

**THE IVY
SCHOOL – A
MONTESSORI
CHARTER
SCHOOL**

**OREGON
PUBLIC CHARTER SCHOOL
POLICY MANUAL**

The Ivy School Policy Manual

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SECTION ONE: BASIC CHARTER SCHOOL REQUIREMENTS

Overview: Section 1 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 Non-discrimination
- 1.2 No religious affiliation
- 1.3 Approved charter
- 1.4 Unwaivables
- 1.5 Compliance with the law
- 1.6 Compliance with the charter
- 1.7 Annual report/annual site visit
- 1.8 Annual audit
- 1.9 Admission/lottery process
- 1.10 Waiver process
- 1.11 Renewal process
- 1.12 Dissolution process

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

Audit Reports: 166-400-0025 Financial Records

School Formation Documents: 166-400-0040 School Administration Records

OREGON NON-PROFIT ORS 65

THE IVY SCHOOL is established as a non-profit corporation pursuant to ORS Ch. 65 and as described in its Articles of Incorporation and Bylaws. See Section 2 for other non-profit requirements.

IRS 501(c)(3) STATUS

THE IVY SCHOOL is qualified as an exempt organization under section 501(c)(3) of the Internal Revenue Code. See Section 2 for other non-profit requirements.

NON-DISCRIMINATION

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, without or without reasonable accommodation.

NO RELIGIOUS AFFILIATION

THE IVY SCHOOL is not affiliated with any religious organization.

APPROVED CHARTER

THE IVY SCHOOL is sponsored by the Oregon State Board of Education. Terms of sponsorship are defined in a charter contract between the Oregon State Board of Education and THE IVY SCHOOL Board.

UNWAIVABLES

THE IVY SCHOOL 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.

ANNUAL REPORT

Pursuant to ORS 338.095 (1), THE IVY SCHOOL 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.

AUDIT

Pursuant to ORS 338.095(2), THE IVY SCHOOL 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. The charter school 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.

ADMISSION

A student seeking enrollment in THE IVY SCHOOL for the first time must meet all academic, age, immunization, and other eligibility prerequisites for admission as set out in state law and the following policies.

Admission to THE IVY SCHOOL may only be limited by a student's age and grade level, and will not be limited on the basis of ethnicity, national origin, race, religion, disability, gender, sexual orientation, income level, proficiency in English language or athletic ability.

THE IVY SCHOOL assumes that students are enrolling in the full-time instructional program; *THE IVY SCHOOL does not permit part-time enrollment.*

THE IVY SCHOOL will deny regular charter school admission to a student who is expelled from another school District and who enrolls in THE IVY SCHOOL for the period of the expulsion.

Enrollment in THE IVY SCHOOL is open to students who reside in the Portland Public School District, and if space is available, to students who do not reside in the District.

Nonresident students who enroll in THE IVY SCHOOL are not required to obtain an interdistrict transfer or other release from their resident district. Nonresident students must notify their resident district of their enrollment in the charter school to ensure accurate and nonduplicative student counts.

If the number of applicants exceeds the spaces available for enrollment or the capacity of the charter school, the charter school will select students for enrollment by equitable lottery. See following section on Admission – Lottery.

Enrollment priority will be given to students who were enrolled in the charter school in the prior year. Enrollment priority will also be given—contingent upon available space in applicable grade levels—to siblings of students currently enrolled in the charter school who were also enrolled the prior year.

THE IVY SCHOOL will give priority enrollment to children of THE IVY SCHOOL staff and original design team members contingent on approval by the State Board of Education, and subject to any limitations imposed by the State Board.

Lottery

THE IVY SCHOOL will first offer enrollment to students who are residents of the Portland Public Schools School District for each grade the charter school provides. If spaces are available following enrollment of Portland Public Schools School District residents, enrollment will be

offered to non-resident students. Total enrollment will not exceed levels stipulated in current charter contract.

In the case of Portland Public Schools School District resident students or non-resident students, if more there are more applicants than space available at a particular grade level, the charter school will hold an equitable lottery for applicants for than grade level. Names will be drawn at random to fill the available spaces; two alternates will also be drawn. All other applicants not selected by lottery will remain in the pool of applicants. If at some time after the initial lottery space becomes available, names will again be drawn at random to fill the spaces. A prioritized enrollment list based on an earlier lottery will not be maintained for purposes of subsequent enrollment or admission.

