

ALLIANCE CHARTER ACADEMY

OREGON PUBLIC CHARTER SCHOOL POLICY MANUAL

Alliance Charter Academy
Policy Manual

Table of Contents

[Section One: Basic Charter School Requirements](#)..... 3

[Section Two: State and Federal Nonprofit Requirements](#)..... 8

[Section Three: Charter school governance](#) 10

[Section Four: Personnel](#)..... 18

[Section Five: Fiscal](#)..... 31

[Section Six: Education Program Management](#)..... 42

[Section Seven: Student Management](#) 48

[Section Eight: School Safety](#)..... 63

[Section Nine: Facilities, Operation and Support Services](#) 69

[Section Ten: Parents and Community](#)..... 75

[Section Eleven: Special Education](#)..... 83

[Supplemental Materials/Resources](#) 85

Section One: Basic Charter School Requirements

Overview: Section One covers the basic legal components required to be a charter school in Oregon (ORS 338). Topics include those that must be in place before a school can legally operate as a charter school, enroll and instruct students, and collect and expend state school funds. If one of these components is missing your ability to operate as a charter school is in jeopardy.

Policy Topics

- 1.1 Nondiscrimination Policy
- 1.2 Religious affiliation
- 1.3 Approved charter
- 1.4 Unwaivables
- 1.5 Annual report/annual site visit
- 1.6 Annual audit
- 1.7 Admission
- 1.8 Waiver process
- 1.9 Renewal process
- 1.10 Dissolution process

References

Oregon Charter Law (ORS 338)
<http://www.oregonlaws.org/ors/chapter/338>

Oregon Charter Rules (ORS 338.025)
<http://www.oregonlaws.org/ors/338.025>

Policy Retention Schedule

Audit Reports: 166-400-0025 Financial Records
School Formation Documents: 166-400-0040 School Administration Records

1.1 NONDISCRIMINATION POLICY

ALLIANCE CHARTER ACADEMY (hereinafter referred to as “ACA”) will comply with all federal and state laws regarding nondiscrimination, including without limitation, statutory and constitutional provisions prohibiting discrimination on the basis of disability, age, race, creed, color, religion, sex, sexual orientation¹, marital status, national origin, ancestry, or political beliefs and/or affiliations.

Equal employment opportunity and treatment shall be provided in recruiting, hiring, retention, transfer, promotion and training of all employees regardless of race, color, national origin, religion, sex, age, marital status, or disability, as long as the employee is able to perform the essential functions of the position, with or without reasonable accommodation.

1.2 RELIGIOUS AFFILIATION

The education program of ACA shall be nonreligious and nonsectarian. ACA is not affiliated with any religious organization.

1.3 APPROVED CHARTER

ACA is sponsored by the Oregon City School District. Terms of sponsorship are defined in a charter contract between the Oregon City School District Board and the ACA Board.

1.4 UNWAIVABLES

ACA will comply fully with the requirements of law set out in ORS 338.115 (1)(a-s), commonly referred to as the “unwaivable requirements,” whether the requirements are specifically enumerated or included by reference in the charter contract.

1.5 ANNUAL REPORT/ANNUAL SITE VISIT

Pursuant to ORS 338.095, ACA will prepare and provide a report on the performance of the school and its students to the sponsoring school district Board and to the State Board of Education annually.

1.6 ANNUAL AUDIT

Pursuant to ORS 338.095(3), ACA will obtain an audit of the accounts of the charter school in conformance with the provisions of Oregon’s Municipal Audit Law as set out in ORS 297.405 to 297.555 and 297.990. ACA will provide the audit report to the sponsoring school district Board, the State Board of Education and the Oregon Department of Education annually by October 15th or, in the event that the audit firm finishes the audit report after that date, within 15 days of receipt of the completed audit report from the auditors.

¹ 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 behavior differs from that traditionally associated with the individual’s sex at birth.

1.7 ADMISSION

A student seeking enrollment in ACA shall be conducted in accordance with state and federal law. Admission means the student has (1) applied to ACA, and (2) successfully completed the lottery process and was accepted formally by ACA by means of meeting all academic, age, immunization, eye health screenings, and other eligibility prerequisites for admission as set out in state law and the following policies.

All students, including students with disabilities, who are residents of the District, are eligible for enrollment. If space is available, students who do not reside in the District may be admitted. Age and grade are the only criteria.

As there are limited number of spaces that are available each year, ACA is required to select students by random lottery pursuant to ORS 338.125(3)a. In the spring of each year, a mandatory informational session is held and initial applications are accepted for a March lottery. As a result of the lottery, two waiting lists (in-district and out of district) are established and families are notified of their position. Student vacancies will be filled with current siblings and in-district list prior to the students on the out of district list.

Nonresident students who enroll in ACA are not required to obtain an inter-district transfer or other release from their resident district. Nonresident students must notify their resident district of their enrollment in ACA to ensure accurate and non-duplicative student counts.

ACA may deny regular charter school admission to a student who is expelled from another school District and who enrolls in ACA for the period of the expulsion.

Enrollment priority will be given to students who were enrolled in ACA in the prior year. Enrollment priority will be given to siblings of students currently enrolled in ACA who were also enrolled the prior year; then to the in-district waiting list.

ACA will give priority enrollment to children of ACA staff, contingent on approval by the State Board of Education, and subject to any limitations imposed by the State Board.

Lottery: ACA will first offer enrollment to siblings of currently enrolled students and then to students who are residents of the Oregon City School District for each grade ACA provides. If spaces are available following enrollment of Oregon City School District residents, enrollment will be offered to out of district students.

Special Education Identified Students: ACA does not discriminate on the basis of disability and will enroll all students without limitation. Students with a current individual education plan or IEP may enroll in the charter school. Pursuant to ACA's charter contract with Oregon City School District: *In the case of a student who is eligible for special education and related services under the Individuals with Disabilities Education Act, the resident district's (IEP) team must meet and determine that ACA is a proper placement for the student to continue enrollment after admission. Once enrolled, the student's IEP team – which will include an ACA Administrator or designee,*

and/or the student's assigned Teacher – will decide if the IEP requires revision to meet the student's education plan as set out in the IEP or if the charter school is the least restrictive environment for the student.

1.8 WAIVER PROCESS

The Oregon State Board of Education is authorized to waive provisions of ORS 338, except for those provisions set out in ORS 338.115 (1)(a-r). If ACA chooses to pursue a waiver under this section, the ACA Board will comply with the requirements established in ORS 338.025 and OAR 581-020-0341.

The ACA Board will take action to submit a petition for waiver at an appropriately noticed Board meeting.

1.9 RENEWAL PROCESS

The ACA Board will comply with the requirements and timelines for renewal that are set out in ORS 338.065 and OAR 581-020-0359 and with the provisions in its charter contract with the Oregon State Board of Education.

The ACA Board will take action to request renewal at an appropriately noticed Board meeting and will submit its written renewal request to the Oregon City School District Board of Directors pursuant to the timelines outlined in applicable statutes and the charter contract.

1.10 DISSOLUTION PROCESS

If ACA Board decides not to request renewal or to dissolve the charter school during the term of the contract, the Board will follow the requirements and timelines for dissolution as set out in ORS 338.105 and OAR 581-020-0390 and 581-020-0395.

In addition, the ACA Board will comply with all requirements for dissolution of a non-profit corporation as set out in ORS 65 as well as all other legal requirements.

SECTION TWO: STATE AND FEDERAL NONPROFIT REQUIREMENTS

Overview: Section Two discusses the basic requirements to be a nonprofit corporation in Oregon under ORS 65 and a federal tax exempt organization under Section 501 (c) (3) of the Internal Revenue Code.

Policy Topics

- 2.1 Oregon Nonprofit Corporation (ORS 65)
- 2.2 Federal Tax Exempt Status

References:

IRS - Exemption Requirements - Section 501(c)(3) Organizations
<http://www.irs.gov/charities/charitable/article/0,,id=96099,00.html>

Oregon Non-profit Law (ORS 65)
<http://www.leg.state.or.us/ors/65.html>

A Guide to Nonprofit Board Service
<http://www.doj.state.or.us/charigroup/pdf/nonprofit.pdf>

Record Retention Schedules:

Nonprofit corporation documents
School Administrative Records
OAR 166-400-0010

2.1 OREGON NONPROFIT CORPORATION (ORS 65)

ACA is established as an Oregon nonprofit corporation pursuant to ORS 65 and as described in its Articles of Incorporation and Bylaws, with its registered office at 16075 Front Street, Oregon City, OR 97045.

2.2 FEDERAL TAX EXEMPT STATUS

ACA was determined to be exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and was notified of such status by an IRS determination letter dated February 11, 2008. The effective date of the federal income tax exemption is November 24, 2006.

SECTION THREE: CHARTER SCHOOL GOVERNANCE

Overview: Section Three covers the operation of the charter school Board as a public body under Oregon law. While not a specific requirement of Oregon charter law, a charter school must be governed by a Board of Directors under Oregon nonprofit law. The charter Board is a “public body” and subject to public meeting and public records laws. Board members are subject to government ethics requirements.

Policy Topics

- 3.1 Board Powers and Duties
- 3.2 Board Member Selection and Terms
- 3.3 Board Officers
- 3.4 Board Meetings
- 3.5 Board Minutes
- 3.6 Public Official Ethics (GEC)
- 3.7 Whistleblower Protection Policy
- 3.8 Public Meetings
- 3.9 Public Records
- 3.10 Legal Advice/Legal Counsel

References:

A Guide to Nonprofit Board Service
<http://www.doj.state.or.us/charigroup/pdf/nonprofit.pdf>

Public Records and Meetings Manual
http://www.doj.state.or.us/public_records/manual.html

Guide for Public Officials - Ethics
http://www.oregon.gov/OGEC/forms_publications.html

Record Retention Schedules:

Board member and meeting records - School Administrative Records
OAR 166-400-0010 - Legal advice records; School Administrative Records
OAR 166-400-0010 - Public records requests; Information and Records Management Records
OAR 166-400-0030 - Public notice records; School Administrative Records / OAR 166-400-0010

3.1 BOARD POWERS AND DUTIES

ACA is a nonprofit corporation managed by its Board of Directors.

A majority of the directors in office immediately preceding a meeting will constitute a quorum for the transaction of business at any Board meeting. An act by a majority of the directors present at a meeting at which a quorum of directors is present will be considered an act of the Board.

3.2 BOARD MEMBER SELECTION and TERMS

The Board consists of from five (5) to nine (9) directors elected by a majority vote of the Board at its annual meeting. The Board solicits recommendations from parents, students and/or other school community members; individuals are selected for nomination based on their qualifications and commitment to the school's mission, purpose and values. The Board strives to achieve a balance of members who represent parents, business and community members, as well as residents of the sponsoring school district and other districts with large numbers of students enrolled in the charter school. Directors, elected by the Board, shall be elected annually for a term of two (2) years. Approximately one half of such directors shall stand for election annually. After a director has served three (3) two (2) year terms, one (1) year shall lapse before he/she will be eligible to be re-elected or appointed to the Board.

The Board shall fill a vacancy by an election of the Board. A person elected to fill a vacancy on the Board will hold office until the end of the term at which time they will be eligible to serve three (3) full terms. ~~the next annual election meeting, held each June, at which time regular elections of the Board occur.~~

3.3 BOARD OFFICERS

The Corporation shall have a President, Vice President, Secretary and Treasurer. Officers shall be nominated and elected during the annual election meeting for a period of one year. The same person may hold more than one office, but the President may not also serve as Secretary or Treasurer.

3.4 BOARD MEETINGS

"Meeting" means the convening of the Board as the governing body of ACA in order to make a decision or to deliberate toward a decision on any matter.

One regular Board meeting will normally be held each month. The meeting schedule will be established at the annual organizational meeting in June, but may be changed by the Board with proper notice. The School Administrator and Board Chair will prepare an agenda for all meetings of the Board, to list the major items of business planned at the meeting.

Meetings of the Board shall comply with Oregon Public Meeting law as set forth in ORS sections 192.610 to 192.690. The Board shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including the news

media, which have requested notice, of the time, place and principal subjects to be considered at the meeting. Notice may be mailed, faxed, e-mailed or telephoned and may be given through press releases, mailing lists and bulletin boards to interested persons. All meetings shall be open to the public, except in the case of executive sessions as described in Section 4.7, accessible to the disabled, and held within the geographic boundaries of the Corporation.

Special meetings of the Board may be called by the President or 20% of the directors with notice given to interested persons at least 24 hours in advance. Written notice of any special meeting shall be given to each director by the one calling the meeting within at least 24 hours prior to such meeting. A director may waive notice of any special meeting if the waiver is in writing, signed by such director, specifies the meeting for which the meeting is waived and filed with the corporate minutes or records.

The Board may hold executive sessions during a regular or special meeting to discuss only one or more of the specific topics authorized by ORS 192.660(2) as topics allowed to be discussed in executive sessions. Notice of the meeting will be given at least one (1) week in advance, except as provided for emergency circumstances under the Oregon Public Meetings Law; in such circumstances, the Board may hold executive sessions during a regular or special meeting for any reason permitted by ORS 192.660. The Chair will announce the executive session by identifying the authorization under ORS 192.660 for holding such session, and by noting the general subject of the executive session. Members of the press may attend executive sessions except as provided by the Public Meetings Law. Content discussed and any documents reviewed in executive sessions are confidential and are not to be disclosed to those not participating in the executive session. Pursuant to public meeting laws, the Board will not take final action or make final decisions during Executive Sessions, rather will vote publicly and take action in public sessions (exceptions are student expulsion and confidential student medical records).

3.5 BOARD MINUTES

The Secretary shall record and/or supervise the recording of the minutes of all meetings of the Board and present the transcribed minutes at or before the next proceeding Board meeting. Minutes shall comply with Public Meeting laws of ORS Section 192.650.

3.6 PUBLIC OFFICIAL (INCLUDING BOARD MEMBERS) ETHICS

Public Body and Public Officials

With respect to Oregon's Government Ethics Law as set out in ORS 244, a charter school is a "public body" and charter school employees, as well as appointed Board members, are "public officials" pursuant to ORS 174.109 and 174.117.

As public officials, charter school employees and Board members are subject to the provisions of Oregon Ethics Law as set out in ORS 244.

Public officials, including charter school employees and Board members, may not use or attempt to use their positions to gain a financial benefit or avoid a financial cost for themselves,

a relative, or their businesses, if the opportunity is available only because of their position as an employee or Board member of the charter school. Such financial benefits may include, but are not limited to:

- business opportunities
- gifts
- services
- payment of expenses by someone other than the charter school

Conflicts of Interest

A Board member may have a conflict of interest if the Board member can participate in an official action that could result in a financial benefit or detriment to the Board member, a relative of the Board member, or a business with which either the Board member or a relative of the Board member are associated.

An actual conflict of interest occurs if the action taken by the charter Board would affect a financial interest. A potential conflict of interest occurs if the action taken by the charter Board could affect a financial interest. For example, if a Board member owns a paving company and the charter Board wants to contract with the Board member's company to pave a parking lot, the Board member has an actual conflict of interest.

A Board member with an actual or a potential conflict of interest must publicly announce the conflict and the nature of the conflict in a meeting where the issue will be discussed. The minutes of the meeting will accurately reflect the Board member's statement.

