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**Healthy and Safe Facilities Plan**

(1) Each school district and public charter school must develop a Healthy and Safe Facilities Plan for all buildings owned, leased, or otherwise used as a school building by the school district or public charter school. School districts and public charter schools must maintain and update the Healthy and Safe Facilities Plan as new buildings are acquired, leased, or otherwise used as a school building.

(2) The Healthy and Safe Facilities 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 Facilities Plan;
- (b) A list of all facilities owned, leased, or otherwise used as a school building by the school district or public charter school;
- (c) A plan to test for elevated levels of radon as required under ORS 332.167;
- (d) A plan to test for and reduce exposure to lead in drinking water, paint, dirt, and dust in accordance with Oregon Health Authority Public Health Division recommendations and United States Environmental Protection Agency recommendations;
- (e) A plan to improve indoor air quality in accordance with United State Environmental Protection Agency recommendations for indoor air quality in schools;
- (f) A plan to test, monitor, and improve ambient air quality in accordance with Department of Environmental Quality recommendations; and
- (g) A plan to reduce exposure to toxics from hazardous waste sites in accordance with Oregon Health Authority Public Health Division recommendations.

(3) The Department of Education shall develop a model Healthy and Safe Facilities 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.

(4) School districts and public charter schools must submit the Healthy and Safe Facilities Plan to the Department of Education on or before October 1, 2016. Thereafter, school districts and public charter schools must submit an updated Healthy and Safe Facilities Plan as new buildings are acquired, leased, or otherwise used as a school building or if the plan is modified by the school district or public charter school.

(5) School districts and public charter schools must report annually the results of any tests, monitoring or assessments completed pursuant to the Healthy and Safe Facilities Plan as well as any proposed repairs or mitigation in order to ensure a healthy and safe learning environment. The report 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;

(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; and

(c) To the Department of Education.

(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