Applications for enrollment will be maintained in the pool for the period of the school year. Applications for enrollment in subsequent school years must be resubmitted according to the regular charter school admission/enrollment process.

Special Education Identified Students

THE IVY SCHOOL 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. Once enrolled, the student's IEP team 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 an appropriate placement for the student.

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 THE IVY SCHOOL chooses to pursue a waiver under this section, the charter school Board will comply with the requirements established in ORS 338.025 and OAR 581-020-0341.

THE IVY SCHOOL Board will take action to submit a petition for waiver at an appropriately noticed Board meeting.

RENEWAL PROCESS

THE IVY SCHOOL 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 THE IVY SCHOOL Board will take action to request renewal at an appropriately noticed Board meeting and will submit its written renewal request to the Oregon State Board of Education by December 31, 2011.

If THE IVY SCHOOL Board decides not to request renewal, the Board will follow the process for dissolution that is set out in ORS 338.105 and OAR 581-020-0390 and 581-020-0395.

DISSOLUTION PROCESS

If THE IVY SCHOOL 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 charter school 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 2 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 Established as Oregon nonprofit corporation (ORS 65)
- 2.2 IRS Section 501(c)(3) 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

NONPROFIT CORPORATION

THE IVY SCHOOL is established as an Oregon nonprofit corporation, with its' registered office at c/o Deborah Dyson, ESQ, PO Box 402, Tillamook, OR 97141.

FEDERAL TAX EXEMPT STATUS

THE IVY SCHOOL was determined via advance ruling 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 May 21, 2007

SECTION THREE: CHARTER SCHOOL GOVERNANCE

Overview: Section 3 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
- 3.3 Board meetings
- 3.4 Board officers
- 3.5 Board minutes
- 3.6 Public official ethics (GEC)
- 3.7 Public meetings
- 3.8 Public records
- 3.9 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

BOARD POWERS AND DUTIES

THE IVY SCHOOL 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 the act of the Board.

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. Board member terms are one to three years and members may be reelected without limit.

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 next annual election meeting, held each June, at which time regular elections of the Board occur.

BOARD OFFICERS

The Corporation shall have a Chair, Vice Chair, Secretary and Treasurer. Officers shall be nominated and elected during the annual election meeting in June, for a term of one to two years.

BOARD MEETINGS

“Meeting” means the convening of the Board as the governing body of THE IVY SCHOOL 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 organizational meeting (the first meeting after July 1 of each year) 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. Meeting notice, including topics to be discussed, will be given to the local news media and any other interested person who has requested notice of THE IVY SCHOOL meetings at least 48 hours in advance.

Special meetings of the Board may be called by the Chair or two (2) 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 24 hours 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 Boards 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).

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.

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. If the charter Board is deciding if they will pave or gravel a parking lot, the Board member has a potential 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, before the issue is 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 not 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 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:

- Meet at such times and places as required by these Bylaws;
- Register 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;
- Oversee the School's performance relative to the School's vision and goals, applicable statutes and rules and provisions of the Charter;
- Adopt the School's general policies, governance policies, student policies, personnel policies and financial management policies;
- Adopt the annual School budget and School calendar;
- Approve major expenditures and all contracts;
- Solicit financial and in-kind support from organizations and private individuals, both within and outside the local community.

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.

WHISTLEBLOWER PROTECTION POLICY

THE IVY SCHOOL 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 THE IVY SCHOOL, 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 THE IVY SCHOOL 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 THE IVY SCHOOL's code of ethics or suspected violations of law or regulations that govern THE IVY SCHOOL's operations.

No Retaliation

It is contrary to the values of THE IVY SCHOOL 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 THE IVY SCHOOL. 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

THE IVY SCHOOL 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 THE IVY SCHOOL's Compliance Officer, 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 Compliance Officer.

Compliance Officer

THE IVY SCHOOL'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

THE IVY SCHOOL'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

THE IVY SCHOOL'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.

Compliance Officer: The Compliance Officer will investigate and respond to complaints. 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).

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, age, marital status or national origin is practiced. Reasonable notice, typically 48 hours, 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 THE IVY SCHOOL meeting notices and agendas. Executive sessions will be conducted according to public meeting laws and corporate bylaws.

PUBLIC RECORDS

THE IVY SCHOOL will comply with the Oregon Public Records Law in responding to any request for release of or review of any THE IVY SCHOOL 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 THE IVY SCHOOL or their designated representative on matters of THE IVY SCHOOL 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.

