



June 2017

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July 14-16, 2017  
Bend

### Annual Convention

November 9-12, 2017  
Portland

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## INJURY/ILLNESS REPORTS

### Summary

After a review with PACE attorneys, education agencies are exempt from the requirement to provide this report to the Board, pursuant to their status as a “low hazard industry” as defined by OSHA and SAIF. Policy EBBB - Injury/Illness Reports, is updated to reflect that it is optional for injuries/illness reports to be reported to the Board.

### Legal Reference

None

### Collective Bargaining Impact

None

### Local Public Charter School Responsibility

The Board should review this required policy EBBB - Injury/Illness Reports and decide whether they want to continue receiving the reports, and make needed changes and readopt.

### Policy Implications

EBBB - Injury/Illness Reports (Required)

This publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is furnished with the understanding that policies should be reviewed by the public charter school's legal counsel.

*Policy Update* is a quarterly subscription publication of the Oregon School Boards Association.

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## **WELLNESS - PE MINUTES REQUIREMENT**

### **Summary**

Senate Bill (SB) 4 (2017) was signed by Governor Kate Brown on June 14, 2017 delaying the PE minute requirement for two years for elementary schools (kindergarten through grade 5, and grade 6 if the elementary includes grade 6) and four years for middle schools (grades 6 through 8).

### **Legal Reference**

None

### **Collective Bargaining Impact**

None

### **Local Public Charter School Responsibility**

If the public charter school has an agreement with ODE for any meal programs, it is recommended that the Board review the updated bracketed language and footnotes in the revised policy and readopt if necessary. If the charter school does not participate with ODE for free or reduced-priced meals, the actions stated in ORS 329.496 are still required as part of the school's program, just not required to be in policy.

No updated bracketed language related to PE requirements is required to be in policy, but the public charter school must otherwise comply with Oregon Revised Statute (ORS) 329.496.

### **Policy Implications**

EFA - Local Wellness Program (Conditionally Required)

## **MEAL CHARGING**

Many members have requested information about policy on meal charging or meal charge collection as a result of Memorandums issued from the Oregon Department of Education (ODE).

If the public charter school operates a meal program through ODE:

The item under the subheading 'General USDA NSLP/SBP/SMP[/SFSP] [/CACFP] Requirements' in administrative regulation EFAA-AR - Reimbursable Meals and Milk Programs includes a place for members to identify their meal charging procedures/requirements (See item 7 under subheading noted above in EFAA-AR). This item should include the internal procedures on meal charging, including but not limited to, identifying how and when information about account balances is communicated to staff, students and parents, including where the information on meal charging will be published (e.g., student/parent handbook, staff handbook) and what collection methods will be used on delinquent balances. If you have specific questions

please contact the Oregon Department of Education, Child Nutrition Programs.

### **Policy Implications**

EFAA-AR - Reimbursable Meals and Milk Programs (Conditionally Required)

## **INTERNET-SOURCED CROWDFUNDING**

### **Summary**

As a result of school staff establishing internet-sourced crowdfunding to secure additional materials for their classrooms and students, our members have asked for policy and guidance in this area. A new sample policy GBI is recommended, with the addition of a new, optional administrative regulation, recommended by the policy department and the PACE pre-loss legal team.

### **Legal Reference**

None

### **Collective Bargaining Impact**

None

### **Local Public Charter School Responsibility**

It is recommended the school review the new sample policy GBI and adopt if it is in the best interest of the school. It is also recommended that the administrative team review the new optional administrative regulation for implementation.

### **Policy Implications**

GBI - Gifts and Solicitations (*New*) (Optional)

GBI-AR - Internet-Sourced Crowdfunding Solicitation (*New*) (Optional)

## **GRADUATION REQUIREMENTS**

### **Summary**

The Oregon State Board of Education adopted changes to Oregon Administrative Rule (OAR) 581-022-0617 - Essential Skills Assessment for English Language Learners. The change extends the removal of the English language proficient criterion for students pursuing graduation in 2017-18; allowing a student to demonstrate proficiency in reading and writing Essential Skills in the student's language of origin, as long as the student meets the other criteria listed in OAR 581-022-0617.

