



MOLALLA RIVER ACADEMY POLICY MANUAL

Guide students in becoming responsible lifelong learners and compassionate community members through interdisciplinary studies in the arts and sciences within a safe and nurturing environment.

Adopted Policies
Updated July 2019

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MOLALLA RIVER ACADEMY

Within this manual can be found the policies adopted by the MRA Board of Directors. In addition to the requirements and policies adopted herein, all members of the MRA community also adhere to any additional applicable guidelines outlined in the Parent Handbook, Staff Handbook, Molalla River Academy Board Governance Manual and MRA Bylaws. MRA also reserves the right to defer to Molalla River School District policies in a situation when the MRA Board of Directors has not yet adopted an applicable policy.

Mission Statement

Molalla River Academy's mission is to guide students in becoming responsible lifelong learners and compassionate community members through interdisciplinary studies in the arts and sciences within a safe and nurturing environment.

Core Values

- We promote academic excellence through integrated, thematic curriculum.
- We create a safe and comfortable learning environment.
- We foster a sense of community
- We practice authentic assessment.
- We create ongoing opportunities in the arts and sciences.
- We encourage problem solving through hands on experiences.
- We promote activities and behaviors that develop physical, social and emotional wellness.

Vision Statement

Our vision is successful graduates with the knowledge and confidence to pursue their dreams and enrich the community.

SECTION ONE: CHARTER SCHOOL REQUIREMENTS

Oregon Non-Profit ORS 65

Molalla River Academy is established as a non-profit corporation pursuant to ORS Ch. 65 and as described in its Articles of Incorporation and Bylaws. Molalla River Academy is established as an Oregon nonprofit corporation, with its registered office and Executive Director's office at 16897 S. Callahan Rd. Molalla, OR. 97038.

Federal Tax Exempt IRC 501(c)(3) Status

Molalla River Academy was determined to be exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code and was notified of such status by an IRS determination letter dated April 24, 2009. The effective date of the federal income tax exemption is August 28, 2008.

Non-Discrimination

Equal employment opportunity and treatment shall be provided in recruiting, hiring, retention, transfer, promotion and training of all employees regardless of race, color, national origin, religion, gender, sexual orientation, age, marital status, or disability, as long as the employee is able to perform the essential functions of the position, without or without reasonable accommodation.

No Religious Affiliation

Molalla River Academy is not affiliated with any religious organization.

Approved Charter

Molalla River Academy is sponsored by the Molalla River School District. Terms of sponsorship are defined in a charter contract between the Molalla River School District Board of Directors and the Molalla River Academy's Board of Directors.

Unwaivables

Molalla River Academy will comply fully with the requirements of law set out in ORS 338.115 (1)(a-s), commonly referred to as the "unwaivable requirements," whether the requirements are specifically enumerated or included by reference in the charter contract.

Annual Report

Pursuant to ORS 338.095 (1), Molalla River Academy will prepare and provide a report on the performance of the school and its students to the sponsoring school district board and to the State Board of Education annually by October 31 of each year.

Audit

Pursuant to ORS 338.095 (2), Molalla River Academy will obtain an audit of the accounts of the charter school in conformance with the provisions of Oregon's Municipal Audit Law as set out in ORS 297.405 to 297.555 and 297.990. MRA will provide the audit report to the sponsoring school district board, the State Board of Education and the Oregon Department of Education annually by October 15th of each year, or within fifteen (15) days of receipt from the audit firm.

The Molalla River Academy shall provide to the District the Molalla River Academy's Internal Revenue Service Form 990 by November 15th or February 15, if an extension has been granted by the IRS, of each year.

Admission

Admission of students to the Molalla River Academy shall be conducted in accordance with state law (currently ORS 338.125 (1)) and federal law. "Admission" means that the student has (1) applied to the Molalla River Academy; (2) successfully completed the lottery; (3) completed the application process and (4) been formally accepted as an Molalla River Academy student by the Molalla River Academy and, in the case of a student who is eligible for special education and related service under the Individuals with Disabilities Education Act, the resident district's Individual Education Plan or Program (IEP) team deems the Molalla River Academy to be a proper placement.

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

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

Molalla River Academy assumes that students are enrolling in the full-time instructional program; Molalla River Academy does not permit part-time enrollment.

Molalla River Academy will deny regular charter school admission to a student who is expelled from another school district and who enrolls in Molalla River Academy for the period of the expulsion.

Enrollment in Molalla River Academy is open to students who reside in the school district, and if space is available, to students who do not reside in the school district.

Nonresident students who enroll in Molalla River Academy are not required to obtain an inter-district transfer or other release from their resident district. Nonresident students must notify their resident district of their enrollment in the charter school to ensure accurate and non-duplicative student counts.

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

Enrollment priority is given to students who were enrolled at MRA in the prior year and to siblings of students currently enrolled in MRA based on the availability due to placement in class size.

Lottery

Molalla River Academy will first offer enrollment to students who are residents of the Molalla River School District for each grade the charter school provides. If spaces are available following enrollment of Molalla River School District residents, enrollment will be offered to non-resident students.

After the Molalla River Academy has met its student capacity, two waiting lists will be established. A resident student waiting list for each age level will be established with the order being established through an equitable lottery. Also, a non-resident student waiting list will be established for each age level with the order being established through an equitable lottery. Once all openings for a particular grade level are filled with in-district students, the separate lottery will be held for out-of-district students.

Names will be drawn at random to fill the available spaces. It will be the responsibility of the executive director to determine the most equitable process for which this is to take place. All other applicants not selected by lottery will be placed on a waiting list.

Student vacancies will be filled by using the established waiting lists. Students on the resident waiting lists at each grade level will fill vacancies prior to students on the non-resident list. Students who apply after the final annual enrollment period has closed will be added to the respective list on a first come, first served basis.

Applications for enrollment will be maintained in the pool for the period of the school year. Applications for enrollment in subsequent school years must be resubmitted according to the regular charter school admission/enrollment process. Applicants who choose to remain on the waiting list will maintain their placement above incoming, new applications for the school year.

This process may be modified in accordance with any waiver granted by the Oregon State Board of Education and will be requested for siblings of any student who will be enrolled, Board members' children, teachers' and staff. Once such waiver has been granted by ODE, those

students will be granted priority in the lottery, or in the case that a grade has been filled, priority on the wait list.

As provided in ORS 338.125(1), Molalla River Academy may give admissions preference to students who were enrolled in the Molalla River Academy in the prior year and siblings of students enrolled and attending the Molalla River Academy. A sibling is defined as a biological or legally adopted brother or sister who lives in the same household as the current MRA student.

Once these students are identified, all other students will be selected through an equitable lottery, as described in the previous section.

The executive director will oversee the lottery process.

Special Education Identified Students

Molalla River Academy does not discriminate on the basis of disability and will enroll all students without limitation. Students with a current individual education plan or IEP may enroll in the charter school. Once enrolled, the student's IEP team will decide if the IEP requires revision to meet the student's education plan as set out in the IEP or if the charter school is an appropriate placement for the student.

Waiver Process

The Oregon State Board of Education is authorized to waive provisions of ORS 338, except for those provisions set out in ORS 338.115 (1)(a-r). If Molalla River Academy chooses to pursue a waiver under this section, the MRA Board will comply with the requirements established in ORS 338.025 and OAR 581-020-0341.

