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

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If you have questions regarding this publication or OSBA, please call our offices: 503-588-2800 or 800-578-6722

STAFF/STUDENT/PARENT RELATIONS

Summary

To accommodate the Oregon laws that relate to parental plans in cases of separated or divorced parents, our legal team has recommended the revisions included in this *Policy Update*.

Legal Reference

None

Collective Bargaining Impact

None

Local Public Charter School Responsibility

If the Board for the charter school believes that this new optional policy would benefit the school, review and consider for adoption.

Policy Implications

GBH/JECAC - Staff/Student/Parent Relations** (New - Optional)

JECAC/GBH - Staff/Student/Parent Relations** (New - Optional)

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.

TOBACCO PRODUCTS AND INHALANT DELIVERY SYSTEMS

Summary

OSBA recognizes that there is more than one sample policy with the code JFCG which addresses student use of tobacco products and inhalant delivery systems. To minimize confusion, OSBA has removed JFCG from the policy code for sample JFCG/KGC/GBK and all language related to student use, possession, etc. The required language to prohibit student use or possession of tobacco products and inhalant delivery systems remains in sample policy JFGC/JFCH/JFCI - Use of Tobacco Products, Alcohol Drugs or Inhalant Delivery systems, with no recommended changes to this sample.

Legal Reference

See sample policy for recommend edits to legal citations

Collective Bargaining Impact

None

Local Public Charter School Responsibility

It is recommended that the public charter school review the revisions to required policy GBK/KGC (also KGC/GBK) and consider readopting.

Policy Implications

GBK/KGC (also KGC/GBK) - Prohibited Use, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems (Required; previously GBK/JFCG/KGC)

RELIGION AND SCHOOLS

Summary

OSBA has developed a new optional sample policy and administrative regulation that addresses religion and schools. The new sample IGAC-AR provides guidance when recognizing religious customs or beliefs in a school setting. This new addition is not a result of new legislation or a change in law.

Legal Reference

None

Collective Bargaining Impact

None

Local Public Charter Schools Responsibility

It is recommended that the public charter school review and consider adopting this new optional policy and administrative regulation on religion and schools.

Policy Implications

IGAC - Religion and Schools (*New*; Optional)

IGAC-AR - Recognition of Religious Beliefs and Customs (*New*; Optional)

GRADUATION

Summary

The revisions in the versions of IKF and in IKF-AR reflect clarifications to the updated language issued in the September 2017 *Policy Update* and do not reflect changes in requirements.

Legal Reference

Add ORS 329.045

Collective Bargaining Impact

None

Local Public Charter School Responsibility

It is recommended the school board review the recommended revisions to this required policy and board adopt. If the school previously adopted Versions 1 or 2 of policy IKF, use the associated sample of the administrative regulation (AR) provided herein, e.g., Version 1 of policy and Version 1 of the AR (See subtitles for clarification on which version is recommended). ORS 329.045 requires graduation requirements to be adopted, this includes IKF-AR. Version 3 of the sample policy is for schools that service K-5 only and does not need an AR.

Policy Implications

IKF - Graduation Requirements** (Version 1; Required)

IKF - Graduation Requirements** (Version 2; Required)

IKF - Graduation Requirements** (Version 3; Required)

IKF-AR - Graduation Requirements (Version 1; required to accompany Version 1 of policy and be board adopted)

IKF-AR - Graduation Requirements (Version 2; required to accompany Version 2 of policy and be board adopted)

STUDENT SCREENINGS

The 2017 Legislative session passed House Bill (HB) 3353 which outlines requirements a public charter school must follow if the school causes a dental screening to be conducted for students. In addition, the requirements of immunization have been added to this sample for convenience.

Legal Reference

See policy sample for changes

Collective Bargaining Impact

None

Local Public Charter School Responsibility

If the school has this optional policy, please review the recommended language to revise and board adopt.

Policy Implications

JHCA - Immunization, Physical Examination, Vision Screening/Eye Examination and Dental Screening** (Optional)

CHILD ABUSE

Summary

The recommended language revises the procedure for investigations of child abuse on school property to coincide with the new form released in the September 2017 *Policy Update* issue.

