

# Student + Parent Handbook



Eddyville Charter School

**2020-2021**

**COVID-19 Edition**

Inside are forms to sign acknowledging your receipt and understanding of the information contained in this document. The signed forms will be kept in your student's file. Keep this handbook at home for reference. If you have questions about the information in this handbook, please contact our office staff: 541.875.2942.

**Eddyville Charter School** | 1 Eddyville School Rd. Eddyville, OR 97343

[www.eddyvillecharterschool.org](http://www.eddyvillecharterschool.org)

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School Board Chair: Ryan Gassner | ryan.gassner@lincoln.k12.or.us

School Board Vice-Chair: Abe Silvonen | abe.silvonen@lincoln.k12.or.us

*At ECS, we seek to be a solid academic foundation on which to build successful futures, by offering a safe and healthy learning environment that nurtures, inspires and challenges all students through our SOAR philosophy.*

**Safety:** *in our language and actions*

**Organization:** *in all aspects of personal and academic space*

**Achievement:** *in striving for excellence in academic and extra-curricular endeavors*

**Responsibility and Respect:** *to encompass self-reflection and empathy necessary to build on tolerance and understanding; to be accountable for our actions and embody a positive and hardworking individual*

## **PREFACE TO EDDYVILLE CHARTER SCHOOL HANDBOOK**

Parents and/or eligible students must acknowledge receipt of the Student Code of Conduct and the consequences to students who violate school disciplinary policies.

The material covered within this student/parent handbook is intended as a method of communicating to students and parents regarding general school information, rules and procedures and is not intended to either enlarge or diminish any Board policy, administrative rules or negotiated agreement.

As used in this handbook, the term “parent” includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 126.003 – 126.095.

**Materials contained herein may be superseded by such Board policy, administrative rules, negotiated agreement, Oregon Administrative Rule, state statute, or federal statute(s). Any information contained in this handbook is subject to unilateral revisions or elimination from time to time with notice.**

**The Student Code of Conduct may be modified during the school year. The most current version of this policy will be available as soon as possible after modification on the ECS website [www.eddyvillecharterschool.org](http://www.eddyvillecharterschool.org) and at the school buildings.**

Eddyville Charter School (ECS) does not discriminate on the basis of race, religion, color, national origin, disability, marital status, gender or age in providing education or access to benefits of education services, activities and programs in accordance with Title VI, Title VII, Title IX and other civil rights or discrimination issues; Section 504 of the Rehabilitation Act of 1973, as amended; and the Americans with Disabilities Act.

The following has been designated to coordinate compliance with these legal requirements and may be contacted at the district office for additional information and/or compliance issues:

Stacy Knudson: Superintendent Principal  
 Dani Ulstad: Dean of Students

Eddyville Charter School  
 1 Eddyville School Rd  
 PO BOX 68  
 Eddyville Or, 97343

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\*\* 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

**Student Code of Conduct**

**Students at Eddyville Charter School:**

- Respect one another as well as their surroundings
- Attend every day and are on time to their classes
- Take an active role in their education

**COVID-19 Online/Virtual Classroom Expectations**

- ECS dress code applies as if on campus
- No pictures, images, posters, music, or language present which may be offensive to staff and classmates on the virtual platform. Please make sure to set up your virtual learning space accordingly.
- Daily check-in to each class (Attendance counts and is collected by Oregon Department of Ed.)
  - Email, call, Zoom meeting, comment within online class platform, work submitted electronically
- Participation and graded work is required for all subjects at each grade level.
  - This is no longer a Pass/Fail system. You earn a letter grade and credits have to be earned as if you were on campus taking the course.
- All ECS Board Policies and SOAR guidelines are still in effect.

**Should ECS be able to move to in-person learning, standards and rules set forth through ODE and our plan must be followed or students will not be able to attend school in-person. This includes social distancing, sanitation and protection rules etc.** A clear set of expectations will be printed and explained to students and staff should this occur and can also be found in our Blueprint on our website.

**In- Person School: Electronic Devices**

Non-Academic Electronic Devices include but are not limited to cellphones, iPods, MP3 players, headphones, and gaming devices. Phones and iPods should not be used as calculators without the teacher’s permission. Chromebooks, laptops, and tablets should not be used during passing period, outside, or in the gym. School issued devices must not be used in the commons when food and drink are present.

**Classrooms:**

- Non-Academic electronic devices are not to be used, seen, or heard during class time for any reason. All devices as defined above, should be put away, turned off, and out of sight for the duration of class time.

**Policy:**

- Teachers will confiscate non-academic devices on sight or sound.
- The device will be delivered to the office at their earliest convenience.
- All confiscated devices will be stored in a secure location.

**First offense:**

- The device will be confiscated and returned to the student at the end of the day.

**Second offense:**

- The device will be released to the parent/guardian at the school.
- Lunch detention will be assigned.

**Third offense:**

- The device will be released to the parent/guardian at the school.
- The student will be placed on a behavior contract limiting the student's use of the device. Typically the student will either agree not to bring the device to school for a period of time, or the student will give the device to office staff to hold during the school day.

**Consequences for non-compliance:**

- Failure to comply with a staff member's request to confiscate a device is a violation of the Student Code of Conduct and will result in the student being referred to school administration for disciplinary actions.

**Electronic device permitted times:**

- Before school
- During passing period
- Lunchtime
- After school

**Electronic device permitted zones:**

- Commons areas
- Hallways
- Outside

**In Person School Phone Use**

School phones are available for student use only at lunchtime with the exception of an emergency situation. The following expectations apply:

- Students will be respectful to the person they are speaking to
- Phone use will end when the bell rings to go to class
- Students will not be pulled out of class to use the phone unless there is an emergency.

**Dress Code- Both virtually and in-person**

Students will follow the following dress code rules. Failure to do so will result in being asked to change into appropriate clothing.

- No attire that makes reference to tobacco, alcohol, drugs, gang activity, sexual issues or displays, distasteful, suggestive or obscene language or illustrations.
- Hats are okay in the building with teacher discretion. If it disrupts the learning environment, the teacher may require the student remove it.
- No clothing that reveals undergarments.
- No clothing that exposes the midriff.
- Necklines cannot be lower than the straight line from top of underarm across to opposite underarm.
- Shirts must have straps that are two fingers width wide. No spaghetti straps or strapless shirts.
- Armholes cannot be so large that they expose the midriff or back.