### **Legal Reference**

None

## Collective Bargaining Impact

None

## Local Public Charter School Responsibility

The school should review required policy IKF - Graduation Requirements and adopt the proposed change.

## Policy Implications

IKF - Graduation Requirements (Version 1 only - schools with grades 9 through 12)

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### **ABOUT *POLICY UPDATE***

*Policy Update* is a quarterly subscription newsletter providing a brief discussion of current policy issues of concern to Oregon charter schools.

Sample policies reflecting these issues and changes in state and federal law, if applicable, are part of this newsletter. These samples are offered as a starting point for drafting local policy and may be modified to meet particular local needs. They do not replace legal counsel advice.

To make the best use of *Policy Update*, we suggest you discuss the various issues it presents and use the sample policies to determine which policies your public charter school should develop or revise, get ideas for what a policy should contain, and as a starting point for editing, modifying and discussing your public charter school's policy position.

If you have questions about *Policy Update*, sample policies or policy in general, call OSBA and Policy Services, 800-578-6722.

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### **TRY OUR ONLINE POLICY DEMO**

OSBA's [online policy service](#) has a demo site for charter schools interested in a public online policy manual. This service saves time, resources and reams of paper. With one centrally-located policy manual updated electronically, you have instant access to current policies.

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Go to [policy.osba.org](http://policy.osba.org) and select "Policy Online Demo." The online manual includes a subscription to [Policy Update and policy manual maintenance service](#) to help keep policies current.

OSBA offers several options. Contact Policy Services to determine the best option for you, 800-578-6722 or 503-588-2800.

# Oregon School Boards Association Sample Charter School Policy

Code: **EBBB**  
Adopted:

## Injury/Illness Reports

All injuries/illnesses, sustained by the employee while in the actual performance of the duty of the employee, occurring on public charter school premises, in public charter school vehicles, at a public charter school-sponsored activity or involving staff members who may be elsewhere on public charter school business will be reported immediately to a supervisor.

A written report will be submitted within 24 hours to the safety officer. Reports will cover property damage as well as personal injury.

In the event of a work-related<sup>1</sup> illness or injury to an employee resulting in overnight hospitalization for medical treatment<sup>2</sup> other than first aid, the safety officer shall ~~inform~~ report the incident to the Oregon Occupational Safety and Health Division (OR-OSHA). A report will be made within 24 hours after notification to the public charter school of an illness or injury. Fatalities or catastrophes<sup>3</sup> shall be reported within eight hours.

**ALL** injuries/illnesses sustained by the employee while in the actual performance of the duty of the employee will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

Monthly records will be maintained. An analysis of the data and trends will be made at least annually.

[The [Board] [administrator] will receive reports on serious injuries/illnesses, including accidents involving public charter school property or employees, students or visiting publics, and periodic statistical reports on the number and types of injuries/illnesses occurring in the public charter school, as well as on the measures being taken to prevent such injuries/illnesses in the future.]

END OF POLICY

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<sup>1</sup>An injury or illness is work related if an event or exposure in the work environment caused or contributed to the condition or significantly aggravated a preexisting condition.

<sup>2</sup>Medical treatment includes managing or caring for a patient for the purpose of combatting disease or disorder. The following are not considered medical treatment: visits to a doctor or health care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid.

<sup>3</sup>A "catastrophe" is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility.

**Legal Reference(s):**

[ORS 338.115\(1\)\(y\)](#)  
[ORS 339.309](#)

[OAR 437-001-0015](#)  
[OAR 437-001-0700](#)  
[OAR 437-001-0760](#)

[OAR 581-022-1420](#)

# Oregon School Boards Association Sample Charter School Policy

Code: **EFA**  
Adopted:

## **Local Wellness Program**

(Required if public charter school has an agreement with the ODE to operate reimbursable school meal program(s).)