Legal Reference

None

Collective Bargaining Impact

None

Local Public Charter School Responsibility

It is recommended that the public charter school review the recommend language and revise this required administrative regulation (AR) and have the Board readopt. This AR is required to be board adopted.

Policy Implications

JHFE-AR(1) - Reporting of Suspected Abuse of a Child (Required; required to be adopted by the board)

TRAUMA INFORMED SCHOOLS

Summary

The 2016 Legislature passed House Bill (HB) 4002 which addresses a trauma informed approach to serving students and families in the school. In collaboration with the office of Deputy Superintendent of Public Instruction for the Oregon Department of Education (ODE), OSBA has developed a new optional sample policy JHHB - Trauma Informed Schools.

Legal Reference

None

Collective Bargaining Impact

None

Local Public Charter School Responsibility

It is recommended that the board review this new optional policy and adopt if it feels adopting is in the best interest of the school.

Policy Implications

JHHB - Trauma Informed Schools (*New*; Optional)

PUBLIC RECORD REQUESTS

Summary

OSBA recommends removing the word ‘certified’ from the first sentence in item #6 on page 2 of KBA-AR – a certified copy is not required. There is an additional edit in footnote #2 found on page 1.

Legal Reference

None

Collective Bargaining Impact

None

Local Public Charter School Responsibility

It is recommended the administration make these changes and submit them as an information item in the board packet to the board for review. This administrative regulation does not require board adoption.

Policy Implications

KBA-AR - Public Records (Highly Recommended)

ABOUT *POLICY UPDATE*

Policy Update is a quarterly subscription newsletter providing a brief discussion of current policy issues of concern to Oregon school districts.

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 district should develop or revise, get ideas for what a policy should contain, and as a starting point for editing, modifying and discussing your district’s policy position.

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

TRY OUR ONLINE POLICY DEMO

OSBA's [online policy service](#) has a demo site for districts 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 district policies.

Go to 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.

2018-2019 STAFF/STUDENT HANDBOOKS AND KEY DATES CALENDAR (Coming Soon):

OSBA's Model Staff and Student Handbooks and Key Dates Calendar are revised annually to reflect recent legislation and other changes.

Samples and online ordering of these tools can be found on the OSBA website through this link: www.osba.org. (Can be purchased under Downloads in My OSBA)

Oregon School Boards Association Sample Charter School Policy

Code: **GBH/JECAC**
Adopted:

Staff/Student/Parent Relations**

The Board encourages parents to be involved in their student's school educational activities and, unless otherwise ordered by the courts, an order of sole custody on the part of one parent shall not deprive the other parent of the following authority as it relates to:

1. Receiving and inspecting their student's education records and consulting with school staff concerning the student's welfare and education, to the same extent as provided the parent having sole custody;
2. Authorizing emergency medical, dental, psychological, psychiatric or other health care for the student if the custodial parent is, for practical reasons, unavailable.

It is the responsibility of the parent with sole custody to provide any court order that curtails the rights of the noncustodial parent at the time of enrollment or any other time a court order is issued.

Unless provided by court order or a parental plan, a student shall not be released to the noncustodial parent nor shall the noncustodial parent be granted visitation or phone access during the school day.

In the case of joint custody, the district will adhere to all conditions specified and ordered by the court. The district may request in writing any special requests or clarifications in areas concerning the student and the district's relationship and responsibilities.

The public charter school will use reasonable methods to identify and authenticate the identity of both parents.

END OF POLICY

Legal Reference(s):

[ORS 107.101](#)
[ORS 107.102](#)

[ORS 107.106](#)
[ORS 107.154](#)

[ORS 109.056](#)
[ORS 163.245 to -163.257](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2017); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).
Protection of Pupil Rights, 20 U.S.C. § 1232h (2017); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

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Oregon School Boards Association Sample Charter School Policy

Code: ~~GBK/JFCG/KGC~~
Adopted:

Prohibited Use, ~~Possession~~, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems**

~~It is the public charter school's obligation to protect the health, welfare and safety of students. To be consistent with Oregon law, and the school's curriculum, student possession, use, distribution or sale of tobacco products or inhalant delivery systems in any form on or off public charter school premises, at public charter school sponsored activities, on all school grounds, including parking lots, in public charter school owned, rented or leased vehicles or otherwise, or while a student is under the jurisdiction of the public charter school is prohibited.~~

~~The use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on public charter school premises, in any building or facility, on school grounds, including parking lots, in any vehicle owned, rented or chartered by the school and at all school-sponsored activities.~~

For the purpose of this policy "tobacco products" is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff, in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation products or therapy products used for any other therapeutic purpose, if marketed and sold solely for the approved purpose of cessation.

