

Crater Lake



Charter Academy

SCHOOL POLICIES

SECTION A/B: BOARD GOVERNANCE

Community**ED**

Crater Lake Charter Academy

Charter Board Policy: AC

Adoption: June 17, 2014

NONDISCRIMINATION

The public charter school shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation¹, national origin, marital status, age or disability, because of the race, color, religion, sex, sexual orientation, national origin, marital status, age or disability of any other persons with whom the individual associates.

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

In keeping with requirements of federal and state law, the public charter school strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student assignment to the school and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The public charter school board encourages staff to improve human relations within the school and to establish channels through which citizens can communicate their concerns to the public charter school administration and the public charter school board.

The public charter school administrator shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues². The public charter school board will adopt and the public charter school will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice; or because that person has filed a charge; testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

END OF POLICY

¹Sexual 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.

²Public charter schools are reminded that the public charter school is required to notify students and employees of the name, office address and telephone number of the employee or employees appointed.

Legal Reference(s):

ORS 174.100	ORS 659A.006	ORS 659A.236
ORS 192.630	ORS 659A.009	ORS 659A.309
ORS 326.051(1)(e)	ORS 659A.029	ORS 659A.321
ORS 338.125(3)	ORS 659A.030	ORS 659A.409
ORS 342.934(3)	ORS 659A.043	OAR 581-015-0054
ORS 659.150	ORS 659A.103	OAR 581-021-0044
ORS 659.805	ORS 659A.109	OAR 581-021-0045
ORS 659.815	ORS 659A.112 - 659A.139	OAR 581-021-0046
ORS 659.850	ORS 659A.142	OAR 581-021-0049
ORS 659.865	ORS 659A.145	OAR 581-022-1140
ORS 659.870	ORS 659A.233	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2006); 29 C.F.R Part 1626 (2006).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2006).
Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008.
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.
Title II of the Genetic Information Nondiscrimination Act of 2008.

Crater Lake Charter Academy

Charter Board Policy: ACA

Adoption: August 18, 2014

PUBLIC CHARTER SCHOOL GOALS

It is the intent that public charter schools serve as an avenue for parents, educators and community members take responsible risks to create new, innovative and more flexible ways of educating children within the public school system. The goals of public charter schools shall be to:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation, which may be applied, if proven effective to other public schools;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

END OF POLICY

Legal Reference(s):
ORS 338.015

Crater Lake Charter Academy

Charter Board Policy: AE

Adoption: August 18, 2014

PUBLIC CHARTER SCHOOL GOALS

It is the intent that public charter schools serve as an avenue for parents, educators and community members take responsible risks to create new, innovative and more flexible ways of educating children within the public school system. The goals of public charter schools shall be to:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation, which may be applied, if proven effective to other public schools;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

END OF POLICY

Legal Reference(s):
ORS 338.015

Crater Lake Charter Academy

Charter Board Policy: BBA

Adoption: August 18, 2014

BOARD POWERS AND DUTIES

The by-laws delegates to the public charter board responsibility for the conduct and governance of programs and services in the public charter school. The general powers granted to the Board are:

1. Legislative or Rule-Making Authority

In regular or special public meetings, after open discussion and after members' votes are recorded, the public charter school board will establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board shall establish policies and regulations for governing the programs and services of the public charter school consistent with State Board of Education rules and with local, state and federal laws, as applicable.

The Board is responsible for providing adequate and direct means for keeping informed about the needs and wishes of the public and for keeping local citizens informed about the public charter school.

2. Judicial Authority

As provided by law, policy or contract, the public charter school board acts as a fact-finding body or a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the Board must determine the rights, duties or obligations of those who address the Board.

3. Executive/Administrative Authority

The public charter school board will appoint a director delegated to establish administrative regulations to implement Board policy and goals. The Board will evaluate the director's performance.

The public charter school board may establish academic and financial goals for the public charter school and evaluate the director's implementation of those goals.

The public charter school board will oversee the public charter school's financial affairs by authorizing, appropriating and adopting budgets as allowed by law, to provide for program operation and maintenance or acquisition of public charter school property.

The Board will authorize the director to approve payment on all contracts and business transactions of the public charter school in accordance with public charter school board policies and charter agreement on purchasing and budget requirements. The public charter school board will provide for an annual audit of the public charter school's assets.

The public charter school board will employ the staff necessary to carry out the educational program and will provide for regular evaluation of staff.