- Shorts or skirts should be fingertip length when the arms are fully extended.
- No holes in pants above the same fingertip length.
- No sunglasses in the building unless prescribed by a doctor- student must have a note from the doctor permitting the use of sunglasses.
- No sheer or see-through garments.
- Hoods cannot be worn while inside the building.

### **Public Displays of Affection (PDA)**

Students shall use good judgment in relationships with one another and shall respects the dignity and rights of others.

The following behavior is acceptable:

- Handholding
- A quick hug
- Linking arms

The following behaviors are unacceptable:

- Prolonged hugs
- Walking arm and arm
- Kissing

Students will be given a warning, then a lunch detention. A third offense will result in an office referral.

### **Tardies**

All students are expected to be at school and in class when the school day begins. If students arrive late to school, they must check in at the main office before heading to class. Students have ample time to get from class to class during the passing period. If they are late to class, they will be marked tardy. The number of tardies will reset at semester.

-1<sup>st</sup> offense: Teacher Warning

-2<sup>nd</sup> offense: Lunch Detention

-3<sup>rd</sup> offense: Lunch Detention and phone call home

Any three tardies in one day for multiple classes will result in a lunch detention.

### **Gum Chewing**

Gum at school is permitted; however, a teacher may forbid gum in their classroom. Please keep the school clean and put gum in trash when finished.

### **Lunch**

Lunch is a closed campus. During lunch, students may not go to football or baseball fields or to the parking lots.

### **Disciplinary Action**

STUDENTS ARE HERE TO LEARN

Any behavior that disrupts the learning of others will not be permitted. Classroom expectations not met can result in any number of the following:

- a student/teacher conference
- a phone call or letter home
- an office referral
- a student/administrator conference
- a lunch detention

Major behavior infractions that interfere with school policy will be referred to the office and can result in suspension and/or expulsion according to school policy.

The following matrix will be used when deciding disciplinary action. All policies the matrix refers to are in the following pages and/or on the website under "School Policies."

MAJOR INFRACTION DISCIPLINE MATRIX * All Discipline dependent on severity of action				
Policy Violation	1st Offense	2nd Offense/1st offense severe*	3rd Offense/2 <sup>nd</sup> severe	4th Offense/ Severe
Classroom Rules	Teacher Directed Consequences		Office Referral	Parent Conference, Possible ISS
Sexual Abuse (touching etc.)	4 Day OSS; Possibly referred for Expulsion* Law En. Contacted	8 Day OSS; Referred for Expulsion* Law En. Contacted		
Sexual Harassment	2 Days ISS*	4 Days ISS* Law En. Contacted	8 Day Suspension; Possibly referred for Expulsion* Law En. Contacted	
Hazing/Harassment/Intimidation/Bullying/Menacing	1 Day ISS*	2 Days ISS* Law En. Contacted	4 Day OSS; Possibly referred for Expulsion* Law En. Contacted	8 Day OSS; Referral for Expulsion Law En. Contacted
Assault/Threats of Harm/Fighting or Hazing	2 Days ISS* Law En. Contacted	4 Day OSS; Possibly referred for Expulsion* Law En. Contacted	8 Day OSS; Referred for Expulsion Law En. Contacted	
Unauthorized use of weapons/dangerous objects	8 Day OSS; Referred for Expulsion; Law En. Contacted			
Alcohol/illegal drug possession or use	4 Day OSS Law En. Contacted		6 Day OSS Law En. Contacted	8 Day OSS; Referral for Expulsion Law En. Contacted
Alcohol/illegal drug distribution	8 Day OSS; Referred for Expulsion; Law En. Contacted			
Tobacco possession/use	1 Day ISS	2 Day ISS Law En. Contacted	4 Day OSS Law En. Contacted	4 Day OSS; Referral for Expulsion Law En. Contacted
Tobacco distribution	4 Day OSS Law En. Contacted	4 Day OSS; Referral for Expulsion Law En. Contacted		
Any infraction if on a behavior contract with ADMIN	5 day Suspension	5 day Suspension pending expulsion		

**POLICIES: SECTION J**

The following policies pertain to student behavior. All other policies (including the following) can be found on our website.

**Code: JB: Equal Educational Opportunity**

Every student of the public charter school will be given equal educational opportunities regardless of age, sex, sexual orientation<sup>1</sup>, race, religion, color, national origin, disability and marital status.

<sup>1</sup> "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual's sex at birth.

A public charter school may not limit student admission based on ethnicity, national origin, race, religion, disability, gender, income level, proficiency in English language or athletic ability, but may limit admission to students within a given age group or grade level.

Further, no student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the public charter school. The public charter school will treat its students without discrimination on the basis of sex as this pertains to course offerings, athletics, counseling, employment assistance and extracurricular activities.

The public charter school superintendent will designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX. The Title IX coordinator will investigate complaints communicated to the public charter school alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The public charter school board will adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints under Title IX.

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#### Code: JBA/GBN: **Sexual Harassment**

The public charter school board is committed to the elimination of sexual harassment in public charter schools and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students, staff or third parties by other students, staff, public charter board members or third parties. "Third parties" include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in public charter school business, such as employees of businesses or organizations participating in cooperative work programs with the public charter school and others not directly subject to public charter school's control at interschool athletic competitions or other public charter school events. "Public charter school" includes public charter school facilities; public charter school premises and nonpublic charter school property if the student or employee is at any public charter school-sponsored, public charter school-approved or public charter school-related activity or function, such as field trips or athletic events where students are under the control of the public charter school; or where the employee is engaged in public charter school business. The prohibition also includes off duty conduct, which is incompatible with public charter school job responsibilities.

Sexual harassment of students, staff or third parties shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job; or creates an intimidating, offensive or hostile educational or working environment.

Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings, pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one's sexuality in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the public charter school superintendent or compliance officer who has overall responsibility for all investigations. A student may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate public charter school superintendent. The student and the student's parents or staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the public charter school against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

It is the intent of the public charter school board that appropriate corrective action will be taken by the public charter school to stop the sexual harassment, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the public charter school superintendent or public charter school board.

Additionally, the public charter school may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff



registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.