For the purpose of this policy, "inhalant delivery system" means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as a tobacco cessation products or other therapy products for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

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

Violation of this policy by staff [may] [will] result in discipline up to and including dismissal.

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

This policy shall be enforced at all times.

{The public charter school administrator will develop ~~administrative regulations~~~~guidelines~~ as needed to implement this policy.}

END OF POLICY

Legal Reference(s):

[~~ORS 167.400~~](#)

[~~ORS 336.222~~](#)

[~~ORS 336.227~~](#)

[~~ORS 338.115\(wx\)~~](#)

[~~ORS 339.240~~](#)

[~~ORS 339.250~~](#)

[~~ORS 339.883~~](#)

[~~ORS 431A.175~~](#)

[~~ORS 433.835 to -433.990~~](#)

[~~OAR 581-021-0050 to -0075~~](#)

[~~OAR 581-022-2045~~](#)

[~~OAR 581-021-0110~~](#)

[~~OAR 581-053-0230\(9\)\(s\)~~](#)

[~~OAR 581-053-0330\(1\)\(m\)~~](#)

[~~OAR 581-053-0430\(12\)~~](#)

[~~OAR 581-053-0531\(11\)~~](#)

[~~OAR 581-053-0630~~](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (~~2016~~2017).

Oregon School Boards Association Sample Charter School Policy

Code: **IGAC**
Adopted:

Religion and Schools

Teachers shall be permitted to teach or present to students information concerning religions and religious beliefs, but teachers shall not promote or inhibit, openly or covertly or by subtlety, a particular religion, religious belief or nonreligious belief.

Students and staff members may be excused from participating in programs or activities which are contrary to their religious beliefs without penalty.

END OF POLICY

Legal Reference(s):

[ORS 338.115](#)
[ORS 336.035](#)

U.S. Const. amend. I.
OR. CONST., art. I.
Kennedy v. Bremerton Sch. Dist., 869 F.3d 813 (9th Cir. 2017).

Recognition of Religious Beliefs and Customs

Observances of Religious Holidays

The practice of the public charter school shall be as follows:

1. Holidays which have a religious and secular basis may be observed in the public schools;
2. The historical and contemporary values and the origin of religious and secular holidays may be explained in an unbiased and objective manner without sectarian indoctrination;
3. Music, art, literature and drama having religious themes or bases are permitted as part of school-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday;
4. The use of religious symbols that are a part of a religious holiday is permitted as a teaching aid or resource provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature;
5. The school's calendar should be prepared to minimize conflicts with religious holidays.

Religion in the Curriculum

1. The public charter school supports the inclusion of religious literature, music, drama and the arts in the curriculum and in school activities provided it is intrinsic to the learning experience in the various fields of study and is presented objectively.
2. The emphasis on religious themes in the arts, literature and history should be only as extensive as necessary for a balanced and comprehensive study of these areas.
3. As curriculum and instruction includes theories, views and precepts, they will be presented as such.
4. Student-initiated expressions to questions or assignments which reflect their religious or nonreligious beliefs are permissible. For example, students are free to express religious or nonreligious belief in compositions, art forms, music, speech and debate.

Traditional Observances

Traditions are a cherished part of the community life and the public charter school expresses an interest in maintaining those traditions which have had a significance to the community.

The practice of the public charter school shall be as follows:

5. A baccalaureate service is traditionally religious in nature and shall not be sponsored by the public charter school. One or more community groups may hold a baccalaureate service on school property or in a school facility, but must conform to the current community use policy.
6. A memorial service which is religious in nature shall not be sponsored by the public charter school. One or more community groups or individuals may hold a memorial service on school property or in a school facility, but must conform to the current community use policy.