The public charter school board will establish salaries and salary schedules, other terms and conditions of employment, and personnel policies for public charter school employees.

The public charter school board will establish the days of the year and the hours of the day when school will be in session.

END OF POLICY

Legal Reference(s):
ORS 192.630

ORS 243.656
ORS Chapters 279A, 279B and 279C
ORS 294.305 - 294.565
ORS 338.115(2)
ORS Chapter 339
ORS 339.250
ORS 339.315 to-327
ORS 339.351 to-364
ORS 339.370 to-400
ORS 339.866 to-873

Crater Lake Charter Academy

Charter Board Policy: BBAA

Adoption: August 18, 2014

INDIVIDUAL BOARD MEMBER'S AUTHORITY AND RESPONSIBILITIES

An individual public charter school board member exercises the authority and responsibility of his/her position when the public charter school board is in legal session only.

A public charter school board member has the authority to act in the name of the Board when authorized by a specific Board motion.

A public charter school board member has the right to express personal opinions. When expressing such opinions in public, the Board member must clearly identify the opinions as his/her own.

Members will be knowledgeable of information requested through Board action, supplied by the director, gained through attendance at public charter school activities and through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of membership:

1. Request for Information

Any individual Board member who desires a copy of an existing written report or survey prepared by the administrative staff will make such a request to the director. A copy of the material may be made available to each member of the Board. Requests for the generation of reports or information which require additional expense to the school must be submitted to the Board for consideration.

2. Requests for Legal Opinions

Any Board member may request a legal opinion. Such request, however, shall be made through the Board chair to the Director. If the legal opinion sought involves the Director's employment or performance, the request should be made to the Board chair. Legal counsel is responsible to the public charter school Board.

3. Action on Complaints or Requests Made to Board Members

When Board members receive complaints or requests for action from staff, students or members of the public, such information is to be conveyed to the Director for action.

4. Board Member's Relationship to Administration

Individual Board members will be informed about the school's educational program, may visit the school or other school facilities to gain information, and may request information from the Director. Board members will not intervene in the administration of the school.

5. Contracts or Agreements Made By Individual Board Members

Contracts or agreements made by individual Board members without the Board's authority are invalid.

END OF POLICY

Legal Reference(s):
ORS 338.115(2)

Crater Lake Charter Academy

Charter Board Policy: BBF

Adoption: August 18, 2014

PUBLIC CHARTER SCHOOL BOARD MEMBER STANDARDS OF CONDUCT

Individual public charter school Board members and the Board as a public entity must comply with the ethics laws for public officials.

Board members will treat other Board members, the director, staff and the public with dignity and courtesy and will provide an opportunity for all parties to be heard with due respect for their opinions.

Board members will recognize the director as the chief executive officer to whom the public charter school

Board has delegated administrative authority to establish regulations and oversee the implementation of Board policy.

A public charter school Board member has the right to express personal opinions. When expressing such opinions in public, the Board member should clearly identify the opinions as personal.

A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the public charter school.

A Board member will keep information discussed in executive session confidential.

A Board member will utilize social media Web sites judiciously by not posting confidential information about students, staff or school business. Board members will treat fellow Board members, staff, students and the public with respect while posting and will adhere to Oregon Public Meetings Laws when communicating with other Board members via Web sites or other electronic means.

END OF POLICY

Legal Reference(s):

ORS 192.630

ORS 244.040

ORS 244.120

ORS 338.115(2)

Community Ed, Inc.

Charter Board Policy: BBFA

Adoption: June 17, 2014

BOARD MEMBER ETHICS AND CONFLICTS OF INTEREST

No Board member will use his/her official position or office to obtain personal financial benefit or to avoid financial detriment for him or herself, relatives, household members or for any business with which the Board member, household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by ORS 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the annual \$50 gift limit from one who has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. Public charter school-provided meals at board meetings are acceptable under the reimbursement of expenses exception.

I. Conflicts of Interest

“Business” means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain. This definition excludes any income-producing tax exempt 501(c) not-for-profit corporation with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

“Business with which a Board member or relative is associated” means any private business or closely held corporation of which a Board member or relative is a director, officer, owner, employee or agent or any private business or closely held corporation in which a Board member or relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding year; any publicly held corporation in which a Board member or relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; or any publicly held corporation of which a Board member or relative is a director or officer.

“Relative” in the conflict of interest context is defined as a Board member’s spouse (The term spouse includes domestic partners); any children of the Board member or of the Board member’s spouse, brothers, sisters, half-brothers, half-sisters, spouses of siblings, parents of a Board member or of spouse, aunts, uncles, nieces, nephews and step-parents.

