

Crater Lake



Charter Academy

SCHOOL POLICIES

SECTION K: PUBLIC RELATIONS

Community**ED**

Crater Lake Charter Academy

Charter Board Policy: KAB

Adoption: September 15, 2014

PARENTAL RIGHTS

The public charter school board recognizes the importance of promoting parental input in decision making related to their student's health and general well-being, in determining public charter school and student needs for educational services, in program development and public charter school operations. To assist the public charter school in this effort, and in accordance with the No Child Left Behind Act of 2001 (NCLBA), the public charter school affirms the right of parents, upon request, to inspect:

1. A survey created by a third party before the survey is administered or distributed by the public charter school to a student, including any district survey containing "covered survey items"¹ as defined by NCLBA;
2. Any instructional material used by the public charter school as part of the educational curriculum for the student;
3. Any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose.

As provided by law, parents of public charter school students will also, upon request, be permitted to excuse their student from "covered activities"² as defined by NCLBA. The rights provided to parents under this policy, transfer to the student when the student turns 18 years old, or is an emancipated minor under applicable state law.

The public charter school administrator will ensure that activities requiring parental notification are provided as required by law and that reasonable notice of the adoption or continued use of this policy is provided to parents of students enrolled in the public charter school. The input of parents will be encouraged in the development, adoption and any subsequent revision of this policy.

The public charter school administrator shall develop administrative regulations to implement this policy, including provisions as may be necessary to ensure appropriate notification to parents of their rights under federal law and public charter school procedures to request review of covered materials, excuse a student from participating in covered activities and protect student privacy in the event of administration or distribution of a survey to a student.

END OF POLICY

Legal Reference(s):
ORS 338.115(j)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).

¹ Covered survey items under NCLBA include one or more of the following items: political affiliations or beliefs of the student or the student's family; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

² Covered activities requiring notification under NCLBA include activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose; the administration of any survey containing one or more of covered survey items; and any nonemergency, invasive physical examination or screening that is required as a condition of attendance and administered and scheduled by the school in advance. See the administrative regulation for additional definitions.

Crater Lake Charter Academy

Charter Board Policy: KBA

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PUBLIC RECORDS

“Public record” means any information that:

1. Is prepared, owned, used or retained by the public charter school;
2. Is related to an activity, transaction or function of the public charter school; and
3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the public charter school.

Public record does not include messages on voice mail or on other telephone message storage and retrieval systems.

Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by pertinent court rulings.

The Board’s official minutes, its written policies and its financial records will be available at the director’s office for inspection by any citizen desiring to examine them during hours when the director’s office is open. All such information will be made available to individuals with disabilities in any appropriate format upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The Board supports the right of the people to know about programs and services of their schools and will make every effort to disseminate information. The administrator is authorized to use all means available to keep parents and others of his/her particular charter school’s community informed about the charter school’s program and activities.

No records will be released for inspection by the public or any unauthorized persons - either by the director any other person designated as custodian for district records - if such disclosure would be contrary to the public interest, as described in state law.

If a copy of a record is requested, the charter school will provide a single certified copy. If a request to inspect a record is made and the public record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If not available in the form requested, it will be provided in the form the public record is maintained. If a person who is a party to a civil judicial proceeding to which the public charter school is a party or who has filed notice under ORS 30.275 (5)(a), asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of charter school records and at the same time to the public charter school’s attorney.

Public charter school employee addresses, electronic addresses, social security numbers, dates of birth and telephone numbers contained in personnel records maintained by the public charter school are exempt from public disclosure pursuant to ORS 192.445 and ORS 192.502 (3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. Additionally, the public charter school will not disclose the identification badge or card of an employee without the employee’s written consent if the badge or card contains the employee’s photograph and the badge or card was prepared solely for internal use by the charter school to identify charter school employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

Upon receipt of a request, the public charter school will respond as soon as practicable and without unreasonable delay.

The response must acknowledge the receipt of the request and one of the following:

1. A statement that the public charter school does not possess, or is not the custodian of, the public record;

2. Copies of all requested public records for which the public charter school does not claim an exemption from disclosure under ORS 192.410 to 192.505;
3. A statement that the public charter school is the custodian of at least some of the requested public records, an estimate of the time the public charter school requires before the public records may be inspected or copies of the records will be provided and an estimate of the fees that the requester must pay as a condition of receiving the public records;
4. A statement that the public charter school is the custodian of at least some of the requested public records and that an estimate of the time and fees for disclosure of the public records will be provided by the public charter school within a reasonable time;
5. A statement that the public charter school is uncertain whether the public charter school possesses the public record and that the public charter school will search for the record and make an appropriate response as soon as practicable;
6. A statement that state or federal law prohibits the public charter school from acknowledging whether the record exists or that acknowledging whether the record exists would result in the loss of federal benefits or other sanction. A statement under this paragraph must include a citation to the state or federal law relied upon by the public charter school.