Oregon School Boards Association Selected Charter Sample Policy

Code: **JHCA**
Adopted:

Immunization, Physical Examination, Vision Screening/Eye Examination and Dental Screening**

Immunization

Proof of immunization must be presented prior to the time of initial enrollment in school or within 30 days of transfer to the public charter school. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization or a religious, philosophical beliefs and/or medical exemption.¹

Physical Examination

Students in grades 7 through 12 are to have physical examinations performed prior to participation in extracurricular sports. "Participation," as used in this policy, means participation in sports practices and interscholastic sports competition. The physical examination must be conducted by a physician possessing an unrestricted license to practice medicine, a licensed naturopathic physician, a licensed physician assistant, a certified nurse practitioner or a licensed chiropractic physician who has clinical training and experience in detecting cardiopulmonary diseases and defects.

Students who continue to participate in extracurricular sports in grades 7 through 12 shall be required to complete a physical examination once every two years, thereafter.

Students are required to submit to the public charter school a School Sports Pre-Participation Examination² form prior to their participation. This form is to be completed and signed by a parent and physician, giving clearance and permission for the student to participate and authorizing emergency medical treatment and/or transportation to a medical facility, as necessary. The public charter school shall require a student to have an additional physical examination if he or she is diagnosed with a significant illness or has had major surgery, prior to further participation in extracurricular sports.

Vision Screening or Eye Examination

The parent or guardian of a student who is 7 years of age or younger and is beginning an education program with the public charter school for the first time shall, within 120 days of beginning the education program, submit a certification that the student has received:

¹Documentation requirements for exemptions are outlined in ORS 433.267.

²Form available at www.osaa.org.

1. A vision screening or eye examination; and
2. Any further examination, treatments or assistance necessary.

The certification is not required if the parent or guardian provides a statement to the public charter school that:

1. The student submitted a certification to a prior education provider; or
2. The vision screening or eye examination is contrary to the religious beliefs of the student or the parent or guardian of the student.

Dental Screening

The public charter school shall file in the student's dental health record any dental screening certifications and any results of a dental screening known by the public charter school. The public charter school will provide to the parent or guardian of each student, standardized information developed by the Oregon Health Authority's dental director regarding dental screenings, further examinations or necessary treatments and preventative care including fluoride varnish, sealants and daily brushing and flossing.

The parent or guardian of a student who is 7 years of age or younger and is beginning an education program with the public charter school for the first time, shall submit a certification within 120 days of beginning the education program, that the student has received a dental screening within the previous 12 months.

The certification is not required if the parent or guardian provides a statement to the public charter school that:

1. The student submitted a certification to a prior education provider;
2. The dental screening is contrary to the religious beliefs of the student or the parent or guardian of the student; or
3. The dental screening is a burden for the student or the parent or guardian of the student in the following ways:
 - a. The cost of obtaining the dental screening is too high;
 - b. The student does not have access to an approved screener;
 - c. The student was unable to obtain an appointment with an approved screener.

The certification may be provided by a licensed dentist, a dental hygienist or a health care practitioner as defined by state law. The certification must include the:

1. Student's name;
2. Date of screening; and

3. Name of entity conducting the dental screening.

The public charter school shall submit a report to the Oregon Department of Education that identifies the percentage of students who failed to submit the certification for the previous year, no later than October 1 of each year.

If the public charter school is causing the dental screening to be conducted, the public charter school shall follow the requirements of state law.

END OF POLICY

Legal Reference(s):

[ORS 326.580](#)

[ORS 336.211](#)

[ORS 336.213](#)

[ORS 336.214](#)

[ORS 336.479](#)

[ORS 338.115](#)

[OAR 333-019-0010](#)

[OAR 333-050-0010](#) to -0120

[OAR 581-021-0017](#)

[OAR 581-021-0031](#)

[OAR 581-021-0041](#)

[OAR 581-022-2220](#)

OREGON SCHOOL ACTIVITIES ASSOCIATION, *OSAA HANDBOOK*.