Molalla River Academy Board will take action to submit a petition for waiver at an appropriately noticed Board meeting.

Renewal Process

Molalla River Academy Board will schedule an opportunity to discuss renewing the charter school's contract with the sponsoring district approximately one year before the contract will expire. The charter board will take action to request renewal at an appropriately noticed board meeting and will submit its written renewal request to the sponsoring district not later than 180 days before the contract will expire.

Molalla River Academy Board will comply with the requirements and timelines for renewal that are set out in ORS 338.065 and OAR 581-020-0359.

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

Dissolution Process

If the Molalla River Academy board decides not to request renewal or to dissolve the charter school during the term of the contract, the board will follow the requirements and timelines for dissolution as set out in ORS 338.105 and OAR 581-020-0390 and 581-020-0395.

In addition, the MRA Board will comply with all requirements for dissolution of a non-profit corporation as set out in ORS 65 as well as all other legal requirements.

SECTION TWO: CHARTER SCHOOL GOVERNANCE

Overview: Section two covers the operation of Molalla River Academy Board as a public body under Oregon law. While not a specific requirement of Oregon charter law, a charter school must be governed by a board of directors under Oregon nonprofit law. The MRA Board is a “public body” and subject to public meeting and public records laws.

Board members are subject to government ethics requirements. In addition to these requirements, all Board members are bound to the policies and procedures in the Molalla River Academy Board Governance Manual, school bylaws, Charter and all handbook and adopted school policies.

Board Powers and Duties

The Non-Profit Corporation that operates Molalla River Academy is managed by its Board of Directors.

A majority of the directors in office immediately preceding a meeting will constitute a quorum for the transaction of business at any board meeting. An act by a majority of the directors present at a meeting at which a quorum of directors is present will be considered the act of the board.

Board Member Selection and Terms

The board consists of from five (5) to seven (7) directors elected by a majority vote of the board at its annual meeting. Board member terms are two years for officer positions and two years for non-officer positions. Members may be reelected without limit. As part of the election process, notification will be given to the public of an upcoming vacancy so that any person wishing to seek will also include any prospective board members seeking to fill that board vacancy.

The board shall fill a vacancy by an election of the board. A person elected to fill a vacancy on the board will hold office as stated in the terms above, and based on each board member’s respective position on the board.

A director may resign by giving written notice to the board. The resignation is effective 30 days after notice is received, unless the board permits an immediate resignation. Once delivered, a notice of resignation is irrevocable, unless revocation is permitted by the board.

At such time as the annual meeting takes place, a summary of any board vacancies and remaining board term limits will be posted.

In the circumstance in which a board member is unable or unwilling to uphold the duties as outlined in the Policy Handbook and MRA Board Governance Manual, the board reserves the right to remove the member with a majority vote.

Board Meetings

“Meeting” means the convening of the board as the governing body of Molalla River Academy in order to make a decision or to deliberate toward a decision on any matter.

Meetings will be governed by the laws of the State of Oregon and incompliance with Oregon Public meeting law as set forth in ORS 192.610 to 192.690. (See section Public Meeting Law – Notice and other Requirements of MRA bylaws.)

One regular board meeting will normally be held each month. The meeting schedule will be established at the organizational meeting (the first meeting after July 1 of each year) but may be changed by the board with proper notice. The executive director and board chair will prepare an agenda for all meetings of the board, to list the major items of business planned at the meeting. Meeting notice, including topics to be discussed will be posted to the public in accordance with Oregon Public Meeting Law given to the public and any other interested person who has requested notice of Molalla River Academy meetings at least 48 hours in advance.

Special meetings may be convened by order of the chair, upon the request of a majority of the board, the executive director, or by common consent of the board members. The executive director or designee will post statutory notice at least 48 hours before such a meeting is to be convened. Any interested persons who have requested notice of Molalla River Academy Board meetings will receive written notice, by mail or e-mail, of the meeting and its projected agenda items at least 48 hours in advance, except as provided for emergency circumstances under the Oregon Public Meetings Law.

The board may hold executive sessions during a regular or special meeting to discuss only one or more of the specific topics authorized by ORS 192.660(2) as topics allowed to be discussed in executive sessions. Notice of the meeting will be given at least 24 hours in advance, except as provided for emergency circumstances under the Oregon Public Meetings Law; in such circumstances, the board may hold executive sessions during a regular or special meeting for any reason permitted by ORS 192.660. The chair will announce the executive session by identifying the authorization under ORS 192.660 for holding such session, and by noting the general subject of the executive session. Members of the press may attend executive sessions except as provided by the Public Meetings Law. Content discussed and any documents reviewed in executive sessions are confidential and are not to be disclosed to those not participating in the executive session. Pursuant to public meeting laws, the board will not take final action or make final decisions during executive sessions, rather will vote publicly and take action in public sessions (exceptions are student expulsion and confidential student medical records).

Board Officers The board of directors must elect board officers when vacancies occur, which must include a President, Vice-President, Secretary, and Treasurer. Board officers will continue to hold office until that officer's successor has been elected and qualified to take office.

Board Minutes

The board will designate a board member or charter school employee to take written minutes of all meetings of the board, including executive sessions, which shall contain a true reflection of the matters discussed at the meeting and the views of the participants. The minutes will list which members of the board were present; all motions, proposals, and resolutions proposed and their disposition; the results of all votes and the vote of each member. The minutes of the preceding meeting will be approved by the board at the next regular board meeting, and will be retained in a shared Google Drive. Board meeting minutes will be available to the public on the MRA website within a reasonable amount of time following the board meeting.

Paper copy minutes of board meetings will be made available upon request to any member of the public, except that minutes of the executive session will not be made available except as required by law.

Public Body and Public Officials Ethics

With respect to Oregon’s Government Ethics Law as set out in ORS 244, Molalla River Academy is a “public body” and Molalla River Academy employees, including board members, are “public officials” pursuant to ORS 174.109 and 174.117.

As public officials, charter school employees and board members are subject to the provisions of Oregon Ethics Law as set out in ORS 244.

Public officials, including MRA employees and board members, may not use or attempt to use their positions to gain a financial benefit or avoid a financial cost for themselves, a relative, or their businesses, if the opportunity is available only because of their position as an employee or board member of the charter school. Such financial benefits may include, but are not limited to:

- business opportunities
- gifts
- services
- payment of expenses by someone other than a charter school, the Oregon Department of Education or other non-commercial entity

Conflicts of Interest

A board member may have a conflict of interest if the board member can participate in an official action that could result in a financial benefit or detriment to the board member, a relative of the board member, or a business with which either the board member or a relative of the board member is associated.

An actual conflict of interest occurs if the action taken by the charter board would affect a financial interest. A potential conflict of interest occurs if the action taken by the charter board could affect a financial interest. For example, if a board member owns a paving company and the charter board wants to contract with the board member’s company to pave a parking lot, the board member has an actual conflict of interest. If the charter board is deciding if they will pave or gravel a parking lot, the board member has a potential conflict of interest.

A board member with an actual or a potential conflict of interest must publicly announce the conflict and the nature of the conflict in a meeting where the issue will be discussed, before the issue is discussed. The minutes of the meeting will accurately reflect the board member’s statement.