The public charter school is committed to the optimal development of every student and believes that a positive, safe and health-promoting learning environment is necessary for students to have the opportunity to achieve personal, academic, developmental and social success.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive nutrition program consistent with state and federal requirements for public charter schools sponsoring the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP). The program shall reflect the Board's commitment to providing adequate time for instruction that fosters healthy eating through nutrition education and promotion, serving healthy and appealing foods at the school, developing food-use guidelines for staff and establishing liaisons with nutrition service providers, as appropriate.

The input of staff (including, but not limited to, physical education and school health professionals), students, parents, the public, the Board, school administrators, representatives of the school food authority and public health professionals will be encouraged in the development of wellness policy. [The Board shall establish a Wellness Advisory Committee to advise the public charter school in the creation of the local wellness policy.] The superintendent [or designee] will develop [administrative regulations] [guidelines] as necessary to implement the goals of the local wellness plan and ensure compliance of such policy.

### **WELLNESS POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT**

#### **Implementation Plan**

The public charter school shall develop and maintain a plan to manage and coordinate the implementation of this wellness policy.

The plan will:

1. Delineate roles, responsibilities, actions and timelines specific to each school;
2. Include information about who will be responsible to make what change, by how much, where and when;
3. Include specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, and in food and beverage marketing; and
4. Include specific goals and objectives for nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness.

In an effort to measure the implementation of this policy, the Board designates the [administrator] [principal] as the [person] [people] who will be responsible for ensuring each school meets the goals outlined in this policy.

## **Record Keeping**

The public charter school will retain the following records to document compliance with the requirements of the wellness policy at the public charter school's [administrative office].

5. The written wellness policy;
6. Documentation demonstrating that the policy has been made available to the public;
7. Documentation of efforts to review and update the local wellness policy, including an indication of who is involved in the update and the methods the public charter school uses to make stakeholders aware of their ability to participate;
8. Documentation to demonstrate compliance with the annual public notification requirements;
9. The most recent assessment on the implementation of the local wellness policy;
10. Documentation demonstrating the most recent assessment on the implementation of the local wellness policy has been made available to the public.

## **Annual Notification of Policy**

The public charter school will make available to the public annually, an assessment of the implementation, including the extent to which the schools are in compliance with policy, how the policy compares to model policy and a description of the progress being made in attaining the goals of the policy. The public charter school will make this information available [through the public charter school website and/or schoolwide communications]. The public charter school will also publicize the name and contact information of the administrator [or other school official(s)] leading and coordinating the policy, as well as information on how the public can get involved with the local wellness policy.

## **Triennial Progress Assessments**

At least once every three years, the public charter school will evaluate compliance with the local wellness policy, to assess the implementation of the policy and produce a triennial progress report that will include:

11. The extent to which school(s) under the jurisdiction of the public charter school are in compliance with the policy;
12. The extent to which the public charter school's policy compares to model wellness policy; and
13. A description of the progress made in attaining the goals of the public charter school's policy.

The public charter school will actively notify households/families of the availability of the triennial progress report.

## **Revisions and Updating the Policy**

The public charter school will update or modify the local wellness policy based on the results of the [annual School Health Index<sup>1</sup> and] triennial assessments and/or as public charter school priorities change; community needs change; wellness goals are met; new health science, information and technology emerge; and new federal or state guidance or standards are issued. The local wellness policy will be assessed and updated as indicated at least every three years following the triennial assessment.

## **Community Involvement, Outreach and Communications**

The public charter school will actively communicate ways in which the community can participate in the development, implementation and periodic review and update of the local wellness policy through a variety of means appropriate for the public charter school. The public charter school will also ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the public charter school and individual schools are communicating important school information with parents.

