



A Coordinated School Health Approach

Summary of Selected School Laws Grouped by Coordinated School Health Components

Healthy School Environment

Tobacco Free Schools

OAR 581-021-0110 (certified 2004; rule change 2009), ORS 339.883 (2009) (Oregon School Board Association (OSBA) sample Policy JFCG/KGC/GBK Tobacco Free- Environment- Required)

- Prohibits tobacco use or sale by students, staff or visitors on school property at any time, including athletic grounds and parking lots
- Prohibits tobacco use or sale by students, staff or visitors in any vehicle owned, leased, rented, or chartered by the school at any time
- Prohibits student possession of tobacco on school property, including athletic grounds and parking lots
- Prohibits student possession of tobacco in any vehicle owned, leased, rented, or chartered by the school
- Requires school districts to establish policies and procedures to implement and enforce this rule for students, staff and visitors

Optional language in the OSBA sample policy

- Expands the definition of tobacco to include electronic cigarettes and excludes FDA approved nicotine replacement therapy products used for the purpose of cessation.
- Version 2 of the OSBA sample policy includes optional language for additional elements of a comprehensive school policy, including prohibitions against tobacco advertising and tobacco industry sponsorship and marketing.

Tobacco in Schools

Public Law 103-227, Title X, Part C (Pro-Children Act of 1994), 20 U.S.C. 7183

(OSBA sample Policy JFCG/KGC/GBK- Tobacco Free- Environment- Required)

- Prohibits smoking in schools that receive federal funding
- Prohibits smoking within any indoor facility that is used for the routine provision of kindergarten, elementary, or secondary education; library services; or health or day care services provided to children under the age of 18

- Prohibits smoking in indoor facilities that are constructed, operated or maintained with Federal funds

Tobacco and Public Places

OAR 333-015-0025 – 333-015-0085 (2009)

(OSBA sample Policy JFCG/KGC/GBK – Tobacco Free- Environment- Required)

- Implements the Oregon Clean Air Act by prohibiting smoking in public places, defined as any enclosed indoor area open to the public including educational facilities.

“No Smoking” Signs

OAR 333-015-0040 (certified 2002; rule change 2010, amended 2012)

(OSBA sample Policy JFCG/KGC/GBK – Tobacco Free- Environment- Required)

- Requires signs to be posted prominently at each outside entrance of a public place that use either the "no smoking" symbol and the words “within 10 feet” or the words "No Smoking within 10 feet."
- Signs may be used without including the words “within 10 feet” if the signs specify a restriction greater than 10 feet or designate the entire premises as tobacco-free.

Harassment, Bullying and Intimidation

ORS 339.351 to 339.364, (enacted 2001; amended 2009)

(OSBA sample Policy JFCF- Harassment, Bullying, Cyberbullying, Teen Dating Violence and Intimidation and administrative regulation (AR) Required)

- Requires that each district adopt a policy prohibiting harassment, intimidation, bullying, or cyber-bullying:
 - Identifies consequences and appropriate remedial actions
 - Identifies procedures for reporting and prompt investigations
 - Describes the manner in which a school district will respond to behaviors
 - Prohibits reprisal or retaliation against any person who reports
 - Identifies consequences and appropriate remedial action for false accusations
 - Describes how the policy is to be publicized
 - Identifies school officials responsible for ensuring that policy is implemented.
- In addition, school districts are encouraged to form harassment, intimidation, or bullying prevention task forces.

SB 1555: Cyberbullying

(enacted 2012):Effective on July 1, 2012

- Requires school employees to report to the appropriate school official acts of “harassment, intimidation or bullying,” including cyberbullying.
- Requires a district to adopt a policy and have procedures in place for reporting and investigating such acts.

HB 4077: Teen Healthy Relationships Act (passed 2012)

- Directs each school district to: adopt a teen dating violence policy that must:
 - State teen dating violence is unacceptable and prohibited; incorporate age-appropriate education for students in grades seven through 12
 - Establish response procedures for school employees
 - Identify by job title school officials who are responsible for receiving reports
 - Notify students and parents of the district's teen dating policy.