The public charter school may request additional information or clarification from the requester for the purpose of expediting the public charter school's response to the request.

The Board reserves the right to establish a fee schedule which will reasonably reimburse the public charter school for the actual cost of making copies of public records for the public. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

Requests for copies of documents shall be in writing and will be presented to the director's office.

END OF POLICY

Legal Reference(s):

ORS Chapter 192 ORS 338.115(2) OAR 137-004-0800(1)

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). OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S PUBLIC RECORD AND MEETINGS MANUAL.

Crater Lake Charter Academy

Charter Board Policy: KGB

Adoption: September 15, 2014

PUBLIC CONDUCT ON PUBLIC CHARTER SCHOOL PROPERTY

No person on public charter school property shall:

1. Haze, harass, intimidate, bully or menace another, or engage in behavior deemed by the public charter school to endanger the safety of students, employees, self or others;
2. Use or engage in abusive verbal or physical conduct that interferes with the performance of students, event officials or sponsors of approved activities;
3. Damage the property of another or of the public charter school;
4. Initiate or circulate a report, one knows to be false, concerning an alleged hazardous substance, impending fire, explosion, catastrophe or other emergency that will take place in or upon a school;
5. Construct or transport to public charter school property for temporary or permanent purposes any structure not approved for construction on, or transportation to public charter school property;
6. Uproot, pick, cut, mutilate or remove plant life or other natural resources of any kind. Roots, tubers, flowers and stems may not be collected. Soil or rock may not be dug up or removed;
7. Dump or spill any sewage, waste water or other fluids from any vehicle;
8. Use public charter school waste containers or other district property for the deposit of waste or refuse generated from household, commercial, industrial, construction or other uses not related to approved use on public charter school property;
9. Block, obstruct or interfere with vehicular or pedestrian traffic on any public charter school road, parking area, walkway, pathway or common area. Occupying or impeding access to any public charter school facility in a manner that interferes with the approved use of such facility by public charter school employees, students or other authorized users is prohibited;
10. Fly, launch or otherwise operate motorized model airplanes/helicopters/rockets or other similar propulsion devices unless approved in advance by the public charter school;
11. Distribute or post circulars, notices, leaflets, pamphlets or other written or printed material in violation of Board policy KJA - Materials Distribution;
12. Operate a concession, solicit, sell or offer for sale any goods, wares, merchandise, food, beverages or services without prior public charter school approval;
13. Operate a motor vehicle in an area other than on roads and in parking areas constructed or designated for motor vehicle use. Vehicles shall be driven in a safe manner, at posted speeds only and appropriately parked in areas designated by the public charter school. Motorized vehicles such as minibikes, scooters, go-carts, all-terrain-vehicles, snowmobiles and other similar devices are prohibited on public charter school grounds. Bicyclists must comply with motor vehicle and bike regulatory signs;
14. Use a skateboard, rollerblades, scooter or similar device other than in designated areas during nonschool hours at the user's risk;
15. Bring an animal into a public charter school building without prior administrator approval and, where appropriate, only when proof of current rabies vaccination has been provided. Dogs are permitted on public charter school grounds only when confined to a vehicle or on a leash and when kept under the physical control of the individual at all times. The owner is responsible for the animal's behavior and containment and for the removal of the animal's wastes while on public charter school property. All other animals on public charter school property are permitted with prior public charter school approval only. Animals serving the disabled are permitted as provided by law;

16. Camp overnight, loiter or otherwise be present on public charter school property after the conclusion of approved activities or as otherwise posted or authorized by the public charter school. Individuals are prohibited from entering any portion of public charter school's premises at any other time for purposes other than those which are lawful and authorized by public charter school officials;
17. Use or operate any noise-producing machine, vehicle, device or instrument in a manner that, in the judgment of public charter school officials, is disturbing to, or interferes with, the orderly conduct of public charter school programs or approved activities;
18. Impede, delay or otherwise interfere with the orderly conduct of the public charter school's educational program or any other activity taking place on public charter school property which has been authorized by the public charter school;
19. Bring, possess, conceal or use a weapon as prohibited by Board policy JFCJ - Weapons in the Schools and state and federal law;
20. Possess, consume, sell, give or deliver unlawful drugs and/or alcoholic beverages. Possess, sell, give or deliver drug paraphernalia;
21. Smoke or use tobacco products (Pro-Children Act of 1994 and ORS 433.835 to-433.990 and OAR 581-021-0110 - Tobacco-Free Schools);
22. Violate posted regulatory signs;
23. Willfully violate other public charter school policies, administrative regulations or school rules designed to maintain public order on school property.