If the conflict is an actual conflict of interest, the Board member may be asked to leave the meeting and may not participate in a discussion of the issue nor participate in any official action taken on the issue.

If the conflict is a potential conflict of interest, the Board member, following the public announcement of the conflict, may participate in a discussion of the issue and in any official action taken on the issue.

Annually Board members will provide a statement of all of their business involvement, if any, with the non-profit organization. Such Board member statements will become part of the public minutes of the organization.

Board member responsibilities and rights

Charter schools in Oregon must be established as an Oregon non-profit corporation and be recognized as a non-profit organization under Section 501(c)(3) of the Internal Revenue Code. Members of the charter school Board have responsibilities as Board members pursuant to Oregon's non-profit corporation law as set out in ORS Chapter 65 and corporation law generally.

Board Responsibilities: Board members have three basic fiduciary responsibilities or duties, according to ORS Chapter 65: care, loyalty and obedience.

Duty of Care: Board members have the duty to actively participate in charter school Board activities and to make reasonable inquiries into issues that come before the charter school Board. ORS 65.357 establishes a standard of care for Board members: “what would a reasonably prudent person do in a similar situation with access to similar information.”

Duty of Loyalty: Board members have the duty to avoid conflicts of interest. Where conflicts, either actual or potential, exist, Board members have the duty to disclose the conflict to the Board. Conflicts are discussed further in a separate policy.

Duty of Obedience: Board members have the duty to follow the non-profit organization’s governing documents (Articles of Incorporation, Bylaws and Charter), to carry out the mission of the charter school, to ensure that funds are used for lawful purposes and to comply with state and federal laws.

Other duties include but are not limited to:

- Meeting at such times and places as required by the Bylaws;
- Registering their addresses with the Secretary of the corporation, and notices of meetings mailed or communicated to them at such addresses shall be valid notices thereof;
- Upholding the mission and vision of ACA;
- Overseeing performance relative to the school’s vision and goals, applicable statutes and rules, and provisions of the charter;
- Adopting general policies, governance policies, student policies, personnel policies, and financial management policies;
- Hiring and supervising Administrator;
- Adopting the annual budget and overseeing the fiscal solvency of the corporation;
- Approving major expenditures and contracts;
- Soliciting financial and in-kind support from organizations and private individuals within and outside the local community;
- Adopting the annual school calendar;
- Ensuring fiscal oversight and integrity;
- Adopting and overseeing a sound human resources system; and
- Performing any and all duties imposed on them collectively or individually by law or the organization’s corporate documents.

Board Rights: Board members have the right to:

- reasonably rely on information from the charter school staff and advisors;
- have access to charter school management; and
- have access to charter school information, including internal information.

3.7 WHISTLEBLOWER PROTECTION POLICY

ACA requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of ACA, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that ACA can address and correct inappropriate conduct and actions. It is the responsibility of all Board members, officers, employees and volunteers to report concerns about violations of ACA's code of ethics or suspected violations of law or regulations that govern ACA's operations.

No Retaliation

It is contrary to the values of ACA for anyone to retaliate against any Board member, officer, employee, or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of ACA. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reporting Procedure

ACA has an open door policy and suggests that employees share their serious concerns within the scope of this Whistleblower Policy with their immediate supervisor. If an employee is not comfortable speaking with his/her supervisor or is not satisfied with his/her supervisor's response, the employee is encouraged to speak with the Administrator (unless the Administrator is the individual suspected of ethical violations or other wrong-doing within the scope of this Whistleblower Policy). Administrators are required to report serious complaints or concerns about suspected ethical and legal violations in writing to ACA's Director, who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor or the Administrator or the school's Director.

Director

The Administrator will function as the Compliance Officer for complaints related to employees. A designated Board member will function as the Compliance Officer for complaints related to the Administrator or Board member(s).

ACA's Compliance Officer is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Compliance Officer will notify the Administrator of all complaints within the scope of this Whistleblower Policy (unless the

Administrator is the individual suspected of ethical violations or other wrong-doing within the scope of this Whistleblower Policy). The Compliance Officer will keep a written record of all complaints and their resolution and will report at least annually to the full Board on all complaints and investigative findings of suspected and substantiated egregious improprieties within the scope of this Whistleblower Policy.

Accounting and Auditing Matters

ACA's Compliance Officer shall immediately notify the Finance Committee of any concerns or complaint regarding corporate accounting practices, internal controls or auditing and work with the committee until the matter is resolved.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

ACA's Compliance Officer will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

3.8 PUBLIC MEETINGS

When a school district agrees to sponsor a charter school and the parties execute an enforceable charter contract, the charter school governing Board is considered to be a "Governing Board" of a "public body" and is subject to Oregon public meeting law (ORS 192.610 to 192.690). All regular and special meetings of the Board will be open to the public except as provided by law. No meeting of the Board shall be held at any place where discrimination on the basis of race, disability, religion, color, sex, sexual orientation, age, marital status or national origin is practiced. Reasonable notice, typically one (1) week, of the date, time, place and key agenda topics for all regular and special Board meetings will be provided to parties determined by the school to be interested, and by anyone who requests to receive ACA meeting notices and agendas. Executive sessions will be conducted according to public meeting laws and corporate bylaws.

3.9 PUBLIC RECORDS

ACA will comply with the Oregon Public Records Law in responding to any request for release of or review of any ACA record.

Employee personnel records are available for use and inspection only by the individual employee, others designated in writing by the employee, the auditor in connection with carrying out his/her duties or as specifically authorized by the Board, a Board member when specifically authorized by the Board or in conjunction with an action item to come before the Board, the School Administrator or designee, attorney(s) for ACA or their designated representative on matters of ACA business, or upon receipt of a legal subpoena or other court order.

Student records are available for use and inspection only by the student's parent(s), and any staff members with a "need to know" based on assignment to instruct and/or supervise the student, or upon lawful subpoena if the parent or guardian is informed in advance of the receipt of the subpoena and given an opportunity to challenge the subpoena.

Public records shall be retained according to the schedule established by the Oregon State Archivist.

3.10 LEGAL ADVICE / LEGAL COUNSEL

The School Administrator shall have access to qualified legal advice regarding school issues, and will seek legal advice before making major decisions, including terminations, that may have legal implications.

The Board may have policy adoptions and revisions reviewed by legal counsel before adoption, and will seek legal advice before making major decisions, including terminations, that may have legal implications.

SECTION FOUR: PERSONNEL

Overview: Section Four policies discuss the relationship between the charter school as employer and the employees.

Policy Topics:

- 4.1 Nondiscrimination Policy
- 4.2 Hazing/Harassment/Intimidation/Bullying/Menacing Complaint Procedure
- 4.3 Sexual Abuse and Sexual Misconduct Reporting and Notification
- 4.4 Charter Board and Staff Communication
- 4.5 Equal Employment Opportunity
- 4.6 Family Medical Leave
- 4.7 Employee Evaluation
- 4.8 Employee Attendance
- 4.9 Drug Free School
- 4.10 Addendum
 - Hazing/Harassment/Intimidation/Menacing Complaint Form
 - Employee Handbook

Policy Retention Schedule:

166-400-0010 Administrative Records

166-400-0050 Personnel Records

4.1 NONDISCRIMINATION

Employees who believe that they have been discriminated against, harassed, intimidated, bullied or menaced **based on any of the characteristics** including but not limited to race, color, religion, sex, sexual orientation², national origin, disability, marital status, or age may file a complaint with the School Administrator, or with the Board Chair, if the School Administrator is alleged to be responsible for the discrimination or harassment. Such complaints shall be filed on the form included in this policy.

All complaints filed with the School Administrator or Board Chair shall be investigated by the charter school. At the conclusion of the investigation, the complainant will be informed of the results of the investigation.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of conduct in violation of this policy or feels he/she is a victim must immediately report his/her concerns to the School Administrator or to the Board Chair if the School Administrator is involved. A student may also report concerns to a teacher, who will promptly notify the School Administrator or the Board Chair if the School Administrator is involved.

After the investigation, the student and the student's parent(s), or the 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 ACA against any person who, in good faith, reports, files a complaint, or otherwise participates in an investigation.

It is the intent of ACA and its Board that appropriate corrective action will be taken by the charter school to stop any act in violation of this policy, 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 awareness training, as appropriate, given the age and maturity of the student(s) involved and other relevant factors. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional awareness training, as appropriate. Other persons, such as volunteers or third-parties participating in any way at the school, whose behavior is found to be in violation of this policy, shall be subject to appropriate sanctions as determined and imposed by the School Administrator or Board.

² 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 behavior differs from that traditionally associated with the individual's sex at birth.

ACA's policy shall be posted in the school on a sign at least 8.5 x 11 inches. The policy as well as the complaint procedure will be made available to all students, parents of students and staff in the student/parent and staff handbooks.

4.2 HAZING/HARASSMENT/INTIMIDATION/BULLYING/MENACING COMPLAINT PROCEDURE

The School Administrator shall have responsibility for investigations concerning sexual harassment, hazing, harassment, intimidation, or menacing unless the School Administrator is the subject of a complaint, in which case the Board Chair or designee shall investigate. The investigator(s) shall be a neutral party having had no involvement in the complaint.

Complaints shall be presented in writing on the related complaint form. However, student complaints need not be presented in writing; rather, the investigator will gather information from the complainant and reduce the complaint to writing.

The investigator shall promptly initiate an investigation. He/she will arrange such meetings as may be necessary to discuss the issue with all concerned parties within ten (10) working days after receipt of the information (if received orally from a student) or written complaint. All findings of the investigation, including the response of the accused, shall be reduced to writing. The parties will have an opportunity to submit evidence and a list of witnesses. The investigator will prepare a summary of the findings of fact and conclusions, which shall be provided to the complainant and the complained-about person(s).

If the complainant is not satisfied with the decision of the investigator, he/she may submit a written appeal to the Board, within 10 days of receipt of the investigator's summary of findings and conclusions. The Board may arrange any necessary meetings and shall provide a written decision to the complainant within 30 working days.

If the complainant is not satisfied at the Board level and believes that the complaint constitutes a violation of state or federal law, a complainant-employee may submit a complaint to the Oregon Bureau of Labor and Industries or the Equal Employment Opportunities Commission; a complainant student or parent may appeal to the Regional Civil Rights Director, U.S. Dept. of Education, Office for Civil Rights, Region X, Seattle, Washington.

All documentation related to complaints filed under this policy may become part of the student's education record or employee's personnel file if appropriate. Additionally, a copy of all complaints and documentation produced by the investigation will be maintained as a confidential file and stored in the school office.

The School Administrator shall report the name of any person holding a teaching license or registered with TSPC or participating in a practicum when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment or other violation of this policy that constitutes a violation of TSPC's Standards of Competent and Ethical Performance of Educators (OAR 584-20-000 et. seq). Such reports shall be made to TSPC within 30 days of such finding. Reports of sexual contact with a student or other child abuse shall be made to law enforcement or to the appropriate state human services division.

4.3 SEX ABUSE AND SEXUAL MISCONDUCT REPORTING AND NOTIFICATION

Child abuse and sexual misconduct by school employees directly involving students will not be tolerated by the charter school. All charter school employees are subject to these policies, pursuant to ORS 339.370.

For purposes of this policy, “sexual misconduct” means any verbal or physical conduct of a charter school employee that is sexual in nature, is directed toward any person from infancy through grade 12, has the effect of interfering with the student’s educational performance, and creates an intimidating, hostile or offensive educational environment.

“Abuse” is defined pursuant to ORS 339.370 (9) and ORS 419B.005 (see following page).

All school employees who have reasonable cause to believe that another school employee has engaged in child abuse or sexual conduct with a student must:

1. Report the suspected child abuse to a law enforcement agency, the Oregon Department of Human Services, or a designee of the department as required by ORS 410B.010 and 419B.015; and
2. Report suspected child abuse or sexual misconduct of a charter school employee to the School Administrator or the Board Chair if the School administrator is alleged to be responsible.

The School Administrator is authorized by the charter school Board to initiate and conduct an investigation of the report following a process established by the charter school Board.

The charter school will post in each school building the name and contact information for the person designated to receive reports of suspected child abuse and sexual misconduct and the procedures the contact person will follow when a report is received.

Initiating a report of suspected child abuse or sexual misconduct will not adversely affect any terms or conditions of employment or the work environment for the person making the report.

The charter school or charter school Board will not discipline a student for initiating in good faith a report of suspected child abuse or sexual misconduct by a school employee.

The charter school or charter school Board will notify the person making the report of the actions taken by the charter school in response to the report.

The charter school will provide all current employees, and will at the time of hire provide all new school employees, with a description of the conduct the charter school will consider to be child abuse or sexual misconduct and a description of the information and records that will be disclosed as provided by ORS 339.375(7) if a report of child abuse or sexual misconduct is substantiated.

SAMPLE NOTIFICATION TO BE PROVIDED TO ALL CURRENT EMPLOYEES AND ALL NEW EMPLOYEES AT THE TIME OF HIRE

- **ACA defines “abuse” pursuant to ORS 339.370 (9) and ORS 419B.005. with the exception that the scope of prohibited “abuse” and “sexual misconduct” is extended to cover all persons from infancy through grade 12.**

419B.005. As used in ORS 419B.005 to 419B.050, unless the context requires otherwise:

(1)(a) “Abuse” means:

(A) Any assault, as defined in ORS Chapter 163, of a child and any physical injury to a child which has been caused by other than accidental means, including any injury which appears to be at variance with the explanation given of the injury.

(B) Any mental injury to a child, which shall include only observable and substantial impairment of the child’s mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child.

(C) Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest, as those acts are described in ORS Chapter 163.

(D) Sexual abuse, as described in ORS Chapter 163.

(E) Sexual exploitation, including but not limited to:

(i) Contributing to the sexual delinquency of a minor, as defined in ORS Chapter 163, and any other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage in the performing for people to observe or the photographing, filming, tape recording or other exhibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving a child or rape of a child, but not including any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or which is designed to serve educational or other legitimate purposes; and

(ii) Allowing, permitting, encouraging or hiring a child to engage in prostitution, as defined in ORS Chapter 167.

(F) Negligent treatment or maltreatment of a child, including but not limited to the failure to provide adequate food, clothing, shelter or medical care that is likely to endanger the health or welfare of the child.

(G) Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child’s health or welfare.

(H) Buying or selling a person under 18 years of age as described in ORS 163.537.

(I) Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured.

(J) Unlawful exposure to a controlled substance, as defined in ORS 475.005, that subjects a child to a substantial risk of harm to the child’s health or safety.

(b) “Abuse” does not include reasonable discipline unless the discipline results in one of the conditions described in paragraph (a) of this subsection.

(2) “Child” means an unmarried person who is under 18 years of age.

(3) “Public or private official” includes school employees.