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 Non Discrimination
- 4.2 Complaint Procedure
- 4.3 Sexual Abuse and Misconduct Reporting and Notification
- 4.4 Charter Board and Staff Communications
- 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 Employee Handbook

Policy Retention Schedule:

- 166-400-0010 Administrative Records
- 166-400-0050 Personnel Records

NONDISCRIMINATION

Employees who believe that they have been discriminated against or harassed based on any of the characteristics listed above 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 THE IVY SCHOOL against any person who, in good faith, reports, files a complaint, or otherwise participates in an investigation.

It is the intent of THE IVY SCHOOL 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.

THE IVY SCHOOL'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 student/parent and staff handbook.

HAZING/HARASSMENT/INTIMIDATION/MENACING COMPLAINT PROCEDURE

The School Administrator shall have responsibility for investigation 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 or 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 complaining 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 constitute 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 the TSPC within 30 days of such a 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.

**HAZING/HARASSMENT/INTIMIDATION/MENACING
COMPLAINT FORM**

Name of complainant

Position of complainant

Date of complaint

Name of alleged harasser/hazer/intimidator

Date and place of incident or incidents

Description of misconduct

Name(s) of witness(es) (if any)

Evidence of hazing/harassment/intimidation/menacing (e.g., letters, photos, etc. – attach evidence if possible)

Any other information

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____ Date: _____

Received by: _____ Date received: _____

SEX ABUSE AND MISCONDUCT REPORTING AND NOTIFICATION

Child abuse and sexual conduct by school employees directed 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 conduct” means any verbal or physical conduct of a charter school employee that is sexual in nature, is directed toward a kindergarten through grade 12 student, has the effect of interfering with the student’s educational performance, and creates an intimidating, hostile or offensive educational environment.

“Abuse” is defined

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 conduct of a charter school employee to the employee’s supervisors or to other persons designated by the charter school Board.

The charter school Board designates the lead school Administrator as the person to receive reports of suspected child abuse or sexual conduct by school employees. The lead 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 conduct and the procedures the contact person will follow when a report is received.

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

The charter school and charter school Board will not discipline a student for initiating in good faith a report of suspected child abuse of sexual conduct 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 conduct 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 conduct is substantiated.

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

- **THE IVY SCHOOL defines “abuse” pursuant to ORS 339.370 (9) and ORS 419B.005.**

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.

- **THE IVY SCHOOL 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:

(A) Is sexual in nature;

(B) Is directed toward a kindergarten through grade 12 student;

(C) Has the effect of unreasonably interfering with a student’s educational performance; and

(D) 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]

- **THE IVY SCHOOL 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.

(b) 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.

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

(A) 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

(B) 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]

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 charter 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 members should be submitted through the Administrator.

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 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

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of THE IVY SCHOOL 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.

FAMILY MEDICAL LEAVE

THE IVY SCHOOL 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 of 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 is 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 guidelines. Any leave taken under FMLA shall be counted concurrently toward state, federal, and contractual entitlements.

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 will develop an evaluation process for Administrators and an evaluation process for teachers in compliance with Oregon Revised Statutes. The charter school will also develop an evaluation process for supervisors, confidential employees and classified staff. The charter 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.

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 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 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. Alcohol is allowed at school events; if children are present, their parents must also be present and responsible for them.

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
- 5.2 Procurement Procedures
- 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
- 5.15 Issuing/Signing Checks
- 5.16 Bonding
- 5.17 Quarterly Review
- 5.18 Account Receivable
- 5.19 Purchasing
- 5.20 Staff and Travel Expenses
- 5.21 Payroll System / Public Employee Retirement System (PERS)
- 5.22 Capital Assets and Expenditures
- 5.23 Capital Improvement and Expenses

5.24 Property

5.25 Financial Audits

References:

Policy Retention Schedule:

166-400-0025 Financial Records

166-400-0030 Information and Records Management Records

166-400-0040 School Administration Records

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 \$5,000 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.

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 THE IVY SCHOOL will use in evaluating bids or proposals, including: (1) specific features of brand names or equal descriptions that bidders are required to meet; (2) 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 THE IVY SCHOOL 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.

BUDGET DEVELOPMENT OVERSIGHT CALENDAR AND RESPONSIBILITIES

THE IVY SCHOOL will develop and monitor its budget in accord with the annual budget development and monitoring calendar consistent with the contract with the sponsoring entity.