“Member of the household” means any person who resides with the public official.

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member’s vote, official action or judgment would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through his/her official position or association with the public charter school. A Board member will respect individuals’ privacy rights when dealing with confidential information gained through association with the public charter school.

If a Board member participates in the authorization of a public contract, the Board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

Individual Board members and the Board as a public entity are bound by the Code of Ethics for public officials as stated in Oregon law.

Potential Conflict of Interest

“Potential conflict of interest” means any action or any decision or recommendation by a Board member that could result in a financial benefit or detriment for self or relatives or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare a potential conflict of interest. A Board member may, after declaring his/her potential conflict of interest, either vote or abstain on the issue. Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

Actual Conflict of Interest

“Actual conflict of interest” means any action or any decision or recommendation taken by a Board member that would result in a financial benefit or detriment to self or relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare an actual conflict of interest. The Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

Class Exception

It will not be a conflict of interest if the Board member’s action would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person’s relative or business with which the person or the person’s relative is associated, is a member or is engaged. For example, if a Board member’s spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member’s spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. All gift related provisions apply to the Board member, their relatives, and members of their household. The \$50 gift limit applies separately to the Board member, and to the Board member’s relatives or members of household, meaning that the Board member and each member of their household and relative can accept up to \$50 each from the same source/gift giver. “Gift” means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

1. “Relative” in the gift context means the spouse of the Board member; any children of the Board member or of the Board member’s spouse; siblings, spouses of siblings or parents of the Board member or of the Board member’s spouse; any individual for whom the Board member has a legal support obligation; or any individual for whom the Board member provides benefits arising from the Board member’s public employment or from whom the Board member receives benefits arising from that individual’s employment.

2. “Member of the household” means any person who resides with the Board member.

Determining the Source of Gifts

Board members should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the Board member’s personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the Board member need not keep track of it, although they are advised to do so anyway in

case of a later dispute.

Determining Legislative and Administrative Interest

A legislative or administrative interest means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a Board member. For example, everyone within a county has a general interest in the fire department, but the person who sells the uniforms to the fire department has a legislative/administrative interest in the fire department that is distinct from the general public.

Determining the Value of Gifts

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

“Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the Board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payer of the Board member’s admission or meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the Board member is \$25. This example requires that the Board member does not claim the charitable contribution on personal tax returns.

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the Board member’s meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:

- a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
- b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
- c. The source calculates the actual amount spent on the Board member.

3. Upon request by the Board member, the source will give notice of the value of the merchandise, goods, or services received.

4. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale value

Board members may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

Entertainment

Board members may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the

decision or vote of the Board member unless:

1. The entertainment is incidental to the main purpose of another event (i.e. a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
2. The Board member is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when a Board member appears at an entertainment event for a “ceremonial purpose” at the invitation of the source of the entertainment who requests the presence of the Board member at a special occasion associated with the entertainment. Examples of an appearance by a Board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

Exceptions

The following are exceptions to the ethics rules on gifts.

1. Campaign contributions are not considered gifts under the ethics rules.
2. Gifts from “relatives” and “members of the household” are permitted in an unlimited amount; they are not considered gifts under the ethics rules.
3. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties.
4. Contributions made to a legal expense trust fund if certain requirements are met.
5. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
 - a. Organized Planned Events. Board members are permitted to accept payment for travel conducted in the Board member’s official capacity, for certain limited purposes:
 - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (a) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the public charter school; AND
 - i) The giver is a unit of a:
 - a) Federal, state, or local government;
 - b) An Oregon or federally recognized Native American Tribe; OR
 - c) Non-profit corporation.
 - (b) The Board member is representing the public charter school:
 - i) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - ii) Officially designated negotiations or economic development activities where receipt of the expenses is approved in advance by the Board.
 - (2) The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift

definition does not authorize private meals where the participants engage in discussion.

6. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the public charter school. Again, this exception does not authorize private meals where the participants engage in discussion.

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal.

7. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(6)(b)(l)(i).

8. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement.

9. A gift received by the Board member as part of the usual or customary practice of the Board member’s private business, employment or position as a volunteer that bears no relationship to the Board member’s holding of public office.

Honoraria

A Board member may not solicit or receive, whether directly or indirectly, honoraria for the Board member or any member of the household of the Board member if the honoraria are solicited or received in connection with the official duties of the Board member.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the Board member or candidate.

