



## The Community Roots School Board Meeting

Tuesday, Nov. 1st, 2022 6:30 p.m.  
229 Eureka Ave. Silverton

### Agenda

1. Call meeting to order – Sarah
2. Reading of Community Roots School Mission Statement – Jane  
(6:30)  
*Rooted in our local community, we learn in an authentic Montessori environment,  
growing as conscientious and joyful learners, inspired to lead in the world community.*
- Consent Agenda (6:35)
  - Approve October Meeting Minutes
- Audience with Visitors (Audience members may make comments to the board on any topic)  
(6:40)
- Administrator Report – Christen Kelly (6:45-6:55)
- Committee reports (Fundraising, Finance, Facilities) (6:55-7:05)
- Discussion Items and Actions (7:05-8:00)
  - Policy revisions - 2nd reading -Christen
    - Discussion
    - Action
  - Policy Updates - 1st reading - Christen
    - Discussion
    - Action
  - Budget overview and projections -Christen
    - Discussion

VISITORS: Meetings of the school board are for the members to conduct official school business. All meetings are open to the public, except executive sessions, which may be called according to Oregon law. Members of the public desiring to address the board are asked to contact the administrator at least one week in advance of the meeting. Large groups are asked to designate a primary spokesperson.



The Community Roots School Board Meeting  
Oct 4, 2022  
Draft Minutes

**Staff:** Michelle

**Board Members:** Jackie, Matt, Jane, Virginia, Jen, Sarah

**Consent agenda:** Matt motions to approve, Jackie approves

**Audience with Visitors:** Aaron Wanstall helps with fundraising, Michelle - recharge cafe has started and chess club has started. Owls did a community fundraising and donated 200 lbs of food.

**Administrator Report:** Christen - approaching 6 week mark of school, SPED is starting, Grange final inspection is for tomorrow. Middle school has been spending Mondays at the Grange preparing to move in. \$3000 grant from whole foods foundation. Assigning Alyssa for volunteer coordinator. LEGO robotics is on the docket and we have reached out to the people that do that. School assessments have started. 91 is current enrollment. Observations for our school will start this fall. Thursday night there will be an outreach for parents.

**Facilities:** Work party had about 50 volunteers helping out.

**Finance:** Revamping financial statement was discussed at last finance meeting. Middle of October audit should be completed. \$200k was rolled over from last year.

**Fundraising:** Volunteer recruitment is the priority and the events are getting ready to start. Sarah has started mapping out grant funds.

**Discussion:**

Draft annual report with changes to nutrition section - Virginia moves to approve - Jackie approves

Policies: EFA-AR is being deleted - changes will be made and final draft will be presented next month for approval.

Possible topics for next month: Recruitment for board, Strategic Planning, possible Sub-Committee for marketing



## The Community Roots School November 2022

# Administrator Report

### Enrollment:

- Current: 91 students enrolled.
  - Losing one student moving out of state, Gaining one student transferring in from another District school
  - Another student due to enroll after winter break.

### 1. Enrollment

- a. Losing one student moving out of state, Gaining one student transferring in from another District school
- b. Another student due to enroll after winter break.
- c. Space still available in K and grades 4-8

### 2. District Communication

- a. Special Education department still has a posting out for an instructional aide for Christine Davis.
- b. IT department finalized their portion of work for the Grange.
- c. Bus transportation has been secured for the mornings to the Grange M-F, and the early dismissal Monday afternoons.

### 3. Educational Accountability & School News

- a. Middle School Students have begun school on-site at the CRS-Grange campus as of October 25<sup>th</sup>, 2022
- b. SPED IEP and 504 work continues with Christine Davis doing both push-in and pull-out services for students. We have an increased number of students receiving SpED services and accommodations, and Christine has been working to make sure all student's needs are being met. By winter break, CRS will have 20 students in SpEd (IEP's or 504's), and by the end of the year we estimate that there will be ~9 more students added. That is approx. 30% of our student body receiving services. The district is still interviewing for a full-time SpEd assistant for CRS, and Christine will be dividing her time between CRS and Bethany.
- c. DERS observations and 1:1 meetings with staff members are being conducted.
- d. An Open Classroom event is scheduled for November 9<sup>th</sup> 2022, from 4-6pm. This event is an opportunity for parents to visit their child's classroom and experience a lesson or two.
- e. Parent/Teacher conferences are scheduled for November 21st and 22<sup>nd</sup>.
- f. CRS Annual Report has been submitted to SFSD's Superintendent.
- g. CRS Annual Report has been filed with the Oregon Corporation Division.

### 4. Budget & Finances

- a. Christen met with Kim Doud at the Business office for a monthly review for SIA funds.
- b. All SIA spending for 21/22 has been recorded, accounted for and submitted to ODE. SIA budgeting and documentation has also been submitted for the current 2022/23 school year.
- c. Currently, we are working on purchasing all the Auction items from the Giving Tree and Paddle Up. Those purchases will be used in this Fiscal Year and are reconciled on a monthly basis. We aim to have all purchasing complete by December 2022.
- d. HB4030 Retention Bonuses were paid out to eligible staff members.

### 5. Community & Fundraising

- a. Poinsettia and Wreath Fundraising has begun. Orders can be placed online for a December delivery date. There will also be a family wreath making workshop in December.