CONTROLS, BUDGET, AND FISCAL MANAGEMENT

THE IVY SCHOOL will maintain in effect the following principles in its ongoing fiscal management practices to ensure that, (1) expenditures are authorized by and in accord 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

The School 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 Business Manager who will review the proposed expenditure to determine whether it is consistent with the Board-adopted budget and the Administrator will sign the check. All check requests and purchase orders over \$250 must be approved by the Business Manager and approved by one other staff member or 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.

BUDGET TRANSFERS

The School Administrator may transfer up to \$5,000 from one unrestricted budget item to another without Board approval, but shall notify the Board of the transfer at the next regularly scheduled meeting. A quorum of the Board must approve any transfer of funds exceeding \$5,000 within the Board-approved annual budget.

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.

PROPERTY AND LIABILITY INSURANCE

The Administrator 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.

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.

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.

BORROWING

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

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.

ACCOUNTING SYSTEM

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 the School 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 (ADMw). Therefore:

- ADMw will be computed according to ORS 327.013.
- The School's instructional calendar will include at least 168 days of instruction and demonstrate that the school offers the annual instructional hours as required pursuant to applicable law.

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. Each journal will be printed monthly and filed.

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.

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 a comparison between the year-to-date actual and year-to-date budget and will be reviewed by the Treasurer. Financial statements will be presented to the full Board of Directors monthly or

quarterly as requested.

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.

CASH MANAGEMENT: BANK ACCOUNTS AND PETTY CASH FUND

Bank Accounts

THE IVY SCHOOL 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.

Deposits and Withdrawals

All funds received by THE IVY SCHOOL will be deposited at a minimum of once weekly.

Orders of withdrawal will bear the signature of one of the following officers or staff members:

1. Board chair
2. Treasurer
3. School Administrator

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 School Administrator 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.

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

- The Board chair, Board Treasurer, and 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 someone other than the payee.

Bank Account Reconciliation

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

- 1) a balance sheet
- 2) a comparison of budgeted to actual revenues and expenditures to date, and
- 3) a cash flow statement.

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

BONDING

Each officer or designated signatory with authority to withdraw funds will be bonded. The amount of insurance coverage will be reviewed annually by the Finance Committee.

QUARTERLY REVIEW

The Finance Committee will, on a quarterly basis, review all disbursements in the amount of \$15,000 or more.

ACCOUNTS RECEIVABLE

The School Bookkeeper will maintain accounts receivable records for Average Daily Maintenance (ADMw) 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.

PURCHASING

Any equipment with an estimated value of \$10,000 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 purchase 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 purchasing, 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 on 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 for travel and related expenses while on School business, or other business-related expenses, according to the following guidelines:

1. In general, all expenses must be pre-approved in writing by the 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 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. The School Administrator will submit reimbursement requests to the Board Treasurer for review and approval.
6. All staff expense reimbursements will be on checks separate from payroll checks.

PAYROLL SYSTEM / PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS)

The School 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, tax withholding forms, retirement date, and an accounting of the use of sick leave.

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

FINANCIAL AUDITS

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.

CAPITALIZATION POLICY

PURPOSE

The Ivy School Board recognizes the need to implement the required accounting and financial reporting standards with regard to the accounting of any capital assets that may be acquired.

DELEGATION OF AUTHORITY

The Ivy School Board or delegated Business Manager, in cooperation with a local independent auditor, is responsible for coordinating the compilation and preparation of all information necessary to implement this policy in accordance with administrative procedures.

REQUIREMENTS

Capitalized Assets

A capitalized asset shall be any asset acquired by donation or purchase that has a useful life of longer than three years, extends the life of another capitalized asset, or increases its value and meets a specific dollar threshold. At the discretion of the Business Manager or the Ivy School Board, and in conjunction with the local auditor, capital assets purchased with long-term debt may be capitalized regardless of the specific dollar threshold for the type of class of asset acquired.

Value of Assets

All capitalized assets shall be recorded at historical cost at acquisition date or estimated cost if acquired prior to the date of the initial inventory. Any donated capital asset shall be recorded at the date of donation using the fair market value of the item at that date.

Other Assets

Detail records shall be maintained in-house for all items that should be safeguarded from loss. The Business Manager or the Ivy School Board in consultation with an independent auditor shall determine the items that are to be considered as “other assets”.

Dollar Threshold

A dollar threshold for each asset shall be set at \$5000, with the exception of land which will have a \$0 threshold. The Ivy School Board shall periodically review these levels with assistance from the Business Manager and independent auditor and make any modifications necessary.