Persons having no legitimate purpose or business on public charter school property or violating or threatening to violate the above rules may be issued a trespass citation, ejected from the premises, excluded from public charter school-approved activities temporarily or permanently and/or referred to law enforcement officials.

The administrator will ensure that appropriate notice of these rules is provided.

END OF POLICY

Legal Reference(s):

ORS 161.015 ORS 166.210 to -166.370 ORS 164.245 ORS 336.109
ORS 164.255 ORS 433.835 to -433.990 ORS 166.025 ORS 806.060 to -806.080 ORS 166.155 to -166.165
OAR 333-015-0025 to-0090 OAR 581-021-0110
OAR 584-020-0040(4)(e),(g)

Gun-Free Schools Act, 20 U.S.C. 7151 (2006).

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).

Cross Reference(s):

KGC/GBK/JFCG - Tobacco-Free Environment

Crater Lake Charter Academy

Charter Board Policy: KGC/GBK/JFCG

Adoption: September 15, 2014

TOBACCO-FREE ENVIRONMENT

It is the public charter school's obligation to protect the health, welfare and safety of students. In light of scientific evidence that the use of tobacco is hazardous to health, and to be consistent with public charter school's curriculum and Oregon law, student possession, use, distribution or sale of tobacco in any form on public charter school's premises, at public charter school-sponsored activities on or off public charter school's premises, in public charter school-owned, rented or leased vehicles, or otherwise while the student is under the jurisdiction of the public charter school is prohibited at all times.

For the purpose of this policy "tobacco" is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew, snuff, in any form, nicotine or nicotine delivering devices, chemicals or devices that produce the physical effect of nicotine substances or any other tobacco substitute (e.g., e-cigarettes). This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

Tobacco use, distribution or sale by staff and all others is also prohibited on public charter school premises in any building, facility, or vehicle owned, leased, rented or chartered by the public charter school and at all public charter school-sponsored activities at all times.

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

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

The public charter school director will develop administrative regulations as needed to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 336.222
ORS 336.227
ORS 338.115(j)
ORS 339.240
ORS 339.250
ORS 433.835 - 433.990
OAR 581-021-0050 to -0075 OAR 581-022-0413
OAR 581-021-0110
OAR 581-053-0015
OAR 581-053-0545(4)(c)(R)-(T) OAR 581-053-0550(5)(q)-(s)
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).

Crater Lake Charter Academy

Charter Board Policy: KGF/EDC

Adoption: September 15, 2014

AUTHORIZED USE OF CHARTER SCHOOL EQUIPMENT AND MATERIALS

Charter school materials and equipment will be used only for school purposes by charter school personnel on charter school properties.

Exceptions to this policy must be approved by the director and authorized use shall be consistent with ORS Chapter 244.

END OF POLICY

Legal Reference(s):

ORS Chapter 244 ORS 338.115(2)

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: KH

Adoption: September 15, 2014

BEQUESTS AND CONTRIBUTIONS

Nonrestricted bequests and contributions, inclusive of parent donations, shall be used for operations or special projects as designated and approved by the administrator, consistent with any restrictions set forth by the Board of Directors of the charter school. Bequests and contributions that are donor restricted shall be used for the purpose articulated by the donor.

The administrator shall designate the use of unrestricted bequests and contributions.

END OF POLICY

Legal Reference(s):

ORS 294.326 ORS 332.075

ORS 332.385 ORS 338.115(2)

Crater Lake Charter Academy

Charter Board Policy: KJA

Adoption: September 15, 2014

MATERIALS DISTRIBUTION

Requests by individuals or groups to distribute pamphlets, booklets, flyers, brochures and other similar materials to students for classroom use or to take home shall be submitted to the charter school administration. Materials and the proposed method of distribution shall be subject to review.

Materials shall be reviewed based on legitimate educational concerns. Such concerns include: the material is or may be defamatory; the material is inappropriate based on the age, grade level and/or maturity of the reading audience; the material is poorly written, inadequately researched, biased or prejudiced; the material contains information that is not factual; the material is not free of racial, ethnic, religious or sexual bias; or the material contains advertising that violates public school laws, rules and/or policy, is deemed inappropriate for students or that the public might reasonably perceive to bear the sanction or approval of the public charter school administrator.

The administrator shall determine distribution procedures. Such procedures may include:

1. Distribution to each student before or after class if materials are not directly related to the instructional goals;
2. Notification to students or parents of the availability of the materials in a specified location if this procedure is deemed less disruptive to the educational process; or
3. Solicitation of school-related groups such as parent organizations to distribute materials.

The practice of distributing pamphlets, booklets, flyers, brochures and other similar materials shall be periodically reviewed to ensure that the mere volume of requests has not become an interruption to the educational process.