- b. Giving Tuesday is happening on November 29<sup>th</sup>, 2022. Fundraising team to promote.
- c. An Open Classroom event is scheduled for November 9<sup>th</sup> 2022, from 4-6pm. This event is an opportunity for parents to visit their child's classroom and experience a lesson or two.
- d. Portland Opera is scheduled to perform "Beatrice" for our students in grades 4-8 on November 16<sup>th</sup> at 2:00pm

6. **Facilities**

- a. Great community turn-out to help move items out of UHaul Storage and the school to the Shipping Container on the Grange property.
- b. Basement Rooms have been cleared out to create both a staff room and a resource library for students.
- c. Final inspections have been cleared for the Grange and CRS has been cleared to occupy that space.
- d. Monthly facility meetings with SFC are ongoing.

7. **HR**

- a. SFSD is still seeking a Special Ed assistant to work alongside Christine West to serve the students at Community Roots.

The Community Roots School  
Statement of Financial Activities  
As of 9/30/2022

Description	Actual	Actual	Budget		Flux	Flux
	Total 8/31/22	Total 9/30/22	Approved Budget	Actual vs. Approved Budget	Annualized Difference	% Difference
Fundraising	2,785.00	4,385.11	40,000.00	(35,614.89)	(35,614.89)	-89.0%
State School Fund—General Support	199,528.63	199,528.63	827,668.80	(628,140.17)	(628,140.17)	-75.9%
BEGINNING FUND BALANCE	-	294,931.42	-	294,931.42	294,931.42	0.0%
SIA Funds	-	74,539.75	81,338.00	(6,798.25)	(6,798.25)	-8.4%
ESSER II	-	9,190.24	14,000.00	(4,809.76)	(4,809.76)	-34.4%
ESSER III	-	12,549.18	13,000.00	(450.82)	(450.82)	-3.5%
Grants	-	3,000.00	-	3,000.00	3,000.00	100.0%
Supply Fees	-	3,600.00	5,250.00	(1,650.00)	(1,650.00)	-31.4%
<b>Total Revenue</b>	<b>202,313.63</b>	<b>601,724.33</b>	<b>981,256.80</b>	<b>(379,532.47)</b>	<b>(379,532.47)</b>	
<b>General Funding</b>						
Salaries	(15,453.82)	(56,389.98)	(503,953.86)	447,563.88	12,719.94	-2.5%
Substitute & Temporary Wages	-	-	(13,500.00)	13,500.00	13,500.00	-100.0%
Benefits	(5,669.50)	(16,725.02)	(129,064.83)	112,339.81	(3,601.41)	2.8%
PERS	(1,983.33)	(7,553.01)	(108,048.51)	100,495.50	41,212.35	-38.1%
Computer Expenses	(1,008.00)	-	-	-	10,080.00	0.0%
Consumable Supplies and Materials	(1,683.46)	(3,057.85)	(7,600.00)	4,542.15	(6,143.90)	80.8%
Dues and Fees	-	(416.84)	(2,000.00)	1,583.16	(2,168.40)	108.4%
Insurance	(7,116.00)	(7,116.00)	(7,500.00)	384.00	7,500.00	-100.0%
Professional Development	-	-	-	-	-	0.0%
Professional Services	-	-	(18,000.00)	18,000.00	18,000.00	-100.0%
Rent	(637.60)	(956.40)	(55,000.00)	54,043.60	51,174.40	-93.0%
Rental - Other	(268.20)	(5,400.03)	(5,750.00)	349.97	(55,831.96)	971.0%
Repairs and Maintenance	-	-	-	-	-	0.0%
Transportation	-	-	(1,000.00)	1,000.00	1,000.00	-100.0%
Utilities	(691.72)	(1,207.40)	(6,100.00)	4,892.60	943.20	-15.5%
Other Expense	(5,135.00)	(5,135.00)	(5,000.00)	(135.00)	5,000.00	-100.0%
<b>Total General Funding</b>	<b>(39,646.63)</b>	<b>(103,957.53)</b>	<b>(862,517.20)</b>	<b>758,559.67</b>	<b>93,384.22</b>	<b>-10.8%</b>
<b>SIA Funds</b>						

Professional Development	-	-	(1,164.44)	1,164.44	1,164.44	-100.0%
Admin Salary - 40% 2022-23	-	(3,150.69)	(28,628.74)	25,478.05	(9,179.54)	32.1%
Employer Burden Admin 40% 2022-23	-	-	(9,997.50)	9,997.50	9,997.50	-100.0%
Non-Licensed Salary (AB) 2022-23	-	-	(31,000.00)	31,000.00	31,000.00	-100.0%
Employer Burden (AB) 2022-23	-	-	(10,547.32)	10,547.32	10,547.32	-100.0%
<b>Total SIA Funds</b>	-	<b>(3,150.69)</b>	<b>(81,338.00)</b>	<b>78,187.31</b>	<b>43,529.72</b>	<b>-53.5%</b>
<b>ESSER II</b>						
Professional Development - STAFF	1,300.00	(1,300.00)	(4,000.00)	2,700.00	(22,000.00)	550.0%
Technology	1,528.77	(3,966.72)	(8,500.00)	4,533.28	(46,454.90)	546.5%
PPE & Air Filtration	1,055.25	(4,158.38)	(1,500.00)	(2,658.38)	(50,636.30)	3375.8%
<b>Total ESSER II</b>	<b>3,884.02</b>	<b>(9,425.10)</b>	<b>(14,000.00)</b>	<b>4,574.90</b>	<b>(119,091.20)</b>	<b>850.7%</b>
<b>ESSER III</b>						
Non-Licensed Salary (AB)	-	-	(7,919.99)	7,919.99	7,919.99	-100.0%
Intervention Programs/STAR	-	-	(5,080.01)	5,080.01	5,080.01	-100.0%
<b>Total ESSER III</b>	-	-	<b>(13,000.00)</b>	<b>13,000.00</b>	<b>13,000.00</b>	<b>-100.0%</b>
<i>Cont Fund 1.25% of SSF Revenue</i>	-	-	(10,345.86)	10,345.86	10,345.86	-100.0%
<i>Reserve Fund .6% off of SSF Revenue</i>	-	-	(4,966.01)	4,966.01	4,966.01	-100.0%
<b>Total Expense</b>	<b>(35,762.61)</b>	<b>(116,533.32)</b>	<b>(986,167.07)</b>	<b>854,321.88</b>	<b>30,822.74</b>	<b>-3.1%</b>
<b>Net Revenue (Expense)</b>	<b>166,551.02</b>	<b>485,191.01</b>	<b>(4,910.27)</b>	<b>474,789.41</b>	<b>(348,709.73)</b>	<b>7101.6%</b>
<b>Citizens Bank Balance</b>		164432.17				