- **ACA defines “sexual conduct” pursuant to ORS 339.370 (9).**

339.370 Definitions for ORS 339.370 to 339.400. As used in ORS 339.370 to 339.400:

- (1) "Abuse" has the meaning given that term in ORS 419B.005.
- (2) "Disciplinary records" means the records related to a personnel discipline action or materials or documents supporting that action.
- (3) "Education provider" includes public charter schools.
- (4) "Investigation" means a detailed inquiry into the factual allegations of a report of suspected child abuse or sexual conduct that:
 - (a) Is based on interviews with the complainant, witnesses and the school employee who is the subject of the report; and
 - (b) Meets any negotiated standards of an employment contract or agreement.
- (7) "School Board" means the governing Board or governing body of an education provider.
- (8) "School employee" means an employee of an education provider.
- (9) (a) "Sexual conduct" means any verbal or physical conduct by a school employee that:
 - (i) Is sexual in nature;
 - (ii) Is directed toward a kindergarten through grade 12 student;
 - (iii) Has the effect of unreasonably interfering with a student's educational performance; and
 - (iv) Creates an intimidating, hostile or offensive educational environment.(b) "Sexual conduct" does not include abuse.
- (10) "Substantiated report" means a report of child abuse or sexual conduct that:
 - (a) An education provider has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and
 - (b) Involves conduct that the education provider determines is sufficiently serious to be documented in the school employee's personnel file. [2005 c.367 §1; 2007 c.501 §1; 2007 c.858 §68; 2009 c.93 §1; 2009 c.562 §22; 2011 c.301 §6; 2012 c.92 §2]

- **ACA will disclose and provide personnel information and disciplinary records as provided in and subject to the limitations in ORS 339.378 and 339.388.**

339.378 Disclosure of information and records by education provider; confidentiality. (1) Not later than 20 days after receiving a request under ORS 339.374, an education provider that has or has had an employment relationship with the applicant shall disclose the information requested and any disciplinary records that must be disclosed as provided by ORS 339.388 (7).

(2) An education provider may disclose the information on a standardized form and is not required to provide any additional information related to a substantiated report of child abuse or sexual conduct other than the information that is required by ORS 339.374 (2).

(3) Information received under this section is confidential and is not a public record as defined in ORS 192.410. An education provider may use the information only for the purpose of evaluating an applicant's eligibility to be hired. [2009 c.93 §8]

339.388 Report of child abuse or sexual conduct; investigation; appeal process; disclosure of records. (1)(a) A school employee having reasonable cause to believe that a child with whom the employee comes in contact has suffered abuse by another school employee, or that another school employee with whom the employee comes in contact has abused a child, shall immediately report the information to:

- (A) A supervisor or other person designated by the school Board; and
- (B) A law enforcement agency, the Department of Human Services or a designee of the department as required by ORS 419B.010 and 419B.015.

(i) A school employee having reasonable cause to believe that a student with whom the employee comes in contact has been subjected to sexual conduct by another school employee, or that another school employee with whom the employee comes in contact has engaged in sexual conduct, shall immediately report the information to a supervisor or other person designated by the school Board.

(2) A supervisor or other person designated by the school Board who receives a report under subsection (1) of this section, shall follow the procedures required by the policy adopted by the school Board under ORS 339.372.

(3)(a) Except as provided in subsection (4) of this section, when an education provider receives a report of suspected child abuse or sexual conduct by one of its employees, and the education provider's designee determines that there is reasonable cause to support the report, the education provider:

(A) In the case of suspected child abuse, shall place the school employee on paid administrative leave; or

(B) In the case of suspected sexual conduct, may place the school employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with children.

(i) A school employee who is placed on paid administrative leave under paragraph (a)(A) of this subsection shall remain on administrative leave until:

(1) The Department of Human Services or a law enforcement agency determines that the report cannot be substantiated or that the report will not be pursued; or

(2) The Department of Human Services or a law enforcement agency determines that the report is substantiated and the education provider takes the appropriate disciplinary action against the school employee.

(4) An education provider may reinstate a school employee placed on paid administrative leave for suspected child abuse as provided under subsection (3) of this section or may take the appropriate disciplinary action against the employee if the Department of Human Services or a law enforcement agency is unable to determine, based on a report of suspected child abuse, whether child abuse occurred.

(5) If, following an investigation, an education provider determines that the report of suspected child abuse or sexual conduct is a substantiated report, the education provider shall:

(a) Inform the school employee that the education provider has determined that the report has been substantiated.

(b) Provide the school employee with information about the appropriate appeal process for the determination made by the education provider. The appeal process may be the process provided by a collective bargaining agreement or a process administered by a neutral third party and paid for by the school district.

(c) Following notice of a school employee's decision not to appeal the determination or following the determination of an appeal that sustained the substantiated report, create a record of the substantiated report and place the record in the personnel file of the school employee. Records created pursuant to this paragraph are confidential and are not public records as defined in ORS 192.410. An education provider may use the

record as a basis for providing the information required to be disclosed under ORS 339.378.

(d) Inform the school employee that information about substantiated reports may be disclosed to a potential employer as provided by subsection (7) of this section and ORS 339.378.

(6) Upon request from a law enforcement agency, the Department of Human Services or the Teacher Standards and Practices Commission, a school district shall provide the records of investigations of suspected child abuse by a school employee or former school employee.

(7)(a) The disciplinary records of a school employee or former school employee convicted of a crime listed in ORS 342.143 are not exempt from disclosure under ORS 192.501 or 192.502.

(b) If a school employee is convicted of a crime listed in ORS 342.143, the education provider that is the employer of the employee shall disclose the disciplinary records of the employee to any person upon request.

(c) If a former school employee is convicted of a crime listed in ORS 342.143, the education provider that was the employer of the former employee when the crime was committed shall disclose the disciplinary records of the former employee to any person upon request.

(8) Prior to disclosure of a disciplinary record under subsection (7) of this section, an education provider shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee or former school employee who is not the subject of the disciplinary record. [Formerly 339.375]

4.4 CHARTER BOARD AND STAFF COMMUNICATION

The charter Board desires to maintain open communication between itself and the staff. The basic line of communication will be through the School Administrator. The Administrator will develop and recommend to the Board processes for communication between the Board and charter school employees.

Reports to the Board from any staff member or parents should be submitted through the School Administrator or directly to the Board if the staff member or parent believes the School Administrator has a possible conflict of interest.

This policy will not deny the right of any employee to address the Board about issues, except those which are part of an active administrative investigation, or grievance, or complaint, or those which may be disruptive to the operation of the charter school.

All official Board communication, policies, and directives of staff interest and concern will be communicated to staff members through the Administrator. The Administrator will communicate as appropriate to keep staff fully informed of the Board's concerns.

4.5 EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of ACA to provide equal employment opportunities to all persons. This policy rests on the philosophy that there will be no discrimination because of race, color, religion, sex, national origin, age, disability, or sexual orientation in any aspect of a person's employment or eligibility for employment.

4.6 FAMILY MEDICAL LEAVE

ACA will comply with the Federal and Oregon Family and Medical Leave Acts, and the National Defense Authorization Act, which entitles eligible employees to take up to 12 weeks of job-protected leave for specified military, family and medical reasons and up to 26 weeks of job-protected leave to care for a wounded service member.

The purpose of the Family and Medical Leave, and the National Defense Authorization Act is to allow an employee to take time off work for the following reasons:

- For the birth or placement of a child for adoption or foster care up to 18 years of age
- To care for an immediate family member with a serious health condition
- For personal medical leave when the employee is unable to perform at least one of their job functions because of treatment or recovery from a serious health condition.
- Active duty leave, allowing family members time to deal with any qualifying exigency arising out of the fact that an immediate family member has been notified of an impending call to active duty status in support of a contingency operation.
- Injured service member leave, allowing an employee leave to care for a covered service member that is an immediate family member who has been injured in the line of duty as a member of the Armed Forces.

This leave allows an employee to care for himself/herself or a family member without the risk of losing his/her job, employee benefits, or seniority status.

This leave is to be used for absences of five (5) consecutive work days or more or on an intermittent basis due to a serious medical condition of the employee or of a qualified family member. Access to this leave benefit requires prior approval through an application process with medical certification from a licensed physician.

Wherever differences in the state and federal laws occur, the charter school will apply the least restrictive provisions unless noted otherwise in the policies. Any leave taken under FMLA shall be counted concurrently toward state, federal, and contractual entitlements.

4.7 EMPLOYEE EVALUATION

The charter Board recognizes employee evaluation as having one basic goal: to improve job performance in order to provide the best educational programs for students and to assure students are making expected progress in learning.

It further recognizes the following reasons for employee evaluation:

- To assure the highest quality workforce;
- To provide professional growth for employees;
- To identify shortcomings in performance and provide assistance for improvement;
- To recognize and reinforce effective performance;

- To validate the personnel selection process;
- To provide for assignment modifications;
- To comply with legislative requirements;
- To provide an atmosphere for achieving personal goals as they relate to professional achievement.

The charter school Board will develop and implement an evaluation process for Administrators. The School Administrator will develop and implement an evaluation process for teachers and other employees. The School Administrator is authorized to conduct evaluations of employee performance and to report the results, as appropriate, to the Board.

All formal evaluation documents will be signed by the evaluator and the employee. However, the employee's signature denotes having read the document, not agreement or disagreement. The employee will receive a copy of all documents and a copy will be placed in the employee's personnel file.

4.8 EMPLOYEE ATTENDANCE

The charter school Board recognizes that regular attendance is an important factor in employment. In order to promote regular attendance on the part of all employees, the charter school has established the following expectations:

- The importance of regular attendance will be stressed with new employees as part of the charter school employment orientation.
- Regular attendance will be a factor to be considered as part of new employee probationary evaluation and in the determination to move a new employee to regular status.
- Regular attendance will be a factor to be considered as part of each employee's periodic evaluation.
- Absenteeism may be considered chronic whenever the total number of absences within a school year (exclusive of vacation, bereavement, or contractual personal leave) exceeds an average of one day per month for illness or injury, except in such cases as major surgery, recovery from a serious or life-threatening accident or illness, or as a result of a documented mental or physical impairment that constitutes a disability.
- Tardiness and leaving work early shall be considered along with absenteeism in determining whether a pattern of unsatisfactory attendance exists.

If chronic absenteeism occurs and cannot be corrected, the charter school may take disciplinary action.

DRUG-FREE SCHOOL

It is the policy of the charter school to prohibit the use, distribution, presence of or sale of tobacco, alcohol, controlled substances (except as prescribed by a physician) or unlawful drugs, including drug paraphernalia or any substance purposed to be an unlawful drug, on or near school grounds or while participating in school-sponsored activities and will result in

disciplinary action. If possession, use, distribution or sale occurred near 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 school grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the 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.

The charter Board strongly supports the education of students and staff members about dangers of drugs, tobacco and alcohol abuse and about opportunities for rehabilitation and assistance with substance abuse problems.

Definitions:

“Unlawful Drugs” 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, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of school’s policy.

“Tobacco” any person under age 18 possessing a tobacco product commits a Class D violation and is subject to a court-imposed fine, as provided by ORS 167.400. Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco-burning device (e-cigarettes), to a person under 18 years of age commits a Class A violation and is subject to a court-imposed fine, as provided by ORS 163.575.

“Alcohol” includes any form of alcohol for consumption, including beer, wine, or distilled liquor.

“Workplace” means the site for performance of work done as an employee of the charter school during business hours and/or when children are present without their parents. “Workplace” includes any building or property used by the charter school, any school-owned vehicle, or any other school-approved vehicle (including the employee’s own vehicle) when used to transport students to and from school or officially sponsored school activities, or to transport fellow workers to and from different work sites following initial arrival at work. It shall also include any off-school property during any officially-sponsored school activity, event, or function involving students under the jurisdiction of the school.

SECTION FIVE: FISCAL

Overview: Section Five includes policies that describe the financial processes and procedures, including budget and accounting, use of federal funds, and cash management.

Policy Topics:

- 5.1 Codes of Conduct
 - 5.1.1 Financial Code of Ethics
- 5.2 Procurement Standards for Spending Federal and State Funds
- 5.3 Budget Development Oversight Calendar and Responsibilities
- 5.4 Controls, Budget, and Fiscal Management
- 5.5 Budget Transfers
- 5.6 Required Budget and Other Fiscal Reports
- 5.7 Property and Liability Insurance
- 5.8 Board Compensation
- 5.9 Authority to Enter Into Contracts and Agreements
- 5.10 Borrowing
- 5.11 Credit Cards
- 5.12 Accounting System
 - 5.12.1 General Requirements
 - 5.12.2 Account Journals
 - 5.12.3 Chart of Accounts
- 5.13 Financial Statements
- 5.14 Record Keeping
- 5.15 Cash Management: Bank Accounts and Petty Cash Fund
 - 5.15.1 Bank Accounts
 - 5.15.2 Deposits and Withdrawals
 - 5.15.3 Petty Cash Fund
 - 5.15.4 Issuing and Signing Checks
 - 5.15.5 Bank Account Reconciliation
- 5.16 Quarterly Review
- 5.17 Accounts Receivable
- 5.18 Purchasing
- 5.19 Accounts Payable
- 5.20 Staff and Travel Expenses
- 5.21 Payroll System / Public Employee Retirement System (PERS)
- 5.22 Capital Assets and Expenditures
 - 5.22.1 Capital
 - 5.22.2 Equipment Classified as Capital
 - 5.22.3 Capital Improvement and Expenses
 - 5.22.4 Budget: Capital Expenditures
 - 5.22.5 Property
- 5.23 Financial Audits
 - 5.23.1 Fundraising Activities/Grant Solicitations

References:

Policy Retention Schedule:

166-400-0025 Financial Records

166-400-0030 Information and Records Management Records

166-400-0040 School Administration Records

5.1 CODES OF CONDUCT

When the charter school Board makes decisions involving the expenditure of Federal and State Funds, it must keep accurate minutes of meetings including attendance at meetings, motions, and voting results. All motions involving the spending of more than \$10,000 outside the Board-approved annual budget must be heard by a quorum of the Board to be considered official.

A transaction in which a Board member has a conflict of interest may be authorized, approved or ratified if it receives the affirmative vote of a majority of the members on the Board who have no direct or indirect interest in the transaction provided:

- (a) The material facts of the transaction and the director's interest are disclosed or known to the Board or committee of the Board; and
- (b) The Board member(s) involved has recused him or herself;

The presence of a Board member with a direct or indirect interest in the transaction does not affect the validity of any action taken under this section.

5.1.1 Financial Code of Ethics

All Governing Board members and employees of ACA shall:

- Act with honesty and integrity, including handling actual or apparent conflicts of interest between personal and professional relationships in an ethical manner;
- File complete, accurate, timely, and understandable disclosure statements as required by applicable laws, rules, or policies;
- Comply with applicable federal or state laws and local ordinances, and with other applicable rules
- Act in good faith, responsibly, and with due care, competence and diligence, without misrepresenting material facts or allowing one's independence of judgment to be subordinated;
- Share knowledge and maintain skills important and relevant to job requirements;
- Respect the confidentiality of information acquired in the course of work and made confidential by law; and
- Proactively promote ethical behavior in all financial dealings and other activities within ACA.

5.2 PROCUREMENT STANDARDS FOR SPENDING FEDERAL AND STATE FUNDS

These standards are designed to ensure that these materials and services are obtained in an effective manner and in compliance with the provisions of applicable law.