If the conflict is an actual conflict of interest, the board member may be asked to leave the meeting and may not participate in a discussion of the issue nor participate in any official action taken on the issue.

If the conflict is a potential conflict of interest, the board member, following the public announcement of the conflict, may participate in a discussion of the issue and in any official action taken on the issue.

With the commencement of a board term, and annually thereafter, board members will provide a statement of all of their business involvement, if any, with the non-profit organization and any potential conflicts of interest. Should any new conflict arise, the board member is expected to divulge it to the board, at which time the board will make the determination if said conflict

requires removal from the board, or other appropriate course of action. Such board member statements will become part of the public records of the organization.

Board Member Responsibilities and Rights

Charter schools in Oregon must be established as an Oregon non-profit corporation and be recognized as a non-profit organization under section 501(c)(3) of the Internal Revenue Code. Members of Molalla River Academy Board have responsibilities as board members pursuant to Oregon's non-profit corporation law as set out in ORS 65 and corporation law generally. Board members have three basic fiduciary responsibilities or duties: care, loyalty and obedience:

Duty of Care: Board members have the duty to actively participate in charter school board activities and to make reasonable inquiries into issues that come before the charter school board. ORS 65.357 establishes a standard of care for board members: what would a reasonably prudent person do in a similar situation with access to similar information.

Duty of Loyalty: Board members have the duty to avoid conflicts of interest. Where conflicts, either actual or potential, exist, board members have the duty to disclose the conflict to the board. (See conflict of interest policy.)

Duty of Obedience: Board members have the duty to follow the non-profit organization's governing documents (Articles of Incorporation, Bylaws and Charter), to carry out the mission of the charter school, to ensure that funds are used for lawful purposes and to comply with state and federal laws.

Other duties include but are not limited to:

- maintaining satisfactory corporate documents;
- maintaining adequate financial records and controls;
- safeguarding resources;
- observing donor restrictions; and
- soliciting funds responsibly.

Board members have the right to:

- reasonably rely on information from the charter school staff and advisors;
- have access to charter school management; and
- have access to charter school information, including internal information.

Whistleblower Protection Policy

Molalla River Academy requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Molalla River Academy, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that Molalla River Academy can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations of Molalla River Academy's code of ethics or suspected violations of law or regulations that govern Molalla River Academy's operations.

No Retaliation

It is contrary to the values of Molalla River Academy for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of Molalla River Academy. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reporting Procedure

Molalla River Academy has an open door policy and encourages employees share their serious concerns within the scope of this Whistleblower Policy with the executive director (unless the executive director is the individual suspected of ethical violations or other wrong-doing within the scope of this Whistleblower Policy) as he/she is the primary individual to resolve complaints or concerns at Molalla River Academy. If an employee is not comfortable speaking with the executive director or is not satisfied with the executive director's response they are then encouraged to bring their concerns to the board chair, as the board spokesperson. Additionally, the executive director is required to report serious complaints or concerns about suspected ethical and legal violations in writing to Molalla River Academy's board chair, who has the responsibility to investigate all reported complaints in collaboration with the board of directors.

In the case of the board chair receiving a complaint, it is the chair's responsibility to ensure that all complaints about unethical or illegal conduct are investigated and resolved. The entire board of directors will supervise all investigation proceedings conducted by the chair. The board chair will keep a written record of all complaints and their resolution and will report regularly to the full board on all complaints and investigative findings of suspected and substantiated egregious improprieties within the scope of this Whistleblower Policy. The board chair will notify the executive director of all complaints within the scope of this Whistleblower Policy (unless the executive director is the individual suspected of ethical violations or other wrong-doing within the scope of this Whistleblower Policy). Any decision reached by the board of directors regarding any and all complaints and investigations is final and binding.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Handling of Reported Violations

If a violation or suspected violation is reported to the board chair, the chair will respond to the person who submitted the complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Accounting and Auditing Matters

The Molalla River Academy's board chair shall immediately notify the Finance Committee of any concerns or complaint regarding corporate accounting practices, internal controls or auditing and work with the committee until the matter is resolved.

Charter Board and Staff Communication

The Molalla River Academy board desires to maintain open communication between itself, the staff and the executive director. The primary line of communication from the board to the staff will be through the executive director. The primary line of communication from the board to the executive director is through the board chair, as the delegated representative of the board.

The board's link to the operational organization, functions, actions and activities, achievements and conduct, is through the executive director. The executive director will develop and recommend to the board processes for communication between the board and MRA employees.

All committees, including those comprised of staff shall report to the board through the executive director of through standard committee meeting updates.

All official communication, policies, and directives of staff interest and concern will be communicated to staff members through the executive director. The executive director will communicate as appropriate to keep staff fully informed of the board's communications, decision and concerns.

This policy will not deny the right of any employee to address the board about issues, except those which are part of an active administrative investigation or grievance or complaint or those which may be disruptive to the operation of Molalla River Academy.

Public Meetings

When a school district agrees to sponsor a charter school and the parties execute an enforceable charter contract, the charter school governing board is considered to be a "governing board" of a "public body" and is subject to Oregon public meeting law (ORS 192.610 to 192.690). All regular and special meetings of the board will be open to the public except as provided by law. No meeting of the board shall be held at any place where discrimination on the basis of race, disability, religion, color, sex, age, marital status or national origin is practiced. Reasonable notice, typically 48 hours, of the date, time, place and key agenda topics for all regular and special board meetings will be provided to parties determined by the school to be interested, and by anyone who requests to receive Molalla River Academy meeting notices and agendas. Executive sessions will be conducted according to public meeting laws and corporate bylaws.

Public Records

Molalla River Academy will comply with the Oregon Public Records Law in responding to any request for release of or review of any Molalla River Academy record.

Employee personnel records are available for use and inspection only by the individual employee, others designated in writing by the employee, the auditor in connecting with carrying out his/her duties or as specifically authorized by the board, a board member when specifically authorized by the board or in conjunction with an action item to come before the board, the executive director or

designee, attorney(s) for Molalla River Academy or their designated representative on matters of Molalla River Academy business, or upon receipt of a legal subpoena or other court order.

Student records are available for use and inspection only by the student's parent(s), and any staff members with a "need to know" based on assignment to instruct and/or supervise the student, or upon lawful subpoena if the parent or guardian is informed in advance of the receipt of the subpoena and given an opportunity to challenge the subpoena.

Public records shall be retained according to the schedule established by the Oregon State Archivist.

Legal Advice / Legal Counsel

The executive director shall have access to qualified legal advice regarding school issues, and will seek legal advice before making major decisions, including terminations, that may have legal implications.

The Board may have policy adoptions and revisions reviewed by legal counsel before adoption, and may seek legal advice before making major decisions, including terminations, that may have legal implications.

SECTION THREE: COMPLAINTS OR CONCERNS

Non-Discrimination

Employees who believe that they have been discriminated against or harassed based on race, color, national origin, religion, gender, sexual orientation, age, marital status, or disability may file a complaint with the executive director, or with the board chair, if the executive director is alleged to be responsible for the discrimination or harassment. Such complaints shall be filed on the form attached to this policy.