# OSBA Model Charter School Sample Policy

Code: EFA  
Adopted:

## Local Wellness

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 administrator 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.

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

#### Implementation

The public charter school shall manage and coordinate the implementation of this local wellness policy. The implementation will consist of, but not be limited to, the following:

1. Delineating roles, responsibilities, actions and timelines specific to each school;
2. Generating and disseminating information about who will be responsible to make what change, by how much, where and when;
3. Establishing standards for all foods and beverages provided (but not sold) to students during the school day on participating school campuses;
4. Establishing standards and nutrition guidelines for all foods and beverages sold to students during the school day on participating school campuses that meet state and federal nutrition standards for NSLP and SBP, competitive foods, permit marketing of same that meets the competitive food nutrition standards, and promotes student health and reduces child obesity; and
5. Establishing specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness.

The Board designates the administrator to be responsible for ensuring each school meets the goals outlined and complies with this policy.

#### Notification of Policy

The public charter school will inform the public about the content and implementation of the local wellness policy, and post the policy and any updates to the policy on the school website annually. Included will be, if available, the most recent assessment of the implementation, and a description of the progress being made in attaining the goals of the policy.

The public charter school will publicize the name and contact information of the administrator or other school official(s) leading and coordinating the policy and information on how the public can get involved with the local wellness policy. This information will be published on the website and in school communications.

### **Triennial Progress Assessments**

At least once every three years, the public charter school will evaluate the implementation of this policy and its progress with a triennial assessment and produce a progress report that will include:

1. The extent to which school(s) under the jurisdiction of the public charter school are in compliance with the policy;
2. The extent to which the public charter school's policy compares to model local school wellness policy<sup>{1}</sup>; and
3. A description of the progress made in attaining the goals of the public charter school's policy.

The public charter school will publish the triennial progress report on the school website when available. The public charter school will update or modify the policy based on results of the triennial assessment.

### **Community Involvement, Outreach and Communications** {<sup>2</sup>}

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. The school will communicate information about opportunities. The school will ensure that communications are culturally and linguistically appropriate to the community.

Parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board, school administrators, and the general public will be solicited to participate in the periodic review and update of the local school wellness policy.

## **NUTRITION PROMOTION AND NUTRITION EDUCATION**

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using evidence-based strategies and techniques and nutrition messages and by creating food environments that support healthy nutrition choices.

---

<sup>1</sup> {Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

<sup>2</sup> {USDA Local school wellness policy [resource](#); CDC [resource](#); CDC Healthy Schools [resource](#); USDA Local school wellness policy [outreach toolkit](#) and communication resource from [Alliance for a Healthier Generation](#).}



To promote nutrition education in the schools, the principal is responsible for ensuring the following goals are implemented:

1. Students and staff will receive consistent nutrition messages throughout the school environment;
2. Nutrition education is provided throughout the student's school years as part of the school's age-appropriate, comprehensive nutrition program (which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, safe food preparation, and handling and storage related to food and eating), and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;
3. Nutrition education will include culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs;
4. Parents and families are encouraged through school communications to send healthy snacks/meals and reusable water bottles with their student to school;
5. Families and community organizations are involved, to the extent practicable, in nutrition education;

Nutrition promotion, including marketing and advertising nutritious foods and beverages to students, will be implemented consistently through a comprehensive and multi-channel approach, (e.g., in the classroom, cafeteria and at home) by staff, teachers, parents, students and the community.

To ensure adequate nutrition promotion, the following goals will be implemented:

1. Information about available meal programs is distributed prior to or at the beginning of the school year and at other times throughout the school year;
1. Information about availability and location of a Summer Food Service Program (SFSP) is distributed;
2. Physical activity is a planned part of school-community events.

### **School Meals**

The public charter school participates in U.S. Department of Agriculture (USDA) child nutrition program(s), administered through the Oregon Department of Education (ODE), including the National School Lunch Program (NSLP). The school also operates additional nutrition-related programs and activities including school gardens.

The school's available meal program(s) will operate to meet meal pattern requirements and dietary specifications in accordance with the Healthy, Hunger-Free Kids Act and applicable federal laws and regulations.

The administrator or designee will support nutrition and food services operation as addressed in Board policy EFAA – School Nutrition and Food Services and its accompanying administrative regulation EFAA-AR – Reimbursable Meals and Milk Programs.

### **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 will meet or exceed Smart Snacks Standards<sup>3</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, the school garden, à la carte options in cafeterias, vending machines, school stores, snack or food carts and fund raising.

### **Celebrations and Rewards/Incentives**

All foods and beverages offered on the school campus 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, and classroom snacks brought by parents. Food will not be used as a reward or incentive.