END OF POLICY

Legal Reference(s):

ORS 244.010 to-244.400

ORS 659A.006

OAR 199-005-0003 to-199-020-0020

38 OR. ATTY. GEN. OP. 1995 (1978)

OR. ETHICS COMM’N, OR. GOV’T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS

Crater Lake Charter Academy

Charter Board Policy: BBFB

Adoption: June 17, 2014

BOARD MEMBER ETHICS AND NEPOTISM

In order to avoid both potential and actual conflicts of interests, Board members will abide by the following rules when a Board member's relative or member of the household is seeking and/or holds a position with the public charter school:

1. A Board member may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless the Board member complies with the conflict of interest requirements of ORS Chapter 244;
2. This policy does not apply to decisions regarding unpaid volunteer positions unless it is a Board member position or another Board-related unpaid volunteer position (i.e. a Board committee position);
3. A Board member may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. A Board member may still serve as a reference or provide a recommendation.

For the purposes of this policy, a "member of the household" means any person who resides with the Board member and "relative" means:

1. The Board member's spouse (The term spouse includes domestic partners);
2. Any children of the Board member or his/her spouse; and
3. Brothers, sisters, half-brothers, half-sisters, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, mothers-in-law, fathers-in-law, aunts, uncles, nieces, nephews, stepparents, stepchildren, or parents of the Board member, or the parents of his/her spouse.

Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class including the Board member's relative or household member. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

END OF POLICY

Legal Reference(s):

ORS 244.010 to-244.400
ORS 659A.309
OAR 199-005-0003 to-199-020-0020
OAR 584-020-0040
OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

Crater Lake Charter Academy

Charter Board Policy: BD-BDA

Adoption: August 18, 2014

PUBLIC CHARTER SCHOOL BOARD MEETINGS/REGULAR BOARD MEETINGS

“Meeting” means the convening of the Board as the public charter school’s governing body to make a decision or to deliberate toward a decision on any matter. The Board has the authority to act only when a quorum is present at a duly called regular or special meeting. Communications between and among a quorum of members convening on electronically linked personal computers or by telephone conference call are subject to the Public Meetings Law.

1. Regular Meetings

All regular and special meetings of the Board will be open to the public except as provided by law. All meetings will be conducted in compliance with state and federal statutes. All Board meetings will be held within public charter school boundaries. No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, age or national origin is practiced.

If requested to do so at least 48 hours before a meeting held in public, the Board shall provide an interpreter for hearing-impaired persons. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice. Communications with all qualified individuals with disabilities shall be as effective as communications with others.

The meeting schedule will be established at the organizational meeting in July but may be changed by the Board with proper notice. The purpose of each monthly meeting will be to conduct the regular Board business. The Board chair will conduct the meeting, or in his/her absence, the vice chair will conduct the meeting. If both are absent, the person with the longest period of service on the Board will conduct the meeting.

2. Electronic Communication

E-mail to, by, and among Board members, in their capacity as Board members, shall not be used

for the purpose of discussing public charter school business. E-mail among Board members shall be limited to: (1) disseminating information, and (2) messages not involving deliberation, debate or decision-making. E-mail may contain:

1. Agenda item suggestions;
2. Reminders regarding meeting times, dates and places;
3. Board meeting agendas or information concerning agenda items;
4. One-way information from Board members or director to each Board member (e.g., an article on student achievement or to share a report on public charter school progress on goals);
5. Individual responses to questions posed by community members, subject to other limitations in

3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by the Public Meetings Law.

4. Adjourned Meetings

A Board meeting may be adjourned to another time if a quorum is not present or if additional business needs to be conducted at the regular time of adjournment. The time, date and place of the adjourned meeting will be specified and appropriate notice given.

All meetings held in public shall comply with the Oregon Indoor Clean Air Act and the smoking provisions contained in the Public Meetings Law.

END OF POLICY

Legal Reference(s):

ORS Chapter 192

ORS 338.115(2)

ORS 433.835 - 433.875 38 OR. ATTY. GEN. OP. 1995 (1978)

41 OR. ATTY. GEN. OP. 28 (1980)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35).

Cross Reference(s):

ACA - Americans with Disabilities Act BDC - Executive Sessions

Crater Lake Charter Academy

Charter Board Policy: BDC

Adoption: August 18, 2014

EXECUTIVE SESSIONS

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of students and matters pertaining to or examination of the confidential medical records of a student, including that student's educational program.