Inventory Control

A physical inventory of all capital assets and other assets shall be taken at least once a year. A summary of the results of the physical inventory shall be reported to the Ivy School Board.

DEPRECIATION POLICY

The “straight line” method of depreciation should be utilized to depreciate capital assets, except for land, over the estimated useful lives of the related assets principally as follows:

Buildings:

Permanent Buildings	50 to 80 years
Mobile Classrooms:	10 to 15 years
Building Additions:	Remaining Useful Life up to 80 years
Building Improvements:	Remaining Useful Life up to 80 years

Machinery & Equipment:

Computer Hardware:	5 years
Kitchen Equipment:	10 years
Vehicles:	10 to 15 years
Outdoor Equipment:	10 to 20 years
Miscellaneous Equipment:	10 to 50 years
Buses:	10 to 15 years

Land Improvements: 20 to 80 years

Depreciation will be calculated utilizing the “Half-Year convention.” Under this convention, an asset is treated as though it were placed in service or disposed of the first day of the seventh

month of the fiscal year. One-half of a full year's depreciation is allowed for the asset in its first year placed in service, regardless of when it was actually placed in service during that year. Periodically, management shall evaluate the estimated useful life of each depreciable asset to determine if revision of such estimate is required.

DISPOSITION OF ASSETS

When capital assets are sold or otherwise disposed of, the inventory of Capital Assets should be relieved of the cost of the asset and the associated accumulated depreciation. Assets will be removed on an annual basis in conjunction with the annual update. The appropriate depreciation will be taken for the year of disposal.

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 Montessori Educational Model
- 6.2 Diploma requirements
- 6.3 Talented and Gifted Education
- 6.4 Grading
- 6.5 Reports to parents and students
- 6.6 Student 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

MONTESSORI EDUCATION MODEL

THE IVY SCHOOL Is based on the Montessori Elementary Program (which encompasses grades 1-8). This program builds self-esteem by cultivating and nurturing a child's inner directive, motivating them to become life-long learners and helping each child to understand a difference they can make within a community. The mission of the School is to enable children of diverse backgrounds to learn and grow at their own pace by offering a developmentally appropriate and academic environment that models grace and courtesy and fosters a peaceful community.

DIPLOMA REQUIREMENTS

THE IVY SCHOOL does not serve high school grades, thus does not offer a diploma.

TALENTED AND GIFTED

THE IVY SCHOOL 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. Pursuant to ORS 338.115 and in view of the fact that parents voluntarily choose to enroll their children in a charter school, THE IVY SCHOOL is not required to comply with the specific provisions of talented and gifted education. Parents enrolling students who have been previously identified as talented and gifted will be notified of the charter school's talented and gifted policy as a part of the admission process.

GRADING

As Ivy assesses children within the Montessori curriculum and the Oregon State Standards, they take into consideration how each student is progressing towards mastering specific skills. Ivy has five categories for grading. They are : "introduced", "practiced", "building mastery" and "mastered" and "area of concern". Ivy's categories for grading could not be compared to a letter grade scale. The student is assessed in terms of how they are progressing in relation to the state standards for their grade level and their motivation and effort. Students work within many skill sets and areas of study and move toward mastery in those subjects and areas of learning. Students receive a progress report card in early winter and in spring.

STUDENT EDUCATION RECORDS

Notice to Parents and Eligible Students

THE IVY SCHOOL 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.

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.

“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.

“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.

“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.

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. THE IVY 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.

Social Security Number

The provision of the student's social security number is voluntary and will be included as part of the student's permanent record only as provided by the eligible student or parent. The charter school or district will notify the eligible student or parent as to the purposes a social security number will be used.

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 students 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.

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.

The charter school (or district) will retain a copy of the education records that are to be transferred in accordance with applicable Oregon Administrative Rules.

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.

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.

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.

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 request for 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 7, 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 Dances/Social Events
- 7.4 Discipline and Due Process
- 7.5 Suspension
- 7.6 Expulsion
- 7.7 Discipline of Students with an IEP
- 7.8 Corporal Punishment Prohibited
- 7.9 Student Restraint/Seclusion
- 7.10 Bullying/Harassment/ Intimidation/Cyberbullying
- 7.11 Attendance and Truancy
- 7.12 Fines, Fees and Charges
- 7.13 Dress and Grooming
- 7.14 Speech and Freedom of Expression
- 7.15 Search and Seizure
- 7.16 Extracurricular Activities
- 7.17 Physical Examinations (OSAA)
- 7.18 Medication
- 7.19 Immunizations
- 7.20 Drug/Alcohol Free
- 7.21 Tobacco Free
- 7.22 Assignment of Students to Classes
- 7.23 Promotion/Retention/ Assignment of Students to Grade Levels
- 7.24 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. Assault*;
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 weapon;
7. Vandalism/Malicious Mischief/Theft, including willful damage or injury to charter school or district property*; or to private property on charter school or district premises or at school-sponsored activities;
8. Sexual Harassment;
9. Use of tobacco**, alcohol** or drugs**, 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.