Emergency Plans and Safety OAR 581-022-1420 (1996)

Programs (OSBA sample Policy EB- Safety Program- Required; Policy EBB-Accident Prevention and Safety Procedures- Optional; Policy EBBB-Injury/Illness Reports - Optional; Policy EBC/EBCA-Emergency Procedures and Disaster Plans – Optional; Policy JHF- Student Safety-Highly Recommended)

- The district shall maintain a comprehensive safety program for all employees and students:
 - Include plans for responding to emergency situations.
 - Specify general safety and accident prevention procedures with specific instruction for each type of classroom and laboratory.
 - Provide instruction in basic emergency procedures for each laboratory, shop, and studio.
 - Require necessary safety devices and instruction for their use.
 - Require that an accident prevention in-service program for all employees
 - Provide assurance that each student has received appropriate safety instruction.
 - Provide for regularly scheduled and documented safety inspections.
 - Require reports of accidents involving school district property, or people.

Emergency drills and instruction; maintenance of exit doors. OAR 336.071

- All schools are required to instruct and drill students on emergency procedures so that the students may respond to an emergency without confusion or panic. The emergency procedures shall include drills and instruction on fires and earthquakes.
- In addition, schools that are in a coastal zone shall include tsunami drills and instruction as part of the earthquake drills and instruction.
- At least 30 minutes in each school month shall be used to instruct students on fire, earthquake, and where appropriate, tsunami dangers and drills.

Safe Routes to School OAR 737-025-0000 to 737-025-0080 (2006)

- Establishes the Safe Routes to School program and funding within the Department of Transportation to assist communities in identifying and reducing barriers and hazards to children walking or bicycling to and from school.

District Improvement Plan

OAR 581-022-0606 (certified 1990; rule change 2008)

(OSBA sample Policy JFC- Student Conduct- Required)

- Requires school districts to develop and implement a written improvement plan for the district and each school, to include programs and policies for a safe school environment

Walking/Biking

ORS 195.115 (2009)

- Requires local governments to work with school district personnel to identify barriers and hazards to children walking or bicycling to and from school.

Pesticide Use

ORS 634.740 (2009)

(OSBA sample Policy EBB Integrated Pest Management-Required)

- Requires school districts to utilize the least toxic effective pest management method at school sites
- Must provide staff and parents/guardians of students enrolled in the school written notification annually of all pesticides expected to be applied at the school in the upcoming year
- School district is required to post warning signs in each area of the school site where pesticides were applied

SB 1566: Seismic risk in public school buildings

Chapter 61, (2012 Laws): Effective date, July 1, 2012

- Requires the Department of Geology and Mineral Industries (DOGAMI) to make available to the public a website with data and information related to the seismic risk each public school faces.
- Information about how to access this website will also appear on the school and district report cards.
- If a school district builds a new school, or conducts seismic upgrades for school buildings, the district must notify DOGAMI of the changes so they can be added to the statewide database.
- Districts and ESDs may also provide information related to seismic assessments and risks to parents at their discretion.

Radon Mitigation Standards

ORS 455.365 passed in 2010

- Requires that all new public buildings including schools in 7 counties (Baker, Clackamas, Hood River, Multnomah, Polk, Washington, Yamhill) are built using radon resistant new construction as of April 1, 2013.

State Goals for Elementary and Secondary Education

OAR 581-022-1020 (certified 1997; rule change 2008)

- Ensure that all students have access to a quality education in a safe and motivating environment

- Encourage parental and community involvement
- Requires that students in grades K-12 be instilled with the core ethical values that our diverse society shares and holds important, including but not limited to, respect, responsibility, caring, trustworthiness, justice and fairness, and civic virtue and citizenship"
- To prepare students for a future of their choice through academic and career preparation
- To prepare students for successful transitions to the next phase of their educational development

Health Education

Standard Education for Oregon Students

OAR 581-021-0200 (certified 1991; rule change 2008)

- Each school district assures students receive a Standard Education for Oregon Students is comprised of Common Curriculum Goals consisting of Essential Learning Skills and Common Knowledge and Skills. These consist of facts, concepts, principles, rules, procedures and methods of inquiry. **Health Education** is one of the subject matters included.

