. Granting of the requirement will be at the sole discretion of the superintendent.

END OF POLICY

Legal Reference(s):

[ORS 244.010](#)

[ORS 244.020\(15\)](#)

[ORS 244.040\(1\)\(a\)](#)

[ORS 244.120](#)

[ORS 334.125\(7\)](#)

Davidson v. Or. Gov't Ethics Comm'n, 300 Or. 415 (1985)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINIONS 02S-020 (Aug. 2, 2002), 02A-1008 (July 12, 2002), 01A-1004 (June 1, 2001) and 98A-1003 (July 9, 1998).

Columbia Gorge ESD

Code:
Adopted:

EGACA

~~Cell~~Cell/satellite/Satellite Phones

(Version 2)

Change throughout

The Board recognizes that the use of ~~cell~~cell/satellite phones may be appropriate to provide for the effective and efficient operation of the ESD and to help ensure safety and security of ESD property, staff and others while on ESD property or engaged in ESD-sponsored activities. To this end, the Board authorizes the purchase and employee use of ~~cell~~cell/satellite phones, as deemed appropriate by the superintendent.

ESD-owned cell/ satellite phones shall be used for authorized ESD business purposes, consistent with the ESD's mission and goals. Personal use of such equipment is prohibited except in emergency situations. Employees do not have any expectations of privacy with ESD-owned cell phones or any information stored on them; the phone may be confiscated and searched at any time. Employee use of an ESD-owned ~~cell~~cell/satellite phone shall not violate Oregon's ethics laws.

If an employee's ~~cell~~cell/satellite phone purchase is reimbursed by the ESD, or the employee is provided a stipend to purchase a ~~cell~~cell/satellite phone, all phone records, text messages, emails to and from the ~~cell~~cell/satellite phone, and other communications made with the ~~cell~~cell/satellite phone may be public records.

Employees shall not use ~~cell~~cell/satellite phones, whether ESD-owned or personally-owned, for non-ESD-related business while attending to and/or performing their job responsibilities.

Use of ~~cell~~cell/satellite phones in violation of Board policies, administrative regulations and/or state and federal laws will result in discipline up to and including dismissal and/or referral to Oregon Government Ethics Commission and law enforcement officials, as appropriate.

The superintendent is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee ~~cell~~cell/satellite phone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately-owned ~~cell~~cell/satellite phones for authorized ESD business.

END OF POLICY

Legal Reference(s):

[ORS 244.010](#)

[ORS 244.020\(15\)](#)

[ORS 244.040\(1\)\(a\)](#)

[ORS 244.120](#)

[ORS 334.125\(7\)](#)

Davidson v. Or. Gov't Ethics Comm'n, 300 Or. 415 (1985)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINIONS 02S-020 (Aug. 2, 2002), 02A-1008 (July 12, 2002), 01A-1004 (June 1, 2001) and 98A-1003 (July 9, 1998).

Columbia Gorge ESD

Code: EGACA-AR
Revised/Reviewed:

Cell/satellite Phones

(optional AR)

ESD-owned cell/satellite phones may be purchased and authorized for staff use in accordance with the following:

Cell/satellite Phone Authorization

Cell/satellite phones may be assigned or made available on a temporary basis by the superintendent or designee when it is determined that:

1. The assignment of a cell/satellite phone to the employee is a prudent use of ESD resources;
2. The employee's job responsibilities require the ability to communicate frequently;
3. The employee's job responsibilities involve situations where immediate communication is necessary to ensure the security of ESD property or safety of students, staff or others while on ESD property or engaged in ESD-sponsored activities.

Cell/satellite Phone Use

1. Cell/satellite phones are provided specifically to carry out official ESD business.
2. Personal use of ESD cell/satellite phones is limited to making or receiving calls for family emergency purposes.
3. ESD cell/satellite phones shall not be loaned to others.
4. Employees issued a cell/satellite phone are responsible for its safekeeping at all times. Defective, lost or stolen cell/satellite phones are to be reported immediately to the technology department who will in turn notify the service provider.
5. Cell/satellite phones issued for employee use are to be returned to the technology department at the conclusion of the fiscal year, activity or as otherwise specified.

Privately-Owned Cell/satellite Phones

1. ESD employees may be reimbursed, or receive a stipend, for use of privately-owned cell/satellite phones to conduct ESD business in accordance with Board policy and this regulation, with prior approval of the superintendent.
2. Personal use of privately-owned cell/satellite phones by employees authorized to use such equipment for ESD business is restricted to such times when the employee is not on duty.