The public charter school superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff and students and that annually, the name and position of public charter school officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available to all students, parents of students and staff in student/parent and staff handbooks. The public charter school's policy shall be posted in the public charter school. Such posting shall be by a sign of at least 8 1/2" by 11".

The public charter school superintendent will establish a process of reporting incidents of sexual harassment.

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Code: JBA/GBN-AR: **Sexual Harassment Complaint Procedure**

The public charter school superintendent or compliance officer have responsibility for investigations concerning sexual harassment. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Step 1 Any sexual harassment information (complaints, rumors, etc.) shall be presented to the public charter school superintendent or compliance officer. All such information shall be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates. If the compliance officer is the subject of the complaint, the complaint will be submitted to the public charter school superintendent. If the superintendent is the subject of the complaint, the complaint will be submitted to the public charter school board.

Step 2 The public charter school official receiving the information or complaint shall promptly initiate an investigation. He/She will arrange such meetings as may be necessary to discuss the issue with all concerned parties within 10 working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The public charter school official(s) conducting the investigation shall notify the complainant in writing when the investigation is concluded. The parties will have an opportunity to submit evidence and a list of witnesses.

Step 3 If a complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the public charter school board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The public charter school board shall, within 30 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The public charter school board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries. Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099. Additional information regarding filing of a complaint may be obtained through the public charter school superintendent or compliance officer.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints and documentation will be maintained as a confidential file and stored in the public charter school office.

The public charter school superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there Sexual Harassment Complaint Procedure – JBA/GBN-AR 2-4

is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, Community Human Services, as possible abuse of a child. In the event the public charter school superintendent is the subject of the investigation, reports, when required, shall be made by the public charter school board chair.

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Code: JED: **Student Absences and Excuses\*\***

It is the student's responsibility to maintain regular attendance in all assigned classes. Absence from school or class will be excused under the following circumstances:

1. Illness of the student;
2. Illness of an immediate family member when the student's presence at home is necessary;
3. Field trips and school-approved activities;
4. Medical (dental) appointments. Confirmation of appointments may be required;

5. Other reasons deemed appropriate by the public charter school administrator when satisfactory arrangements have been made in advance of the absence.

The public charter school shall notify a parent or guardian by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent or guardian. If the parent or guardian cannot be notified by the above methods, a message shall be left, if possible.

Additionally, the public charter school administrator will develop procedures whereby those students who are considered truant may be subject to the following penalties: detention, suspension<sup>1</sup> and/or ineligibility to participate in athletics or other activities.

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Code: JF/JFA: **Student Rights and Responsibilities\*\***

The public charter school board has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under federal and state constitutions and statutes. In connection with these rights are responsibilities that must be assumed by students. Among these student rights and responsibilities are the following:

1. Civil rights — including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;
2. Once admitted, the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. The right to due process of law with respect to suspension, expulsion and decisions, which the student believes, injure his/her rights;
4. The right to free inquiry and expression; the responsibility to observe reasonable rules regarding these rights;
5. The right to privacy, which includes privacy with respect to the student's education records.

Students have the right to know the behavior standards expected of them as well as to know the consequences of misbehavior.

Students' rights and responsibilities, including standards of conduct, will be made available to students, their parents and employees through information distributed annually.

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Code: JFC: **Student Conduct**

The public charter school board expects student conduct to contribute to a productive learning climate. Students shall comply with the public charter school's written rules, pursue the prescribed course of study, submit to the lawful authority of public charter school staff and conduct themselves in an orderly manner at the public charter school during the school day or during public charter school-sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one's actions and maintain a productive learning environment. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

A student handbook, code of conduct or other document shall be developed by the public charter school administration and will be made available and distributed to parents, students and employees outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct, as required by the No Child Left Behind Act of 2001 (NCLBA). In addition, the public charter school shall publish a student/parent handbook detailing additional rules specific to that school.

Students in violation of public charter school board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the public charter school and while off campus, whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of rights of others. Students may be denied participation in extracurricular activities. Titles and/or privileges available to, or granted to, students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.

The public charter school will annually record and report expulsion data for conduct violations to their sponsoring district as required by the Oregon Department of Education.

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Code: JFCEB: **Personal Electronic Devices and Social Media\*\***

Student possession or use of personal electronic devices on public charter school property, in public charter school facilities during the school day and while the student is in attendance at public charter school-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the superintendent.

A “personal electronic device (PED)” is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

“Independent communication” means communication that does not require assistance or interpretation by an individual who is not part of the communication but that may require the use or assistance of an electronic device.

Personal electronic devices shall be turned off during instructional or class time, during passing times between classes or at any other time where such use of the device would cause a disruption of school activities. Devices which have the capability to take photographs or record video or audio shall not be used for such purposes while on public charter school property or while a student is engaged in public charter school-sponsored activities, unless as expressly authorized in advance by the principal or designee. Computers, tablets, iPads or similar devices brought to school will be restricted to academic activities and independent communications.

If the public charter school implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices, for curriculum.

A process for responding to a student’s request to use a personal electronic device, including an appeal process if the request is denied, will be provided.

The public charter school will not be liable for personal electronic devices brought to public charter school property and public charter school-sponsored activities.

Students may not access social media websites using public charter school equipment, while on public charter school property or at public charter school-sponsored activities unless the access is approved by a public charter school representative. The public charter school will not be liable for information or comments posted by students on social media websites.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior principal or designee approval or when use is provided for in a student’s individualized education program (IEP). Students are subject to disciplinary action up to and including expulsion for using a personal electronic device in any manner that is academically dishonest, illegal or violates the terms of this policy<sup>1</sup>. A referral to law enforcement officials may also be made. Personal electronic devices brought to public charter school property or used in violation of this policy are subject to confiscation and will be released to the student’s parent or property owner, as appropriate.

The superintendent shall ensure that the Board’s policy and any subsequent school rules developed by building superintendents are reviewed and approved in advance to ensure consistency with this policy and that pertinent provisions of policy and school rules are communicated to staff, students and parents through building handbooks and other means.