K-12 Plan of Instruction Based on the Common Curriculum Goals

OAR 581-022-1210 (certified 1997; rule change 2008)

- Each school district shall provide a K–12 instructional program that is consistent with the Common Curriculum Goals (CCGs) and academic content standards (including Health Education and many other disciplines)
- The school district shall also provide instruction in other including:
 - Infectious diseases, including AIDS/HIV and Hepatitis B;
 - Prevention education in drugs and alcohol; and
 - Emergency plans and safety programs.
- The district is also accountable to provide instruction in compliance with requirements

Prevention Education in Drugs and Alcohol

OAR 581-222-0413 (certified 1989; rule change 2008)

(OSBA sample Policy IGAEB Drug, Alcohol and Tobacco Prevention, Health Education- Required)

- Mandates that each district have a plan that is part of the district’s comprehensive health education program. In addition, at least annually, all senior high school students shall receive age-appropriate instruction about drug and alcohol prevention including anabolic steroids and performance enhancing and controlled substances that includes:
 - The effects of alcohol, tobacco, and other drug use including anabolic steroids and performance enhancing and controlled substances;
 - All laws relating to the use, especially by minors, of alcohol and other illegal drugs;
 - The availability of school and community resources;
 - Understanding and managing peer pressure;
 - Understanding the consequences of consuming alcohol and other drugs;
 - Making informed and responsible decisions;
 - Motivating students to adopt positive attitudes towards health and wellness.

- RELATED TOOL! Grade Level Maps:
<http://www.ode.state.or.us/search/page/?id=1745>

**Human Sexuality Education, HIV/STD, Hepatitis B/C Prevention Education
OAR 581-022-1440 (certified 1996; rule change 2009), ORS 336.455 to 336.475
(enacted 1993; amended 2009)**

**(OSBA sample Policy IGAI- Human Sexuality, AIDS/HIV, Sexually
Transmitted Diseases, Health Education- Required)**

- Each school district shall teach age-appropriate, comprehensive sexuality education, HIV/AIDS and STD prevention in elementary and secondary schools. Stress that sexuality is a normal and healthy aspect of human development. The comprehensive plan will provide instruction annually, for all students' grades 6-8 and at least twice during grades 9-12.
- Parents, teachers, school administrators, local health department staff, other community representatives, and persons from the medical community, knowledgeable of the latest scientific information and effective education strategies shall work together to develop the plan of instruction.
- Local school boards will approve the plan of instruction and review/update plan biennially.
- Parents may request that his/her child is excused from a part or all of the instruction.
- Focus will be on abstinence as the only 100% effective method for the prevention of risks. Other methods for prevention will also be covered. Care will be taken to not devalue or ignore students who have had or are having sexual relationships. Shame or fear based tactics must not be used.

Credit Requirements

OAR 581-022-1130 (certified 1997; rule change 2009)

(OSBA sample Policy- IKF- Graduation Requirement-Required)

- Requires students to complete 1 unit of coursework in health education in order to graduate from high school

Physical Education

Requirements around Physical Education

ORS 329.496, (2007) (effective July 1, 2017)

(OSBA sample Policy EFA- Local Wellness Program- Required)

- Requires a minimum of 150 minutes (grades K-5) or 225 minutes (grades 6-8) of PE each week for the entire school year
- Requires that schools offer PE instruction that meets the standards outlined in ORS 329.045
- Requires that at least 50 percent of the PE class time be devoted to physical activity
- Requires that students with disabilities or chronic health problems shall include suitably adapted PE in their individualized health plans
- Requires regular assessments to determine if the minimum number of PE minutes are being met
- Requires that all PE teachers for grades K-8 shall be adequately prepared and regularly participate in professional development activities to effectively deliver the PE program