## **NUTRITION PROMOTION AND NUTRITION EDUCATION**

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, by creating food environments that encourage healthy nutrition choices and by encouraging participation in school meal programs. Students and staff will receive consistent nutrition messages throughout the school environment. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by staff, teachers, parents, students and the community.

### **School Meals**

All schools within the public charter school participate in the U.S. Department of Agriculture (USDA) child nutrition programs, administered through the Oregon Department of Education (ODE), including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), [Fresh Fruit & Vegetable Program (FFVP),] [Special Milk Program (SMP),] [Summer Food Service Program (SFSP),] [Supper programs] [or others]. [The public charter school also operates additional nutrition-related programs and activities including Farm-to-School programs, school gardens, Breakfast in the Classroom, Mobile Breakfast carts or Grab 'n' Go Breakfast.]

### **Staff Qualifications and Professional Development**

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA Professional Standards for Child Nutrition Professionals.

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<sup>1</sup>If the public charter school is using a different assessment or additional assessments, add to the list here or replace as needed.

## **Water**

Free, safe, unflavored, drinking water will be available to all students throughout the school day and throughout every school campus. The public charter school will make drinking water available where school meals are served during mealtimes.

## **Competitive Foods and Beverages**

All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day [and extended school day] will meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards<sup>2</sup>. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

## **Celebrations and Rewards**

All foods offered on the school campus [will meet or exceed] [are encouraged to meet] the nutrition standards set by the USDA and the Oregon Smart Snacks Standards. This includes, but is not limited to, celebrations, parties, classroom snacks brought by parents, rewards and incentives.

## **Fund Raising**

Foods and beverages that meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards may be sold through fund raisers on the school campus during the school day.

## **Food and Beverage Marketing in Schools**

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards.

“Food and beverage marketing” is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.

## **PHYSICAL ACTIVITY[ AND PHYSICAL EDUCATION]**

Physical activity should be included in the school’s daily education program for grades pre-K through 12 and include regular, instructional physical education, as well as co-curricular activities and recess.

[Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be withheld as punishment for any reason.]

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<sup>2</sup>[Oregon Department of Education, Oregon Smart Snacks Standards](#)

The Board realizes that a quality physical education program is an essential component for all students to learn about and participate in physical activity. The public charter school will develop and assess student performance standards [and program minute requirements<sup>3</sup>] in order to meet the ODE's physical education content standards [and state law<sup>4</sup>]. [Every public school student in kindergarten through grade 8 shall participate in physical education for the entire school year.] [Students in kindergarten through grade 5 [6<sup>5</sup>] shall participate for a least [120<sup>6</sup>] [150<sup>7</sup>] minutes during each school week, and students in grades 6 through 8 for at least [180<sup>8</sup>] [225<sup>9</sup>] minutes per school week.] [At least 50 percent of the weekly physical education class time shall be devoted to actual physical activity. Instruction, provided by adequately prepared teachers, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities.<sup>10</sup>]

[A student with a disability shall have suitably adapted physical education incorporated as part of their individualized education program (IEP) developed under ORS 343.151. A student who does not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of their individualized health plan, developed by the public charter school.<sup>11</sup>]

### [Employee Wellness<sup>12</sup>

The public charter school encourages staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school's overall wellness program. Many actions and conditions that affect the health of staff may also influence the health and learning of students. The physical and mental health of staff is integral to promoting and protecting the health of students and helps foster their academic success. The public charter school's Employee Wellness Program will promote health, reduce risky behaviors of employees and identify and correct conditions in the workplace that can compromise the health of staff, reduce their levels of productivity, impede student success and contribute to escalating health-related costs such as absenteeism. The public charter school will work with community partners to identify programs, services and/or resources to compliment and enrich employee wellness endeavors.]