1. Avoid purchasing unnecessary items.
2. Where appropriate, an analysis is made of lease and purchase alternatives to determine which would be the most economical and practical procurement.
3. Solicitations for goods and services shall include:
 - (a) A clear and accurate description of the technical requirements for the material, product, or service to be procured. In competitive procurements, a description shall not contain features that unduly restrict competition.
 - (b) Factors that ACA will use in evaluating bids or proposals, including:
 - (i) specific features of brand names or equal descriptions that bidders are required to meet;

- (i) A preference for products and services that conserve natural resources and protect the environment, and are energy efficient.
4. Show efforts to utilize local businesses and community members wherever feasible.
5. Procurement records shall be kept for all purchases and contract awards above \$1,000 and such records shall be kept on file with the appropriate grant in the charter school office.
6. All contracts in excess of \$25,000 must contain:
 - (a) Contractual provisions or conditions that allow for administrative, contractual, or legal remedies in instances in which a contractor violates or breaches the contract terms, and provide for remedial action as may be appropriate;
 - (b) Provisions for termination by ACA including the manner by which termination shall be effected and the basis for settlement;
 - (c) Requirements relating to guarantees, performance bonds, and payment bonds.
7. All contracts in excess of \$100,000 must follow the guidelines for minimum requirements as recommended by the State.

5.3 BUDGET DEVELOPMENT OVERSIGHT CALENDAR AND RESPONSIBILITIES

ACA will develop and monitor its budget in accordance with the annual budget development and monitoring calendar consistent with the contract with the sponsoring entity.

5.4 CONTROLS, BUDGET, AND FISCAL MANAGEMENT

ACA will maintain in effect the following principles in its ongoing fiscal management practices to ensure that, (1) expenditures are authorized by and in accordance with amounts specified in the Board-adopted budget, (2) the school's funds are managed and held in a manner that provides a high degree of protection of the school's assets, and (3) all transactions are recorded and documented in an appropriate manner.

Segregation of Duties

ACA will develop and maintain simple check request and purchase order forms to document the authorization of all non-payroll expenditures. All proposed expenditures must be approved by the Administrator who will review the proposed expenditure to determine whether it is consistent with the Board-adopted budget and sign the check request form. All check requests and purchase orders over \$250 must be co-signed by the School Administrator and countersigned by a Board member, to ensure separation of expenditure authorization and check signing functions.

All transactions will be posted in an electronic general ledger. The transactions will be posted on the ledger by someone at the School site or a contracted bookkeeper. To ensure segregation of recording and authorization, the bookkeeper may not co-sign check requests or purchase orders.

5.5 BUDGET TRANSFERS

To minimize the need for constant budget revisions throughout the school year, the Executive Director is authorized to reallocate unused and uncommitted budget amounts between

accounts provided the total amount does not exceed \$5,000; amounts in excess of \$5,000 but not exceeding \$10,000 in aggregate may be reallocated subject to approval from the Treasurer prior to expenditure of or commitment to expend funds. The Executive Director is authorized to utilize the contingency budget amount for unexpected necessary expenditures.

5.6 REQUIRED BUDGET AND OTHER FISCAL REPORTS

The School Administrator, working in conjunction with the Bookkeeper, will produce and submit to the charter-sponsor any and all required fiscal reports as may be required by state or federal law, or mandated by the terms of the school's charter. These include, but are not limited to, attendance reports, enrollment and other data reports required by the Oregon Department of Education, and other related data.

5.7 PROPERTY AND LIABILITY INSURANCE

The Board will ensure that the school retains appropriate insurance coverage including:

- Property and liability insurance;
- Directors and Officers errors and omissions liability insurance;
- Workers Compensation; and
- Any other insurance required by law, sponsor policy or charter contract.

5.8 BOARD COMPENSATION

Board members will serve without compensation, but may be reimbursed for actual and necessary expenses. Expenses for travel necessary to attending Board meetings and meetings of Board committees need not be approved in advance by the Board. All other expenses will be approved in advance by the Board. Travel expenses reimbursed will not exceed levels that would be subject to federal or state income tax. All expenses reimbursed will be documented by receipts and in no event may reimbursements exceed actual expenses.

5.9 AUTHORITY TO ENTER INTO CONTRACTS AND AGREEMENTS

Except as otherwise provided in these policies, the School Administrator may enter into contracts and agreements aligned with the Board-adopted annual budget without explicit Board approval, provided funds sufficient for the contract or agreement are authorized and available within the school's Board-adopted budget. Contracts and agreements that deviate from the Board-adopted annual budget must be submitted for Board approval and may be executed by the School Administrator or other person specifically designated by the Board after the Board has duly approved the contract or agreement.

5.10 BORROWING

From time to time it may be necessary for ACA to borrow funds from outside sources to fund operations and expansion. This may be necessary because of the seasonality of income from fees, donations, and sales, and due to major expansions or revisions of ACA's programs.

Funds are to be borrowed only as required to meet these needs, and borrowing is to be consistent with sound fiscal and management practices. Borrowings are not intended to make up for inadequate planning or spending above budgeted levels.

The Board of Directors must decide, via majority vote, to borrow any funds.

Borrowing funds should be done within the following guidelines:

- Borrowing should be within appropriate limits approved by the Board prior to the time of borrowing.
- Amounts should be borrowed at the lowest available interest rates. Where borrowing from individuals can be done at lower than current commercial rates, this may be done.
- Most borrowing will be done at short-term conditions due to the seasonal nature of income. Long-term borrowing will be done only if rates are favorable and amounts for short-term would be at the same minimum level.

5.11 CREDIT CARDS

The School may maintain corporate credit cards which may be issued to staff as designated by the School Administrator. Such credit cards will be used solely for school business.

5.12 ACCOUNTING SYSTEM

5.12.1 General Requirements

The School will use the accrual system of accounting and will adhere to all generally accepted accounting procedures on an accrual system.

The School Administrator will establish and maintain an appropriate attendance accounting system to record the number of days students are actually in attendance at ACA and engaged in the activities required of them by the school. The annual audit will review actual attendance accounting records and practices to ensure compliance. The attendance accounting practices will be in conformance with the Charter Schools Act and the applicable Oregon laws regarding Average Daily Maintenance (ADM). Therefore:

- ADM will be computed according to ORS 327.013.
- The School's instructional calendar will include at least 175 days of instruction and demonstrate that the school offers the annual instructional hours as required pursuant to applicable law.

5.12.2 Account Journals

The Bookkeeper will maintain the following account journals:

- General Ledger
- Cash Receipts
- Cash Disbursements

The Bookkeeper will conduct routine maintenance of all books and accounts, which will be periodically reviewed by the School Administrator.

5.12.3 Chart of accounts

The School's Bookkeeper, in conjunction with school's Certified Public Accountant as needed, will develop a Chart of Accounts which conforms to the State and charter sponsor reporting requirements, accurately reflects budget categories and provides information.

5.13 FINANCIAL STATEMENTS

Financial statements will be prepared periodically, at the School Administrator's discretion, and will be available for review by the Board of Directors. These statements will include both a comparison between the year-to-date actual and year-to-date total budget and will be reviewed by the Treasurer. Financial statements will be presented to the full Board of Directors monthly or quarterly as requested.

5.14 RECORD KEEPING

Transaction ledgers, canceled/duplicate checks, attendance and entitlement records, payroll records, and any other necessary fiscal documents will be maintained by school staff in a secure location for at least three years, or as long as required by applicable law, whichever is longer. Appropriate back-up copies of electronic and paper documentation, including financial and attendance accounting data, will be regularly prepared and stored in a secure off-site location, separate from the school.

5.15 CASH MANAGEMENT: BANK ACCOUNTS AND PETTY CASH FUND

5.15.1 Bank Accounts

ACA will maintain its accounts in financial institutions that are federally insured. The signature of the School Administrator, Treasurer or Board Chair will be required to open or close accounts, which may be done only after approval by the Board of Directors.

5.15.2 Deposits and Withdrawals

All funds received by ACA will be deposited at a minimum of once weekly.

Orders of withdrawal over \$250 and regular payroll over \$2,500 will bear the signature of two (2) of the following officers or staff members:

1. Board Chair
2. Treasurer
3. School Administrator

5.15.3 Petty Cash Fund

A petty cash fund, not to exceed \$200, may be established with an appropriate ledger for minimal out-of-pocket business-related expenses and reimbursements. The Bookkeeper will maintain physical custody of the petty cash fund and will verify all receipts as required for all requested reimbursements. The School Secretary will reconcile this fund monthly.

5.15.4 Issuing/Signing Checks

Checks will be issued only for expenditures within the Board-approved budget and after a completed check request has been prepared and reviewed.

Check-Signing Authority

- Board Chair, Board Treasurer, and the School Administrator are authorized to sign checks.
- Any checks or payments payable to any one of the above-named persons will be signed or authorized by two (2) signees other than the payee.

5.15.5 Bank Account Reconciliation

The School's Bookkeeper will reconcile the school's ledger(s) with its bank accounts on a monthly basis and prepare:

- 1) a balance sheet
- 2) a comparison of budgeted to actual revenues and expenditures to date, and

The Executive Director and Board Finance Committee will regularly review these statements.

5.16 QUARTERLY REVIEW

The Board of Directors or its designee will, on a quarterly basis, review all disbursements in the amount of \$15,000 or more.

5.17 ACCOUNTS RECEIVABLE

The School Bookkeeper will maintain accounts receivable records for Average Daily Maintenance (ADM) funds, grant funds, monetary gifts, and for student fees (in accordance with ORS 339.141, 339.147 and 339.155). The Bookkeeper will accrue current month receivables and invoices, if applicable based on the corrected reports. The Bookkeeper will prepare monthly reports indicating outstanding accounts receivable older than thirty days and give to the School Administrator for follow-up.

5.18 PURCHASING

Any equipment with an estimated value of \$5,000 or more will be purchased through competitive bidding or comparative pricing by at least three vendors, except in the case of

emergencies that necessitate the purchase of emergency response supplies, equipment, or services. All such purchases must include documentation of a good faith effort to secure the lowest possible cost for comparable goods or services. The School Administrator shall not approve purchase orders or check requests lacking such documentation. Documentation shall be attached to all check and purchase order requests showing that at least three vendors were contacted and such documentation shall be maintained for three years. Comparative pricing or competitive bidding should be used periodically for regularly purchased materials, supplies, services, and insurance.

ACCOUNTS PAYABLE

The Bookkeeper will maintain accounts payable. The School Administrator will review them on a monthly basis. A check request form will be completed by the employee making the purchase, indicating validity of attached invoices/receipts. The Bookkeeper will review the check request form for completeness and will initial to indicate completeness and submit to the School Administrator for approval of payment. Payments will not be processed without a completed check request form, invoice or receipt. All invoices received will be recorded in the general ledger. Information recorded will include the vendor, amount of invoice, and account.

The school, whenever practical, will pay invoices within thirty days of their receipt, unless alternative arrangements are made with vendors or unless a dispute arises. Invoices of an amount which precludes payment within sixty days may be put on a payment plan, allowing a monthly payment agreeable to both the School and the vendor, unless another arrangement is reached agreeable to both the School and the vendor.

STAFF AND TRAVEL EXPENSES

Staff will be reimbursed, subject to authorization by the Lead Teacher for travel and related expenses while on School business, professional development conferences and courses, or other business-related expenses, according to the following guidelines:

1. In general, all expenses must be pre-approved in writing by the Lead Teacher, School Administrator, Board Treasurer or Board Chair.
2. All reimbursement forms must be complete and submitted to the Bookkeeper, who will review them for evidence of pre-approval, completeness, and mathematical accuracy. The Bookkeeper will discuss any inaccurate or incomplete information with the submitting staff member, and request any additional information required to process the reimbursement request. The Bookkeeper will initial to indicate pre-approval, completeness, and accuracy, and will submit to the School Administrator for approval of payment.
3. In general, staff will receive reimbursements within thirty days of submission of complete, accurate paperwork with evidence of pre-approval.
4. The Bookkeeper will submit personal reimbursement requests to the School Administrator for review and approval.

5. All staff expense reimbursements will be on checks separate from payroll checks.

PAYROLL SYSTEM / PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS)

ACA will employ a Bookkeeper to prepare payroll checks, tax and retirement withholdings, tax statements, and to perform other payroll support functions. The School Administrator will establish and oversee a system to prepare time/attendance reports and submit payroll check requests. The School Administrator, or his/her designee, will review payroll statements monthly to ensure that (1) the salaries are consistent with staff contracts and personnel policies and (2) the proper tax, retirement, disability, and other withholdings have been deducted and forwarded to the appropriate authority.

Upon hiring of staff, a personnel file will be established with all appropriate payroll-related documentation including a federal I-9 form and a tax withholding form. All new staff that do not require a TSPC account or a charter registry will be required to have a thorough background check.

The School will participate in PERS, per ORS 338.135(5), and withhold the appropriate percentage of employees' wages in accordance with the appropriate timelines. The Bookkeeper will be responsible for submission of all pertinent information to PERS.

Employees may receive payroll checks via mail or direct deposit.

CAPITAL ASSETS AND EXPENDITURES

Capital

The term *capital* will mean equipment, structures or furnishings with a useful life of more than one year and valued at five thousand dollars (\$5,000) or more, including actual or estimated tax, shipping and handling, and land, buildings, and improvements, other than buildings valued at five thousand dollars (\$5,000) or more. All items over five thousand dollars (\$5,000) with a useful life of more than one year will be capitalized. Assets under five thousand dollars (\$5,000) with a useful life of more than one year may be capitalized only upon permission of the School Administrator.

Equipment Classified as Capital

In addition, in order to maintain property control, the following may be recorded and tracked the same as capital even though they may be less than five thousand dollars (\$5,000) or have a useful life of less than a year: (1) equipment purchased with grant funds or required by the terms of the grant to be tracked as capital; (2) furnishings for new spaces; (3) cameras; (4) musical instruments; and (5) television sets, VCR units, AV projectors, computer systems (PC, keyboard, monitor, printer and hard drives).

Capital Improvements and Expenses

A guiding principle for distinguishing between a capital improvement and a repair and maintenance expenditure is that a capital improvement results in an improved asset. If an

expenditure increases the utility or significantly extends the useful life of an asset, the expenditure should be capitalized. If an expenditure only maintains the original condition of the asset, the expenditure should be classified as an expense.

Budget: Capital Expenditures

Except in emergencies or for reasons of economy, the purchase of major pieces of equipment classified as capital will be scheduled so that annual budgetary appropriations for capital purposes either will be of similar size or will show a continuous trend without severe fluctuations. Any equipment with an estimated value of \$5,000 or more will be purchased through competitive bidding or comparative pricing by at least three vendors whenever possible.

The Governing Board in cooperation with the School Administrator will draft a capital improvements program which will project Charter School needs for a three-year period. Individual capital projects will be assigned priorities. The schedule will be reviewed and updated annually. Copies will be provided to the Governing Board for review and consideration. In addition to items specifically included in the Charter School Annual Budget, the School Administrator may purchase capital items costing up to five thousand dollars (\$5,000). The purchase of capital equipment exceeding these limits, which has not received prior budget approval, must be approved by the Governing Board.

Property

The Board will approve the purchase or sale of any asset costing \$10,000 or more. The Board must approve purchase or sale of any real estate.