### **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. Such requests to conduct a fund raiser will be submitted to the administrator for approval before starting.

### **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 for competitive foods set by the USDA.

## **PHYSICAL ACTIVITY AND PHYSICAL EDUCATION**

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 in order to meet ODE's physical education content standards and state law.

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

In order to ensure students are afforded the opportunity to engage in physical education and physical activity in the school setting, the following goals are established:

1. Physical education will focus on students' physical literacy and development of motor skills;

---

<sup>3</sup> Oregon Department of Education, [Oregon Smart Snacks Standards](#)

2. Physical education courses will be the environment where students learn, and practice developmentally appropriate knowledge, skills and confidence to become physically literate;
3. Instruction, provided by adequately prepared teachers and will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045).
4. Every public school student in kindergarten through grade 8 shall participate in physical education for the entire school year. Students in kindergarten through grade 6 shall participate for a least 150 minutes during each school week, and students in grades 7 through 8 for at least 225 minutes per school week;
5. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of all classes or courses as part of a well-rounded education;
6. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment or a reward;

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.

### **Other Activities that Promote Student Wellness**

The school will integrate wellness activities throughout the entire school environment. The school will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicated and work toward the same set of goals promoting student well-being, optimal development and strong educational outcomes.

END OF POLICY

#### **Legal Reference(s):**

[ORS 327.531](#)  
[ORS 327.537](#)  
[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](#)

National School Lunch Program, 7 C.F.R. Part 210 (2022).  
 School Breakfast Program, 7 C.F.R. Part 220 (2022).  
 Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. § 1758b (2018).

## OSBA Model Charter School Sample Policy

Code: GBEA  
Adopted:

### Workplace Harassment \*

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between public charter school employees or between a public charter school employee and the public charter school in the workplace or at a work-related event that is off public charter school premises and coordinated by or through the public charter school, or between a public charter school and a public charter school employee off public charter school premises. Board members, volunteers and interns are subject to this policy.

Any public charter school employee who believes they have been a victim of workplace harassment may file a report with the public charter school employee designated in the administrative regulation GBEA-AR - Workplace Harassment Reporting and Procedure, may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The public charter school employee making the report is advised to document any incidents of workplace harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault<sup>1</sup> or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or 659A.112 (discrimination in employment based on disability).

The public charter school, upon receipt of a report from a public charter school employee who believes they are a victim of workplace harassment, shall provide information about legal resources and counseling and support services, including any available employee assistance services. The public charter school employee receiving the report, whether a supervisor of the employer or the public charter school employee designated to receive reports, is advised to document any incidents of workplace harassment, and shall provide a copy of this policy and accompanying administrative regulation to the victim upon their disclosure about alleged workplace harassment.

All incidents of behavior that may violate this policy shall be promptly investigated.

Any person who reports workplace harassment has the right to be protected from retaliation.

---

<sup>1</sup> “Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

The public charter school may not require or coerce a public charter school employee to enter into a nondisclosure<sup>2</sup> or nondisparagement<sup>3</sup> agreement.

The public charter school may not enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a nondisparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between public charter school employees or between a public charter school employee and the public charter school, in the workplace or at a work-related event that is off public charter school premises and coordinated by or through the public charter school, or between a public charter school employee and employer off public charter school premises.

The public charter school may enter into a settlement agreement, separation or severance agreement that includes one or more of the following provisions only when a public charter school employee claiming to be aggrieved by workplace harassment requests to enter into the agreement: 1) a nondisclosure or nondisparagement provision; 2) a provision that prevents disclosure of factual information relating to the claim of workplace harassment; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with the public charter school as a term or condition of the agreement. The agreement must provide the public charter school employee at least seven days after signing the agreement to revoke it.

If the public charter school determines in good faith that an employee has engaged in workplace harassment, the public charter school may enter into a settlement, separation or severance agreement that includes one or more of the provisions described in the previous paragraph.

It is the intent of the Board that appropriate corrective action will be taken by the public charter school to stop workplace harassment, prevent its recurrence and address negative consequences. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional workplace harassment awareness training, as appropriate. Other individuals (e.g., board members and volunteers and interns) whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the administrator or the Board.

The public charter school shall make this policy available to all public charter school employees and shall be made a part of public charter school orientation materials provided and copied to new public charter school employees at the time of hire.

The administrator will establish a process of reporting incidents of workplace harassment and the prompt investigation.

END OF POLICY

---

<sup>2</sup> A “nondisclosure” agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

<sup>3</sup> A “nondisparagement” agreement or provision prevents either party from making disparaging statements about the other party.

**Legal Reference(s):**

[ORS 174.100](#)  
[ORS 243.317 - 243.323](#)  
[ORS 338.115](#)  
[ORS 659A.001](#)  
[ORS 659A.003](#)  
[ORS 659A.006](#)

[ORS 659A.029](#)  
[ORS 659A.030](#)  
[ORS 659A.082](#)  
[ORS 659A.112](#)  
[ORS 659A.370](#)  
[ORS 659A.820](#)

[ORS 659A.875](#)  
[ORS 659A.885](#)  
[OAR 584-020-0040](#)  
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).  
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).  
Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

**Deleted:** [House Bill 3041 \(2021\)](#)

## OSBA Model Charter School Sample Policy

Code: IGAI

Adopted:

### **Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education\*\***

The public charter school shall provide an age appropriate, comprehensive plan of instruction focusing on human sexuality, HIV/AIDS and sexually transmitted infections and disease prevention in elementary and secondary schools as an integral part of health education and other subjects. Course material and instruction for all human sexuality education courses that discuss human sexuality shall enhance a student's understanding of sexuality as a normal and healthy aspect of human development. A part of the comprehensive plan of instruction shall provide age-appropriate child sexual abuse prevention instruction for students in kindergarten through grade 12. The public charter school must provide a minimum of four instructional sessions annually; one instructional session is equal to one standard class period. In addition, the HIV/AIDS and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students in grades 6 through 8.