Reimbursement

- ~~1. Requests for reimbursement for authorized use of employee-owned cell phones are to be submitted on ESD-provided forms, available through the office and accompanied by a copy of the billing statement with the ESD business-related calls highlighted. A notation for each highlighted entry, indicating the nature of the call, is required.~~
- ~~2. All requests for reimbursement, including the highlighted billing statement, must be submitted within 30 days of the end of the time period for which reimbursement is requested. Requests submitted after the reimbursement deadline has passed may be denied.~~
- ~~3. District reimbursement for authorized use of employee-owned cell phones will be made in conformance with ESD payment procedures.~~

Columbia Gorge ESD

Code: EH
Adopted: 3/17/10
Orig. Code: EH

Electronic Data Management

The superintendent will provide for the preparation and maintenance of ~~ESD~~ records and reports as required by law.

Records ~~Electronic records~~ will be kept in accordance with administrative regulations as prescribed in administrative regulation, EH-AR – Records and ~~Electronic~~ Data Management.

The ESD will comply with all state and federal laws and regulations concerning the custody and maintenance of public records.

END OF POLICY

Legal Reference(s):

[ORS 192.001](#) to -192.505
[ORS 192.650](#)
[ORS 326.565](#)
[ORS 326.575](#)

[ORS 336.187](#)

[OAR 166-400-0010](#) to -166-400-0065
[OAR 581-015-0055](#)

[OAR 581-022-2260](#)
[OAR 581-022-2305](#)
[OAR 581-023-0006](#)
[OAR 581-053-0070](#)

Columbia Gorge ESD

Code: EH-AR
Revised/Reviewed: 3/17/10
Orig. Code: EH-AR

Electronic Data Management

In order for the ESD to function administratively, undergo periodic audits and provide for its legal requirements, it must manage its records properly. Therefore, the ESD requires its employees to retain and destroy electronic documents and email messages that are created, sent and received in the course of conducting official business in accordance with the Oregon Archives division records retention schedule. The ESD's specified retention system is to retain electronic documents and email messages as part of the network and email system, ~~by copying and filing them in an electronic filing system and deleting them from the email account or by printing and filing them in an appropriate folder.~~

Public records include any writing that contains information relating to the conduct of the public's business regardless of its physical form. More specifically, an electronic document or email message is a public record if it communicated formal approvals, directions for action, and information about contracts, purchases, grants, personnel, students and particular projects or programs. If an electronic document or email message is a public record then it is subject to retention requirements based on the content of the message. Records, including electronic documents or email, shall not be destroyed if they have been requested under the Public Records Law or if they are part of litigation, even if their retention period has expired.

Definitions

1. "Electronic mail (email)" means messages distributed by electronic means from one computer user to one or more recipients via a network. ~~A means of exchanging messages and documents using telecommunications equipment and computers.~~
2. "Electronic document" means any document ~~Documents~~ created, generated, sent, communicated, received, or stored by electronic means.
3. "Retention schedule" means a ~~Schedule~~ ~~A~~ general schedule published by the State Archivist in Oregon Administrative Rule (OAR) 166-005-0000 through OAR 166-400-0065 in which certain common public records are described or listed by title and a minimum retention period is established for each.

ESD employees should consult the complete retention schedule to determine the retention period of the electronic document or email. ~~See http://areweb.sos.state.or.us/rules/OARS_100/OAR_166/166_400.html.~~
See <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=600>.

Common electronic documents and emailed public records include, but are not limited to, the following:

1. Calendars and Scheduling Records – Minimum Retention: One year. OAR 166-400-0010(76).
2. Committee and Board Meeting Records – Minimum retention:

- a. Board meeting minutes and agendas: Permanent¹;
- b. Exhibits, other minutes, and supporting records: Five years after school year in which records were created;

Sound recordings, if transcribed or abstracted: One year after minutes approved. OAR 166-400-0010(9).

3. Staff Meeting Records – Minimum Retention: Until end of school year. OAR 166-400-0010(40~~38~~).
4. Employee Time and Attendance Records – Minimum Retention: ~~Four~~4 years. OAR 166-400-0045(4).
5. Employee Personnel Records² – Records documenting school, district and ESD individual employee work history.
6. Records may include but are not limited to applications; notices of appointment; training and licensure (certification) records; records of health limitations; in service training records; salary schedules; tuition reimbursement records; personnel actions; performance evaluations; teacher evaluation reports; letters of commendation and recommendation; letters of reprimand; notices of disciplinary action; notices of layoff; letters of resignation; home address and telephone disclosures; emergency notification forms; oaths of office; grievance and complaint records; pension, retirement, disability, and leave records; and related correspondence and documentation. ~~Minimum retention:~~

Minimum retention:

- a. Retain employment applications (most recent and first successful), teacher licensure (certification) records, personnel actions, oaths of office, home address/telephone disclosures, emergency notification form (most recent): 75 years after date of hire.
 - b. Retain grievance, complaint, and disciplinary records³: ~~Three~~3 years;
 - c. Retain all other records: ~~Three~~3 years after separation. OAR 166-400-0050(11).
7. Student Attendance Records – Records documenting the attendance of students in school.