All complaints filed with the executive director or board chair shall be investigated by the board chair and overseen by the full board, as outlined in the Reporting Procedure. At the conclusion of the investigation, the complainant will be informed of the results of the investigation within a reasonable amount of time.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of conduct in violation of this policy, or feels he/she is a victim, must immediately report his/her concerns to the executive director, or to the board chair if the executive director is involved. A student may also report concerns to a teacher, who will promptly notify the executive director, or the board chair if the executive director is involved.

After the investigation, the student and the student's parent(s), or the staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by Molalla River Academy against any person who, in good faith, reports, files a complaint, or otherwise participates in an investigation.

It is the intent of Molalla River Academy and its board that appropriate corrective action will be taken by the charter school to stop any act in violation of this policy, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or awareness training, as appropriate, given the age and maturity of the student(s) involved and other relevant factors. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional awareness training, as appropriate. Other persons, such as volunteers or third-parties participating in any way at the school, whose behavior is found to be in violation of this policy, shall be subject to appropriate sanctions as determined and imposed by the executive director or board.

Molalla River Academy's Non-Discrimination policy shall be posted in the school on a sign at least 8.5 x 11 inches. The policy as well as the complaint procedure will be made available to all students, parents of students and staff in student/parent and staff handbook.

Concern Resolution Procedure

Any parent, student, or other member of the community who wishes to seek resolution of a concern about MRA or the actions of any of its employees should first contact the involved parties. If that is not an option, or that preliminary step is taken without the desired outcome, concerns can also be submitted to the executive director on a Concern Form, who will provide a copy to the involved parties so they can respond. Staff members can fill out a concern form on behalf of a student, based on a student's oral testimony. Concerns will be responded to in a timely manner and a copy of the Concern Form along with its suggested resolution will be kept by both the appropriate staff member and the executive director.

Concerns regarding hazing, harassment, intimidation, or menacing should be submitted on the appropriate form.

In the case that the concern involves the executive director, the form will be provided to the board chair. A board mailbox is provided in the front office for this purpose.

Complainants who are not satisfied with the resolution may request further investigation by the executive director or board chair. The person serving as investigator may contact the complainant for additional information, and may schedule meeting(s) as necessary to gather information and/or seek resolution of the complaint.

The investigator (executive director or board chair) will respond to the complainant within 10 school days, indicating progress on the investigation and a timeline for the investigation to be completed. A written response will be provided at the completion of the investigation.

Complainants who are not satisfied with the results of the investigation/resolution by the executive director or board chair may appeal the decision to the full board. The board will discuss complaints involving specific students, parents or staff in executive session. The board may choose to hold a hearing or to invite the complainant to be present at the meeting, or it may proceed based upon information presented by the complainant during the first step of this procedure. Ordinarily the board will act on any appeal within 60 calendar days. The board's decision shall be final.

Concern Resolution Form

Name of complainant _____ Date _____

Contact Information of Complainant _____

Describe the nature of the concern, including the name, date and place of any relevant incidents:

What efforts have you made thus far to attempt to resolve this concern:

What resolution are you seeking:

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

Signature: _____ Date: _____

Received by: _____ Date received: _____

Hazing / Harassment / Intimidating / Menacing Complaint Procedure

The executive director shall have responsibility for any investigation concerning sexual harassment, hazing, harassment, intimidation, or menacing unless the executive director is involved, in which case the board chair or designee shall be notified to investigate. The investigator(s) shall be a neutral party having had no involvement in the complaint.

Complaints shall be presented in writing on the related complaint form. However, student complaints need not be presented in writing; rather, the investigator will gather information from the complainant and reduce the complaint to writing.

The investigator shall promptly initiate an investigation. He/she will arrange such meetings as may be necessary to discuss the issue with all concerned parties within ten (10) working days after receipt of the information or complaint. All findings of the investigation, including the response of the accused, shall be reduced to writing. The parties will have an opportunity to submit evidence and a list of witnesses. The investigator will prepare a summary of the findings of fact and conclusions, which shall be provided to the complainant and the complained-about person(s).

If the complainant is not satisfied with the decision of the investigator, he/she may submit a written appeal to the board within 10 days of receipt of the investigator's summary of findings and conclusions. The board may arrange any necessary meetings and shall provide a written decision to the complainant within 30 working days.

If the complainant is not satisfied at the board level and believes that the complaint constitutes a violation of state or federal law, a complainant-employee may submit a complaint to the Oregon Bureau of Labor and Industries or the Equal Employment Opportunities Commission; a complainant student or parent may appeal to the Regional Civil Rights Director, U.S. Dept. of Education, Office for Civil Rights, Region X, Seattle, Washington.

All documentation related to complaints filed under this policy may become part of the student's education record or employee's personnel file if appropriate. Additionally, a copy of all complaints and documentation produced by the investigation will be maintained as a confidential file and stored in the executive director's office.

The executive director shall report the name of any person holding a teaching license or registered with TSPC or participating in a practicum when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment or other violation of this policy that constitute a violation of TSPC's Standards of Competent and Ethical Performance of Educators (OAR 584-20-000 et. seq). Such reports shall be made to the TSPC within 30 days of such a finding. Reports of sexual contact with a student or other child abuse shall be made to law enforcement or to the appropriate state human services division.

Hazing / Harassment / Intimidating / Menacing Complaint Form

Name of complainant

Position of complainant

Date of complaint

Name of alleged harasser/hazer/intimidator

Date and place of incident or incidents

Description of harassment

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

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

Any other information

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

Signature: _____ Date: _____

Received by: _____ Date received: _____

Sex Abuse and Misconduct Reporting and Notification

Child abuse and sexual conduct by school employees directly involving students will not be tolerated by the charter school. All charter school employees are subject to these policies, pursuant to ORS 339.370.

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

All school employees who have reasonable cause to believe that another school employee has engaged in child abuse or sexual conduct with a student must:

1. Report the suspected child abuse to a law enforcement agency, the Oregon Department of Human Services, or a designee of the department as required by ORS 410B.010 and 419B.015; and
2. Report suspected child abuse or sexual conduct of a charter school employee to the employee’s supervisors or to other persons designated by the charter school board.

The MRA board designates the executive director as the person to receive reports of suspected child abuse or sexual conduct by school employees. The executive director is authorized by the charter school board to initiate and conduct an investigation of the report following a process established by the charter school board.

MRA will post in each school building the name and contact information for the person designated to receive reports of suspected child abuse and sexual conduct and the procedures the contact person will follow when a report is received.

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

MRA and the MRA board will not discipline a student for initiating in good faith a report of suspected child abuse or sexual conduct by a school employee.

MRA or the MRA board will notify the person making the report of the actions taken by the charter school in response to the report.

MRA will provide all current employees, and will at the time of hire provide all new school employees, with a description of the conduct the charter school will consider to be child abuse or sexual conduct and a description of the information and records that will be disclosed as provided by ORS 339.375(7) if a report of child abuse or sexual conduct is substantiated.

Molalla River Academy defines “abuse” pursuant to ORS 339.370 (9) and ORS 419B.005.