Parents, teachers, school administrators, local health departments staff, other community representatives and persons from the medical community who are knowledgeable of the latest scientific information and effective education strategies shall develop the plan of instruction and align it with the Oregon Health Education Standards and Benchmarks.

The Board shall approve the plan of instruction and require that it be reviewed and updated biennially in accordance with new scientific information and effective educational strategies.

Parents of minor students shall be notified in advance of any human sexuality or AIDS/HIV instruction. Any parent may request that their child be excused from that portion of the instructional program under the procedures set forth in Oregon Revised Statute (ORS) 336.035(2).

The comprehensive plan of instruction shall include the following information that:

1. Promotes abstinence for school age youth and mutually monogamous relationships with an uninfected partner for adults;
2. Allays those fears concerning HIV that are scientifically groundless;
3. Is balanced and medically accurate;
4. Provides balanced, accurate information and skills-based instruction on risks and benefits of contraceptives, condoms and other disease reduction measures;
5. Discusses responsible sexual behaviors and hygienic practices which may reduce or eliminate unintended pregnancy, exposure to HIV, hepatitis B/C and other sexually transmitted infections and diseases;
6. Stresses the risks of behaviors such as the sharing of needles or syringes for injecting illegal drugs and controlled substances;

HR8/08/22 | LF

Human Sexuality, AIDS/HIV, Sexually Transmitted  
Diseases, Health Education\*\* – IGAI

1-3

7. Discusses the characteristics of the emotional, physical and psychological aspects of a healthy relationship;
8. Discusses the benefits of delaying pregnancy beyond the adolescent years as a means to better ensure a healthy future for parents and their children. The student shall be provided with statistics based on the latest medical information regarding both the health benefits and the possible side effects of all forms of contraceptives including the success and failure rates for prevention of pregnancy, sexually transmitted infections and diseases;
9. Stresses that HIV/STDs and hepatitis B/C can be possible hazards of sexual contact;
10. Provides students with information about Oregon laws that address young people's rights and responsibilities relating to childbearing and parenting;
11. Advises students of consequences of having sexual relations with persons younger than 18 years of age to whom they are not married;
12. Encourages family communication and involvement and helps students learn to make responsible, respectful and healthy decisions;
13. Teaches that no form of sexual expression or behavior is acceptable when it physically or emotionally harms oneself or others and that it is wrong to take advantage of or exploit another person;
14. Teaches that consent is an essential component of healthy sexual behavior. Course material shall promote positive attitudes and behaviors related to healthy relationships and sexuality, and encourage active student bystander behavior;
15. Teaches students how to identify and respond to attitudes and behaviors which contribute to sexual violence;
16. Validates the importance of one's honesty, respect for each person's dignity and well-being, and responsibility for one's actions;
17. Uses inclusive materials and strategies that recognizes different sexual orientations, gender identities and gender expression;
18. Includes information about relevant community resources, how to access these resources, and the laws that protect the rights of minors to anonymously access these resources; and
19. Is culturally inclusive.

The comprehensive plan of instruction shall emphasize skills-based instruction that:

1. Assists students to develop and practice effective communication skills, development of self-esteem and ability to resist peer pressure;
2. Provides students with the opportunity to learn about and personalize peer, media, technology and community influences that both positively and negatively impact their attitudes and decisions related



to healthy sexuality, relationships and sexual behaviors, including decisions to abstain from sexual intercourse;

3. Enhances students' ability to access valid health information and resources related to their sexual health;
4. Teaches how to develop and communicate sexual and reproductive boundaries;
5. Is research based, evidence based or best practice; and
6. Aligns with the Oregon Health Education Content Standards and Benchmarks.

All sexuality education programs emphasize that abstinence from sexual intercourse, when practiced consistently and correctly, is the only 100 percent effective method against unintended pregnancy, sexually transmitted HIV and hepatitis B/C infection and other sexually transmitted infections and diseases.

Abstinence is to be stressed, but not to the exclusion of contraceptives and condoms for preventing unintended pregnancy, HIV infection, hepatitis B/C infection and other sexually transmitted infections and diseases. Such courses are to acknowledge the value of abstinence while not devaluing or ignoring those students who have had or are having sexual relationships. Further, sexuality education materials, including instructional strategies, and activities must not, in any way use shame or fear-based tactics.

Materials and information shall be presented in a manner sensitive to the fact that there are students who have experienced, perpetrated or witnessed sexual abuse and relationship violence.

The school's health and sexuality education will provide information on menstrual health and will be inclusive and affirming of transgender, non-binary, intersex, and two spirit/indigiqueer students; be positive and not fear- or shame-based; be age-appropriate; be medically-accurate; be culturally responsive; and be accessible for students with disabilities.