K-12 Plan of Instruction Based on the Common Curriculum Goals

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- Each school district shall provide a K–12 instructional program that is consistent with the Common Curriculum Goals (CCGs) and academic content standards (including Physical Education and many other disciplines)

PE Credit Requirements

OAR 581-022-1130 certified 1997; rule change 2009)

(OSBA sample Policy- IKF- Graduation Requirement-Required)

- Requires students to complete 1 unit of coursework in physical education in order to graduate from high school

Nutrition Services

Minimum nutrition standards for foods sold outside of school meals

ORS 336.423, (2007)

(OSBA sample Policy EFA- Local Wellness Program- Required)

- Requires that all food and beverage items sold during regular and extended school days meet the nutrition standards.
- Requires the school board to determine and report compliance to the Dept. of Education
- Requires schools (K-12) to only sell items that meet the following minimum standards:
- Snack items may only be sold in single servings
- Snack items may not contain more than 35 percent of total calories from fat; more than 10 percent of total calories from saturated fat; more than 35 percent sugar by weight; or more than 0.5 grams of trans fat per serving
- If the highest grade level is 5, 6-8, or 9-12, snack items may not contain more than 150, 180, or 200 total calories, respectively
- Entrée items may not contain more than 4 grams of fat per 100 calories or more than 450 total calories
- Approved beverages include water; 100 percent fruit or vegetable juice (no added sweeteners and less than 120 calories per 8 oz. serving); milk or milk equivalent (fat free or low fat and less than 150 calories per 8 oz. serving)
- If the highest grade level is 5, 6-8, or 9-12, beverages may not be more than 8, 10, or 12 oz., respectively
- If the highest grade level is 9-12, the school may sell no- or low-calorie beverages that contain not more than 10 calories per 8 oz. or beverages not more than 12 oz. that contain no more than 66 calories per 8 oz.
- RELATED TOOL! For school nutrition services:
<http://www.ddouglas.k12.or.us/?q=node/789>

Wellness Policies

Public Law 108-265 Sec. 204

(OSBA sample Policy EFA- Local Wellness Program- Required .Revised and released in our Feb 2012 Policy update to reflect Healthy-Hunger Free Kids Act)

- Requires that local education agencies participating in federally funded school meal programs establish school wellness policies that:
- Include goals for nutrition, education, physical activity and other activities to promote wellness
- Include nutrition guidelines for all foods available on school campus during the school day with the objectives of promoting health and reducing obesity
- Provide assurance that guidelines for reimbursable meals shall not be less restrictive than regulations applying to the Child Nutrition Act or the National School Lunch Act
- Establish a plan for measuring implementation of the policy including designation of 1 or more persons within the local educational agency or at each school, as appropriate, charged with operational responsibility for ensuring that each school fulfills the district's local wellness policy
- Involve parents, students, representatives of the school food authority, the school board, school administrators, and the public in policy development
- MODEL POLICY AND RELATED TOOL!
<http://www.oregonpta.org/docs/advocacy/ModelWellnessPolicy.pdf>
- Wellness Policy Scoring: <http://www.wellsat.org/>

Hunger-Free Kids Act

PUBLIC LAW 111–296 (2010)(OSBA sample Policy EFAA and AR-

Required. Revised Feb 2012 Policy Update Authorizes funding and sets policy for USDA's core child nutrition programs: the National School Lunch Program, the School Breakfast Program, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), the Summer Food Service Program, and the Child and Adult Care Food Program.

- Allows USDA, for the first time in over 30 years, opportunity to make reforms to the school lunch and breakfast programs by improving the critical nutrition and hunger safety net for children.

Farm-to-School and School Garden Program

ORS 336.426 (2008)

- ODE to establish the Oregon Farm-to-School and School Garden Program to assist schools that participate in the USDA School Lunch and Breakfast Program with:
 - utilizing Oregon food products and produce from school gardens,
 - providing information to districts on how farm-to-school and school garden projects may help implement wellness policies mandated by the USDA, and
 - Promoting food- and garden-based educational activities.