FINANCIAL AUDITS

The Board will annually appoint a Finance Committee. The committee will annually contract for the services of an independent certified public accountant to perform an annual fiscal audit of the accounts of the public charter school prepared in accordance with the Municipal Audit Law, Oregon Revised Statutes 297.405 to 297.555 and 297.990. The audit will include, but not be limited to (1) an audit of the accuracy of school's financial statements, (2) an audit of the school's attendance accounting and revenue claims practices, and (3) an audit of the school's internal controls practices. The annual audit will be forwarded to the State Board of Education.

5.26 FUND RAISING ACTIVITIES/GRANT SOLICITATION

All fund raising activities must have the prior approval of ACA's Director. Participation in all fund raising activities is strictly voluntary. No parent or student shall be coerced or required to participate in any fund raising activity. All fund raising activities must support the school, education of the students or the community.

Participation in fund raising activities through door to door canvassing by elementary students is prohibited.

Solicitation of gifts or grants from private or other public sources, including businesses must have the prior approval of ACA's Director. A complete and accurate record of every donor

shall be maintained. Donor anonymity will be protected whenever desired by the donor. A record must be kept of: the donor's name and address; the amount of the gift; date the gift was received; and the account into which the gift was deposited.

SECTION SIX: EDUCATION PROGRAM MANAGEMENT

Overview: Section 6, Education Program Management includes those policy topics that describe the charter school's instructional program. Such policies provide guidance on curriculum, grading and diploma requirements and education records.

Policy Topics:

- 6.1 Educational Model
- 6.2 Diploma requirements
- 6.3 Talented and Gifted
- 6.4 Grading
- 6.5 Reports to Students and Parents
- 6.6 Student Education Records
 - 6.6.1 Notice to Parents and Eligible Students
 - 6.6.2 Definitions
 - 6.6.3 Release of Records
 - 6.6.4 Directory Information
 - 6.6.5 Transfer of Records
 - 6.6.6 Record Requests
 - 6.6.7 Access to Education Records
 - 6.6.8 Hearing to Challenge Content of Education Records

References:

Oregon Charter Law (ORS 338)

<http://www.leg.state.or.us/ors/338.html>

Oregon Charter Rules (OAR 581)

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_020.html

Policy Retention Schedule

OAR 166-400-0040 School Administration Records

OAR 166-400-0060 Student Education Records

6.1 EDUCATIONAL MODEL

The educational program of ACA is founded on personalized learning. The mission of ACA is to personalize learning through a collaboration of family, community and school; to nurture the innate curiosity of our students; ignite their passion for learning; and prepare them for lifelong success.

6.2 DIPLOMA REQUIREMENTS

A student at ACA may earn an ACA standard state diploma or a modified state diploma. The credit requirements for each diploma are established as follows:

1) ACA Standard Diploma

• English	4 credits (pass placement test for WR 121)
• Mathematics	3 credits (algebra I or above)
• Science	3 credits (biology, chemistry and AP chemistry or physics)
• Social Science	3 credits (1 US History, 1 World Studies, 1 social science)
• Foreign Language/ arts	3 credits
• Health	1 credit
• Physical Education	1.5 credit
• Career Related Learning Experience	.5 credits
• Electives	7 credits
TOTAL	26 credits

2) Modified State Diploma

• English	3 credits *
• Mathematics	2 credits *
• Science	2 credits *
• Social Science	2 credits *
• Health	1 credit *
• Physical Education	1 credit *
• Foreign Language/ Art/ Career Related Learning Exp	1 credits *
• Electives	12 credits *
TOTAL	24 credits

* Students earning a modified diploma are not required to reach predetermined proficiency levels. Rather, students will earn credit for achievement at levels established as appropriate for the individual student.

FAILURE TO MAKE ADEQUATE PROGRESS TOWARDS GRADUATION

Students deemed to be failing to make adequate progress toward graduation may be removed from the school. Students will first be placed on academic warning and be given an opportunity to improve their standing. Students who demonstrate commitment to their educational goals will be considered to be attempting to improve their standing. It is not the intention of the school to remove students who are struggling academically or emotionally. The school does reserve the right to use available student slots for students who sincerely want and demonstrate a desire to further their education.

6.3 TALENTED AND GIFTED

Pursuant to ORS 338.115, ACA is not legally required to comply with the specific provisions of talented and gifted education. However, ACA will work to meet the individual needs of each student, including those students who have been identified as talented and gifted pursuant to ORS 343.391-343.411 and OAR 581-022-1310. ACA's instructional program is intentionally designed to be compatible with the academic and intellectual ability of all students, including those identified as talented and gifted.

6.4 GRADING

Charter school staff may consider a student's attendance in determining a grade reduction. Such decisions will not be based on nonattendance due to religious reasons, a student's disability or an excused absence.

At the beginning of each school year or course, teachers will inform students and parents how attendance and class participation are related to the instructional goals of the subject or course.

6.5 REPORTS TO STUDENT AND PARENTS

Written reports of student progress and absences will be issued to parents at least two times a year. Progress reports will be based on many factors including assignments, both oral and written; class participation; special assignments; research activities and other identified criteria.

6.6 STUDENT EDUCATION RECORDS

6.6.1. Notice to Parents and Eligible Students

ACA will annually give parents of minors and eligible students notice of their rights regarding education records, including what the school has defined as directory information, the location of records and the charter school official responsible for education records. Notice will also be provided to parents of minor students who have a primary or home language other than English in their primary or home language.

6.6.2 Definitions

"Education records" are all records related to a student maintained by the charter school. Memory aids and personal working notes of individual staff members kept in the sole

possession of the staff member are considered personal property and are not considered part of the student's education records.

"Personally Identifiable Information" includes, but is not limited to:

- (a) The student's name;
- (b) The name of the student's parent or other family member;
- (c) The address of the student or student's family;
- (d) A personal identifier, such as the student's social security number or student number;
- (e) A list of personal characteristics that would make the student's identity easily traceable; and
- (f) Other information that would make the student's identity easily traceable.

"Directory Information" means those items of personally identifiable information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include, and is not limited to, the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.

"Parent" means a parent of a student and includes a natural parent, a guardian, an individual authorized in writing to act as a parent in the absence of a parent or a guardian, or a surrogate parent appointed to represent a student with disabilities. The term does not include the state if the child is a ward of the state and the student is eligible for special education services or is suspected of being eligible for special education services under state and federal law.

6.6.3 Release of Records

A student's education records are confidential and protected from unauthorized inspection or use. All access and release of education records with and without parent and eligible student notice and consent will comply with all state and federal laws.

Personally identifiable information shall not be disclosed without parent or eligible student authorization or as otherwise provided by Charter Board policy and law.

Education records are maintained in a minimum one-hour fire-safe place in the administration office by the Administrator. Permanent records shall include:

1. Full legal name of student;
2. Name and address of educational agency or institution;
3. Student birth date and place of birth;
4. Name of parent/guardian;
5. Date of entry into school;
6. School previously attended;
7. Course of study and marks received;
8. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;

9. Credits earned;
10. Attendance;
11. Date of withdrawal from school;
12. Social security number;
13. Other information, i.e., psychological test information, anecdotal records, records of conversations, discipline records, IEP's, etc.

6.6.4 Directory Information

The charter school has defined “directory information” in their policy titled **Student Education Records - Definitions**. The charter school will annually notify parents and eligible students of the personally identifiable student information that it will release without prior written consent, pursuant to OAR 581-021-0260. The charter school will notify parents and eligible students of their right to opt out of the directory information process, including the process and timeline to notify the charter school that the parent or eligible student does not want his or her information designated as directory information. If the charter school receives a request to opt out of the directory information process the charter school will not release any personally identifiable student information without written consent of the parent or eligible student.

6.6.5 Transfer of Records

The charter school will transfer originals of all requested student education records, including any ESD records, relating to a particular student to the new educational agency when a request to transfer such records is made to the charter school or district. The transfer will be made no later than 10 days after receipt of the request.

Student report cards, records of diplomas may be withheld for nonpayment of fines or fees. See Section 7, Fees, Fines and Charges. Records requested by another school district necessary for the student’s enrollment will not be withheld.

6.6.6 Record Requests

The charter school (or district) will, within 10 days of a student seeking initial enrollment in or services from the charter school, notify the public or private school, education service district, institution, agency, detention facility or youth care center in which the student was formerly enrolled and will request the student’s education record.

6.6.7 Access to Education Records

By law, both parents, whether married, separated or divorced, have access to the records of a student who is under 18 unless the charter school or district is provided evidence that there is a court order, state statute or legally-binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

Parents of a minor, or an eligible student (if 18 or older), may inspect and review education records during regular charter school or district hours.

6.6.8 Hearing to Challenge Content of Education Records

Parents of a minor, or eligible student (if 18 or older), may inspect and review the student's education records and request a correction if the records are inaccurate, misleading or otherwise in violation of the student's privacy or other rights. If the charter school or district refuses the request to amend the contents of the records, the requester has the right to a hearing as follows:

1. Parents will make a request for a hearing in which the objections are specified in writing to the Administrator;
2. The Administrator will establish a date and location for the hearing agreeable to both parties;
3. The hearings panel will consist of the following:
 - a. The Administrator or designated representative;
 - b. A member chosen by the parent;
 - c. A disinterested, qualified third party appointed by the superintendent.
4. The hearing will be private. Persons other than the student, parents or guardians, witnesses and counsel will not be admitted.

An individual who does not have a direct interest in the outcome of the hearing will serve as hearing officer and preside over the panel. The hearing officer will hear evidence from the staff and from the parents to determine the point or points of disagreement regarding the education records. The panel will make a written determination after hearing the evidence and determine what steps, if any, are to be taken to correct the education record.

If, after such hearing is held as described above, the parents are not satisfied with the recommended action, the parents may appeal to the Charter Board where the action of the hearings panel may be reviewed and affirmed, reversed or modified. Procedure for appeal beyond the local Charter Board follows the prescribed actions as set forth in federal regulations. The parent or eligible student may file a complaint with the Federal Family Compliance Office, United States Department of Education regarding an alleged violation of the Family Educational Rights and Privacy Act. File complaints with the Family Policy Compliance Office, U.S. Department of Education, Washington D.C., 20202.

SECTION SEVEN: STUDENT MANAGEMENT

Overview: Section Seven, Student Management includes the policy topics that describe the charter school's relationship with students – both the school's responsibilities to students and the student's responsibilities to the school. These policies provide guidance on student conduct and discipline, placement of students into grades, evaluation of transcripts for transfer students and medication, both self-administered and school administered.

POLICY TOPICS

- 7.1 Student Rights and Responsibilities
- 7.2 Student Code of Conduct
- 7.3 Social Events
- 7.4 Discipline/Due Process
- 7.5 Suspension
- 7.6 Expulsion
- 7.7 Discipline of Disabled Students
- 7.8 Corporal Punishment Prohibited
- 7.9 Student Restraint/Seclusion
- 7.10 Bullying/Harassment/ Intimidation/Cyberbullying
- 7.11 Attendance and Truancy
 - 7.11.1 Absence and Excuses
 - 7.11.2 Leave of Absence
- 7.12 Fees, Fines and Charges
- 7.13 Dress,Grooming and Speech
- 7.14 Personal Communication Devices and Social Media
- 7.15 Search and Seizure
- 7.16 Extracurricular Activities
- 7.17 Physical Examinations (OSAA)
- 7.18 Medication
- 7.19 Self-Medication
- 7.20 Immunizations
- 7.21 Drug Free School
- 7.22 Assignment of Students to Classes
- 7.23 Promotion, Retention and Grade Level Placement of Students
- 7.24 Early Admission to 1st Grade
- 7.25 Transcript Evaluation

References:

Oregon Charter Law (ORS 338)

<http://www.leg.state.or.us/ors/338.html>

Oregon Charter Rules (OAR 581)

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_020.html

Policy Retention Schedule

OAR 166-400-0060 Student Education Records

STUDENT RIGHTS AND RESPONSIBILITIES

Among these student rights and responsibilities are the following:

1. Civil rights – including the right to equal educational opportunity and freedom from discrimination, the responsibility not to discriminate against others;
2. The right to attend free public schools, 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 assemble informally, the responsibility to not disrupt the orderly operation of the educational process, nor infringe upon the rights of others;
6. The right to privacy, which includes privacy in respect to the student's education records;
7. The right to know the behavior standards expected, the responsibility to know the consequences of misbehavior.

STUDENT CODE OF CONDUCT

The charter school and the sponsoring school district have authority and control over a student at school during the regular school day, at any school-related activity, regardless of time or location and while being transported in charter school or district-provided transportation.

Students will be subject to discipline including detention, suspension, expulsion, denial and/or loss of awards and privileges and/or referral to law enforcement officials for the following, including but not limited to:

1. Assault³;
2. Hazing, harassment, intimidation, bullying or menacing;
3. Coercion;
4. Violent behavior or threats of violence or harm;
5. Disorderly conduct, including disruption of the school environment;
6. Bringing, possessing, concealing or using a weapon⁴;

³ Assault – any physical threat or violence to other persons will be considered assault. Sanction: Up to ten days out-of-school suspension. Recommend for expulsion. Refer to proper law enforcement agency.

⁴ Under state and federal law, expulsion from school is required for a period of not less than one year for any student who is determined to have brought a weapon to school. The director may modify the expulsion requirement for a student on a case by case basis. Additionally, in accordance with Oregon law, any person who intentionally possesses a firearm or other dangerous weapon in or on district property or recklessly discharges a firearm in school is subject to criminal prosecution, a maximum five year years imprisonment, \$125,000 fine and forfeiture of firearm and/or other dangerous weapon or both. Any person 13 to 17 years of age convicted of intentionally possessing a firearm in a public building is subject to denial of driving privileges for 90 days. be converted to expel a projectile by the action of an explosive. This includes the frame or receiver of any such weapon or firearm, muffler or silencer.

7. Vandalism/Malicious Mischief/Theft, including willful damage or injury to charter school or district property⁵; or to private property on charter school or district premises or at school-sponsored activities;
8. Sexual Harassment;
9. Use of tobacco⁶, alcohol or drugs⁷, including drug paraphernalia;
10. Use or display of profane or obscene language;
11. Open defiance of a teacher's authority, including persistent failure to comply with the lawful directions of teachers or school officials;
12. Violation of charter school or district transportation rules;
13. Violation of law, Charter Board policy, administrative regulation, school or classroom rules.

Definitions:

Dangerous weapon is defined in Oregon law as any weapon, device, instrument, material or substance, which under the circumstance in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious injury.

Deadly weapon is defined as any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury.

Firearm is defined in federal law as 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. This includes the frame or receiver of any such weapon or firearm, muffler or silencer.

Destructive device is defined as any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into a 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. 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.

⁵ Vandalism - any student who damages, destroys or defaces any district, school, staff or student property shall be in violation of the charter school's disciplinary policies and may be suspended or expelled. Damage to school property caused by a student shall be evaluated and the amount of the damage shall be assessed against the student and the parent or parents having legal custody of the student. If assessed damages are not paid as demanded, the Director will bring an action against the student and the parent or parents having legal custody of the student for the amount of the assessed damages, not to exceed \$5,000 plus legal, or other costs of recovering the funds.