END OF POLICY

---

**Legal Reference(s):**

[ORS 336.035](#)

[ORS 338.115](#)

[OAR 581-021-0593](#)

[ORS 336.059](#)

[ORS 339.370 - 339.400](#)

[OAR 581-022-2050](#)

[ORS 336.107](#)

[OAR 581-022-2220](#)

[ORS 336.455 - 336.474](#)

[OAR 581-021-0009](#)

Deleted: 5

## OSBA Model Charter School Sample Policy

Code: JEA  
Adopted:

### Compulsory Attendance\*\*

Except when exempt by Oregon law, all children between ages 6 and 18 who have not completed the 12th grade are required to regularly attend a public, full-time school during the entire school term. Persons having legal control of a child between the ages 6 and 18, who has not completed the 12th grade, are required to have the child attend and maintain the child in regular attendance during the entire school term.

All children five years of age who have been enrolled in a public school are required to attend regularly while enrolled in the public school. Persons having legal control of a child, who is five years of age and has enrolled the child in a public school, are required to have the child attend and maintain the child in regular attendance during the school term.

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the administrator or designee. The will notify the Superintendent of the sponsoring district when a student is considered truant.

A parent who is not supervising their child by requiring school attendance may also be in violation of Oregon Revised Statute (ORS) 163.577(1)(c); failing to supervise a child is a Class A violation.

### Exemptions from Compulsory School Attendance

In the following cases, children shall not be required to attend public, full-time schools:

1. Children being taught in a private or parochial school in courses of study usually taught in kindergarten through grade 12 in the public schools, and in attendance for a period equivalent to that required of students attending public schools.
2. Children proving to the Board's satisfaction that they have acquired equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade 12 in the public schools.
3. Children who have received a high school diploma or a modified diploma.
4. Children being taught, by a private teacher, the courses of study usually taught in kindergarten through grade 12 in the public school for a period equivalent to that required of students attending public schools.
5. Students being educated in the home by a parent or guardian or private teacher.
6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child's resident district in writing that the parent or guardian is delaying the enrollment of their child for one school year to better meet the child's needs for cognitive, social or physical development, as determined by the parent or guardian.

Deleted: ¶

7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.
8. Children excluded from attendance as provided by law.
9. Children who are eligible military children<sup>1</sup> are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order.
10. An exemption may be granted to the parent or guardian of any child 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615.
11. An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 to 419B.558.

END OF POLICY

---

**Legal Reference(s):**

[ORS 153.018](#)  
[ORS 163.577](#)  
[ORS 338.115\(2\)](#)  
[ORS 339.010 - 339.095](#)  
[ORS 339.139](#)

[ORS 339.990](#)  
[ORS 807.065](#)  
[ORS 807.066](#)  
  
[OAR 581-021-0026](#)

[OAR 581-021-0029](#)  
[OAR 581-021-0076](#)  
[OAR 581-021-0077](#)

---

<sup>1</sup> “Military child” means a child who is in a military family covered by the Interstate Compact on Educational Opportunity for Military Children, as determined under rules adopted by the State Board of Education.

# OSBA Model Charter School Sample Policy

Code: JGAB  
Adopted:

## Use of Restraint or Seclusion\*\*

The Board is dedicated to the development and application of best practices within the public charter schools educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with public charter school students.

The use of the following types of restraint on a student in the public charter school is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object<sup>1</sup>, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the public charter school.

---

<sup>1</sup> The use of a solid object, including furniture, a wall, or the floor, by public charter school staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

Restraint may be imposed on a student in the public charter school only under the following circumstances:

1. The student’s behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the public charter school only under the following circumstances:

1. The student’s behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher, administrator, or volunteer, it will be used only for as long as the student’s behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

## Definitions

1. “Restraint” means the restriction of a student’s actions or movements by holding the student or using pressure or other means.

“Restraint” does not include:

- a. Holding a student’s hand or arm to escort the student safely and without the use of force from one area to another;
- b. Assisting the student to complete a task if the student does not resist the physical contact; or
- c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
  - (1) Break up a physical fight;
  - (2) Interrupt a student’s impulsive behavior that threatens the student’s immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
  - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.

2. “Seclusion” means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

“Seclusion” does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student’s behavior.

3. “Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.

4. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
6. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

“Mechanical restraint” does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
  - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
  8. “Prone restraint” means a restraint in which a student is held face down on the floor.
  9. “Supine restraint” means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the scope of the public charter school program whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) 581-021-0568.

The public charter school shall utilize the MANDT training program of restraint or seclusion for use by the public charter school staff. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the public charter school must be in compliance with state and federal law with respect to the use of restraint and seclusion.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with public charter school policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;
5. The total number of student placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;

7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the public charter school to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics<sup>2</sup> of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the public charter school for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be made available to the public at the public charter school’s main office and on the public charter school website, to the Board, and to the school’s sponsor.

At least once each school year the parents and guardians of students of the district shall be notified about how to access the report.

The public charter school shall investigate all complaints regarding the use of restraint or seclusion practices according to the procedures outlined in Board policy KL - Public Complaints and KL-AR - Public Complaint Procedure. The complaint procedure is available at the school’s administrative office and is available on the home page of the school’s website.

The administrator shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting and written documentation of the use of restraint or seclusion by public charter school staff.