419B.005. As used in ORS 419B.005 to 419B.050, unless the context requires otherwise:

(1)(a) “Abuse” means:

(A) Any assault, as defined in ORS chapter 163, of a child and any physical injury to a child which has been caused by other than accidental means, including any injury which appears to be at variance with the explanation given of the injury.

(B) Any mental injury to a child

- (C) Rape of a child, as those acts are described in ORS chapter 163.
- (D) Sexual abuse, as described in ORS chapter 163.
- (E) Sexual exploitation, including but not limited to:
 - (i) Contributing to the sexual delinquency of a minor, as defined in ORS chapter 163, ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving a child or rape of a child, but not including any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or which is designed to serve educational or other legitimate purposes; and
 - (ii) Allowing, permitting, encouraging or hiring a child to engage in prostitution, as defined in ORS chapter 167.
- (F) Negligent treatment or maltreatment of a child
- (G) Threatened harm to a child
- (H) Buying or selling a person under 18 years of age as described in ORS 163.537.
- (I) Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured.
- (J) Unlawful exposure to a controlled substance, as defined in ORS 475.005
- (b) “Abuse” does not include reasonable discipline unless the discipline results in one of the conditions described in paragraph (a) of this subsection.
- (2) “Child” means an unmarried person who is under 18 years of age.
- (3) “Public or private official” includes school employees...

Molalla River Academy defines “sexual conduct” pursuant to ORS 339.370 (9).

339.370 Definitions for ORS 339.370 to 339.400. As used in ORS 339.370 to 339.400:

- (1) “Abuse” has the meaning given that term in ORS 419B.005.
- (2) “Disciplinary records” means the records related to a personnel discipline action or materials or documents supporting that action.
- (3) “Education provider” means: A school district, as defined in ORS 332.002...A public charter school, as defined in ORS 338.005....
- (4) “Investigation” means a detailed inquiry into the factual allegations of a report of suspected child abuse or sexual conduct that:
 - (a) Is based on interviews with the complainant, witnesses and the school employee who is the subject of the report; and
 - (b) Meets any negotiated standards of an employment contract or agreement.
- (8) “School employee” means an employee of an education provider.
- (9)(a) “Sexual conduct” means any verbal or physical conduct by a school employee that:
 - (A) Is sexual in nature;
 - (B) Is directed toward a kindergarten through grade 12 student;
 - (C) Has the effect of unreasonably interfering with a student’s educational performance; and
 - (D) Creates an intimidating, hostile or offensive educational environment.
- (b) “Sexual conduct” does not include abuse.
- (10) “Substantiated report” means a report of child abuse or sexual conduct that:
 - (a) An education provider has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and
 - (b) Involves conduct that the education provider determines is sufficiently serious to be documented in the school employee’s personnel file.

Molalla River Academy will disclose and provide personnel information and disciplinary records as provided in and subject to the limitations in ORS 339.378 and 339.388.

339.378 Disclosure of information and records by education provider; confidentiality. (1)

Not later than 20 days after receiving a request under ORS 339.374, an education provider that has or has had an employment relationship with the applicant shall disclose the information requested and any disciplinary records that must be disclosed as provided by ORS 339.388 (7).

(2) An education provider may disclose the information on a standardized form and is not required to provide any additional information related to a substantiated report of child abuse or sexual conduct other than the information that is required by ORS 339.374 (2).

(3) Information received under this section is confidential and is not a public record as defined in ORS 192.410. An education provider may use the information only for the purpose of evaluating an applicant's eligibility to be hired. [2009 c.93 §8]

339.388 Report of child abuse or sexual conduct; investigation; appeal process; disclosure of records. (1)(a) A school employee having reasonable cause to believe that a child with whom the employee comes in contact has suffered abuse by another school employee, or that another school employee with whom the employee comes in contact has abused a child, shall immediately report the information to:

(A) The Executive Director or other person designated by the school Board; and

(B) A law enforcement agency, the Department of Human Services or a designee of the department as required by ORS 419B.010 and 419B.015.

(b) A school employee having reasonable cause to believe that a student with whom the employee comes in contact has been subjected to sexual conduct by another school employee, or that another school employee with whom the employee comes in contact has engaged in sexual conduct, shall immediately report the information to a supervisor or other person designated by the school Board.

(2) A supervisor or other person designated by the school Board who receives a report under subsection (1) of this section, shall follow the procedures required by the policy adopted by the school Board under ORS 339.372.

(3)(a) Except as provided in subsection (4) of this section, when an education provider receives a report of suspected child abuse or sexual conduct by one of its employees, and the education provider's designee determines that there is reasonable cause to support the report, the education provider:

(A) In the case of suspected child abuse, shall place the school employee on paid administrative leave; or

(B) In the case of suspected sexual conduct, may place the school employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with children.

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

(A) The Department of Human Services or a law enforcement agency determines that the report cannot be substantiated or that the report will not be pursued; or

(B) The Department of Human Services or a law enforcement agency determines that the report is substantiated and the education provider takes the appropriate disciplinary action against the school employee.

(4) An education provider may reinstate a school employee placed on paid administrative leave for suspected child abuse as provided under subsection (3) of this section or may take the appropriate disciplinary action against the employee if the Department of Human Services or a law enforcement agency is unable to determine, based on a report of suspected child abuse, whether child abuse occurred.

(5) If, following an investigation, an education provider determines that the report of suspected child abuse or sexual conduct is a substantiated report, the education provider shall:

(a) Inform the school employee that the education provider has determined that the report has been substantiated.

(b) Provide the school employee with information about the appropriate appeal process for the determination made by the education provider. The appeal process may be the process provided by a collective bargaining agreement or a process administered by a neutral third party and paid for by the school.

(c) Following notice of a school employee's decision not to appeal the determination or following the determination of an appeal that sustained the substantiated report, create a record of the substantiated report and place the record in the personnel file of the school employee. Records created pursuant to this paragraph are confidential and are not public records as defined in ORS 192.410. An education provider may use the record as a basis for providing the information required to be disclosed under ORS 339.378.

(d) Inform the school employee that information about substantiated reports may be disclosed to a potential employer as provided by subsection (7) of this section and ORS 339.378.

(6) Upon request from a law enforcement agency, the Department of Human Services or the Teacher Standards and Practices Commission, a school district shall provide the records of investigations of suspected child abuse by a school employee or former school employee.

(7)(a) The disciplinary records of a school employee or former school employee convicted of a crime listed in ORS 342.143 are not exempt from disclosure under ORS 192.501 or 192.502.

(b) If a school employee is convicted of a crime listed in ORS 342.143, the education provider that is the employer of the employee shall disclose the disciplinary records of the employee to any person upon request.

(c) If a former school employee is convicted of a crime listed in ORS 342.143, the education provider that was the employer of the former employee when the crime was committed shall disclose the disciplinary records of the former employee to any person upon request.

(8) Prior to disclosure of a disciplinary record under subsection (7) of this section, an education provider shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee or former school employee who is not the subject of the disciplinary record. [Formerly 339.375]

SECTION FOUR: STUDENT MANAGEMENT

Overview: Section four, Student Management, includes the policy topics that describe the charter school's relationship with students – both the school's responsibilities to students and the student's responsibilities to the school. These policies provide guidance on student conduct and discipline, placement of students into grades, evaluation of transcripts for transfer students and medication - both self-administered and school administered.