### Other Activities that Promote Student Wellness

The public charter school will integrate wellness activities throughout the entire school environment (schoolwide), not just in the cafeterias, other food and beverage venues and physical activity facilities. The public charter school will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complimentary, not duplicated and work toward the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

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<sup>3</sup>The physical education minute requirements are a result of House Bill (HB) 3141 (2007) and were effective with the 2017-2018 school year. The brackets remain around this language in sample policy EFA in anticipation of a potential two-year delay for the requirement, due to pending legislation in the current Legislative session (2017). revised in Senate Bill 4 (2017), now have a two-year delay on implementation for elementary schools, and a four-year delay on implementation for middle schools.

<sup>4</sup>Ibid. p. 5

<sup>5</sup>If a K-6 elementary school.

<sup>6</sup>These are the minimum PE requirements in elementary schools for school year 2019-2020.

<sup>7</sup>These are the minimum PE requirements in elementary schools for school year 2020-2021.

<sup>8</sup>These are the minimum PE requirements in middle schools (grades 6 through 8) for school year 2021-2022.

<sup>9</sup>These are the minimum PE requirements in middle schools (grades 6 through 8) for school year 2022-2023.

<sup>10</sup>[This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.]

<sup>11</sup>Ibid. p. 5

<sup>12</sup>[This language is optional and is not required by state or federal law.]

END OF POLICY

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**Legal Reference(s):**

[ORS 329.496](#)

[ORS 336.423](#)

[ORS 338.115](#)

[OAR 581-051-0100](#)

[OAR 581-051-0305](#)

[OAR 581-051-0306](#)

[OAR 581-051-0310](#)

[OAR 581-051-0400](#)

[SB 4 \(2017\)](#)

National School Lunch Program, 7 C.F.R. Part 210 (2006).

School Breakfast Program, 7 C.F.R. Part 220 (2006).

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. § 1758b.

# Oregon School Boards Association Sample Charter School Policy

Code: **GBI**  
Adopted:

## **Gifts and Solicitations**

*New Optional policy*

Students and their parents shall be discouraged from giving gifts to public charter school employees. The Board welcomes, as appropriate, the writing of letters by students to staff members expressing gratitude and appreciation.

Individual employees [will refrain from] [will limit] giving gifts<sup>1</sup> to staff members who exercise any direct or indirect administrative or supervisory jurisdiction over them. Collecting money for group gifts is discouraged except in special circumstances such as bereavement, serious illness or retirement gifts. Staff-initiated “sunshine funds” are exempt from this policy.

[No staff member may solicit funds in the name of the school through the use of, including but not limited to, internet-sourced crowdfunding or other similar types of fund raising[, without the approval of the [administrator].]

Individual employees need to be accountable for maintaining integrity and avoid accepting anything of value offered by another for the purpose of influencing his/her professional judgment.

All employees are prohibited from accepting items of material value from companies or organizations doing business with the public charter school. [“Material value” is defined as \$50 from a single source in a single year.]

No organization may solicit funds from staff members within the schools, nor may anyone distribute flyers or other materials related to fund drives through the schools without the administrator’s approval. Staff members may not be made responsible or assume responsibility for collecting money or distributing any fund-drive literature within the school without the administrator’s approval.

The soliciting of staff by sales people, other staff or agents during on-duty hours is prohibited. Any solicitation should be reported at once to the administrator. Advertising is not allowed in the building without the administrator’s approval.

END OF POLICY

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<sup>1</sup>“Gift” means something of economic value given to a public official or the public official’s relative or household member without valuable consideration of equivalent value, including the full or partial forgiveness of indebtedness, which is not extended to others who are not public officials or the relatives or household members of public officials on the same terms and conditions; and something of economic value given to a public official or the public official’s relative for valuable consideration less than that required from others who are not public officials. See ORS Chapter 244 for gift definition exceptions.

**Legal Reference(s):**

[ORS 244.010](#) to -244.400  
[ORS 339.880](#)

[OAR 199-005-0005](#) to -199-020-0020  
[OAR 584-020-0000](#) to -0045

# Oregon School Boards Association Sample Charter School Policy

Code: **GBI-AR**  
Revised/Reviewed:

## **Internet-Sourced Crowdfunding Solicitation**

*New **Optional** administrative regulation*

All public charter school internet-sourced crowdfunding, or other similar types of monetary solicitation, shall be in compliance with all public charter school fund-raising policies, requiring preapproval from the [administrator].