END OF POLICY

**Legal Reference(s):**

<a href="#">ORS 161.205</a>	<a href="#">ORS 339.300</a>	<a href="#">OAR 581-021-0563</a>
<a href="#">ORS 339.250</a>	<a href="#">ORS 339.303</a>	<a href="#">OAR 581-021-0566</a>
<a href="#">ORS 339.285</a>		<a href="#">OAR 581-021-0568</a>
<a href="#">ORS 339.288</a>	<a href="#">OAR 581-021-0061</a>	<a href="#">OAR 581-021-0569</a>
<a href="#">ORS 339.291</a>	<a href="#">OAR 581-021-0550</a>	<a href="#">OAR 581-021-0570</a>
<a href="#">ORS 339.294</a>	<a href="#">OAR 581-021-0553</a>	<a href="#">OAR 581-022-2267</a>
<a href="#">ORS 339.297</a>	<a href="#">OAR 581-021-0556</a>	<a href="#">OAR 581-022-2370</a>

---

<sup>2</sup> Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

## OSBA Model Sample Charter School Policy

Code: JHC  
Adopted:

### Student Health Services and Requirements\*\*

The public charter school shall staff nursing services appropriate for students with medical needs and prevention-oriented health services per applicable requirements of Oregon Revised Statutes (ORS) 336.201 and Oregon Administrative Rule (OAR) 581-022-2220.

The public charter school shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;
2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing-dependent student; and
3. One registered nurse or school nurse for every 225 medically complex students.

The public charter school may use the most cost effective means available to meet requirements.

Deleted: the above

Any nurse(s) providing services to the school shall follow all applicable requirements of Oregon Revised Statutes (ORS) Chapter 678 and Oregon Administrative Rule (OAR) Chapter 851. This includes, but is not limited, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of the patient prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.<sup>1</sup>

The public charter school shall maintain a prevention-oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;
2. Health appraisal to include screening for possible vision or hearing problems;
3. Health counseling for students and parents, when appropriate;
4. Health care and first-aid assistance that are appropriately supervised and isolates the sick or injured child from the student body;
5. Control and prevention of communicable diseases as required by Oregon Health Authority, Public Health Division, and the county health department;
6. Assistance for students in taking medication according to established public charter school procedures;
7. Services for students who are medically fragile or have special health care needs;

<sup>1</sup> For additional delegation requirements, see OAR [851-047-0030](#).



8. Integration of school health services with school health education programs.

The Board directs its health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

In accordance with the requirements of federal law, the public charter school recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination<sup>2</sup> or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All public charter school employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in vision or hearing screening. The public charter school will abide by those requests.

END OF POLICY

---

**Legal Reference(s):**

[ORS 336.201](#)  
[ORS 336.211](#)

[ORS 338.115](#)  
[OAR 581-022-2050](#)

[OAR 581-022-2220](#)  
[OAR 581-022-2225](#)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2022).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

---

<sup>2</sup> The term “invasive physical examination,” as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

# OSBA Model Charter School Sample Policy

Code: KBA  
Adopted:

## Public Records Request\*\*

A request to inspect or receive a copy of a public record shall be in writing and will be presented to the school office.

A “public record” includes any writing that contains information relating to the conduct of the public’s business, prepared, owned, used or retained by the public charter school regardless of physical form or characteristics, unless otherwise exempted by law.<sup>1</sup> “Writing” means handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols or combination thereof and all papers, maps, files, facsimiles or electronic records. Public record does not include any writing that does not relate to the conduct of the public’s business and that is contained on a privately owned computer.

All such information will be made available to individuals with disabilities in an accessible format, upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The Board supports the right of the people to know about programs and services of their schools and will make reasonable efforts to disseminate information. The administrator is authorized to use available means to keep parents and others in the particular school’s community informed about the school’s program and activities.

The Board reserves the right to establish a fee schedule which will reasonably reimburse the public charter school for the actual cost of making public records available pursuant to law. The public charter school will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for persons with disabilities.

School employee and volunteer personal residential addresses, personal electronic mail addresses social security numbers, dates of birth and personal telephone or cellular numbers, and other information listed in Oregon Revised Statute (ORS) 192.355 as exempt, contained in personnel records maintained by the school are exempt from public disclosure pursuant to ORS 192.363 - 368 and ORS 192.355(3). School electronic mail addresses assigned by the school to school employees are not exempt. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member.

The public charter school will not disclose the identification badge or card of an employee without the employee’s written consent if the badge or card contains the employee’s photograph and the badge or card

<sup>1</sup> There are multiple definitions for “public record” in ORS 192. This definition comes from ORS 192.311 and applies to the inspection of records.

Deleted:

was prepared solely for internal use by the public charter school to identify public charter school employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

The public charter school shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The public charter school shall retain and maintain its public records in accordance with Oregon Administrative Rule (OAR) 166-005-0010 and Chapter 166, Division 400 and ORS Chapter 192.

END OF POLICY

---

**Legal Reference(s):**

[ORS 180.805](#)  
[ORS Chapter 192](#)

[ORS 338.115\(2\)](#)  
[OAR 137-004-0800\(1\)](#)

[OAR 166-005-0010](#)  
[OAR 166-400](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2021); 28 C.F.R. Part 35 (2021).

OREGON DEP'T OF JUSTICE, OREGON ATTORNEY GENERAL'S, *Public Records and Meetings Manual*.

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

[Bialostosky v. Cummings](#), 319 Or. App. 352 (2022).

# OSBA Model Charter School Sample Policy

Code: KBA-AR  
Revised/Reviewed:

## Public Records Request

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 school office at 229 Eureka Ave., Silverton, OR 97381.
2. Upon receipt of a written request, the public charter school shall respond within five business days<sup>1</sup> acknowledging receipt of the request or completing<sup>2</sup> 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 in accordance with ORS 192.329(2). 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 volunteers<sup>3</sup> necessary to complete a response to the public records request are unavailable;

---

<sup>1</sup> "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 administration office for the public charter school is closed.

<sup>2</sup> The public charter school response to a public records request will be considered complete when it complies with criteria in Oregon law (ORS 192.329).