Executive sessions may be held during regular, special or emergency meetings for any reason permitted by law.

The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session. Members of the press may attend executive sessions except those matters pertaining to: deliberations with persons designated by the Board to carry on labor negotiations; hearings on the expulsion of minor students; or examination of the confidential medical records of a student including that student's educational program; and current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

An executive session may be convened by the chair or upon request of a majority of Board members or by common consent of the Board for a purpose authorized under ORS 192.660.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's confidential medical records and educational program; the discussion; and each Board member's vote on the issue.

All executive session minutes shall be kept in written form.

Content discussed in executive sessions is confidential.

END OF POLICY

Legal Reference(s):
ORS 192.610 - 192.710

Crater Lake Charter Academy

Charter Board Policy: BDD

Adoption: August 18, 2014

BOARD MEETING PROCEDURES

1. Quorum

A quorum will consist of the majority of the Board members.

2. Vote Needed for Exercise of Powers

The affirmative vote of a majority of Board members present will be necessary for exercising any of the Board's powers.

3. Board Member Voting

Each member's vote on all motions will be recorded in the minutes.

4. Abstaining from Vote

If a Board member chooses to abstain from voting, and the abstention is due to a conflict of interest, the Board members will state the reason for the abstention and such abstention will be recorded.

5. Parliamentary Procedure

Official Board business will be transacted by motion or resolution at duly called regular or special meetings.

Except as otherwise provided by state law and/or Board policy, the rules of parliamentary procedure comprised in Robert's Rules of Order Newly Revised, "Procedure in Small Boards" as modified by the Board will govern the Board in its deliberation. Modifications will include the following: Motions will all be seconded prior to consideration for discussion by the Board and motions to close or limit debate will be acceptable.

The chair will decide all questions relative to points of order, subject to an appeal to the Board.

END OF POLICY

Legal Reference(s):

ORS 192.650

ORS 244.120(2)

ORS 338.115(2)

38 OR. ATTY. GEN. OP. 1995 (1978)

Crater Lake Charter Academy

Charter Board Policy: BDDC

Adoption: August 18, 2014

BOARD MEETING AGENDA

The Board chair and the director will prepare an agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, student or citizen of the public charter school by notifying the director at least five working days prior to the meeting.

A consent agenda may be used by the Board for noncontroversial business. The consent agenda will consist of routine business that requires action but not necessarily discussion. These items may all be approved at the same time. A Board member may ask that any item be removed from the consent agenda. The removed item will then be placed on the regular agenda.

The agenda will follow a general order established by the Board. Opportunities for the audience to be heard will be included. The Board will follow the order of business set up by the agenda unless the order is altered by a consensus of the Board.

Items of business not on the agenda may be discussed and acted upon if the majority of the Board agrees to consider them.

The agenda, together with supporting materials, will be distributed to Board members at least three full working days prior to the meeting. The agenda will be available to the press and to interested patrons through the director's office at the same time it is available to the Board members. Copies of the agenda for the press and public will not contain any confidential information included in the Board members' packets.

A copy of the agenda will be posted in the public charter school facility on the day of the meeting. Members of the public may request a copy of the agenda at the director's office.

The public charter school will ensure equally effective communications are provided to qualified persons with disabilities upon request as required by the Americans with Disabilities Act.

Appropriate auxiliary aids and services may include large print, Braille, audio recordings and readers. Primary consideration will be given to the requests of the person with a disability in the selection of appropriate auxiliary aids and services.

Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, alternate, equally effective communications will be used.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual.

END OF POLICY

Legal Reference(s):

ORS 192.640

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Cross Reference(s):

BDDG - Minutes of Board Meetings

BDDH - Public Participation in Charter School Board Meetings

Crater Lake Charter Academy

Charter Board Policy: BDDG

Adoption: August 18, 2014

MINUTES OF BOARD MEETINGS

The Board secretary will take written minutes of all Board meetings. The written minutes will be a true reflection of the matters discussed at the meeting and the views of the participants. The minutes will include, but not be limited to, the following information:

1. All members of the Board who were present;
2. All motions, proposals, resolutions, orders and measures proposed and their disposition;
3. The results of all votes and the vote of each member by name;
4. The substance of any discussion on any matter;
5. Any other information required by law.

All minutes shall be available to the public within a reasonable time. The public and patrons of the public charter school may receive, upon request, copies of approved current minutes at the director's office. Minutes need not be approved by the Board prior to being available to the public. A copy of the minutes of each regular and special Board meeting as they are drafted for approval will be distributed after such meeting to each Board member and administrator.