The [administrator] shall monitor the internet-sourced crowdfunding site to ensure that no student information is disclosed improperly and no images are used without permission.

The [administrator] shall ensure that the internet-sourced crowdfunding site is legitimate, and that the terms of the site are being followed.

All public charter school fund raising will be on the public charter school's system and shall follow appropriate policies and use guidelines.

All technology purchases or request for purchase will be approved by the [administrator].

All non-monetary items obtained become property of the public charter school and all inventory procedures apply.

All monetary donations shall be recorded in the proper school fund. No school banking information shall be given out. A check will be requested to be mailed to the school, in the name of the school and not to the individual.

A file will be maintained by the [administrator] that documents the [administrator] approval, details of the project, a print out of the website, copies of all agreements and permission forms, copies of any checks of monetary donation received as well as the inventory listing non-monetary donations.

# Oregon School Boards Association Sample Charter School Policy

Code: **IKF**  
Adopted:

## **Graduation Requirements (Version 1)**

(Version for a school with grades 9 through 12; this version of the policy requires an administrative regulation - see IKF-AR)

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

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

### **Essential Skills**

The public charter school [will] [will not] allow English Language Learner (ELL) students to demonstrate proficiency in Essential Skills of Apply Mathematics, in a variety of settings, in the student's language of origin for those ELL students who by the end of high school:

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

The public charter school [will] [will not] allow ELL students to demonstrate proficiency in Essential Skills other than Apply Mathematics, in a variety of settings, in the student's language of origin for those ELL students who by the end of high school:

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

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<sup>1</sup>This criteria does not apply to students seeking a diploma in 2017-2018.

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

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

The public charter school may award a modified diploma or an extended diploma to a student only upon the written consent of the student's parent or guardian. The public charter school shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded. A student who is emancipated or has reached the age of 18 at the time the modified diploma or the extended diploma is awarded may sign the consent.

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

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

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

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

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

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

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

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

[The public charter school will review graduation requirements biennially in conjunction with the secondary school improvement plan. Graduation requirements may be revised to address student performance.]

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

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

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

END OF POLICY

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<sup>2</sup>The policy applies to any person who:

1. Served in the Armed Forces of the U.S. at any time during:
  - a. World War I;
  - b. World War II;
  - c. The Korean Conflict; or
  - d. The Vietnam War;
2. Served in the Armed Forces of the U.S. and was physically present in:
  - a. Operation Urgent Fury (Grenada);
  - b. Operation Just Cause (Panama);
  - c. Operation Desert Shield/Desert Storm (Persian Gulf War);
  - d. Operation Restore Hope (Somalia);
  - e. Operation Enduring Freedom (Afghanistan); or
  - f. Operation Iraqi Freedom (Iraq);
3. Served in the Armed Forces of the U.S. in an area designated as a combat zone by the President of the U.S.

**Legal Reference(s):**

[ORS 329.095](#)

[ORS 329.451](#)

[ORS 329.479](#)

[ORS 332.114](#)

[ORS 338.115\(11\)](#)

[ORS 339.115](#)

[ORS 343.295](#)

[OAR 581-022-0615](#)

[OAR 581-022-0617](#)

[OAR 581-022-1130](#)

[OAR 581-022-1131](#)

[OAR 581-022-1133](#)

[OAR 581-022-1134](#)

[OAR 581-022-1135](#)

[OAR 581-022-1210](#)

[OAR 581-022-1215](#)

[OAR 581-022-1350](#)

*Test Administration Manual*, published by the OREGON DEPARTMENT OF EDUCATION (FEBRUARY 4, 2016).

*Essential Skills and Performance Assessment Manual*, published by the OREGON DEPARTMENT OF EDUCATION (MARCH 17, 2016).