<sup>3</sup> Staff member or volunteers who are on leave or are not scheduled to work are considered to be 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.

In these situations, 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. If the requester fails to respond within 60 days to a good faith request from the school for information or clarification, the school shall close the request.
- 6. If a copy of a public record is requested, the public charter school will provide a single 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 made available in the form the record is maintained.
- 7. 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.
- 8. Information will be made available to individuals with disabilities in an accessible 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.
- 9. 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 were 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.

# OSBA Model Sample Policy

Code: BDDH  
Adopted:

## Public Comment at Board Meetings

*{HB 2560 (2021) goes into effect on January 1, 2022, and requires that districts provide the same opportunity for public comment to those attending virtually as is provided to those attending in person. We recommend that districts review current public comment practices and adopt policy language that meets the law and the desired district practice.}*

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites the district's community members to attend Board meetings to become acquainted with the program and operation of the district. The public has a right to attend public meetings held in open session, and may be invited to share comments, ideas and opinions with the Board during designated times on the agenda. The Board may conduct a meeting without public comment.

Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings and submit written comments to the Board. Individuals requesting assistance, aids or accommodations are encouraged to notify the district at least 48 hours prior to the Board meeting with the request, consistent with Board policy BD/BDA – Board Meetings.

### Procedures for Oral Public Comment

The Board establishes the following procedures for public comment at Board meetings held in open session. The information will be accessible and available to all patrons accessing or attending such a Board meeting.

1. Public comment is limited to its designated place on the agenda and while time allows.
2. [A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will [sign in on the public comment sheet provided] [complete and submit the Intent to Speak card to the Board secretary] [submit their name electronically] [do so as directed] prior to the Board meeting.<sup>1</sup> A request to give public comment in-person or electronically does not guarantee time will be available.
3. A person speaking during the public comment portion of the meeting may [comment on a topic not on the published agenda] [may comment only on agenda items].
4. A person speaking during the public comment portion of the meeting should state their name[, whether they are a resident of the district,] and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.
5. A person giving public comment is limited to an established time limit of [three] minutes. Statements should be brief and concise. [The Board chair has discretion to waive time limits or extend the overall time allotted for public comment. Additional time will be allocated in a fair and

---

<sup>1</sup> When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the same opportunity.

equitable manner.] [Time limits will be determined based on the number of commenters and the amount of time available for public comment.] If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board through the district office as directed.

6. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, and may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.]

[The Board will not hear public comment at Board work sessions.]

[Topics raised during the public comment portion may be considered for inclusion as agenda items at future Board meetings.]

### Procedures for Written Comment

Members of the public may submit written comments or materials to the Board at any time at the district office, by mail or by email to [insert email address]. Materials or comments submitted at least [72 hours] in advance of a Board meeting will be provided to the Board before the Board meeting[, but will not be read at the Board meeting]. Written materials or comments submitted may not warrant action by the Board.

### Comments Regarding Staff Members

A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the [procedures in Board policy KL - Public Complaints] [published complaint procedures] for consideration of a legitimate complaint involving a staff member. [Any association contract governing the employee's rights will be followed.] A commendation involving a staff member should be sent to the superintendent[, who will forward it to the [employee, a supervisor and the Board]].

END OF POLICY

---

#### Legal Reference(s):

[ORS 165.535](#)  
[ORS 165.540](#)

[ORS 192.610 - 192.690](#)  
[ORS 332.057](#)

[ORS 332.107](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

*Baca v. Moreno Valley Unified Sch. Dist.*, 936 F. Supp. 719 (C.D. Cal. 1996).

*Leventhal v. Vista Unified Sch. Dist.*, 973 F. Supp. 951 (S.D. Cal. 1997).

Oregon House Bill 2560 (2021).

# OSBA Model Sample Policy

Code: BDDH-AR  
Revised/Reviewed:

## Public Comment at Board Meetings

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point.

To provide public comment in person, if the opportunity is available on the Board agenda, please [sign in on the public comment sheet provided] [complete and submit the Intent to Speak card to the Board secretary] [do so as directed] prior to the meeting. Those attending virtually and want to provide public comment should notify the [Board secretary] [by submitting an email to [boardsecretary@district.k12.or.us]] [as directed] ]prior to the start of the meeting.

[A person speaking during the public comment portion of the meeting may [comment on a topic not on the published agenda] [comment only on agenda items].] A person providing public comment will be allowed [three] minutes. Signing up to provide public comment does not guarantee time will be available.

Any person, who is allowed to speak to the Board during a meeting, should state their name[, whether they are a resident of the district] and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

Comments about a specific employee or group of employees should comply with Board policy BDDH - Public Comment at Board Meetings:

“A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the [procedures in Board policy KL - Public Complaints] [published complaint procedures] for consideration of a legitimate complaint involving a staff member. [Any association contract governing the employee’s rights will be followed.] A commendation involving a staff member should be sent to the superintendent[, who will forward it to the [employee, a supervisor and the Board]].”

*SEE FORM ON REVERSE*



**INTENT TO SPEAK**

The Board welcomes input. To provide in-person public comment please submit this completed card to the [Board secretary] prior the start of the meeting.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of organization (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Email (optional): \_\_\_\_\_

Topic or comment to be presented (brief description): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

A complaint brought before the Board shall be referred to the proper school authorities. A complaint shall be processed in accordance with [Board policy KL - Public Complaints and KL-AR - Public Complaints Procedure] [published complaint procedures]. A hearing conducted by the Board regarding personnel may take place in an executive session.

**The Board requests that a topic or comment is limited to [three] minutes or less.**