⁶ In accordance with Oregon law, any person under age 18 possessing any form of a tobacco product commits a Class D violation and is subject to a court-imposed fine as provided by ORS 167.400. Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco-burning device, to a person under 18 years of age commits a Class A violation and is subject to a fine as provided by ORS 163.575.

⁷ An unlawful drug is any drug not prescribed by a licensed medical practitioner. Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of district property is a Class A felony as provided by ORS 475.999.

SOCIAL EVENTS

The rules of good conduct and grooming shall be observed for school social events. ACA students must receive prior approval in writing from the Administrator or designees in order to bring a guest. Guests will be expected to observe the same rules as students attending the events. The person inviting the guest will share responsibility for the conduct of the guest. A student attending a social event may be asked to sign out when leaving before the end of the activity. Anyone leaving before the official end of the activity may not be readmitted.

DISCIPLINE/DUE PROCESS

A student who violates the Student Code of Conduct will be subject to disciplinary action.

A student's due process rights will be observed in all such instances, including the right to appeal the discipline decisions of staff and Administrators.

The charter school's disciplinary options include using one or more discipline management techniques including counseling by teachers and Administrators, detention, suspension, loss of onsite classes, expulsion, loss of driving privileges and loss of right to apply for driving privileges and loss of privileges, honors and awards.

Disciplinary measures are applied depending on the nature of the offense. The age and past pattern of behavior of a student may be considered prior to any suspension or expulsion.

If a student commits substance abuse, drug or drug paraphernalia, alcohol- and/or tobacco-related offenses or any other criminal act, he/she may also be referred to law enforcement officials. Violations of the district's weapons policy, as required by law, will be reported to law enforcement.

SUSPENSION

A student may be suspended from school for up to and including 10 school days for willful violations of the Student Code of Conduct. The district may require a student to attend school during nonschool hours as an alternative to suspension.

Prior to suspension, the student will have an opportunity to present his/her view of the alleged misconduct. Suspension orders will specify the reasons for the suspension, the length of the suspension, a plan for readmission and an opportunity to appeal the decision.

Parents shall be notified as soon as possible, by telephone if possible, that the student has been suspended and the reasons for the suspension and the procedures to be followed for reinstatement. Following initial, verbal contact, a letter shall be mailed to the parents, stating the time, date and specific reasons for the suspension and the procedures to be followed for reinstatement.

While suspended, a student may not attend after-school activities and athletic events, be present on district property nor participate in activities directed or sponsored by the district.

School-work missed by a student while on suspension may be made up upon the student's return to school if the work missed reflects achievement over a greater period of time than the length of the suspension. For example, a student will be allowed to make up final, mid-term and unit examinations without an academic penalty.

EXPULSION

A student may be expelled for specified or repeated violations of the Student Code of Conduct.

No student may be expelled without a hearing unless the student's parent 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.

The school will provide appropriate expulsion notification including expulsion hearing procedures, student and parent rights and alternative education provisions as required by law.

Expulsion and non-resident enrollment in the charter school – Non-resident enrollment status is contingent on students meeting ACA student conduct standards. Non-resident students who are expelled under the terms described in this policy are excluded from attendance at the charter school for the period of the expulsion. Expelled students are not considered to be enrolled in the charter school and are therefore not considered to be resident of the Oregon City School District under ORS 338.155 (1). Alternative education services, if any, will be provided by the student's resident school district in accordance with the resident district's policies; the Oregon City School District will not provide alternative education for non-resident students who have been expelled from ACA.

After the term of the expulsion, the student may choose to re-enroll in the charter school, provided that there is space available. If there is space available and more applicants for enrollment than space available, the previously expelled student must participate in the lottery.

DISCIPLINE OF DISABLED STUDENTS - Subject to Oregon City School District policy.

When a student being served by an individualized education program (IEP) engages in conduct which would warrant suspension of more than 10 days or expulsion for a nondisabled student, the student's parents will be notified immediately (within 24 hours) of the circumstances of the misbehavior and the time and location of the student's IEP team meeting addressing the infraction and its relationship to the disability.

The IEP team will determine whether the misconduct is a manifestation of the student's disability. Should the IEP team conclude the misconduct has no relationship to the student's disability, the student may be disciplined in the same manner as would other students.

If the IEP team concludes the misconduct is a consequence of the student's disability, the team may review and revise the student's IEP and determine whether a change in placement is needed. The district may not suspend for more than 10 days or expel a disabled student or terminate educational services for any behavior that is a manifestation of the disability.

A student may be removed from the current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 calendar days in a school year for a drug or weapon violation as provided in district procedures. Additionally, the district may request an expedited due process hearing to obtain a hearing officer's order to remove a student to an interim alternative educational setting for not more than 45 days if the student is exhibiting injurious behavior. For the purpose of this request, "injurious behavior" is defined as behavior that is substantially likely to result in injury to the student or to others.

CORPORAL PUNISHMENT PROHIBITED

The use of corporal punishment is prohibited pursuant to the provisions of ORS 339.250(12) and ORS 338.115(1)(o).

STUDENT RESTRAINT / SECLUSION

1. The physical restraint or seclusion of a student will be utilized only:
 - (A) As part of a behavior support plan when other less restrictive interventions would not be effective and the student's behavior poses a threat of imminent, serious, physical harm to the student or others; or
 - (B) In an emergency by a school Administrator, teacher, school employee, or volunteer as necessary to maintain order or to prevent a student from harming him/herself, other students, and school staff or property in accordance with OAR 581-021-0061(2).
2. Physical restraint or seclusion will be utilized only for as long as the student's behavior poses a threat of imminent, serious physical harm to the student or others. Any room used for seclusion of a student must allow staff full view of the student in all areas of the room, and be free of potentially hazardous conditions such as unprotected light fixtures and electrical outlets. Staff will continuously monitor a student's status during physical restraint and/or seclusion.
3. Prior to utilizing physical restraint or seclusion as outlined in 1(A) above, ACA will identify the training program(s) or system(s) of physical restraints and seclusion selected to be used, which will include behavior support, prevention, de-escalation, and crisis response techniques. Only staff who are current in the required training in accordance with the training program selected will implement physical restraint or seclusion with a student except as described in (1)(B) above.
4. Parents or guardians will be notified verbally or in writing following the use of physical restraint or seclusion by the end of the day the incident occurred. Parents will be provided written documentation of the incident within two school days of use of physical restraint or seclusion. Documentation of any physical restraint and seclusion incident will include:
 - (A) Name of the student;
 - (B) Name of staff member(s) administering the physical restraint or seclusion;
 - (C) Date of the restraint or seclusion, and the time the restraint or seclusion began and ended;
 - (D) Location of the restraint or seclusion;

- (E) A description of the restraint or seclusion;
- (F) A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
- (G) A description of the behavior that prompted the use of restraint or seclusion;
- (H) Efforts to deescalate the situation and alternatives to restraint or seclusion that were attempted;
- (I) Information documenting parent contact and notification; and
- (J) A summary of the debriefing in section (h).

5. ACA staff will annually review all incidents of physical restraint and seclusion to ensure that restraint and seclusion are used in accordance with this policy.

6. The general complaint procedure will be used for receiving and investigating complaints regarding restraint and seclusion practices.

7. Definition:

- (A) "Physical restraint" means the restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student. "Physical restraint" does not include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity;
- (B) "Seclusion" means the involuntary confinement of a student alone in a room from which the student is prevented from leaving. Seclusion does not include "time out" as defined in subsection (c);
- (C) "Time out" means a removing a student for a short time to provide the student with an opportunity to regain self-control, in a setting from which the student is not physically prevented from leaving.

BULLYING/HARASSMENT/INTIMIDATION/CYBER BULLYING

ACA is committed to operating a school where no employee or student is subject to sexual harassment, hazing, harassment, bullying (including cyberbullying), intimidation or menacing by students, staff or third parties. Such conduct is strictly prohibited and shall not be tolerated on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop.

Further, such conduct involving off-campus actions or communication, or actions or communication during non-school hours is also prohibited if it causes a substantial disruption in this educational process. This includes cyber bullying that is an ongoing series of actions or communications by a student (or group of students) to pick on another student (or group of students) using electronic means, including but not limited to emails, instant messaging, cell phone texts, defamatory web sites, blogs, and chat rooms. Examples include sending mean, vulgar or threatening messages in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person's true or false identity.

Sexual harassment of students or employees includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual

nature when (a) the conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits; (b) 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; or (c) 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.

"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 ACA activity or grade level attainment.

"Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, or socioeconomic status.

"Intimidation" includes, but is not limited, to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, or socioeconomic status.

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

"Cyberbullying" means the use of any electronic communication device to harass, intimidate or bully.

ATTENDANCE/TRUANCY

Students at ACA are expected to maintain excellent attendance. Failure to do so may result in disciplinary action. This includes an expectation of punctuality.

Absence and Excuses

Absence from school or class may 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. Emergency situations that require the student's absence;
4. Field trips and school-approved activities;
5. Medical or dental appointments. Confirmation of appointments may be required;
6. Other reasons deemed appropriate by the school Administrator when satisfactory arrangements have been made in advance of the absence.

Students may be excused on a limited basis from a preplanned classroom activity or from selected portions of the established curriculum on the basis of a disability or for personal, religious or ethnic considerations.

A student who must leave during class must have parental permission. A student who becomes ill during the school day should, with the teacher's permission, report to the office. Office personnel will decide whether or not the student should be sent home and will notify the student's parent, as appropriate.

A student who has been absent for any reason is encouraged to make up specific assignments missed and/or to complete additional in-depth study assigned by the teacher to meet subject or course requirements. Absences may result in the reduction of grades. A student who is absent from school for any reason may not be allowed to participate in school-related activities on that day or evening.

Leave of Absence

Students who must be away from school for an extended period of time due to illness, injury, or family emergency may request a leave of absence to retain their position at ACA. Families are encouraged to work with Educational Specialists to tailor an appropriate educational plan. Students who will be away from ACA due to extended travel plans, or for other reasons, may have their position at ACA eliminated. State guidelines require the removal of students from enrollment rolls after 10 consecutive absences.

FEES, FINES AND CHARGES

Materials that are part of the basic educational program are provided without charge to a student. A student is expected to provide his/her own supplies of pencils, paper, erasers and notebooks and may be required to pay certain other fees or deposits, including:

1. Club dues;
2. Security deposits;
3. Materials for a class project the student will keep in excess of minimum course requirements and at the option of the student;
4. Personal physical education and athletic equipment and apparel;
5. Voluntary purchases of pictures, publications, class rings, graduation announcements, etc;
6. Student accident insurance and insurance on school-owned instruments;
7. Student identification cards;
8. Fees for damaged library books and school-owned equipment;
9. Lock or locker deposits;
10. Field trips considered optional to the district's regular school program;
11. Admission fees for certain extracurricular activities;
12. Participation fees or "pay to play" for involvement in activities.

The school will withhold the grade reports, diploma and records of any student who owes a debt for unpaid school fees, fines and charges. All such materials shall be released upon

payment of moneys owed. Fees, fines and charges owed to the charter school may be waived at the discretion of the Administrator or designee if:

1. The charter school determines that the parent of the student is unable to pay the debt;
2. The payment of the debt could impact the health or safety of the student;
3. The creation of the notice of the debt owned would cost more than the potential total debt collected relating to the notice;
4. There are mitigating circumstances as determined by the Administrator or designee that preclude the collection of the debt.

DRESS, GROOMING AND SPEECH

The school's dress code is established to promote appropriate grooming and hygiene, prevent disruption and avoid safety hazards. Dress that disrupts school or school activities will not be tolerated. Examples of inappropriate dress include, but is not limited to, gang related or drug/alcohol related articles or slogans, short shorts, midriff shirts, revealing dresses, halter tops, slip dresses, etc. Profanity and disruptive slogans or inappropriate pictures on clothing will not be permitted. If a student's dress is judged to be inappropriate, the student will be asked to change or call home for different clothes. If a student refuses to change, his or her behavior will be treated as refusal to comply with direction from the school staff and may subject the student to additional disciplinary action.

In line with the school's mission, language that is deemed by the charter school Administrator to be obscene, inflammatory or otherwise disruptive will not be tolerated.

Students who represent the school in a voluntary activity may be required to meet additional dress and grooming standards approved by the Administrator or teacher and may be denied the opportunity to participate if those standards are not met.

PERSONAL COMMUNICATION DEVICES AND SOCIAL MEDIA

A "personal communication device" is a device that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor of the device. These devices include, but are not limited to, walkie talkies, either long- or short-range portable radios, portable scanning devices, cellular telephones and pagers, other digital devices, personal digital assistants (PDAs), laptop computers and similar devices with wireless capability. The school will not be liable for personal communication devices brought to school property and school-sponsored activities.

Students may not use personal communication devices and social media in a way that interferes with the educational environment. Whether or not such use causes interference is the sole discretion of staff and faculty of ACA. Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons 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 communication device in any manner that is academically dishonest, illegal or violates the terms of this policy. The taking, disseminating, transferring, or sharing of obscene, pornographic, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, scxting, mailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies. A referral to law enforcement officials may also be made.

Personal communication devices used in violation of this policy are subject to confiscation and will be released to the student's parent or property owner, as appropriate.

SEARCH/SEIZURE

Charter school or district officials may search the student, his/her personal property and property assigned by the charter school or district for the student's use at any time on charter school or district property or when the student is under the jurisdiction of the school. Such searches will be conducted only when there is reasonable suspicion to believe evidence of a violation of a law, Charter Board policy, administrative regulation or school rule is present in a particular place.

Searches will not be excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction. Strip searches are prohibited by the charter school and the school district.

Charter school and district officials may also search when they have reasonable information that emergency/dangerous circumstances exist.

Charter school or district-owned storage areas assigned for student use, such as lockers and desks, may be routinely inspected at any time. Such inspections may be conducted to ensure maintenance of proper sanitation, to check mechanical conditions and safety and to reclaim overdue library books, texts or other instructional materials, property or equipment belonging to the charter school or district.

Questioning

Should law enforcement officials find it necessary to question students during the school day or during periods of extracurricular activities, the Administrator or designee will be present, when possible. An effort will be made to notify the parent of the situation.

Parents are advised that in suspected child abuse cases, the Oregon Department of Human Services, Community Human Services, and/or law enforcement officials may exclude charter school and district personnel from the investigation procedures and may prohibit charter school and district personnel from contacting parents.

EXTRACURRICULAR ACTIVITIES

Extracurricular activities include school-sponsored sports, dances, clubs and other activities that are not part of the school curriculum.

In addition to any applicable OSSA criteria, ACA students will be held to the following standards:

Grades: ACA students must pass all classes during the previous semester.

ACA students who are residents of the District may participate in District Extracurricular activities in the same way as other resident students attending District-operated schools. ACA students who are not residents of the District can ask to participate in their home District Extracurricular activities. Any ACA student participating in extracurricular activities must meet the District's academic eligibility criteria and comply with the District's code of conduct for extracurricular activities.

ACA students may, upon request, be allowed to participate in regular District classes and programs subject to availability as determined by the District and subject to the same costs as District students.

PHYSICAL EXAMINATIONS

Students in grades 7 through 12 must have a physical examination performed by a physician prior to practice and competition in athletics and shall additionally have a physical examination once every two years and after either a significant illness, injury, or a major surgery prior to further participation, and according to OSAA guidelines.