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**Code: JFCF: Hazing/Harassment/Intimidation/Bullying/Menacing/Cyber bullying/ Teen Dating Violence/Domestic Violence – Student\*\***

The Board, in its commitment to providing a positive and productive learning environment, will consult with parents/guardians, employees, volunteers, students, superintendents and community representatives in developing this policy compliance with applicable Oregon Revised Statutes. Hazing, harassment, intimidation or bullying, menacing and acts of cyber bullying by students, staff and third parties toward students is strictly prohibited. Teen dating violence is unacceptable behavior and prohibited. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The public charter school may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidation, harassment or coercion. Students may also be referred to law enforcement officials.

The superintendent is responsible for ensuring that this policy is implemented.

## **Definitions**

“Public charter school” includes public charter school facilities, public charter school premises and non-public charter school property if the student is at any public charter school-sponsored, public charter school-approved or public charter school-related activity or function, such as field trips or athletic events where students are under the control of the public charter school.

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in public charter school business, such as employees of businesses or organizations participating in cooperative work programs with the

public charter school and others not directly subject to public charter school control at inter-public charter school and intra-public charter school athletic competitions or other school events.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any public charter school-sponsored activity or grade level attainment, (i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; assignment of pranks to be performed or other such activities intended to degrade or humiliate. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to public charter school grounds, at any public charter school-sponsored activity, on public charter school-provided transportation or at any official public charter school bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:

1. Physically harming a student or damaging a student’s property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property;
3. Creating a hostile educational environment including interfering with the psychological well being of the student.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation<sup>1</sup>, national origin, marital status, familial status, source of income or disability.

“Teen dating violence” means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

“Domestic violence” means abuse by one or more of the following acts between family and household members<sup>2</sup>:

1. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury;
2. Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury; 3. Causing another to engage in involuntary sexual relations by force or threat of force.

“Cyber bullying” is the use of any electronic communication device to harass, intimidate or bully.

“Retaliation” means harassment, intimidation or bullying, teen dating violence and acts of cyber bullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of harassment, intimidation or bullying and acts of cyber bullying, teen dating violence or retaliation.

“Menacing” includes, but is not limited to, any act intended to place a district employee, student or third party in fear of imminent serious physical injury.

## **Reporting**

Superintendent will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation or bullying, menacing and acts of cyber bullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the superintendent who has overall responsibility for all investigations. Any employee who has knowledge of incidents of teen dating violence that took place on public charter school property, at a public charter school-sponsored activity or in a public charter school vehicle or vehicle used for transporting students to a public charter school activity shall immediately report the incident to the superintendent. Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing or an act of cyber bullying to superintendent may subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels he/she has been hazed, harassed, intimidated or bullied, menaced, a victim of teen dating violence and acts of being cyber bullied in violation of this policy is encouraged to immediately report his/her concerns to the superintendent who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report his/her concerns to the superintendent who has overall responsibility for all investigations.

This report may be made anonymously. A student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate public charter school official. Complaints against the superintendent shall be filed with the Board chair. The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken. The

complainant may request that the superintendent review the actions taken in the initial investigation, in accordance with administrative regulations.

The public charter school shall incorporate into existing training programs for students and staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying and acts of cyber bullying.

The public charter school shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grade 7 through 12. The public charter school shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence, domestic violence and acts of cyber bullying.

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, school and district website, and school and public charter school office and the development of administrative regulations, including reporting and investigative procedures.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by the ODE.

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**Code: JFCF-AR: Hazing/Harassment/Intimidation/Bullying/Menacing/Cyber bullying/ Teen Dating Violence Complaint Procedures – Student**

The superintendent has responsibility for investigations concerning hazing, harassment, intimidation or bullying, menacing, acts of cyber bullying and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

All complaints will be investigated in accordance with the following procedures:

Step 1 Any hazing, harassment, intimidation or bullying, menacing, acts of cyber bullying and incidents of teen dating violence information (complaints, rumors, etc.) shall be presented to the superintendent. Complaints against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2 The public charter school official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The public charter school official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The public charter school official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

Step 3 If the complainant is not satisfied with the decision at Step 2, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all harassment, intimidation or bullying, acts of cyber bullying and incidents of teen dating violence complaints and documentation will be maintained as a confidential file in the public charter school office.

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**Code: JFCG/JFCH/JFCI: Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems\*\***

Student substance abuse, possession, use, distribution or sale of tobacco products, or inhalant delivery systems, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near any public charter school grounds, including parking lots, or while participating in public charter school-sponsored activities is prohibited and will result in disciplinary action. If possession, use, distribution or sale occurred near public charter school grounds, disciplinary action may include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). If possession, use, distribution or sale occurred on public charter school grounds, at public charter school-sponsored activities or otherwise while the student was under the jurisdiction of the public charter school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed. A student may be referred to law enforcement officials. Parents will be notified of all violations involving their student and subsequent action taken by the school.

A referral to community resources and/or cessation programs designed to help the student overcome tobacco product, inhalant delivery system, alcohol or unlawful drug use may also be made. The cost of such programs are the individual responsibility of the parent and the private health-care system.

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco products, inhalant delivery systems, alcohol or unlawful drugs are prohibited on all public charter school grounds, including parking lots, at public charter school-sponsored activities and in public charter school vehicles.

Any person under age 21 possessing a tobacco product or inhalant delivery system on public charter school property, in a school facility or while attending a school-sponsored activity is in violation of state law and is subject to a court-imposed fine.

Any person who distributes, sells or allows to be sold, tobacco products or any substance sold for the purpose of being smoked, vaporized or aerosolized, in any form, a tobacco-burning or inhalant delivery system device, to a person under 21 years of age is in violation of state law and is subject to a court-imposed fine.

An “unlawful drug” is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, an “unlawful drug” also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy and any accompanying administrative regulation. Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony, as provided by Oregon Revised Statute (ORS) 475.904.

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**Code: JFCG/KGC/GBK: Prohibited Use, Possession, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems\*\***

It is the public charter school’s obligation to protect the health, welfare and safety of students. To be consistent with Oregon law and the school’s curriculum, student possession, use, distribution or sale of tobacco products or inhalant delivery systems in any form on or off public charter school premises, at public charter school-sponsored activities, on all school grounds, including parking lots, in public charter school-owned, rented or leased vehicles or otherwise, or while a student is under the jurisdiction of the public charter school is prohibited.

The use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on public charter school premises, in any building or facility, on school grounds, including parking lots, in any vehicle owned, rented or chartered by the school and at all school-sponsored activities.