Student Rights and Responsibilities

Among these student rights and responsibilities are the following:

1. Civil rights – including the right to equal educational opportunity and freedom from discrimination, the responsibility not to discriminate against others;
2. The right to attend free public schools, the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. The right to due process of law with respect to suspension, expulsion and decisions, which the student believes injure his/her rights;
4. The right to free inquiry and expression, the responsibility to observe reasonable rules regarding these rights;
5. The right to assemble informally, the responsibility to not disrupt the orderly operation of the educational process, nor infringe upon the rights of others;
6. The right to privacy, which includes privacy in respect to the student's education records;
7. The right to know the behavior standards expected, the responsibility to know the consequences of misbehavior.

Student Code of Conduct

Molalla River Academy has the ~~MRS~~ authority and control over a student at school during the regular school day, at any school-related activity, regardless of time or location and while being transported in charter school ~~or district-provided transportation~~. Please refer to the school discipline policy in the Parent Handbook for more information.

Students will be subject to discipline including detention, suspension, expulsion ***, denial and/or loss of awards and privileges and/or referral to law enforcement officials for the following, including but not limited to:

1. Assault: Assault is defined for the purposes of this policy manual as:
 - a. A violent physical or verbal attack.
 - b. An unlawful threat or attempt to do bodily injury to another.
 - c. An intentional or reckless act that causes another person to expect to be subjected to immediate and unlawful violence
 - d. Sexual assault.
2. Hazing, harassment, intimidation, bullying or menacing;
3. Coercion;
4. Violent behavior or threats of violence or harm;
5. Disorderly conduct, including disruption of the school environment;
6. Bringing, possessing, concealing or using a weapon;***
7. Vandalism/Malicious Mischief/Theft, including willful damage or injury to charter school property; or to private property during a charter school sponsored activities.
8. Sexual Harassment;
9. Use of tobacco**, alcohol ** or drugs**, including drug paraphernalia;
10. Use or display of profane or obscene language;
11. Open defiance of a teacher's authority, including persistent failure to comply with the directions of teachers or school officials;
12. Violation of charter school transportation rules on fieldtrips;
13. Violation of law, charter board policy, administrative regulation, school or classroom rules.

** In accordance with Oregon law, any person under age 18 possessing a tobacco product commits a Class D violation and is subject to a court-imposed fine as provided by ORS 167.400. Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco-burning device, to a person under 18 years of age commits a Class A violation and is subject to a fine as provided by ORS 163.575. An unlawful drug is any drug not prescribed by a licensed medical practitioner. Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of district property is a Class A felony as provided by ORS 475.999.

*** Under state and federal law, expulsion from school is required for a period of not less than one year for any student who is determined to have brought a weapon to school. The executive director may modify the expulsion requirement for a student on a case-by-case basis. Additionally, in accordance with Oregon law, any person who intentionally possesses a firearm or other dangerous weapon in or on school property or recklessly discharges a firearm in school is subject to criminal prosecution, a maximum five years imprisonment, \$125,000 fine and forfeiture of firearm and/or other dangerous weapon or both. Any person 13 to 17 years of age convicted of intentionally possessing a firearm in a public building is subject to denial of driving privileges for 90 days.

A dangerous weapon is defined in Oregon law as any weapon, device, instrument, material or substance, which under the circumstance in which it is used, is attempted to be used, is threatened to be used, or is readily capable of causing death or serious injury.

A deadly weapon is defined as any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury.

A firearm is defined in federal law as any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive. This includes the frame or receiver of any such weapon or firearm, muffler or silencer.

A destructive device is defined as any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into a destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A "school zone" as defined by federal law means, in or on school grounds or within 1,000 feet of school grounds.

Social Events – Graduation, Bingo Night, School BBQ, etc.

The rules of good conduct shall be observed for all school social events which include but aren't limited to graduation, bingo night, school bbq, etc.. Guests will be expected to observe the same rules as students and parents attending these events. Any person inviting a guest to a school event will share responsibility for the conduct of that guest. All students must be accompanied to school events by an approved adult. Molalla River Academy does not hold student only dances.

Discipline / Due Process

A student who violates the Student Code of Conduct will be subject to disciplinary action. A student's due process rights will be observed in all such instances, including the right to appeal the discipline decisions of staff and administrators.

The charter school's disciplinary options include the use of a variety of discipline management techniques, the use of which depends on what a particular circumstance warrants and what the student's needs are; including counseling by teachers, administrators or other counseling professionals, detention, suspension, expulsion, or loss of privileges, honors and awards.

Disciplinary measures are applied depending on the nature of the offense. The age and past pattern of behavior of a student may be considered prior to any suspension or expulsion.

If a student commits substance abuse, drug or drug paraphernalia, alcohol- and/or tobacco-related offenses or any other criminal act, he/she may also be referred to law enforcement officials. Violations of the school's weapons policy, as required by law, will be reported to law enforcement.

For further detail about Molalla River Academy's discipline policy, refer to the MRA Parent Handbook.

Suspension

A student may be suspended from school for up to and including 10 school days for willful violations of the Student Code of Conduct. MRA may require a student to attend school during non-school hours as an alternative to suspension. Decisions regarding suspensions are made by the executive director and may be appealed to the board or its designee. A request for an appeal does not delay the implementation of the suspension. The appeal of the suspension is a review of the records and an opportunity for the executive director and the student/parent to give oral presentations; it is not an opportunity for a hearing or the testimony of witnesses.

Prior to suspension, the student will have an opportunity to present his/her view of the alleged misconduct. Suspension orders will specify the reasons for the suspension, the length of the suspension, a plan for readmission and an opportunity to appeal the decision.

The parents of a suspended student will be promptly notified.

While suspended, a student may not attend after-school activities, be present on school property nor participate in activities directed or sponsored by the school.

School work missed by a student while on suspension may be made up during the student's return to school if the work missed reflects achievement over a greater period of time than the length of the suspension. For example, a student will be allowed to make up final, mid-term and unit examinations without an academic penalty.

Expulsion

Expulsion procedures will be utilized in accordance with state law. The board or its designee will serve as the hearing panel for all expulsion hearings.

MRA will not provide alternative education programs/services for any student during the period of expulsion. Expelled students will be referred back to the Molalla River School District for alternative education services. Any student who is expelled loses his/her slot, and the slot will not be held or reserved during the period of expulsion.

A student may be expelled for specified or repeated violations of the Student Code of Conduct.

No student may be expelled without a hearing unless the student's parent waives the right to a hearing, either in writing or by failure to appear at a scheduled hearing.

The school will provide appropriate expulsion notification including expulsion hearing procedures, student and parent rights and alternative education provisions as required by law.

Expulsion and non-resident enrollment in the charter school: Non-resident enrollment status is contingent on students meeting Molalla River Academy student conduct standards. Non-resident students who are expelled under the terms described in this policy are excluded from attendance at the charter school for the period of the expulsion. Expelled students are not considered to be enrolled in the charter school and are therefore not considered to be resident of the Molalla River School District under ORS 338.155 (1). Alternative education services, if any, will be provided by the student's resident school district in accordance with the resident district's policies; the Molalla River School District will not provide alternative education for non-resident students who have been expelled from Molalla River Academy.