The physical examination is the responsibility of the parent/student and is to be paid for by the parent/student.

Record of the examination must be submitted to the charter school and will be kept on file and reviewed by the coach prior to the start of any sports season.

Students shall not participate without a completed school sports pre-participation examination form on file with the charter school.

MEDICATION

Students may be permitted to take prescription or nonprescription medication at school or at school-sponsored activities on a temporary or regular basis, when necessary.

School-Administered Medication

Requests for the charter school to administer medication to a student shall be made by the parent or guardian in writing.

Written instructions of the physician are required for all requests to administer prescription medication. Such instructions must include the following information: name of the student, name of the medication, dosage, route, frequency of administration and any special instructions. A prescription label meets the requirements for written instructions from the physician, if the information above is included.

Written instructions of the parent that include the information listed above are required for all requests to administer nonprescription medication.

All medication to be administered by the charter school is to be brought to school by the parent in its original container. Medication not picked up by the parent within five school days of the end of the medication period or at the end of the school year, whichever occurs first, will be disposed of by ACA.

SELF-MEDICATION

Students who must carry medication may be permitted to self-administer medication when the necessary permission form and written instructions have been submitted.

All medication must be kept in its appropriately labeled, original container. The student's name is to be affixed to nonprescription medication. Students may have in their possession only the amount of medication needed for that school day. Sharing or borrowing medication is strictly prohibited. Permission to self-administer medication may be revoked if the student is found to be in violation of these requirements; students may also be subject to disciplinary action.

IMMUNIZATION

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical or religious reasons, the student should not be immunized. Proof of immunization may be personal records from a licensed physician or public health clinic.

ACA will follow current state immunization guidelines.

Any student not in compliance with Oregon statutes and rules related to immunization may be excluded from school until such time as he/she has met immunization requirements. Parents will be notified of the reason for this exclusion. A hearing will be afforded upon request.

DRUG FREE SCHOOL

It is the policy of ACA to prohibit the use or presence of illegal drugs, controlled substances (except as prescribed by a physician), or alcohol on all school property. The charter Board strongly supports the education of students and staff members about dangers of drugs and alcohol abuse and about opportunities for rehabilitation and assistance with substance abuse problems.

Definitions:

“Drugs” includes any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other illegal drug or controlled substance (except as prescribed by a physician and used as directed).

“Alcohol” includes any form of alcohol for consumption, including beer, wine, or distilled liquor.

“Workplace” means the site for performance of work done as an employee of the charter school. This includes any building or property used by the charter school, any school-owned vehicle, or any other school-approved vehicle (including the employee’s own vehicle) when used to transport students to and from school or officially sponsored school activities, or to transport fellow workers to and from different work sites following initial arrival at work. It shall also include any off-school property during any officially-sponsored school activity, event, or function involving students under the jurisdiction of the school.

ASSIGNMENT OF STUDENTS TO CLASSES

The Administrator is responsible for placing students in specific classes. Students are assigned to classes based on the age of the student and on staffing, scheduling and other considerations.

PROMOTION, RETENTION AND GRADE LEVEL PLACEMENT OF STUDENTS

A student shall be promoted from one grade to the next on the basis of academic, social and emotional development.

Exceptions may be made when, in the judgment of the school professional staff, such exceptions are in the best educational interest of the student involved.

A decision to retain or accelerate a student will be made only after prior notification and explanation to the student’s parents or guardians. The final decision will rest with school authorities.

Students will be placed in the grade level or program best suited to meet their needs, based on the school’s evaluation of the student’s transcript and/or other documentation, assessment, portfolio/work sample evidence, etc., as may be required by the school.

EARLY ADMISSION TO 1ST GRADE

A student shall be admitted into 1st grade if his/her sixth birthday occurs on or before September 1, as established by law. ACA does not currently allow for early entrance.

The ACA Board reserves the authority to make exceptions on a case-by-case basis.

TRANSCRIPT EVALUATION

Incoming high school students' transcripts will be evaluated by qualified staff to determine credit acceptance. ACA unconditionally accepts credits from accredited institutions.

SECTION EIGHT: SCHOOL SAFETY

Overview: Section Eight - School Safety describes ACA's role in providing a safe and secure educational environment. These policies describe how the school will respond in emergency situations, including accidents, medical events and weapons.

Policy Topics

- 8.1 Emergency Medical Plans
- 8.2 Communicable Disease/Exclusion from School
- 8.3 Tobacco, Alcohol and Drug Policy
- 8.4 Tobacco Free School Policy
- 8.5 Weapons at School Policy
- 8.6 Child Abuse Reporting
- 8.7 Disaster Plan

References:

Oregon Charter Law (ORS 338)

<http://www.leg.state.or.us/ors/338.html>

Oregon Charter Rules (OAR 581)

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_020.html

Policy Retention Schedule

166-400-0040 School Administration Records

EMERGENCY MEDICAL PLANS

A student who becomes ill or is injured at school must notify his/her teacher or another staff member as soon as possible. In the case of a serious illness or injury, ACA will attempt to notify parents according to information provided on emergency forms and submitted by parents to the school. Parents are encouraged to update this information as often as necessary.

If the student is too ill to remain in school, the student will be released to the student's parents or to another person as directed by parents on the student's emergency form.

ACA's staff may administer emergency or minor first aid, if possible. The school will contact emergency medical personnel, if necessary, and will attempt to notify the student's parents whenever the student has been transported for treatment.

COMMUNICABLE DISEASES/EXCLUSION FROM SCHOOL

Parents of a student with a communicable or contagious disease are asked to telephone the school office so that other students who have been exposed to the disease can be alerted. A student with certain school restrictable diseases is not allowed to come to school while the disease is contagious. This restriction is removed by the written statement of the local health officer or a licensed physician (with the concurrence of the local health officer) that the disease is no longer communicable to others in the school setting. For head lice, the restriction may be removed after the parent provides a signed statement that lice is completely gone 24 hours prior to the student resuming school attendance. These diseases include chicken pox, diphtheria, measles, meningitis, mumps, lice infestations, whooping cough, plague, rubella, scabies, staph infections, strep infections, and tuberculosis. Parents with questions should contact the school office.

TOBACCO, ALCOHOL AND DRUG POLICY

It is ACA's policy to provide a learning environment for students that is safe, secure, and drug-free and has zero-tolerance in regards to substance. Zero-tolerance means that ACA will respond with consequences for each violation of the charter school's drug and alcohol policy. ACA will provide age-appropriate, developmentally-based substance abuse education and prevention programs for all students. The programs will address the legal, social and health consequences of illegal drug, alcohol, tobacco and controlled substance abuse.

Student possession, use, sale or supply of tobacco, alcohol or unlawful drug, including drug paraphernalia on or near the charter school premises or while participating in any school-sponsored activity is prohibited and will result in disciplinary action. This policy specifically includes any substance purported to be an unlawful drug (look-alikes).

If possession or use occurred on school grounds or while participating in school-sponsored activities, students will be subject to discipline up to and including expulsion. Disciplinary action may include removal from any or all student activities, extracurricular athletics and/or forfeiture of any school honors or privileges. Appropriate health and law enforcement agencies may be involved in at least a consultative and investigative capacity. Parents will be notified.

TOBACCO-FREE SCHOOL POLICY

ACA will maintain a tobacco free environment.

The use of tobacco products is prohibited on all charter school property, including school grounds, athletic grounds, or parking lots that are used for school purposes. The use of tobacco products is prohibited in all charter school vehicles and in all rented, chartered or leased vehicles used for school purposes. The use of tobacco products is prohibited at any school sponsored event on or off school property.

Student possession of tobacco in any form on charter school premises, at school sponsored activities or in school vehicles is prohibited.

Staff violations of this policy will lead to disciplinary action up to and including dismissal.

Violations of this policy by non-students may result in the individuals' removal from charter school property. ACA reserves the right to restrict access to charter school property by individuals who are repeat offenders.

The term "tobacco products" as used in this policy is consistent with Oregon's statutory definition.

WEAPONS AT SCHOOL POLICY:

No person shall bring, possess, conceal or use a weapon on or at ACA's property, activities under the jurisdiction of the charter school or interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon Schools Activities Association).

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

Definitions

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

1. "Dangerous weapon" (must meet all three below - 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; and is readily capable of causing death or serious physical injury;
2. "Deadly weapon" - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. "Firearm" - 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, or any firearm silencer;

4. "Destructive device" – any device with an 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.

Replicas, fireworks, and pocket knives

Replicas of weapons, fireworks, and pocket knives are also prohibited. Exceptions to the charter school's replicas prohibitions may be granted only with prior approval from the school Administrator for certain curriculum or school-related activities.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture. Possession and/or use of such items may result in disciplinary action up to and including expulsion.

Mandatory Reports to Law Enforcement

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 the School Administrator, his/her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform the School Administrator.

The identify of a person participating in a good faith effort to comply with this reporting law shall remain confidential and may not be disclosed by any school employee, law enforcement agent, or district attorney.

Administrators shall promptly notify the appropriate law enforcement agency when:

1. Receiving staff reports of possible violations as described above
2. Any other time there is reasonable cause to believe violations as described above have occurred, or
3. When a student has been expelled for bringing, possessing, concealing or using a 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 an Administrator.

Disciplinary Consequences

Expulsion:

1. Students found to have brought, possessed, concealed or use a dangerous or deadly weapon, firearm or destructive device in violation of this policy will be expelled for a period of not less than one year.
2. All other violations of the policy will result in discipline up to and including expulsion and/or referral to law enforcement as appropriate.

3. The charter school Administrator may, on a case-by-case basis, modify this expulsion requirement.

Assisting Others:

Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special Education Students:

Special education students shall be disciplined in accordance with federal law and Board policy, and accompanying administrative regulations.

Gun-Free School Zone Act:

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. "Gun-Free School Zone" signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise excepted by law or this policy, shall be reported to the appropriate law enforcement agency. ACA may post a notice at any site or premise off charter school grounds that at the time is being used exclusively for a school program of activity. The notice shall identify ACA as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under ORS 166.370.

CHILD ABUSE REPORTING

Any ACA employee or volunteer who has reasonable cause to believe that any child with whom the employee has come in contact has suffered abuse or neglect, as defined in state law, or that any adult with whom the employee is in contact has abused a child, will immediately report the abuse pursuant to Section 4.3 of these policies. The obligation to report child abuse occurs regardless of whether the suspected abused child is a student at ACA or not, or whether the suspected abuser is an employee of ACA or not.

A written record of any report of child abuse shall be made by ACA employee in any case where the suspected abused child is a ACA student or the suspected abuser is a ACA employee. Such reports shall be retained in a confidential file, accessible only to the school Administrator or Board or upon lawful subpoena. This record is not an educational record, nor shall any information derived from a child abuse investigation become part of a child's school record.

Employees shall be informed of the obligation to report child abuse by information included in the employee handbook.

DISASTER PLAN

The scope of this plan encompasses a broad array of potential emergency situations. Protocols have been posted at the school site. This plan addresses both the broad safety issues and the specific logistical aspects of preparedness. ACA has assigned school personnel roles and responsibilities to execute in case of an emergency. This information is updated annually.

A site map is posted at the school site with the emergency protocols. A First Aid/Disaster Kit is maintained in the building.

Oregon and Clackamas County are well prepared for emergencies because Emergency Response Systems are in place with local providers of emergency services. Systems are tested and used. Local resources are backed up by regional, state, and federal support.

PROCEDURES FOR SAFE INGRESS AND EGRESS OF PUPILS

Parents usually accompany students to ACA. Anyone driving on the campus is expected to drive in a safe and legal manner.

SAFETY OF TEACHERS DURING HOME VISITS

Due to the unique partnership and personalized learning within ACA, the teacher often meets in the student's home. It is imperative that parents who choose to take part in this partnership provide a safe, productive learning environment.

If at any time a teacher feels uncomfortable in the home due to safety issues and the parent wishes the visits to continue taking place in the home, a meeting will be held with teacher, parent, and the administrator in an attempt to rectify the teacher's concern. If the concerns of the teacher are deemed by the administrator to be valid, the parent will be given a two (2) week notice providing the opportunity to rectify the safety issue so that visits may continue in the home. If the issue is not resolved, one of the following actions may be taken;

1. Teacher change if appropriate
2. Meeting held at an alternative site
3. The student may be withdrawn at the parent's request from ACA and referred to another school

SECTION NINE: FACILITIES, OPERATION AND SUPPORT SERVICES

Overview: Section Nine – Facilities, Operation and Support Services describes the operational functions of a charter school in providing a comprehensive, safe and supportive educational environment for students and teachers.

Policy Topics:

- 9.1 Pupil Transportation
- 9.2 School Lunch Program
- 9.3 Parking/Vehicles
- 9.4 Americans with Disabilities Act (ADA) Compliance
- 9.5 Community Use of School Facilities
- 9.6 Computer Use

References:

Oregon Charter Law (ORS 338)

<http://www.leg.state.or.us/ors/338.html>

Oregon Charter Rules (OAR 581)

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_020.html

Policy Retention Schedule

166-400-0040 School Administration Records

PUPIL TRANSPORTATION

A student being transported on charter school or district-provided transportation is required to comply with the Student Code of Conduct. Any student who fails to comply with the student code of conduct may be denied transportation services and shall be subject to disciplinary action.

SCHOOL LUNCH PROGRAM

ACA does not at this time operate a school lunch program.

PARKING/VEHICLES

Vehicles parked on charter school or district property are under the jurisdiction of ACA or the district.

Parking privileges, including driving on charter school and district property, may be revoked by the building Administrator or designee for violations of Charter Board policies, administrative regulations or school rules.

Bicycles ridden to school by students must be parked in the designated area on school grounds and should be locked. Students under the age of 16 must wear a helmet as required by law.

ACA and the district assume no liability for loss (including but not limited to contents) or damage to vehicles or bicycles.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE

ACA facilities, employment and other operational practices will comply with the Americans With Disabilities Act.

COMMUNITY USE OF SCHOOL FACILITIES

ACA's facilities shall be made available, under responsible adult supervision, for community activities of an educational, recreational or civic nature. It is the desire of the Board that maximum use shall be made of school facilities and grounds.

The administrative staff is authorized to cancel building use permits when such action is necessary in the best interests of the school.

Regulations for community use will be established by the Administrator or designee.

A fee schedule for building use will be recommended by the Administrator or designee and approved by the Board. The schedule will be updated as necessary to insure that the fees defray the expenses arising out of the increased use of heat, light and custodial service.

The use of school buildings and other facilities by any organization operating for private gain, or any purpose involving private gain, shall be permitted only when a worthy educational, civic, recreational or charitable purpose will be served, and the potential for direct competition with local business organizations is considered and reasonably resolved.

Any employee involved in a privately funded activity such as but not limited to music and/or sports camps does not have the right to use any taxpayer provided facilities, materials or services as allowed by their employment. All literature and communication shall state the activity is sponsored by a private entity or person and is not sponsored by the school. The employee involved in a private activity may not work on any phase of that activity while on duty for the school. As with any private entity, a school facilities use form must be completed and payment must be made according to appropriate rental schedule and property and liability insurance as required by the school. A school employee involved in a privately sponsored activity is not covered by the school's worker's compensation or liability insurance while involved in the private activity.