For the purpose of this policy “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff, in any form. This does not include USFDA-approved tobacco products or therapy products used for the purpose of cessation.

For the purpose of this policy, “inhalant delivery system” means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include USFDA-approved tobacco products or other therapy products marked and sold solely for the approved purpose.

Violation of this policy will lead to appropriate disciplinary action up to and including expulsion for students. When considering disciplinary action for a student with disabilities, the public charter school must follow the requirements of Board policy JGDA/JGEA - Discipline of Students with Disabilities, including those involving functional behavioral assessment, change of placement, manifestation determination and an interim alternative educational setting. Community or school service may be required. A referral to law enforcement may be made. Parents will be notified of all violations involving their student and subsequent action taken by the public charter school. Information about cessation support and/or tobacco education programs and how students can access these programs will be provided. At the discretion of the public charter school superintendent, attendance and completion of such programs or successful completion of a behavior modification plan, may be allowed as a substitute for, or as part of student discipline.

Violation of this policy by nonstudents may result in the individual’s removal from public charter school property. The public charter school reserves the right to restrict access to public charter school property by individuals who are repeat offenders.

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**Code: JFCJ: Weapons in the Schools\*\***

Students shall not bring, possess, conceal or use a weapon on or at public charter school property, activities under the jurisdiction of the public charter school or interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon School Activities Association).

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. A “dangerous weapon” means any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. A “deadly weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or

serious physical injury;

3. A “firearm” means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm silencer or any destructive device;

4. A “destructive device” means any explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but are not limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and patrons.

Replicas of weapons, fireworks and pocketknives are also prohibited by public charter school board policy. Exceptions to the public charter school’s replicas prohibition may be granted only with prior public charter school superintendent approval for certain curriculum or public charter school-related activities.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, within the previous 120 days, unlawfully been in possession of a firearm or destructive device as defined by this policy, shall immediately report such violation to a public charter school superintendent, his or her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform the superintendent.

The public charter school superintendent shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of all conduct by their student that violates this policy.

Employees shall promptly report all other conduct prohibited by this policy to the superintendent.

Students found to have brought, possessed, concealed or used a firearm in violation of this policy or state law shall be expelled for a period of not less than one year. All other violations of the policy will result in discipline up to and including expulsion and/or referral to law enforcement, as appropriate. The public charter school superintendent may, on a case-by-case basis, modify this expulsion requirement. The public charter school may also request suspension of a student’s driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA/JGEA - Discipline of Students with Disabilities, and accompanying administrative regulation.

Weapons under the control of law enforcement personnel are permitted. The public charter school superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the public charter school and conducted on public charter school property including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports.

The public charter school may post a notice at any site or premise off public charter school grounds that at the time is being used exclusively for a public charter school program or activity. The notice shall identify the public charter school as the sponsor, the activity as a public charter school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under ORS 166.370.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds, including public charter schools.

“Gun-Free School Zone” signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise accepted by law or this policy, shall be reported to the appropriate law enforcement agency.

The superintendent has the authority to approve purchase of ammunition for use by the marksmanship team for practice and competitions.

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Code: JFCM: **Threats of Violence\*\***

The public charter school board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage public charter school property, shall not be tolerated on public charter school property or at activities under the jurisdiction of the public charter school.

Students shall be instructed of the responsibility to inform a teacher, counselor or superintendent regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the public charter school. Staff shall immediately notify the superintendent of any threat, threatening behavior or act of violence he or she has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and public charter school board policy.

The public charter school superintendent shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage public charter school property;
2. Placing the student in a setting where the behavior will receive immediate attention from an superintendent, counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

The public charter school superintendent shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;
2. The parent of a student, when the student's name appears on a targeted list that threatens violence or harm to the students on the list, or when threats of violence or harm to the student are made by another student;
3. Any school employee whose name appears on a targeted list threatening violence or harm to the public charter school employee and when threats of violence or harm are made by a student or others.

Notification to the above shall be attempted by telephone or in person within 12 hours of discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The public charter school superintendent will provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, he or she may provide such information to other school officials, including teachers, within the public charter school who have a legitimate educational interest in the student(s) consistent with state and federal education records laws. "Legitimate educational interest" means a licensed staff member having the student in class, the student's counselor or other licensed or nonlicensed staff due to special referral or participating in staffing, programming or case review of a specifically named student.

The public charter school may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the public charter school.

As a part of the public charter school's proactive safety efforts, the public charter school superintendent will plan staff development activities designed to alert staff to early warning signs of possible violent behavior. Students so identified shall be referred to a counselor, licensed mental health professional and/or multidisciplinary team for evaluation and follow-up as appropriate.

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Code: JFG: **Student Searches\*\***

The Board seeks to ensure a learning environment, which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, school officials may, subject to the requirements below, search a student's person and property, including property assigned by the public charter school for the student's use. Such searches may be conducted at any time on public charter school property or when the student is under the jurisdiction of the public charter school at school-sponsored activities.

All student searches conducted by the public charter school shall be subject to the following requirements:

1. The school official shall have individualized, "reasonable suspicion" based upon specific and articulated facts to believe that the student personally poses or is in possession of some item that poses an immediate risk or serious harm to the student, school officials and/or others at the school;
2. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search, the unique features of the official's responsibilities, and the area(s) which could contain the item(s) sought and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction.

Routine inspections of public charter school property assigned to students may be conducted at any time. Use of drug-detection dogs and metal detectors, or similar detection devices, may be used only on the express authorization of the superintendent.

School officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Students may be searched by law enforcement officials on public charter school property or when the student is under the jurisdiction of



the public charter school. Law enforcement searches ordinarily shall be based upon a warrant. School officials will attempt to notify the student's parent(s) in advance and will be present for all such searches, whenever possible.

The administrator shall develop an administrative regulation for implementing this policy in a manner, which protects students' rights and provides a safe learning environment without unreasonable interference. Provisions for staff, student and parent notice of the Board's policy and accompanying regulation shall be included.

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Code: JGD: **Suspension\*\***

The Board authorizes student suspension for one or more of the following reasons:

1. Willful violation of Board policies, administrative regulations or school rules;
2. Willful conduct which materially and substantially disrupts the rights of others to an education;
3. Willful conduct which endangers the student, other students or staff members;
4. Willful conduct which damages or injures public charter school property.

