

# Summary of Oregon Laws, Rules, and Bills Related to Health and Physical Education

## **OAR 581-021-0200: Standard Education for Oregon Students**

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 associated. **Health Education** is one of the subject matters included.

## **OAR 581-022-1030: Local District Goals**

This requires program goals, including goals for health education, are adopted by the district school board.

## **OAR 581-22-1130 (8b): Diploma Requirements**

Attendance requirements: This authorizes school districts to adopt polices for alternative learning experiences such as by examination and performance requirements.

## **OAR 581-022-1210: District Curriculum**

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 the following:

- (a) Infectious diseases, including AIDS/HIV and Hepatitis B;
- (b) Prevention education in drugs and alcohol; and
- (c) Emergency plans and safety programs.

## **OAR 581-022-1910 Exemptions for state required programs**

The school district may excuse students from a state required program or learning activity, where necessary, to accommodate students' disabilities or religious beliefs. The process involves a written request from the student's parent or guardian or the student, if over 17 year of age or legally emancipated minor, listing the reason for the request. There needs to be a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. An evaluation of the request and approval by appropriate school personnel (the alternative should be consistent with the student's educational progress and career goals as described in OARS 581-022-1670 and 581-022-1510) is needed prior to an approval by the district school board, and upon completion of the alternative, credit shall be granted to the student.

## Laws, Rules, and Bills related to health education strands

### **OAR 581-22-0413: Prevention Education in Drugs and Alcohol.**

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.

### **OAR 581-22-0416: Anabolic Steroids Performance-enhancing Substances**

The law includes definitions of the terms and states that each school district shall:

Utilize evidence-based programs as *Athletes Training and Learning to Avoid Steroids* (ATLAS) and *Athletes Targeting Healthy Exercise and Nutrition Alternatives* (ATHENA), for the reduction in anabolic steroid and performance enhancing substance abuse by athletes.

Ensure that coaches or athletic directors (district employees) receive training once every four years on identifying the components of abuse and prevention strategies.

### **OAR 581-022-1440 Human Sexuality Education, HIV/STD, Hepatitis B/C Prevention**

(1) Defines the following: age-appropriate, balanced, best practice, comprehensive plan of instruction, culturally sensitive, gender identity and gender orientation, gender role, gender sensitive, medically accurate, research-based, sexual intercourse, shame or fear based, skills-based.

(2) 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.

(3) 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.

(4) Local school boards will approve the plan of instruction and review/update plan biennially.

(5) Parents may request that his/her child is excused from a part or all of the instruction.

(6) The comprehensive plan of instruction shall include information that:

- (a) promotes abstinence for school-age youth and mutually monogamous relationships with an uninfected partner for adults as the safest and most responsible sexual behavior to reduce risks;

**581-022-1440 Human Sexuality Education, HIV/STD, Hepatitis B/C Prevention Education (continued)**

- (b) allays those fears concerning HIV that are scientifically groundless;
  - (c) is balanced and medically accurate;
  - (d) provides balanced and accurate information on the risks and benefits of contraceptive and disease reduction measures;
  - (e) discusses responsible sexual behaviors and hygienic practices which may reduce or eliminate risks;
  - (f) stresses the high risks of contracting diseases through sharing of needles or syringes for injecting drugs including steroids, for tattooing, and body-piercing;
  - (g) discusses possible emotional, physical, and psychological consequences of early sexual intercourse and unintended pregnancy. Statistics will be based on the latest medical information for both side effects (& failure rates) and health benefits (& success) of all contraceptives;
  
  - (h) stresses that HIV/STDs and hepatitis B/C can be serious possible hazards of sexual contact;
  - (i) inform students of the laws pertaining to their financial responsibility for their children;
  - (j) advises students of the law ORS 163.435 and 163.445 in which persons 18 years or older will not have sexual relations with persons younger than 18 years of age, if not married to them.
  - (k) encourages family communication/involvement; helping students to make responsible decisions;
  - (l) teaches that no form of sexual expression is acceptable when it harms oneself or others.
  - (m) teaches that it is wrong to take advantage of or exploit another person;
  - (n) validates through course material and instruction the importance of honesty with oneself and others, respect for each person's dignity and well-being, and responsibility for one's actions;
  
  - (o) uses culturally and gender sensitive materials, language, and strategies that recognizes different gender identities/orientations and gender roles.
- (7) The comprehensive plan of instruction shall include skills-based instruction that:
- (a) assists students to develop and practice effective communication skills, the development of self-esteem and the ability to resist peer pressure;
  - (b) provides students with the opportunity to learn about and personalize both positive and negative peer, media and community influences that may impact their decisions to abstain from sexual intercourse;
  - (c) enhances students' ability to access valid health information/resources related to their sexual health;
  - (d) teaches how to decline unwanted sexual advances, or accept the refusal of unwanted sexual advances, through the use of refusal and negotiation skills;
  - (e) is research-based and/or best practice; and
  - (f) aligns with the Oregon Health Education Content Standards and Benchmarks.
- (8) 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.