** In accordance with Oregon law, 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, 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. 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.

*** 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 superintendent 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 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.

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.

SOCIAL EVENTS

The rules of good conduct and grooming shall be observed for school social events. THE IVY SCHOOL 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 will 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, 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.

An effort will be made to promptly notify the parents of a suspended student.

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 THE IVY SCHOOL 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 Portland Public Schools 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 Portland Public Schools School District will not provide alternative education for non-resident students who have been expelled from THE IVY SCHOOL.

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 student's resident 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, THE IVY SCHOOL 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. Within two school days of use of physical restraint or seclusion, a documented debriefing by appropriate staff, including staff involved in the 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. THE IVY SCHOOL staff will annually review all incidents 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

THE IVY SCHOOL 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, such as emails, instant messaging, cell phone texts, defamatory web sites, blogs, and chat rooms. Examples include sending mean, vulgar or threatening messages or images; posting sensitive, private information about another person; and pretending to be someone else to make that person look bad.

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 THE IVY SCHOOL 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 THE IVY SCHOOL are expected to maintain excellent attendance. Failure to do so may result in disciplinary action. This includes an expectation of punctuality.

Absence and Excuses

When returning to school after an absence, a student must bring a note signed by the parent that describes the reason for the absence. 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 school during the day must bring a note from his/her parent. 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. Parents should contact the office to arrange for the collection of homework assignments for a student who will be absent several days. Failure to make up assigned work within a reasonable amount of time as allowed by the teacher will result in a grade of zero for the assignment. 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.

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 CODE/GROOMING

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 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. The Ivy School is a media free zone. Montessori philosophy supports that students refrain from wearing cartoon characters or other media driven logos as they are disruptive to the school environment.

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.

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

In addition to OSAA eligibility criteria, THE IVY SCHOOL students will be held to the following standards:

Grades: THE IVY SCHOOL students must pass all classes during the previous semester. (Incomplete grades may be made up at any time. Teachers have four working days to determine whether newly presented work satisfies course requirements and to replace an Incomplete with a passing grade if appropriate.)

Students with three or more unexcused tardies will be suspended from extracurricular activities until after the next contest.

A consistent pattern of absences, violations of the closed-campus policy or tardies may result in long-term ineligibility.

Students are expected to maintain proper decorum. Students who are referred to the office for misconduct will be suspended from extracurricular activities until after the next contest. (Students who do not participate in athletics will forfeit the privilege of participating in the next dance or other school sponsored activity that the administration may designate.)

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

PHYSICAL EXAMINATIONS (OSAA requirements)

Students in grades 7 through 8 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 or a major surgery prior to further participation.

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 the district 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 and district.

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.

District-Administered Medication

Requests for the charter school or district 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 or district is to be brought to school by the parent in its original container. Medication not picked up by the parent with 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 the charter school or district.

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.

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 the charter school 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 district’s evaluation of the student’s transcript and/or other documentation, assessment, portfolio/work sample evidence, etc., as may be required by the district.

TRANSCRIPT EVALUATION

Transfer attendance may be accepted or rejected at the discretion of the charter school consistent with Oregon Administrative Rules and established charter school policy, administrative regulation and/or school rules.

SECTION EIGHT: SCHOOL SAFETY

Overview: Section 8 - School Safety describes the charter school'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
- 8.6 Child Abuse Reporting

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

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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, the charter school 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.

Charter school 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 those diseases indicated by an asterisk (*) below, the restriction may be removed by a school nurse. For head lice, indicated by a double asterisk (**) below, the restriction may be removed after the parent provides a signed statement that treatment was initiated 24 hour 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 the charter school'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 the charter school will respond with consequences for each violation of the charter school's drug and alcohol policy

The charter school 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

The charter school 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. The charter school 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 charter school 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 charter school Administrator may authorize other persons to possess weapons for courses, programs, or activities approved by the charter school and conducted on charter school property including but not limited to hunter safety courses, weapons-related vocational courses, or weapons-related sports.