Discipline of Students with an IEP (*also subject to Molalla River School District or Student's Resident School District Policy)

As safety is of the utmost consideration at MRA, there are consistent behavioral expectations for all members of the community, students and staff alike. All students, including those requiring the additional support of an IEP, are to be held accountable to the Student Code of Conduct. Should a circumstance arise that the symptoms of, or a manifestation of a student's disability, places either him/herself or the surrounding community at a risk or threat of harm, that student will immediately be removed from the environment while adhering to the IEP regulations. Any staff involved will report immediately to the executive director should such an intervention be needed. The executive director will then notify the special education department.

When a student being served by an individualized education program (IEP) engages in conduct which would warrant suspension of more than 10 days, or expulsion for a nondisabled student, the student's parents will be notified immediately (within 24 hours) of the circumstances of the misbehavior. A time and location will also be established for the student's IEP team to meet and address the infraction and its relationship to the disability.

The IEP team will determine whether the misconduct is a manifestation of the student's disability. Should the IEP team conclude the misconduct has no relationship to the student's disability, the student may be disciplined in the same manner as would other students.

If the IEP team concludes the misconduct is a consequence of the student's disability, the team may review and revise the student's IEP and determine whether a change in placement is needed. A student on an IEP may not be suspended for more than 10 days, expelled or lose educational services for any behavior that is a manifestation of the disability.

A student may be removed from the current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 calendar days in a school year for a drug or weapon violation as provided in district procedures. Additionally, the district may request an expedited due process hearing to obtain a hearing officer's order to remove a student to an interim alternative educational setting for not more than 45 days if the student is exhibiting injurious behavior. For the purpose of this request, "injurious behavior" is defined as behavior that is substantially likely to result in injury to the student or to others.

Corporal Punishment Prohibited

The use of corporal punishment is prohibited pursuant to the provisions of ORS 339.250(12) and ORS 338.115(1)(o).

Student Restraint / Seclusion

1. The physical restraint or seclusion of a student will be utilized only:
 - (A) As part of a behavior support plan when other less restrictive interventions would not be effective and the student's behavior poses a threat of imminent, serious, physical harm to the student or others; or
 - (B) In an emergency by an executive director, teacher, school employee, or volunteer as necessary to maintain order or to prevent a student from harming him/herself, other students, and school staff or property in accordance with OAR 581-021-0061(2).

2. Physical restraint or seclusion will be utilized only for as long as the student's behavior poses a threat of imminent, serious physical harm to the student or others. Any room used for seclusion of a student must allow staff full view of the student in all areas of the room, and be free of potentially hazardous conditions such as unprotected light fixtures and electrical outlets. A minimum of two staff members will continuously monitor a student's status during physical restraint and/or seclusion.

3. Prior to utilizing physical restraint or seclusion as outlined in 1(A) above, Molalla River Academy will identify the training program(s) or system(s) of physical restraints and seclusion selected to be used, which will include behavior support, prevention, de-escalation, and crisis response techniques. Only staff who are current in the required training in accordance with the training program selected will implement physical restraint or seclusion with a student except as described in (1)(B) above. In the circumstance that any person is at risk of grave injury, MRA staff may respond in an appropriate manner so as to safely eliminate the risk of threat whether it be against a child, adult or as a means of self-preservation; even should it mean issuing a temporary restraint of a student when the staff member has not received the formal restraint training. The same reporting policy would apply to this circumstance.

4. Parents or guardians will be contacted immediately should the need for restraint or seclusion take place, and will be instructed to immediately return to MRA to retrieve their child. A written report following the use of physical restraint or seclusion will be issued by the end of the day the incident occurred. Within two school days of use of physical restraint or seclusion, a documented debriefing by appropriate staff, including staff involved in the restraint or seclusion shall be issued. Documentation of any physical restraint and seclusion incident will include:

(A) Name of the student;

(B) Name of staff member(s) administering the physical restraint or seclusion;

(C) Date of the restraint or seclusion, and the time the restraint or seclusion began and ended;

(D) Location of the restraint or seclusion;

(E) A description of the restraint or seclusion;

(F) A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;

(G) A description of the behavior that prompted the use of restraint or seclusion;

(H) Efforts to deescalate the situation and alternatives to restraint or seclusion that were attempted;

(I) Information documenting parent contact and notification; and

(J) A summary of the debriefing in section (h).

The executive director will oversee and approve any communication between staff and parent/guardians, and may choose to facilitate any meetings or conferences regarding the situation surrounding the restraint /seclusion.

5. Molalla River Academy staff will annually review all incidents of physical restraint and seclusion to ensure that restraint and seclusion are used in accordance with this policy.

6. The general complaint procedure will be used for receiving and investigating complaints regarding restraint and seclusion practices.

7. Definition:

(A) "Physical restraint" means the restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student. "Physical restraint" does not

include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity;

(B) "Seclusion" means the involuntary confinement of a student alone in a room from which the student is prevented from leaving. Seclusion does not include "time out" or "break" as defined in subsection (C);

(C) "Time out" or "break" means removing a student for a short time to provide the student with an opportunity to regain self-control, in a setting from which the student is not physically prevented from leaving.

The general complaint procedure will be used for receiving and investigating complaints regarding restraint and seclusion practices.

Bullying / Harassment / Intimidation / Cyberbullying

Molalla River Academy is committed to operating a school where no employee or student is subject to sexual harassment, hazing, harassment, bullying (including cyberbullying), intimidation or menacing by students, staff or third parties. Such conduct is strictly prohibited and shall not be tolerated on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop.

Further, such conduct involving off-campus actions or communication, or actions or communication during non-school hours is also prohibited if it causes a substantial disruption in this educational process. This includes cyber bullying that is an ongoing series of actions or communications by a student (or group of students) to pick on another student (or group of students) using electronic means, such as emails, instant messaging, cell phone texts, defamatory web sites, blogs, and chat rooms. Examples include sending mean, vulgar or threatening messages or images; posting sensitive, private information about another person; and pretending to be someone else to make that person look bad.

Sexual harassment of students or employees includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when (a) the conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits; (b) submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff; or (c) the conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance, or with an employee's ability to perform his/her job; or creates an intimidating, offensive, or hostile educational or working environment.

"Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any Molalla River Academy activity or grade level attainment.

"Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, or socioeconomic status.

"Intimidation" includes, but is not limited, to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to

offensive physical contact or inflict serious physical injury on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, or socioeconomic status.

“Menacing” includes, but is not limited to, any act intended to place a school employee, student, or third party in fear of imminent serious physical injury.

“Cyberbullying” means the use of any electronic communication device to harass, intimidate or bully.

The general complaint procedure will be used for receiving and investigating complaints regarding the above.

Attendance / Truancy

MRA considers regular school attendance essential for educational success. All students are expected to attend school as required by law and by board policy. Failure to do so may result in disciplinary action. This includes an expectation of punctuality.

Absence and Excuses

Please call the school and leave a message or send an email to dgerhardus@mra-k8.com if your child will be absent or tardy. You may also use the online form located on the MRA website.