Reporting of Suspected Abuse of a Child

Reporting

All public charter school employees having reasonable cause to believe that any child with whom the employee comes in contact has suffered abuse, or that any person with whom the employee comes in contact has abused a child, shall orally report or cause an oral report to be immediately made by telephone or otherwise to the local office of the Oregon Department of Human Services, ~~Community Human Services~~ (DHS) or to a law enforcement agency within the county where the person making the report is at the time of his/her contact. The public charter school employee should also immediately inform his/her supervisor or administrator. If known, such report shall contain the names and addresses of the child, and the parents of the child's parents or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, the explanation given for the suspected abuse, any other information which the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

A written record of the abuse report shall be made by the employee suspecting the abuse of a child. [The written record may be made using ~~name of the public charter school~~ the school's abuse reporting form which includes at a minimum:

1. The name and position of the person making the report;
2. The name,s and addresses of the child, and of the parents of the child or other persons responsible for the child's care and the age of the child;
3. The name and position of any witness to the report;
4. A description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser;
5. A description of how the report was made (i.e., phone or other method);
6. The name of the agency and individual who took the report;
7. The date and time that the report was made; and
8. The names of persons who received a copy of the written report.]

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the employee's supervisor [and/or administrator].

When the public charter school receives a report of suspected abuse of a child by one of its employees or by students, and the administrator determines that there is reasonable cause to support the report, the public charter school shall place the school employee on paid administrative leave until the ~~Department of Human services~~ **DHS** or a law enforcement agency either: 1) determines that the report is unfounded or that the report will not be pursued; or 2) determines that the report is founded and the education provider takes the appropriate disciplinary action against the school employee. If the ~~Department of Human services~~ **DHS** or a law enforcement agency is unable to determine whether the abuse of a child occurred the public charter school may either reinstate the employee or take disciplinary action at the public charter school's discretion.

The written record of each reported incident of abuse of a child, action taken by the public charter school and any findings as a result of the report shall be maintained by the public charter school.

Definitions

1. Oregon law recognizes these types of abuse:
 - a. Physical;
 - b. Neglect;
 - c. Mental injury;
 - d. Threat of harm;
 - e. Sexual abuse and sexual exploitation.
2. "Child" means an unmarried person who is under 18 years of age.

Confidentiality of Records

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

The disciplinary records of a public charter school employee or former public charter school employee convicted of a crime listed in **Oregon Revised Statute (ORS) 342.143** are not exempt from disclosure under ORS 192.501 or 192.502. Therefore, if a public charter school employee or former employee is convicted of a crime listed in ORS 342.143, the public charter school that is or was the employer of that employee when the crime was committed shall disclose the disciplinary records of the employee to any person upon request. However, prior to the disclosure of a disciplinary record the administrator shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee who is not the subject of the disciplinary record.

Failure to Comply

Any public charter school employee who fails to report a suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A public charter school employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by this policy, the employee will be disciplined.

Cooperation with Investigator

The public charter school staff shall make every effort in suspected abuse of a child cases to cooperate with investigating officials as follows:

1. [Any investigation of abuse of a child will be directed by the ~~Oregon Department of Human Services~~ **DHS** or law enforcement officials as required by law. When an administrator is notified that the ~~Department of Human Services~~ **DHS** or law enforcement would like to interview a student at school, the administrator must request that the investigating official ~~demonstrate that he/she has a warrant, court order, exigent circumstances or parental consent to interview the student~~ **complete the appropriate form**. Failure to ~~meet one of these criteria~~ **complete the appropriate form** may result in the administrator's refusal to allow the student interview on school property.]If the student is to be interviewed at the school, the administrator or representative shall make a conference space available. The administrator or representative of the school may at the discretion of the investigator, be present to facilitate the interview. Law enforcement officers wishing to interview or remove a student from the premises shall present themselves at the office and contact the administrator or representative. The officer shall sign the student out on a form to be provided by the school;
2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, public charter school employees shall not notify parents;
3. The administrator or representative shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. Public charter school employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Oregon School Boards Association Sample Charter School Policy

Code: **JHHB**
Adopted:

Trauma Informed Schools

A trauma informed approach to education is intended to improve attendance, graduation rates and reduce incidents of behaviors that can inhibit learning.