Definitions

For purposes 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 charter 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 an Administrator, his/her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an 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. The charter school 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 the charter school 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 THE IVY SCHOOL 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 notify the State Department of Human Services or the local law enforcement agency. A charter school employee who suspects child abuse shall also immediately notify the School Administrator, unless the School Administrator is the subject of the report, in which case the employee shall notify the Board chair. The obligation to report child abuse occurs regardless of whether the suspected abused child is a student at the charter school or not, or whether the suspected abuser is an employee of the charter school or not.

A written record of any report of child abuse shall be made by the charter school employee in any case where the suspected abused child is a THE IVY SCHOOL student or the suspected abuser is a THE IVY SCHOOL 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.

SECTION NINE: FACILITIES, OPERATION AND SUPPORT SERVICES

Overview: Section 9 – 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/Breakfast Program
- 9.3 Vehicles and Parking
- 9.4 Americans with Disabilities Act
- 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

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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.

Transportation Rules

The following rules shall apply to student conduct on district transportation:

1. Students being transported are under the authority of the bus driver;
2. Fighting, wrestling or boisterous activity is prohibited on the bus;
3. Students will use the emergency door only in case of emergency;
4. Students will be on time for the bus, both morning and evening;
5. Students will not bring firearms, weapons or other potentially hazardous materials on the bus;
6. Students will not bring animals, except approved assistance guide animals, on the bus;
7. Students will remain seated while bus is in motion;
8. Students may be assigned seats by the bus driver;
9. When necessary to cross the road, students will cross in front of the bus or as instructed by the bus driver;
10. Students will not extend their hands, arms or heads through bus windows;
11. Students will have written permission to leave the bus other than for home or school;
12. Students will converse in normal tones; loud or vulgar language is prohibited;
13. Students will not open or close windows without permission of the driver;
14. Students will keep the bus clean and must refrain from damaging it;
15. Students will be courteous to the driver, fellow students and passers-by;
16. Students who refuse to promptly obey the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.

Disciplinary Procedures for Violations of Transportation Rules

The following procedures shall be followed when a discipline concern arises on a vehicle serving a regular route or an extracurricular activity:

1. First Citation - Warning: The driver verbally restates behavior expectations and issues a warning citation.
2. Second Citation: The student is suspended from the bus until a conference, arranged by the Director of Administration, has been held with the student and (at the Administrator's discretion) other involved parties.
3. Third Citation of the Year: The student receives a 5- to 10-day suspension from the bus and will not be able to ride the bus until a conference, arranged by the Administrator, has been held with the student, the parent and the Administrator. At this time a behavior contract will be made with the student and a bus seat may be assigned. Further violations of bus regulations will be considered a severe violation.

4. Severe Violations: Any severe violation will result in the immediate suspension of the student from the bus for a minimum of 10 days and up to the remainder of the school year.
5. In all instances, the appeal process may be used if the student and/or parent desires.

Disciplinary sanctions and changes in transportation for a student with a disability shall be made in accordance with the provisions of the student's individualized education program (IEP) for students considered disabled under IDEA or the individually-designed program for students considered disabled under Section 504 and in accordance with Charter Board-adopted policies and procedures governing the discipline of disabled students.

SCHOOL LUNCH PROGRAM

THE IVY SCHOOL will operate its own school lunch program.

The Principal or designee will develop administrative regulations as necessary to implement this policy and meet the requirements of state and federal law.

PARKING/VEHICLES

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

The charter school and district assume no liability for loss or damage to vehicles or bicycles.

AMERICAN WITH DISABILITIES ACT (ADA) COMPLIANCE

THE IVY SCHOOL facilities, employment and other operational practices will comply with the American Disabilities Act.

COMMUNITY USE OF SCHOOL FACILITIES

Charter school 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.

Facilities shall be available for use by the following groups:

1. School sponsored groups and activities for staff, students and parents (i.e., Scouts, parent associations) may use the buildings without charge and at the discretion of the Executive Administrator or designee.
2. Non-organized student and parent groups may use the facilities but must be properly supervised by a responsible adult; the applicant signing the request is personally liable and responsible for the conduct of the group and the care of the building and equipment.
3. Community groups may use charter school facilities only when such use does not conflict or interfere with regular school functions, in the judgment of the Administrator.
4. School facilities may be approved for political use and private use where admission is charged, but such use must not conflict with Board policies or state law.
5. The school will cooperate with community agencies and organizations to make available school gymnasium space for community recreational use. All groups requesting use of facilities for such purposes, including practice time, shall be scheduled by the Administrator's designee.