Use by religious groups shall be allowed under the following conditions:

1. School facilities may be used for church services or educational or recreational use on a temporary basis by religious groups that are acquiring new facilities or otherwise find themselves without a suitable meeting place. Use by religious groups shall not be continued for more than one year without special approval by the Administrator. The Administrator may ask such groups to demonstrate that progress is being made toward the acquisition of other facilities.

2. School buildings shall not be used by religious groups during the hours when school is regularly in session. Sunday use of facilities must be approved by the Administrator or designee. Application for such use must be made to the building Administrator or designee.

Approval of use of school buildings for non-school purposes shall not constitute endorsement or approval of the groups or organizations sponsoring the activity or their purposes and philosophy.

The school may revoke an existing agreement and/or refuse use of school facilities in the future to any person or group engaged in consuming, selling, giving, or delivering alcoholic beverages or any controlled substances in school facilities or on school grounds.

COMPUTER USE

Students may be permitted to use the school's electronic communications system only to conduct business related to the management or instructional needs of the charter school or to conduct research related to education consistent with the charter school's mission or goals. Personal use of charter school computers, including e-mail access, is strictly prohibited.

The charter school retains ownership and control of its computers, hardware, software and data at all times. All communications and stored information transmitted, received, or contained in the charter school information system are the charter school's property and are to be used for

authorized purposes only. Use of charter school equipment or software for unauthorized purposes is strictly prohibited. To maintain system integrity, monitor network etiquette and ensure that those authorized to use the charter school's or district's system are in compliance with Charter Board policy, administrative regulations and law, school Administrators may routinely review user files and communications.

Files and other information, including e-mail, sent or received, generated or stored on ACA's servers are not private and may be subject to monitoring. By using the charter school's system, individuals consent to have that use monitored by authorized charter school or district personnel. ACA reserves the right to access and disclose, as appropriate, all information and data contained on charter school and district computers and charter school- or district-owned e-mail system.

Students who violate Charter Board policy, administrative regulations, including general system user prohibitions, shall be subject to discipline up to and including expulsion and/or revocation of charter school system access up to and including permanent loss of privileges. Violations of law will be reported to law enforcement officials.

SECTION TEN: PARENTS AND COMMUNITY

Overview: Section Ten – Parents and Community describes the charter school’s relationship to parents of students attending the school and members of the community in general. Policies include those governing visitors to the school, volunteers, school foundation, and complaint procedure.

Policy Topics:

- 10.1 Visitors
- 10.2 Parent Involvement
- 10.3 Parent Organizations
- 10.4 Parent Rights
- 10.5 Distribution of or Posting Materials
- 10.6 Community Postings
- 10.7 Fundraising
- 10.8 Student/Parent Complaints
 - 10.8.1 Charter School or District Personnel Complaints
 - 10.8.2 Discrimination on the Basis of Sex Complaints
 - 10.8.3 Students with Disabilities Complaints
 - 10.8.4 Students with Sexual Harassment Complaints
- 10.9 Purpose of Parent Action Team (PAT)

References:

Oregon Charter Law (ORS 338)

<http://www.leg.state.or.us/ors/338.htm> 1

Oregon Charter Rules (OAR 581)

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_020.html

Record Retention Schedule

166-400-0040 School Administration Records

VISITORS

Parents and other visitors are encouraged to visit ACA. To ensure the safety and welfare of students, that schoolwork is not disrupted and that visitors are properly directed to the areas in which they are interested, all visitors must report to the office upon entering school property and obtain a visitor's badge to be displayed throughout the duration of the visit on school premises. The Administrator may approve student requests to bring visitors, at the Administrator's sole discretion. Students will not be permitted to bring visitors under the age of 21 to school without prior approval of the Administrator.

PARENTAL INVOLVEMENT

Education succeeds best when parents support the work of the school. ACA parents are encouraged to encourage their students to put a high priority on their education and to commit themselves to making the most of the educational opportunities ACA provides.

Parent, guardian or other family member's interaction with teachers and staff are expected to be civil. Verbal or physical abuse or harassment of teachers or staff by a student's parent or guardian or other family member will not be tolerated and may result in the legal exclusion of the parent, guardian or family member from ACA and district property. A parent, guardian or family member legally excluded from ACA or the school district property who comes on charter school or district property will be considered to be trespassing and will be handled by law enforcement.

PARENT ORGANIZATIONS

The Board encourages the development and participation of parent organizations that support the goals of the Board and the schools. The Board also supports parent organizations as an effective means of actively involving parents in the school. School officials are expected to educate such organizations on the goals of the Board and individual schools, especially as it relates to improving student success. School officials also are expected to help such organizations in identifying opportunities to assist the schools in meeting these goals.

Conditions for Establishing Parent Organizations

Parent organizations, including PTAs, PTOs and booster clubs, and their activities, reflect upon ACA. Therefore, all parent organizations, including those with legal status independent of ACA, must accept the following conditions in order to operate on behalf of the schools.

- ACA's Board shall approve, for any parent organization, written documents that describes the purpose of the organization and the general rules and procedures by which it will operate. Any modifications also must be approved by ACA's Board.
- Board and parent organizations will mutually agree to an annual plan outlining projected fundraising activities and expenditures. For any deviations from the agreed-upon plan, parent organizations must obtain prior approval from the

School Administrator or Board for (1) any purchase for the school, (2) any function involving the participation of students, or (3) any event that is likely to reflect upon the school.

- Fundraising projects must be conducted in accordance with ACA's Fundraising Policy.
- Parent organizations are responsible for maintaining their own financial records. Employees of the school are not permitted to routinely manage the affairs of parent organizations during the workday.
- Parent organizations are expected to take into account the cultural diversity and economic differences of students and parents in planning various functions.

ACA's Board will approve the establishment of parent organizations. Parent organizations that, after assistance from school Board and Administrator, are unable to meet Board policies will be disapproved by the Board.

PARENTAL RIGHTS

A student's personal information (name, address, telephone number, social security number) will not be collected, disclosed or used for the purpose of marketing or for selling that information without prior notification, an opportunity to inspect any instrument used to collect such information and permission of the student's parent(s) or the student, if age 18 or older.

Instructional materials used as part of the school's curriculum may also be reviewed by the student's parent(s).

Requests to review materials should be directed to the office during regular school hours.

VOLUNTEERS

ACA supports community involvement as an integral part of the educational goals of the school. Therefore, the development of volunteer relationships is recommended and encouraged.

Volunteer duties may involve service to the classrooms, lunchroom, playground, extracurricular events, field trips, Friday field studies, building maintenance, and similar activities. Board members and Committee members are also volunteers.

The safety and well-being of the students, staff and volunteers of the school is paramount. Therefore, ACA will conduct criminal background checks on all volunteers who will be working directly with children on a regular basis or out of the direct supervision of a teacher, as well as Board and Committee members.

School volunteers will be made aware of procedures, regulations, school policies and assigned tasks by staff and Administrators. School volunteers will be expected to abide by all applicable laws, policies and administrative procedures when performing their assigned responsibilities.

All employees working directly with a volunteer are responsible for directing and supervising the activities of the volunteer with broad supervision provided by the building School Administrator. Volunteers will be covered under the district's liability policy while performing their authorized duties.

Volunteers may be required to undergo one-time or periodic training in order to be eligible to volunteer in certain capacities, at the discretion of the building School Administrator.

DISTRIBUTION OF OR POSTING MATERIALS

All aspects of charter school-sponsored publications, including web pages, newspapers and/or yearbooks, are completely under the supervision of the teacher and Administrator. Students may be required to submit such publications to the administration for approval.

Written materials, handbills, photographs, pictures, petitions, films, tapes or other visual or auditory materials may not be sold, circulated or distributed on charter school or district property by a student or a nonstudent without the approval of the administration.

Materials not under the editorial control of ACA or district must be submitted to the Administrator for review and approval before being distributed to students. Materials shall be reviewed based on legitimate educational concerns. Such concerns include whether the material is defamatory; age appropriate to the grade level and/or maturity of the reading audience; poorly written, inadequately researched, is biased or prejudiced; not factual; or not free of racial, ethnic, religious or sexual bias. Materials include advertising that is in conflict with public school laws, rules and/or Charter Board policy, deemed inappropriate for students or may be reasonably perceived by the public to bear the sanction for approval of the charter school or district.

If material is not approved within 24 hours of the time that it was submitted, it must be considered disapproved.

COMMUNITY POSTINGS

ACA has a limited forum with respect to the distribution of information or materials that are non-instructional and/or not school-related. Allowing the distribution of such materials should be considered a courtesy with the understanding that approved methods of distribution will minimize disruption and reflect a neutral, unbiased and non-promotional approach. The following guidelines will be used when the School Administrator receives a request for distributing such materials or information to students or parents:

1. Requests for distribution of materials or information must be made in writing to the School Administrator. Requests must include the purpose of the request and a copy of the materials to be distributed.

2. Upon prior approval of the School Administrator, materials related to community activities or opportunities for students may be sent home with students. Such activities may include, but

are not limited to, Girl Scouts and Boy Scouts, 4-H, community performances, plays, or sports teams or events for which students may try out or in which students are performing, etc.

3. Any commercial-related activities or events that benefit ACA may be distributed in one or more of the following ways, upon prior approval and at the discretion of the School Administrator: (a) Materials may be posted and made available at the community events table and bulletin board in the front hall; (b) Related information may be included in ACA's newsletter; and (c) The information page from the newsletter may be copied and sent home with students. Flyers for such events or activities will not be distributed directly to students. Further, these activities or events may not invite or solicit students to sell items, and no prizes may be made available to students as a result of selling or sales activities. Examples of activities that fall in this category include parent-owned business where the parent commits to donating to ACA a percentage of sales to ACA's families, or a local business that donates supplies to an ACA fundraiser in exchange for the ability to advertise to charter school families.

4. Commercial ventures or sales that do not benefit ACA, either financially or through donations, will not be distributed or advertised in any way by or in the school.

5. Paragraph #3 above does not apply to fundraising events or activities sponsored by ACA or selected as charter school activities by the Board.

6. All materials or information to be distributed is subject to the approval of the School Administrator, must be consistent with the pedagogical interests of the school, and must not be disruptive or interfere with the orderly and efficient operation of the school.

7. Exceptions to these guidelines may be made on a case-by-case basis upon proposal by the School Administrator and a vote of the Board

FUNDRAISING

Student organizations, clubs or classes, athletic teams, outside organizations and/or parent groups may conduct fund-raising drives.

All funds raised or collected by or for school-approved groups will be receipted, deposited and accounted for. All such funds will be expended for the purpose of supporting the school's programs, property, and activities. The Administrator is responsible for administering funds in collaboration with the individual or group who raises the funds, under direction of the Board of Directors.

ACA does not make participation in fund-raising activities a condition of admission to the charter school pursuant to ORS 338.125(4).

STUDENT/PARENT COMPLAINTS

Charter School or District Personnel Complaints

A student or parent who has a complaint concerning a classroom/teacher issue should first

bring the matter to the appropriate teacher in a civilized manner. If the outcome is not satisfactory, a conference with the Administrator can be requested within five calendar days. The decisions of the Administrator are final.

Discrimination on the Basis of Sex Complaints

A student and/or parent with a complaint regarding possible discrimination of a student on the basis of sex should contact the Administrator.

Students with Disabilities Complaints

A complaint or concern regarding the identification, evaluation or placement of a student with disabilities or the accessibility of the district's services, activities or programs to a student, should be directed to the school district's special education director. If the complaint is in reference to a non-Oregon City School District resident student, the complaint will be forwarded to the student's resident school district.

Students with Sexual Harassment Complaints

Sexual harassment by ACA's staff, students, charter Board members, school volunteers, parents, school visitors, service contractors or others engaged in charter school business is strictly prohibited by ACA. For purposes of this section, charter school includes charter school facilities, charter school premises and non-charter school property if the student or employee is at any charter school-sponsored, charter school-approved or charter school-related activity or function, such as field trips or athletic events where students are under the control of the charter school or where the employee is engaged in charter school business.

Sexual harassment of students means unwelcome sexual advances, request for sexual favors and other verbal or physical (or other) 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 subject 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.

ACA's Administrators, compliance officer and the charter school Director have responsibility for investigations concerning sexual harassment. All complaints and other reported incidents shall be investigated. The investigator shall be a neutral party having had no involvement in the complaint presented.

Step I Any sexual harassment information (complaints, rumors, etc.) shall be presented to the building director, compliance officer or charter school director. All such information shall be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates.

Step II The 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 five 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 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.

The date and details of notification to the complainant, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the charter school director.

Step III If a complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the charter school director or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The charter school director or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The charter school director or designee shall provide a written decision to the complainant within 10 working days.

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

Step V If the complaint is not satisfactorily settled at the Charter Board level, the student may appeal 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 a complaint may be obtained through the Director, compliance officer or superintendent.

Changes to the above procedure may be made if an Administrator is named in the complaint or reported incident.

Confidentiality will be maintained. The educational assignments or study environment of the

student shall not be adversely affected as a result of the good faith reporting of sexual harassment.

Students or parents with complaints not covered by these policies should contact the Administrator, or, if the complaint is about the Administrator, the Board Chair should be contacted.

Purpose of Parent Action Team (PAT)

The purpose of PAT, ACA's parent volunteer organization, is to manage volunteers, support teachers and staff, help with events, and to manage fundraising done by school groups. ACA recognizes the invaluable help and assistance provided by the PAT and supports the efforts of the organization. PAT is not a separate organization from ACA and operates under ACA's federal tax identification number. PAT activities must be approved by the Director. The Chair of PAT must be approved by the Executive Director.

SECTION ELEVEN: SPECIAL EDUCATION

Overview: Section Eleven – Special Education describes the charter school’s responsibilities to students with special needs, including the identification of students who may need special services.

Policy Topics

- 11.1 Identification of Students with Disabilities/ Child Find
- 11.2 Coordination with Responsible School District to Serve Identified Students

References

Oregon Charter Law (ORS 338)

<http://www.leg.state.or.us/ors/338.html>

Oregon Charter Rules (OAR 581)

http://arcweb.sos.state.or.us/rules/OARS_500/OAR_581/581_020.html

Record Retention Schedule

166-400-0060 Student Education Records

IDENTIFICATION OF STUDENTS WITH DISABILITIES / CHILD FIND

The Oregon City School District has the obligation to identify all children with disabilities residing in the district or residing in another district but attending ACA. ACA will cooperate with the district to identify all students with disabilities who may be attending the charter school. The district will comply with its' identification obligations pursuant to state and federal law and the district's "child-find" policies.

Non-Oregon City School District resident students attending ACA who are identified for evaluation to determine eligibility for special education services will be referred to the student's resident district for consideration and evaluation. If the student is determined to be eligible for special education services, the student's residency will revert from the student's resident district, and implementation of the student's individual education program will be the responsibility of the Oregon City School District.

COORDINATION WITH RESPONSIBLE SCHOOL DISTRICT TO SERVE IDENTIFIED STUDENTS

The ACA will cooperate with the Oregon City School District regarding the provision of services for students with disabilities.

Policies adopted by the ACA board on XX, 2011.