- (9) Materials and information will be sensitive of students who have experienced sexual abuse. (See also ORS 336.455 to 475: Comprehensive Sexuality Education).

**ORS 336.071 Emergency drills and instruction; maintenance of exit doors.**

All schools are required to instruct and drill students on emergency procedures on fire and earthquakes.

At least 30 minutes per month of fire/earthquake instruction and drills (Minimum of two earthquake drills per year.)

All school exit doors can be opened from the inside without a key during school hours.

Local government and state agencies associated with emergency procedures shall assist schools in the instruction and drilling of students in emergency procedures.

## Other health-related Laws, Rules, and Bills

**2007 SB 379 Child Abuse reporting and training for parents and students** Relating to children; creating new provisions; amending [ORS 338.115, 339.370 and 419B.020](#); and declaring an emergency.

This bill revises the required training of school personnel on child abuse reporting to provide the following annual training:

to school personnel on identification and prevention of child abuse.

available to parents and students on the identification and prevention of child abuse.

It also requires that DHS notify the person who reported child abuse of the outcome.

SECTION 2 of the law pertains directly with schools: Schools shall:

- (1) provide to school employees training each school year on the prevention and identification of child abuse and on the obligations of school employees to report child abuse.
- (2) the training provided is available each school year to parents and legal guardians of children who attend a school operated by the education provider. The training shall be provided separately from the training provided to school employees under (1) above.
- (3) make training that is designed to prevent child abuse available each school year to children who attend a school operated by the education provider.

**[ORS 339.351 to 364 Harassment, Bullying and Intimidation](#)**

Requires that each district adopt a policy prohibiting harassment, intimidation or 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.

### **OAR 581-021-0110 Tobacco Free Schools**

No tobacco use, possession, or selling of tobacco at any time by anyone on any school property, at any school sponsored event, on or off campus. This includes vehicles owned or used by the school.

Requires districts to have policies and procedures for implementation & enforcement.

### **OAR 581-022-1420 Emergency Plans and Safety Programs**

The district shall maintain a comprehensive safety program for all employees and students:

- (1) Include plans for responding to emergency situations.
- (2) Specify general safety and accident prevention procedures with specific instruction for each type of classroom and laboratory.
- (3) Provide instruction in basic emergency procedures for each laboratory, shop, and studio.
- (4) Require necessary safety devices and instruction for their use.
- (5) Require that an accident prevention inservice program for all employees
- (6) Provide assurance that each student has received appropriate safety instruction.
- (7) Provide for regularly scheduled and documented safety inspections.
- (8) Require reports of accidents involving school district property, or people.

### **2007 HB 3141 Physical Education**

Requires physical education for all students K-8. 150 minutes per week for K-5 students and 225 minutes for students in grades 6-8. The instruction will be a sequential, developmentally appropriate curriculum that is designed, implemented and evaluated to help students develop the knowledge, motor skills, self-management skills, attitudes and confidence needed to adopt and maintain physical activity throughout their

lives. At least 50% of the physical education class time is to be actual physical activity with as much time as possible spent in moderate physical activity.

Students with disabilities will have adapted physical education as part of their (IEP). A student without an IEP but with chronic health problems or other special needs that preclude the student from participating in regular physical education instruction will have suitably adapted P.E. included in an individualized health plan developed for the student by the school district or public charter school.

Every school district is to be in compliance by the 2017-18 school year. In addition to the required minutes, the House Bill also directs ODE to gather information from school districts about: 1) The number of minutes of physical education that are provided to students in K- 8 each school week ; 2) The physical capacity of public schools to provide students in K- 5 with at least 150 minutes of physical education during each school week and to provide students in grades 6 - 8 with at least 225 minutes of physical education each school week; and 3) The additional facilities required by public schools to provide physical education to students as described in section 2). This information will be gathered annually starting during the 2007-08 school year and reported to the Legislature in February of each odd numbered year. Read the complete bill at: <http://www.leg.state.or.us/07reg/measpdf/hb3100.dir/hb3141.en.pdf>