Students and parents are given notice of possible discipline actions result from student misconduct that may result in suspension in the *Student/Parent Handbook* made available by the public charter school.

Each suspension will include a statement of the reasons for suspension, the length of the suspension and a plan for readmission and may include a plan for the student to make up schoolwork. No suspension shall extend beyond 10 school days. The public charter school may require a student to attend school during nonschool hours as an alternative to suspension. Every reasonable and prompt effort must be made to notify the parents of suspended students.

In emergency situations that are a result of risk to health and safety, the public charter school may postpone the suspension notice process above until the emergency condition has passed.

Students who are suspended may not attend after-school activities and athletic events, be present on public charter school property without a parent or participate in activities directed or sponsored by the public charter school.

Suspensions may be appealed to the Board.

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Code: JGE: **Expulsion\*\***

A public charter school administrator, after reviewing available information, may recommend to the Board that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

No student may be expelled without a hearing unless the students' parents, or the student if 18 years of age, waives the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service<sup>1</sup> or by certified mail<sup>2</sup> at least five days prior to the scheduled hearing. Notice shall include:
  - a. The specific charge or charges;
  - b. The conduct constituting the alleged violation, including the nature of the evidence of the violation and reason for expulsion;
  - c. A recommendation for expulsion;
  - d. The student's right to a hearing;
  - e. When and where the hearing will take place; and
  - f. The right to representation.
2. The Board may expel, or delegate the authority to decide on an expulsion to the public charter school administrator, who may also act as the hearings officer. The Board may contract with an individual who is not employed by the public charter school to serve as the hearings officer. The hearings officer designated by the Board will conduct the hearing and will not be associated with the initial actions of the public charter school administrators;
3. Expulsion hearings will be conducted in private and will not be open to the general public, unless the student or the students' parents request otherwise;
4. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the public charter school will provide a translator;
5. The student shall be permitted to have a representation present at the hearing to advise and to present arguments. The

representation may be an attorney and/or parent. The public charter school's attorney may be present;

6. The student shall be afforded the right to present his/her version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;

7. The student shall be permitted to be present and to hear the evidence presented by the public charter school;

8. The hearings officer or the student may record the hearing;

9. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;

10. If the Board is conducting the expulsion hearing, the Board may designate the Board chair or a third party as the hearings officer. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records. The hearings officer will provide to the Board, findings as to the facts, the recommended decision and whether or not the student has committed the alleged conduct. This will include the hearings officer's recommended decision on disciplinary action, if any, including the duration of any expulsion. This material will be available in identical form to the Board, the student if age 18 or over and the students' parents at the same time. Following the review by the Board of the hearings officer's recommendation, the Board will make the final decision regarding the expulsion;

11. If the Board has delegated authority to the administrator or designee to act as the hearings officer, the administrator may designate him or herself, or a third party, as the hearings officer. The hearings officer's decision is final. However, a decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the public charter school board for review. If the decision of the hearings officer is appealed to the Board for review, the findings of fact and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student if age 18 or over and the student's parents at the same time. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify or reverse the decision;

12. A Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will **not** be made public:

- a. The name of the minor student;
- b. The issues involved, including a student's confidential medical record and that student's educational program;
- c. The discussion;
- d. The vote of Board members, which may be taken in executive session when considering an expulsion. Prior to expulsion, the public charter school must notify the resident district of the student of the impending expulsion.

Code: JHCD: **Nonprescription Medication\*\***

The public charter school recognizes that administering of nonprescription medication to students and/or self-medication may be necessary when the failure to take such medication during school hours, would prevent the student from attending school. Consequently, students may be permitted to take nonprescription medication at school.

The public charter school reserves the right to reject a request to administer or allow self-administration of a nonprescription medication when such medication is not necessary for the student to remain in school.

A request to the public charter school to allow a student to self medicate with a nonprescription medication shall include written permission and instruction from a parent or guardian, and shall include an assurance from the parent or guardian that the student has received appropriate instruction for its use.

A request to the public charter school to administer a nonprescription medication shall include written permission and instruction from a parent or guardian.

The public charter school shall designate staff authorized to administer medication to students. Training shall be provided as required by law.

Nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district regulations governing administering noninjectable or injectable, or prescription or nonprescription medicines to students, including procedures for the disposal of sharps and glass.

This policy and administrative regulation shall not prohibit, in any way, the administration of recognized first aid to students by public charter school employees in accordance with established state law, Board policy and procedures.

The superintendent shall develop administrative regulations as needed to meet the requirements of law, Oregon Administrative Rules and for the implementation of this policy.

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Code: JHCDA: **Prescription Medication\*\***

The public charter school recognizes that the administration of prescription medication to students and/or student self medication may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of students who require regular doses or injections of medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis<sup>1</sup>, or have a need to manage hypoglycemia, asthma or diabetes. When a licensed health care professional is not immediately available, a designated trained staff member may administer to a student, epinephrine, glucagon or other medications as prescribed and allowed by Oregon law.

When prescribed by a physician<sup>2</sup>, students in grades K-12 will be allowed to self administer prescription medication, including medication for asthma or severe allergy as defined by state law, and will be subject to age-appropriate guidelines. A written treatment plan for a student who self-administers medication will be developed and signed by a physician or other Oregon licensed health care professional and kept on file. A written request and permission form signed by a parent or guardian is required and will be kept on file. If the student is deemed to have violated Board policy or medical protocol by the public charter school, the public charter school may revoke the permission given to a student to self-administer medication.

The administrator will require that an individualized health care plan is developed for every student with a known life-threatening allergy, and for every student for whom the public charter school has been given proper notice of a diagnoses of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school or school-sponsored activities.

A request for the public charter school to administer prescription medication to a student shall include the written request and signature of the parent or guardian and shall be accompanied by written instruction from a physician, physician assistant or nurse practitioner. A prescription label prepared by a pharmacist will be deemed sufficient to meet the requirements for a physician's order.

The public charter school reserves the right to reject a request to administer or allow self administration of a medication when such medication is not necessary for the student to remain in school.

A premeasured dose of epinephrine may be administered by designated, trained public charter school staff to any student or other individual on school premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

A process shall be established by which, upon parent written request, a backup prescribed autoinjectable epinephrine is kept at a reasonable secured location in the student's classroom as provided by state law.