The district will maintain and make available to staff and other interested patrons an updated copy of the meeting minutes.

Minutes of executive sessions will be kept in accordance with the requirements of Oregon's Public Meetings Law. If disclosure of material in the executive session minutes would be inconsistent with the purpose for which executive session was held under ORS 192.660, the material may be withheld from disclosure.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including a student's confidential medical records and that student's educational program; the discussion; and each Board member's vote on the issue.

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.710

Letter Opinion, Office of the OR Attorney General (Nov. 20, 1970).

Crater Lake Charter Academy

Charter Board Policy: BFC

Adoption: August 18, 2014

ADOPTION AND REVISION OF POLICIES

Board policies will be subject to alteration, addition or deletion only upon majority vote of the Board at any regular or special meeting in which all members have been notified in writing of the proposed alteration, addition or deletion at least 24 hours in advance. In most cases, a first reading of the policy will be scheduled on a regular meeting agenda prior to its adoption at a subsequent regular meeting.

A proposed change in policy will not be made at the meeting in which the change is proposed unless an emergency arises. A unanimous vote of the Board is required to declare an emergency situation.

The formal adoption of policies will be recorded in the Board minutes. Only those written statements so adopted and so recorded will be regarded as official Board policy.

Any formal motion or action of the Board which, as a revision of existing policy, creates, amends or supplements policy will be called to the attention of the Board when reviewing the minutes for formal adoption.

Board policy documents will be printed and assembled in loose-leaf booklets and available on the public charter school's website. When additions, deletions or amendments are made to Board policy, the addition, deletion or amendment will carry the adoption date and the corrected copy will be published and inserted in each Board policy manual at the earliest opportunity.

The operation of any section or sections of policies not established by law or specifically listed in the current collective bargaining agreement may be temporarily suspended by a majority vote of the Board at a regular or special meeting.

The policy manual will be reviewed at the beginning of each year to keep it current

END OF POLICY

Legal Reference(s):
ORS 338.115(2)

Crater Lake Charter Academy

Charter Board Policy: BFCA

Adoption: August 18, 2014

ADMINISTRATIVE REGULATIONS

Administrative regulations are detailed directions governing the operation of the public charter school.

The Charter Board will authorize an administrator to formulate such administrative regulations appropriate for the implementation of policies adopted by the Charter Board and necessary for the consistent operation of the district.

When approved by the appropriate administrator, administrative regulations shall be distributed to appropriate staff and board members.

The Charter Board may review any administrative regulation and may direct its revision if, in the Charter Board's judgment, such regulation is not consistent with adopted policies.

END OF POLICY

Legal Reference(s):
ORS 338.115(2)

Crater Lake Charter Academy

Charter Board Policy: BHD

Adoption: August 18, 2014

BOARD MEMBER COMPENSATION AND EXPENSE REIMBURSEMENT

No Board member will receive any compensation for services other than reimbursement for approved expenses actually incurred on public charter school business. Such expenses may include the cost of attendance at meetings, conferences or visitations when such attendance has been approved by the Board.

Board members may be reimbursed, when paid admission is required of the general public, for attending public charter school events and other activities as part of their responsibilities of being informed about public charter school operations. The public charter school will establish accounting procedures consistent with this policy.

END OF POLICY

Legal Reference(s):

ORS 244.020(15)

ORS 244.040(1)(a)

ORS 244.040(2)(c)

ORS 332.018(3)

ORS 338.125(2)

OR. GOVT STANDARDS AND PRACTICES COMM'N, ADVISORY OPINION 93A-1007 (Nov. 18, 1993).

OR. GOVT STANDARDS AND PRACTICES COMM'N, ADVISORY OPINION 97A-1004 (Apr. 21, 1997).

OR. GOVT STANDARDS AND PRACTICES COMM'N, STAFF OPINION 02S-015 (May 20, 2002).

OR. GOVT STANDARDS AND PRACTICES COMM'N, STAFF OPINION 03S-015 (Sept. 11, 2003).

Crater Lake Charter Academy

Charter Board Policy: BHE

Adoption: August 18, 2014

BOARD MEMBER LIABILITY INSURANCE

The Board will purchase liability insurance and errors-and-omissions insurance to protect its members individually and collectively from claims made against them as a result of official Charter Board actions taken in the course of official duties.

END OF POLICY

Legal Reference(s):
ORS 30.260 - 30.300