Farm to School Expansion

ORS 336.431 (2011)

- Appropriates \$200,000 to the Oregon Department of Education to administer a competitive grants pilot program in two medium-sized Oregon school districts.
- The majority of the funds will reimburse these school districts an additional 15 cents per school lunch or the amount paid per meal, whichever is less, to buy foods produced or processed in Oregon, while 12.5% will support food, agriculture or garden-based educational activities.

Health Services

Asthma Self- Carry

OAR 581-021-0037 (certified 1998; rule change 2010)

(OSBA sample Policy JHCD and AR- Administering Non Injectable Medicines to Students and Policy JHCDA- Administering Injectable Medicines to Students- Required)

- Requires school boards adopt a policy for self-administration of medication, effective for all students at or in transit to or from school or a school-sponsored activity, while under the supervision of school personnel, or in programs on school property
- Policy must require that an Oregon licensed health care professional prescribe and instruct the student in correct use of the medication and formulate a written treatment plan for disease management and medication use during school hours
- Policy must require that the parent or guardian submit liability and any other required written documentation to the school
- Policy must require that the school request that the parent or guardian provide medication for emergency use
- Policy must require that any provided backup medication must be kept in a location immediately accessible to the student in the event of an emergency
- Policy must allow the school to revoke permission for self-administering if the student abuses or irresponsibly uses the medication
- School board may adopt stronger policies but may not require untrained personnel to assist a student with self-administration of medication

Administration of Medications

OAR 581-021-0037 (certified 1998; rule change 2010), ORS 339.866 to 339.873 (1997; amended 2009)

(OSBA sample Policy JHCD and AR- Administering Non Injectable Medicines to Students and Policy JHCDA- Administering Injectable Medicines to Students- Required)

- Requires the State Board of Education to adopt guidelines for local school districts regarding the administration of prescription and nonprescription medication to students and training requirements for school personnel.
- Requires local districts to develop policies and procedures that provide for:
 - the administration of prescription and non-prescription medication to students by trained school personnel,

- the training of designated staff to administer medication under the written permission of a parent/guardian and instructions from a physician and
- Emergency medical response to life-threatening effects and reactions.
- Prohibits a school board from requiring school personnel who have not received appropriate training to assist a student with asthma or a severe allergy with self-administration of medication.

Student-to-Nurse Ratio

ORS 336.201 (2009) (fully enacted by 2020)

(OSBA sample Policy JHC- Student Health Service and Requirements- Highly Recommended)

- Requires each school district ensure that the district has a sufficient number of licensed nurses and school nurses to provide:
 - one licensed nurse or school nurse for every 225 "medically complex" students,
 - one for every 125 "medically fragile" students, and
 - One for every nursing-dependent student (as defined in the statute).
- Each school district is encouraged to have one nurse for every 750 students in the district.

Health Services/Emergency Response

OAR 581-022-0705 (certified 1988; rule change 1996)

(OSBA sample Policy JHC- Student Health Service and Requirements- Highly Recommended)

- School district required to maintain prevention-focused health services for all students which includes:
 - Health care and space that serves as first aid and isolates sick or injured student
 - Communicable disease control
 - Health screening information
 - Services for medically fragile or special needs students
 - Integration of school health services with school health education programs and coordination with health and social service agencies, public and private
 - Vision and hearing screenings
 - A written plan for medical emergencies
 - Policies and procedures for medications
 - An emergency response team

Immunizations in Schools

ORS 433.235-433.284

OAR 333-050-0010 through 333-050-0140 (1981; most recent rule change 2010)

- Requires that students submit documentation that they have been adequately vaccinated against specific vaccine-preventable diseases. The law allows for religious and medical exemptions.
- Requires that schools report the immunization status of students to the local health authority on an annual basis. The local health authority issues exclusion orders to the parent/guardian for any student not up-to-date on their immunizations. Schools are required to enforce the exclusion orders for students in non-compliance with immunization requirements.

- Requires that the school maintain a list or system to track students who are susceptible to vaccine-preventable diseases so that in an outbreak situation, those students can be excluded from school until risk of infection is over.