Training shall be provided to designated staff as required by law in accordance with approved protocols as established by the Oregon Health Authority. Staff designated to receive training shall also receive blood borne pathogens training. Current first-aid and CPR cards are strongly encouraged for designated staff.

Prescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established public charter school regulations governing administering noninjectable or injectable, or prescription or nonprescription medicines to students including procedures for the disposal of sharps and glass.

The administrator will ensure student health management plans are developed as required by training protocols, maintained on file and pertinent health information is provided to public charter school staff as appropriate. Such plans will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before- or after-school care programs on school-owned property and in transit to or from school-sponsored activities.

This policy and its administrative regulation shall not prohibit, in any way, the administration of recognized first aid to students by school employees in accordance with established state law, Board policy and procedures.

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Code: JHFDA: **Suspension of Driving Privileges Conduct**

The superintendent may, under ORS 339.254, make a request to the Oregon Department of Transportation (ODOT) for the suspension of a student's driving privilege or the right to apply for a driving privilege on the basis of conduct as provided below.

If a request is made, the following requirements will be met:

1. The superintendent will meet with parent before submitting a request to ODOT;
2. The request to ODOT will be in writing;
3. The student involved is at least 15 years of age;
4. The student has been expelled for bringing a weapon on school property; or

5. The student has been suspended or expelled at least twice for any of the following reasons:
  - a. Assaulting or menacing a school employee or another student;
  - b. Willful damage or injury to district property;
  - c. Use of threats, intimidation, harassment or coercion against a school employee or another student;
  - d. Possessing, using or delivering any controlled substance or being under the influence of any controlled substance at a school or on school property or at a school-sponsored activity, function or event.
6. The request to suspend a student's driving privilege or the right to apply for a driving privilege shall not be for more than one year unless the superintendent is filing a second written request. A second request may state suspension of driving privilege until the student reaches 21 years of age;
7. If a driving privilege is suspended the student may apply to ODOT for a hardship permit.

**Withdrawal**

The superintendent may, under ORS 339.257, notify ODOT of the withdrawal from school of a student who is at least 15 years of age and under 18 years of age.

Upon receipt of the district's notice that a student has withdrawn from school, ODOT shall notify the student that driving privileges will be suspended on the 30th day following the date of notice unless the student presents documentation that complies with ORS 807.066. For purposes of this policy, a student shall be considered to have withdrawn from school if the student has:

1. More than 10 consecutive school days of unexcused absences; or
2. Fifteen school days total of unexcused absences during a single semester.

**Appeals**

The student has a right to appeal the superintendent's or Board's decision through district suspension/expulsion due process procedures.

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Code: JN: **Student Fees, Fines and Charges\*\***

The Board recognizes the need for student fees to fund certain school activities which are not sufficiently funded by the public charter school.

No student will be denied an education because of his or her inability to pay supplementary fees.

No student, however, is exempt from charges for lost or damaged books, locks, materials, supplies and equipment.

All student fees and charges, both optional and required, will be listed and described annually in the *Student/Parent Handbook*, or in some other written form, and distributed to each student. Students will be advised of the due dates for such fees and charges as well as of possible penalties for failure to pay them.

In accordance with the law and with Board policy, certain restrictions and/or penalties may be imposed until payment of the debt.

Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student. Prior to collection of debts, the superintendent will ensure that notice has been provided as required by ORS 339.270.

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**IKF/IKF-AR: Graduation Requirements**

The public charter school board will establish graduation requirements for the awarding of a high school diploma, a modified diploma, an extended diploma and an alternative certificate which meet or exceed state requirements. A student may satisfy graduation requirements in less than four years. The public charter school will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if he/she is 18 years of age or older or emancipated.

The public charter school will ensure that students have onsite access to the appropriate resources to achieve a diploma, a modified diploma, an extended diploma or an alternative certificate at each high school. The public charter school will provide age appropriate and developmentally appropriate literacy instruction to all students until graduation.

**Essential Skills**

The public charter school will allow English Language Learner (ELL) students to demonstrate proficiency in Essential Skills of Apply Mathematics, in a variety of settings, in the student's language of origin for those ELL students who by the end of high school:

1. Are on track to meet all other graduation requirements; and
2. Are unable to demonstrate proficiency in the Essential Skills in English.

The public charter school will allow ELL students to demonstrate proficiency in Essential Skills other than Apply Mathematics, in a variety of settings, in the student's language of origin for those ELL students who by the end of high school:

3. Are on track to meet all other graduation requirements;
4. Are unable to demonstrate proficiency in the Essential Skills in English;
5. Have been enrolled in a U.S. school for five years or less; and
6. Have demonstrated sufficient English language skills using the English Language Proficiency Assessment for the 21st Century (ELPA21)<sup>1</sup>.

The public charter school will develop procedures to provide assessment options as described in the *Essential Skills and Local Performance Assessment Manual*, in the ELL student's language of origin for those ELL students who meet the criteria above, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.

The public charter school may not deny a student, who has the documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers, or of a medical condition that creates a barrier to achievements, the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history.

The public charter school may award a modified diploma or an extended diploma to a student only upon the written consent of the student's parent or guardian. The public charter school shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

A student who is emancipated or has reached the age of 18 at the time the modified diploma or the extended diploma is awarded may sign the consent.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in either four years after starting the ninth grade, or until the student reaches the age of 21, if the student is entitled to a public education until the age of 21 under state or federal law.

A student may satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years but not less than three years. In order to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district's superintendent in which the public charter school is located, who will annually report to the Superintendent of Public Instruction the number of such consents.

Beginning in grade five or after a documented history to qualify for an extended diploma has been established, the public charter school will annually provide to the parents or guardians of the student, information about the availability of a modified diploma, an extended diploma and an alternative certificate.

A student who receives a modified diploma, an extended diploma or an alternative certificate will have the option of participating in a high school graduation ceremony with the student's class.

A student who receives a modified diploma, an extended diploma or an alternative certificate shall have access to individually designed instructional hours, hours of transition services and hours of other services that equals at least the total number of instructional hours that is required to be provided to students who are attending a public charter high school, unless reduced by the individualized education program (IEP) team.