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 district'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's and school district's electronic communications system meets the following federal Children's Internet Protection Act requirements:

1. Technology protection measures have been installed and are in continuous operation to protect against Internet access by both adults and students to visual depictions that are obscene, child pornography or, with respect to the use of the computers by students, harmful to students;
2. The on-line activities of students are monitored;
3. Access by students to inappropriate matter on the Internet and World Wide Web is denied;
4. Procedures are in place to help ensure the safety and security of students when using electronic mail, chat rooms and other forms of direct electronic communications;
5. Unauthorized access, including so-called "hacking" and other unlawful activities by students on-line is prohibited;
6. Unauthorized disclosure, use and dissemination of personal information regarding students is prohibited;
7. Measures designed to restrict students' access to materials harmful to students have been installed.

The charter school and school district retain 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 or district's information system are the charter school's or district's property and are to be used for authorized purposes only. Use of charter school or district 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 charter school or district servers are not private and may be subject to monitoring. By using the charter

school's or district's system, individuals consent to have that use monitored by authorized charter school or district personnel. The charter school and district 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 and district 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 10 – 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 to the School
- 10.2 Parent Involvement
- 10.3 Parent Rights and Responsibilities
- 10.4 Volunteers
- 10.5 Gifts
- 10.6 Fundraising and School Foundation
- 10.7 Distributing or Posting Materials
- 10.8 Student or Parent Complaints

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

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VISITORS

Parents and other visitors are encouraged to visit THE IVY SCHOOL. 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. The Administrator will approve requests to visit, as appropriate. Students will not be permitted to bring visitors to school without prior approval of the Administrator.

PARENTAL INVOLVEMENT

Education succeeds best when parents support the work of the school. THE IVY SCHOOL 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 the charter school 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 charter school and district property. A parent, guardian or family member legally excluded from the charter school or 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 schools. 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 THE IVY SCHOOL. Therefore, all parent organizations, including those with legal status independent of THE IVY SCHOOL, must accept the following conditions in order to operate on behalf of the schools.

- THE IVY SCHOOL Board shall approve written document—for any parent organization—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 THE IVY SCHOOL Board.
- Parent organizations must obtain prior approval from the School Administrator 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 THE IVY SCHOOL'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.

THE IVY SCHOOL 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

THE IVY SCHOOL 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.

The safety and well-being of the students, staff and volunteers of the school is paramount. Therefore, THE IVY SCHOOL 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.

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 the charter school 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

THE IVY SCHOOL 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 in the students' poly envelopes. 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 the charter school 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 the charter school'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 the charter school a percentage of sales to charter school families, or a local business that donates supplies to a charter school fundraiser in exchange for the ability to advertise to charter school families.

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

5. #3 above does not apply to fundraising events or activities sponsored by THE IVY SCHOOL 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 occasionally be permitted to 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.

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

Fundraising will be a collaborate effort with the PTG, Administrator, staff and Ivy Board. The Ivy Board will have the final decision on how funds are spent.

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. If the outcome is not satisfactory, a conference with the Administrator can be requested with 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-Portland Public Schools School District resident student, the complaint will be forwarded to the student's resident school district.

Students with Sexual Harassment Complaints

Sexual harassment by charter school staff, students, charter Board members, school volunteers, parents, school visitors, service contractors or others engaged in charter school business is strictly prohibited by the charter school. 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 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.

Building directors, compliance officer and the charter school Administrator 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 building 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.

SECTION ELEVEN: SPECIAL EDUCATION

Overview: Section 11 – 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 Portland Public Schools School District has the obligation to identify all children with disabilities residing in the district or residing in another district but attending THE IVY SCHOOL. THE IVY SCHOOL 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-Portland Public Schools School District resident students attending THE IVY SCHOOL 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 Portland Public Schools School District to the student's resident school district and implementation of the student's individual education program will be the responsibility of the student's resident district, not the Portland Public Schools School District.

COORDINATION WITH RESPONSIBLE SCHOOL DISTRICT TO SERVE IDENTIFIED STUDENTS

The THE IVY SCHOOL will cooperate with the Portland Public Schools School District and/or (an)other school district(s) responsible for providing services for students with disabilities.