The public charter school recognizes that the developmental impact of childhood and historical trauma increases student risk for, but not limited to, academic failure, severe attendance problems, severe school behavior concerns and possible chronic health concerns; which negatively impacts student engagement and learning.

The public charter school is committed to providing trauma informed schools and culturally responsive programs where all students feel included, welcomed, valued and supported; and where addressing trauma's impact on learning school wide is integral to the public charter school's educational mission.

The public charter school will strive to create physically and emotionally safe, and culturally responsive environments for all staff, students and families through effective professional development in school procedures and school practices and instruction in the following areas: 1) understanding the widespread impact of trauma and the role of schools in promoting resiliency; 2) recognizing the signs and symptoms of trauma in students, families and staff; and 3) integrating knowledge about trauma and social emotional learning in children.

The [superintendent] [administrator] or designee is directed to implement a trauma informed approach to education through the application of culturally responsive trauma informed practices in the public charter school and programs.

END OF POLICY

Legal Reference(s):

[ORS 338.115](#)

Oregon School Boards Association Sample Charter School Policy

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

Public Records

In compliance with Oregon law the following guidelines apply to the dissemination, inspection and examination of the public records of the public charter school:

1. A public records request shall be submitted in writing through the [administrator's office] at [address].
2. Upon receipt of a written request, the public charter school shall respond within five business days¹ acknowledging receipt of the request or completing² the public charter school's response to the request. If the public charter school provides an acknowledgment of the request, it must:
 - a. Confirm that the public charter school is the custodian of the requested record;
 - b. Inform the requester that the public charter school is not the custodian of the requested record; or
 - c. Notify the requester that the public charter school is uncertain whether the public charter school is the custodian of the requested record.
3. If the public charter school is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date the public charter school is required to acknowledge receipt of the request as described above, the public charter school shall:
 - a. Complete its response to the public records request. If the public charter school determines that a record is exempt from public disclosure, the public charter school will include a statement to that effect, and that the requester may appeal the decision pursuant to state law; or
 - b. Provide a written statement that the public charter school is still processing the request and a reasonable estimated date by which the public charter school expects to complete its response based on the information currently available.
4. The time periods, established by Oregon law and identified above in Section 2 or 3, will not apply to the public charter school if compliance would be impracticable because:
 - a. The staff or volunteers³ necessary to complete a response to the public records request are unavailable;
 - b. Compliance would demonstrably impede the public charter school's ability to perform other necessary services; or
 - c. Of the volume of the public records request being simultaneously processed by the public charter school.

¹"Business day" means a day other than Saturday, Sunday or a legal holiday, and on which at least one paid employee of the public charter school is scheduled to and does report to work.[Business day does not include any day on which the [central administration office for the] public charter school is closed.]

²The public charter school response to a public records request will be considered complete pursuant to **when it complies with** criteria in Oregon law (ORS 192.410-192.505).

³Staff member or volunteers who are on leave or are not scheduled to work are considered to be unavailable.

The public charter school shall, as soon as practicable and without unreasonable delay, acknowledge a public records request and complete the response to the request.

5. The public charter school may request additional information or clarification from the requester for the purpose of expediting the public charter school's response to the request as permitted by law. If the public charter school requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification.
6. If a copy of a public record is requested, the public charter school will provide a single **certified** copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public record is not available in the form requested, it will be provided in the form the record is maintained. If a person who is a party to a civil judicial proceeding to which the public charter school is a party or who has filed notice under Oregon Revised Statute (ORS) 30.275(5)(a) asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of public charter school records and at the same time to the public charter school's attorney.
7. Information will be made available to individuals with disabilities in an appropriate format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.
8. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges will be reimbursed to the public charter school. Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate of [\$.25 per page]. Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

If the public charter school has informed the requester of a permitted fee, the obligation of the public charter school to complete its response to the request is suspended until the fee has been received by the public charter school. If the requester fails to pay the fee within 60 days of the date he/she was informed of the fee or fails to pay the fee within 60 days of the date on which the public charter school informed them of the denial of the fee waiver, the public charter school shall close the request.

9. The public charter school reserves the right to restrict the inspection of some public records to the public charter school's facilities.