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**Healthy and Safe Schools Plan**

1. Each school district and public charter school must develop a Healthy and Safe Schools Plan for all buildings owned or leased by the school district or public charter school where students and staff are present on a regular basis.

(2) At a minimum, the Healthy and Safe Schools Plan must include:

(a) The position within the school district’s or public charter school’s administration responsible for maintaining and implementing the Healthy and Safe Schools Plan;

(b) A list of all facilities that are included in the school district’s or public charter school’s Plan;

(c) A plan to test for elevated levels of radon as required under ORS 332.167;

(d) A plan to test for and to reduce exposure to lead in drinking water that includes the following:

1. Drinking water must be tested in accordance with the United States Environmental Protection Agency’s 3Ts for Reducing Lead in Drinking Water in Schools revised technical guidance dated October 2006 and using an Oregon Health Authority certified lab;
2. The school district or public charter school must prevent access in accordance with the United States Environmental Protection Agency’s 3Ts for Reducing Lead in Drinking Water in Schools revised technical guidance dated October 2006 to water taps where test results reveal that water coming from the taps has more than 20 parts per billion of lead; and
3. The school district or public charter school must test all buildings owned or leased by the school district or public charter school where students and staff are present on a regular basis and submit the samples to an Oregon Health Authority certified lab before October 1, 2016. Thereafter, school districts and public charter schools must test 5% of the sites in each building every five years. If the results of the test reveal that the concentration of lead increased by more than 200% or exceeded 20 parts per billion, then the school district or public charter school must test all sites in the facility that had elevated levels of lead.

(e) A plan to reduce exposure to lead paint that includes the following;

1. Compliance with the United States Environmental Protection Agency’s Renovation, Repair and Painting Program Rule for all buildings all buildings owned or leased by the school district or public charter school where students and staff are present on a regular basis; and
2. Mitigation steps for known sources of lead pain at the school district or public charter school.

(e) A plan to improve indoor air quality that includes the following:

1. Annual completion of the indoor air quality check list tool provided by the Oregon Department of Education; and
2. Reduction of idling by busses outside of the school buildings.

(g) A plan to implement integrated pest management practices as required under ORS 634.700 through 634.750; and

(h) A plan to communicate results for all tests required under the Healthy and Safe Schools Plan that includes:

1. The school district or public charter school must make all test results available to the public within five days of receiving the results;
2. The school district or public charter school must make the results available to the public by posting the results on the school district or public charter school website, sending notice of the results over the email system, and making the results available in hardcopy at the main administration office; and
3. The school district or public charter school must provide some information explaining the test results.
4. The Department of Education shall develop a model Healthy and Safe Schools Plan. The Department shall seek the input of the Oregon Health Authority Public Health Division, the Oregon Department of Environmental Quality and other stakeholders in developing the model plan. The model plan shall be made available on or before October 1, 2016.
5. School districts and public charter schools must submit the Healthy and Safe Schools Plan to the Department of Education on or before January 1, 2017. Thereafter, school districts and public charter schools must annually submit an updated Healthy and Safe Schools Plan if new buildings are acquired, constructed, or leased or if the plan is modified by the school district or public charter school.
6. School districts and public charter schools must annually provide a statement regarding the Healthy and Safe Schools Plan.

(a) The annual statement must be made to the following:

(A) The district or charter school board;

(B) All building occupants or for occupants who are under the age of 18, their parents or legal guardians; and

(C) The community by posting information on the school district or public charter school website and making the information available at the main administrating building.

(b) The annual statement must include the following information:

(A) The position within the school district’s or public charter school’s administration responsible for maintaining and implementing the Healthy and Safe Schools Plan;

(B) How to obtain a copy of the Safe and Healthy Schools Plan;

(C) A certification that the Healthy and Safe School Plan is up to date and that all required testing has been completed;

(D) How to access any results for tests conducted pursuant to the Plan; and

(E) A high level summary of major mitigation efforts in the last year as a result of the Healthy and Safe Schools Plan.

(6) The reports due under subsection (5) of this rule are in addition to any reporting required by any other regulatory authority under state or federal law.

Stat. Auth.: ORS 326.051

Stat. Implemented: ORS 326.051