Diabetes Reporting

OAR 333-010-0620 (2007)

- Requires surveyed schools to complete and return surveys to the Diabetes Program no later than June 15th of each year
- Requires the school, upon receipt of written consent of the parent or guardian, to report the following information for each student who has type 1 or type 2 diabetes:
 - Name, address, sex, date of birth, type of diabetes (if known), date of diagnosis (if known), and the name of the student's practitioner (if known)

Counseling, Psychological, and Social Services

Counseling Services

OAR 581-022-1510 (1996; rule change 2008)

(OSBA sample Policy IJ- Guidance Program- Highly Recommended)

- Requires each district and school to provide a guidance and counseling program that identifies each student's guidance and counseling needs.

Harassment, Bullying, Cyberbullying, Teen Dating Violence –see Healthy School Environment

ORS339.351 to 339.364, (enacted 2001; amended 2009; amended 2012)

Health Promotion for Staff

Oregon Employees' Benefit Board

OAR 101-002-0005 (certified 2007; rule change 2011)

- Benefits for Oregon educators.

Employees with Communicable Diseases

OAR 581-022-0705 (certified 1988; rule change 1996)

- The school district shall have policies and/or administrative procedures concerning employees with communicable diseases, including but not limited to Hepatitis B (HBV), Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS)

Expressing breast milk

ORS 653.077 (certified 2005; rule change 2007)

(OSBA sample Policy GBDA-Mother Friendly Workplace)

- Employers must provide a 30-minute time period and private location for employees to express milk

Health Insurance Exchange

Chapter 38, (2012 Laws) Effective on March 8, 2012

- Allow individuals and small businesses to shop for health insurance through Oregon Health Insurance Exchange Corporation (ORHIX)
- Allow school districts, ESDs and community colleges to purchase their insurance plans from the Oregon Health Insurance Exchange Corporation (ORHIX) or OEBC, beginning in October 2015.

Family/Community Involvement

Safe Schools Alliance

ORS 339.312 (1999)

- School districts are encouraged to form a safe school alliance composed of schools, law enforcement agencies, juvenile justice agencies and district attorneys.

Oregon Educational Act for the 21st Century

ORS 329, (enacted 1995; amended 2009)

(OSBA sample Policy IFCA-21st Century School Councils- Highly Recommended)

- Establishes a 21st Century School Council at every school to improve student performance
- Collaboration between school district, school staff, and community
- Duties include:
 - The development of plans to improve the professional growth of the school's staff;
 - The improvement of the school's instructional program;
 - The development and coordination of plans for the implementation of programs under this act at the school; and
 - The administration of grants-in-aid for the professional development of teachers and classified district employees.

Wellness Policy Public Law 108-265 Sec. 204—see Nutrition Services

State Goals for Elementary and Secondary Education

OAR 581-022-1020—see Healthy School Environment

OTHER STATE EDUCATION LAWS

Oregon Education Investment Board

SB 909 (Temporary provisions relating to the Oregon Education Investment Board are compiled as notes preceding ORS 326.011) OAR **705-001-0000**

- Creates a zero-to-20 funding and governance system for public education, from early childhood services through post-secondary education and training.
- Establishes the **Oregon Education Investment Board** for the purpose of ensuring that all public school students in this state reach the education outcomes established for the state.

SB 1581: Achievement compacts

Chapter 36, (2012 Laws): Effective date, March 6, 2012

- Authorizes the Oregon Education Investment Board (OEIB) to require school districts, education service districts, community colleges and other institutions of higher education to enter into “achievement compacts” with the state.
- Beginning with the 2012-13 school year, districts and ESDs must enter into compacts with the state.
- The compacts include several key outcomes and measures of student progress: four- and five-year cohort graduation rates; five-year completion rates (all diplomas, GEDs); post-secondary enrollment; third-grade reading and math proficiency, as measured by OAKS; sixth-grade attendance (90 percent or better); Ninth-grade on track (entering 10th grade with six credits and 90-percent attendance); Students graduating from high school with nine or more college credits (or equivalent)