The public charter school will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the public charter school will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a Free Appropriate Public Education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternate certificate or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, an extended diploma or an alternative certificate is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

The public charter school may not deny a diploma to a student who has opted out of the Smarter Balanced or alternate Oregon Extended Assessment if the student is able to satisfy all other requirements for the diploma. Students who opt-out will need to meet the Essential Skills graduation requirements using another approved assessment option.

The public charter school will issue a high school diploma, upon request, to a person who served in the Armed Forces<sup>2</sup>, as specified in Oregon law, if the person was discharged or released under honorable conditions and has received either a General Educational Development, a post-secondary degree or has received a minimum score on the Armed Services Vocational Aptitude Battery.

The public charter school shall establish conduct and discipline consequences for student-initiated test impropriety. “Student-initiated test impropriety” means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

GRADUATION REQUIREMENTS: Code IKF-AR Adopted 9/21/17

**Diploma**

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of 25 credits according to the following table:

Subject	Graduates of 2014 & beyond
English	4 (shall include the equivalent of one unit in written composition)
Math	3 (shall include one unit at Algebra I level and two units at a level higher than Algebra I)
Science	3
Social Studies	3 (including history, civics, geography and economics (including personal finance))
Health	1
PE	1
Career Technical Ed, The Arts or World Language (in any one or combination thereof)	3
<b>Senior Project</b>	1
Electives	6
<b>Total credits required to graduate:</b>	25
<b>Essential Skills required:</b>	
	Read and comprehend a variety of text, write clearly and accurately, apply math, any additional Essential Skills adopted by the State Board of Education.
<b>Other graduation requirements:</b>	
	Develop an education plan and build an education profile.
	Demonstrate extended application through a collection of evidence.
	Participate in career-related learning experiences.

The public charter school shall offer students credit options provided the method for obtaining such credit is described in the student’s personal education plan and the credit is earned by meeting requirements described in OAR 581-022-1131.

**Essential Skills Appeal**

The public charter school will follow Board policy KL - Public Complaints in the event of an appeal for the denial of a diploma based on the Essential Skills graduation requirement. The public charter school will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.

**Modified Diploma**

A modified diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic standards for a high school diploma even with reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria listed below:

1. Has a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
2. Has a documented history of a medical condition that creates a barrier to achievement.

Having met the above eligibility criteria, a modified diploma will be awarded to students who, while in grade nine through completion of high school, complete 24 credits which shall include:

Subject	Modified Diploma requirements
English	3
Math	2
Science	2
Social Studies	2
Health	1
PE	1
Career Technical Ed, The Arts or World Language	1
<b>Senior Project</b>	1
Electives	11
<b>Total credits required for modified diploma:</b>	<b>24</b>
<b>Essential Skills required:</b>	
	Read and comprehend a variety of text, write clearly and accurately, apply math, any additional Essential Skills adopted by the State Board of Education.
<b>Other graduation requirements:</b>	
	Develop an education plan and build an education profile.
	Demonstrate extended application through a collection of evidence.

Public charter schools may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

3. For a student on IEP's, any modifications to work samples must be consistent with the requirements established in the IEP. Modifications are changes to the achievement level, construct, or measured outcome of an assessment. This means that IEP or school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard;
4. For a student not on IEP's, any modifications to work samples must have been provided to the student during his/her instruction in the content area to be assessed, and in the year in which the student is being assessed and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.

Students not on an IEP or a 504 Plan may not receive a modified Smarter Balanced assessment.

A student's school team shall decide that a student should work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from anticipated exit from high school if the documented history has changed.

### Extended Diploma

An extended diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards for a diploma while receiving modifications and accommodations. To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than six credits in a self-contained special education classroom and will include:
  - a. Two credits of mathematics;
  - b. Two credits of English;
  - c. Two credits of science;
  - d. Three credits of history, geography, economics or civics;
  - e. One credit of health;
  - f. One credit of physical education;
  - g. One credit of the arts or a world language.
2. Have a documented history of:

- a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
- b. A medical condition that creates a barrier to achievement; or
- c. A change in the student's ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

### **Alternative Certificates**

Alternative certificates will be awarded to students who do not satisfy the requirements for a diploma, a modified diploma or an extended diploma if the students meet minimum credit requirements established by the public charter school. Alternative certificates will be awarded based on individual student needs and achievement.

### **Assessment**

Students may opt-out of the Smarter Balanced or alternate Oregon Extended Assessment by completing the Oregon Department of Education's Opt-out Form<sup>3</sup> and submitting the form to the public charter school.

## **SCHOOL EMERGENCY + WEATHER INFORMATION**

### **Where to get Information:**

Eddyville Charter School uses several communication methods to help inform families about school closures, delayed openings or other school related emergencies.

INTERNET Check our website at [www.eddyvillecharterschool.org](http://www.eddyvillecharterschool.org) and our Facebook page: Eddyville Eagles

PHONE: In the event that there is no power, our phone system may be down but we may call you through our mass phone call system. We also may use the Remind App text message/email service.

### **Weather Related School Delays or Closures: Moving to virtual learning instead of school closure**

Adverse weather conditions or other emergencies that affect the safety of our students may require schools to be closed for the day or the opening to be delayed for several hours. Here is what you can expect:

1. By 6:00 a.m., we will have the closure on our website and Facebook page.
2. A message will be recorded on your primary contact number listed during registration (please make sure your contact information is up to date for this reason). A text message will be sent using the Remind App.

### **Special Notes:**

- If announcements are not on our website or made through the one-call system, Mid Columbia Bus Company will run their regular routes and schools will operate on their regular schedules.
- Power outages and/or downed power lines may make Internet access and phone messaging systems unavailable.
- Because of isolated inclement weather situations, some areas might close or have a two-hour delay, while other unaffected areas will remain open.

### **Bus Accidents**

If your child is injured in a school bus accident, he/she will be taken to a hospital. If your child is not injured, he/she will be returned to the school of origin, taken home, or brought to a family reunification site. In any case, please bring government issued photo ID to pick up your child.

### **Family Reunification**

If there is an emergency that prevents a normal school dismissal, school administrators will decide if it is best to stage a reunification on the school campus or at an off-campus location. When you receive notification to pick up your child, write down the instructions you are given and be sure to bring government issued photo ID.