Records may include but are not limited to teacher or school attendance register; classroom daily attendance sheet; weekly attendance and truancy records; excused and unexcused absence records; tardiness records; notes from parents/guardians; and related documentation. Minimum retention: Three years after school year in which records were created. OAR 166-400-0060(3).

8. Student Behavioral Records:

- a. Major student behavior infractions resulting in student's suspension or expulsion⁴: Minimum Retention: Until student turns 21. OAR 166-400-0060(4);

¹ OAR 166-005-0010(8) "Permanent" public records are those deemed worthy of permanent preservation by the State Archivist and the official copy of permanent records must be retained in paper or in microfilm.

² Consult with your ESD's collective bargaining agreement regarding personnel files.

³ ORS 342.850 requires that "[a]ll charges resulting in disciplinary action shall be considered a permanent part of a teacher's personnel file and shall not be removed for any reason."

- b. Minor student behavior infractions not resulting in suspension or expulsion (i.e. referrals, records of conversations, parent notes, detention records, related correspondence). Minimum retention: Until end of school year. OAR 166-400-0060(5).
- 9. Educational Programs Student Records – Records documenting the placement and participation of students in educational programs such as TAG, alternative learning, or distance learning. Minimum retention:
 - a. Records that show compliance with all federal program requirements: Five years after school year in which records were created;
 - b. Other records: Three years after school year in which records were created. OAR 166-400-0060(12).
- 10. Special Education Student Records – Records documenting students participating in special education programs and early intervention special education services.

Records may include speech/hearing, academic, motor, occupational and/or physical therapy, vision/hearing, interdisciplinary team, and classroom observation reports; records relating to student behavior including psychological and social work reports; assessments obtained through other agencies; contact sheets; severity rating scales; test result records; physician's statements; parental consent records; educational program meeting records; request for hearing records; eligibility statements; individualized education plans (IEP); individualized family service plans (IFSP); and related correspondence and documentation. Minimum retention:

- a. Records documenting speech pathology and physical therapy services: Until student reaches age 21 or five years after last seen, whichever is longer;
- b. ESD copies, if program at district level: Transfer records to home district after end of student participation;
- c. Readable photocopies of records necessary to document compliance with state and federal audits retained by the former educational agency or institution when a student transfers out of district: five years after end of school year in which original record was created. OAR 166-400-0060(28).

Employee Responsibilities

- 1. Employee will evaluate the content and purpose of each electronic document or email message to determine which retention schedule defines the document or message's approved retention period.
- 2. Senders and creators are generally considered to be the person of record for an email message or electronic document. However, if recipients of the message or document take action as a result of the message, they should also retain it as a record.
- 3. It is recommended that employees retain only the final message in a communication string that documents the contents of all previous communications. This is preferable to retaining each individual message, containing duplicate content.
- 4. Employees shall retain electronic document or email that has not fulfilled its legally-mandated retention period as part of the network or email system, ~~copied and filed in an electronic filing system and deleted from the e-mail account or printed and filed in an appropriate folder.~~

5. Employees will organize their electronic documents and email messages so they can be located and used.
6. Employees will promptly dispose of transitory, non-record and personal electronic documents or email messages from the network and email system.
7. Employees are responsible for ensuring that electronic documents and emails that are public records are properly archived prior to any district system auto clean-up schedules.

Columbia Gorge ESD

Code:
Adopted:

EHA

Health Insurance Portability and Accountability Act

(For ESDs that bill for Medicaid or use a contracted service to bill for Medicaid)

The Board has determined that it meets the definition of a hybrid of covered entities¹ under the Health Insurance Portability and Accountability Act (HIPAA). As the ESD offers health care provider programs and services that include electronic billing for the reimbursement of services under Oregon Medicaid programs, or contracts with another entity to provide such services, it is subject to HIPAA.

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

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

END OF POLICY

Legal Reference(s):

[ORS 334.125\(7\)](#)

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -d-8 (2012); 45 C.F.R. Parts 160, 164 (2016).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2016).

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

Columbia Gorge ESD

Code: EIA
Adopted: 8/17/11
Orig. Code: EIA

Insurance Programs

All district insurance coverage is to be written by a company that meets the industry standards with a financial size category adequate to ensure surplus resources to protect the district's assets.

Blanket building and equipment insurance will cover replacement costs at the same site, with a deductible determined by the superintendent or designee to provide the lowest possible premium costs consistent with adequate protection from unanticipated expenditures.

General and personal liability insurance will cover district Board members and employees only while acting in their official capacity.

Errors and omissions and tort liability endorsements will be carried.

The district will provide liability coverage for all district-owned or leased vehicles. Staff vehicles which are being used for authorized district business have secondary coverage by district liability insurance.

The Board will appoint an insurance agent of record for the district according to its local contract review board rules.

END OF POLICY

Legal Reference(s):

[ORS 30.260 to -30.300](#)
[ORS 278.005 to -278.215](#)

[ORS 334.125\(7\)](#)

[OAR 581-024-0240](#)