END OF POLICY

Legal Reference(s):

ORS 338.115(2)

46 OR. ATTY. GEN. OP. 239 (1989)

Crater Lake Charter Academy

Charter Board Policy: KK

Adoption: September 15, 2014

VISITORS TO PUBLIC CHARTER SCHOOL FACILITIES

The Board believes that a better understanding of its educational program and improved relationship between the schools and community can be developed through school and classroom visitations of parents and patrons. Such visitations should be encouraged, arranged and permitted within considerations of the requirements of the educational program, the orderly administration of the school, school grounds and classrooms and the safety and welfare of students.

The public charter school is responsible for the schools' supervision and administration. To ensure that school work is not disrupted and that visitors are properly directed to the areas in which they are interested, all visitors to public charter school facilities must report to the school office upon entering school property.

1. Teachers' work must not be impeded by interruption of visitors or by unreasonable demands on their time.
2. Visitors must not contact individual students except as authorized by the principal and/or teachers.
3. When in the interest of orderly educational programs and the safety of students it is determined by the principal that some specific visitor or visitors shall not be permitted to enter the school facilities, the principal shall do the following:
 1. Advise the person that he/she is refused admission and give that person an explanation for the refusal;
 2. If possible and appropriate, attempt to arrange alternative visitation of school facilities.
4. A visitor with permission to visit may be directed to leave when any teacher or administrator reasonably believes the visitor has engaged in physical violence, loud or disruptive speech or behavior, violation of a posted school rule or illegal conduct.

A visitor may also be directed to leave by the staff member administratively in charge of the building if the visit would be disruptive to the educational program or school order; would impede the work of teachers through visitor's interruptions or unreasonable demands on teacher time; or if the visitors' course of conduct would conflict with Board policies, school regulations or would violate the law.
5. A direction to leave revokes any permission to visit or license to enter. Whenever possible, the direction should be given in writing or followed by written notice which identifies the issuer and gives a brief statement of the reason for the direction to leave. The administrator's office should be notified of any direction to leave and given a copy of any written notice.
6. Those who insist on remaining despite a principal's request to leave and who thereby create a disruption of the carrying on of school business are subject to citizen's arrest and a report made to the Sherwood Police Department. Failure to leave will render a visitor liable for criminal trespass pursuant to Oregon Revised Statutes.
7. Any visitor who believes that he/she has had a visit unfairly limited, may request a meeting with the administrator. The administrator shall meet with the visitor, investigate the dispute and render a written decision. The administrator's decision may be appealed to the Board.
8. Any visitor who commits a violent act or threatens to commit a violent act toward a student or staff member while on school grounds, at a school-sponsored event or on the way to and from school, shall be reported immediately to the principal and administrator. The administrator shall immediately contact any student involved.

END OF POLICY

Legal Reference(s):

ORS 164.245

ORS 164.255

ORS 166.025

ORS 166.155 to -166.165 ORS 338.115(2)

Crater Lake Charter Academy

Charter Board Policy: KL

Adoption: September 15, 2014

PUBLIC COMPLAINTS

Complaints are handled and resolved as close to their origin as possible.

Although no community member will be denied the right to petition the Board for redress of a grievance, complaints will be referred through the proper administrative channels for solution before investigation or action by the Board. Exceptions are complaints that concern administrator or Board actions or Board operations.

The Board advises the public that the proper channeling of complaints involving instruction, discipline or learning materials is as follows:

1. Teacher;
2. Administrator(s)
3. Board.

Any complaint about public charter school personnel other than the administrator/director will be investigated by the administration before consideration and action by the Board. The Board will not hear charges against employees in open session unless an employee requests an open session.

END OF POLICY

Legal Reference(s):

ORS 192.610 - 192.690 OAR 581-022-1940 ORS 338.115(2) OAR 581-022-1941

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984). Connick v. Myers, 461 U.S. 138 (1983).

Crater Lake Charter Academy

Charter Board Policy: KN

Adoption: September 15, 2014

RELATIONS WITH LAW ENFORCEMENT AGENCIES

The public charter school board recognizes that cooperation with law enforcement agencies is essential for the protection of staff and students, for maintaining a safe environment in the public charter school and for safeguarding public charter school property.

Programs and activities designed to enrich curriculum and to develop and promote good citizenship and a healthy attitude toward law enforcement agencies and officials will be encouraged by the public charter school. Law enforcement participation in such programs and activities is encouraged.

Law enforcement officials may enter school facilities if a crime has been committed on public charter school property or to investigate matters concerning staff and students upon request initiated by either agency officials or by public charter school administrators.

The administrator/director will develop administrative regulations to implement this policy, including procedures for handling investigations, administrator requests for assistance and required referrals to law enforcement agencies.

END OF POLICY

Legal Reference(s):

ORS 329.150 ORS 338.115(2) ORS 419B.015 ORS 419B.045

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009).

Letter Opinion, Office of the Attorney General (August 18, 1986).