Absence from school or class may be excused under the following circumstances:

- Personal illness, medical, psychological, and dental care
- Illness or death in family
- Family emergencies
- Release time for religious instruction
- Observance of religious holidays
- Pre-arranged absences approved by the classroom teacher and executive director
- School sponsored activities

Students may be excused on a limited basis from a preplanned classroom activity or from selected portions of the established curriculum on the basis of a disability or for personal, religious or ethnic considerations.

A student who must leave school during the day must bring a note, or the school must receive a phone call from his/her parent. A student who becomes ill during the school day should, with the teacher’s permission, report to the office. Office personnel will decide whether or not the student should be sent home and will notify the student’s parent, as appropriate.

It is up to the parent to ensure that arrangements are made for the student to complete missed assignments when the child is absent. Please contact your child’s teacher to make arrangements to pick up make-up assignments. When a student misses school due to family vacation, missed work will be provided upon return. Teachers are not required to provide assignments prior to absences, nor are they responsible to provide one-on-one assistance for the days missed.

Failure to make up assigned work within a reasonable amount of time as allowed by the teacher will result in a grade of zero for the assignment. Absences may result in the reduction of grades. A student who is absent from school for any reason may not be allowed to participate in school-related activities on that day or evening.

Tardiness

Students are expected to be punctual to the established start time of MRA. As noted in the attendance policy, chronic tardiness impacts the entire community and is a detriment to the learning environment. Habitual tardiness will result in consequences that could ultimately impact a student's enrollment at the school.

Fees, Fines and Chargers

Materials that are part of the basic educational program are provided without charge to a student. A supply fee is charged per student for purchase of supplies such as pencils, paper, erasers and notebooks. Additional fees or deposits may be charged, including:

1. Club dues;
2. Security deposits;
3. Materials for a class project the student will keep in excess of minimum course requirements and at the option of the student;
4. Personal physical education and athletic equipment and apparel;
5. Voluntary purchases of pictures, publications, graduation announcements, etc.;
6. Student accident insurance and insurance on school-owned instruments;
7. Student identification cards;
8. Fees for damaged library books and school-owned equipment;
9. Lock or locker deposits;
10. Field trips considered optional to the school's regular school program;
11. Admission fees for certain extracurricular activities;
12. Participation fees or "pay to play" for involvement in activities.

Specialized program fees will be collected to sustain various curriculum programs.

The school will withhold the reports and records of any student who owes a debt for unpaid school fees, fines and charges. All such materials shall be released upon payment of moneys owed. Fees, fines and charges owed to the charter school may be waived at the discretion of the executive director or designee if:

1. It is determined that the parent of the student is unable to pay the debt;
2. The payment of the debt could impact the health or safety of the student;
3. The creation of the notice of the debt owned would cost more than the potential total debt collected relating to the notice;
4. There are mitigating circumstances as determined by the director or designee that preclude the collection of the debt.

Dress

Molalla River Academy requires all students to wear a uniform (see specific requirements below). Students are expected to arrive to school well-groomed and in tasteful attire, without accessories that may serve as a distraction. Dress that disrupts school or school activities will not be tolerated.

Examples of inappropriate dress include: gang related or drug/alcohol related articles or slogans, short shorts, midriff shirts, revealing dresses, halter tops, slip dresses, or clothes not conforming to designated uniform colors etc. Profanity and disruptive slogans or inappropriate pictures on clothing will not be permitted.

If a student's dress is judged to be inappropriate, the student will be asked to change or call home for different clothes. If a student refuses to change, his or her behavior will be treated as refusal to

comply with direction from the school staff and may be subject to additional disciplinary action which will follow the same guidelines as outlined under Student Code and Conduct.

It will be at the executive director's discretion on a case by case basis to handle circumstances in evaluating such behavior.

Molalla River Academy Dress Code

The following are the guidelines for the MRA uniform. Uniform colors for grades K-6 are navy, light blue, royal blue, black, khaki, red and white. Other shades of blue such as turquoise are not uniform. Exceptions include MRA club or jog-a-thon shirts. Additional exceptions will be announced prior to the event. Cedars are allowed to wear any solid color top that fits the guidelines below.

- Pants: Uniform color tailored or cargo pants/jeggings in twill or corduroy. Any color leggings and tights are to be worn under skirts or dresses and not worn as stand-alone pants. No jeans, denim, denim-like, fleece or athletic gear/track pants.
- Shorts/Capris: Uniform color tailored, cargo or plain athletic shorts - appropriate in length, mid-thigh is a generally acceptable guideline.
- Shirts: Uniform color collared, button down, or polo style shirts. No t-shirts unless Director approved MRA t-shirts. Cedars – any solid color top. For all students – no spaghetti straps or mid-drift style top.
- Skirts: Uniform color tailored skorts or skirts - appropriate in length, mid-thigh is a generally acceptable guideline. Any color shorts, tights or leggings should be worn under skirts.
- Dresses: Uniform color jumpers or polo style dresses - appropriate in length, mid-thigh is a generally acceptable guideline. Uniform colored shirts must be worn under jumpers. Any color tights or leggings should be worn under dresses.
- Sweater/Sweatshirts: Uniform color with or without simple logo or with the MRA logos. Included in this garment specification are sweaters, sweatshirts, vests, pullovers or cardigan sweaters. Cedars – any solid colored garment is acceptable, with or without a simple logo or MRA logo.
- Shoes: Please wear safe shoes, no heeies or high heels. Some teachers may have additional requests for students to bring outdoor shoes or boots due to specific outdoor projects. All students must have appropriate tennis shoes for PE days.
- Outerwear: Any jacket is acceptable, as long as it complies with the general guidelines in the first paragraph above. Outside jackets and non-uniform sweatshirts or sweaters will not be allowed to be worn in the classroom.
- Accessories: Included but not limited to headwear, leggings, tights, scarves, jewelry and other accessories are permitted unless it is deemed as a distraction by the staff.

Dress Up Fridays

MRA has extended to students the option of dress up on Fridays. The expectation on these days is that students who choose not to wear their uniform wear clothing that is neat, clean and in good repair and good taste. Clothing that is explicit, revealing, distracting or offensive to others may not be worn. This includes clothes that do not completely cover all undergarments and midriff, baggy pants, and high heels or heeies. Shorts on all students must be appropriate in length, mid-thigh is a generally acceptable guideline. All clothing must be clean, appropriately tailored, and without holes and rips. T-shirts and sweatshirts with slogans or logos are acceptable as long as they do not contain obscenities, vulgarity, or advertisements for products such as alcohol, tobacco, or illegal drugs. Children who come to school in clothing that does not meet these

standards will be given a uniform referral and will be asked to change. The executive director will be the final arbiter of student dress.

Special Events

When attending special events at the school or representing the school on fieldtrips, etc., students are expected to dress to fit the event.

For example: Appropriate attire for school events and school programs that fall on a dress up Friday such as Grandparents Day, Ladies Tea, Donuts for the Guys, etc. is as follows:

- Boys are expected to wear nice, well-fitted jeans or slacks and a dress or polo shirt. We prefer students refrain from wearing t-shirts and sweatshirts on event days.
- Girls are expected to wear nice, well-fitted jeans or slacks or a dress or skirt/skort, and a nice shirt. We prefer students refrain from wearing t-shirts and sweatshirts on event days.

Students are expected to wear dress up clothes for all performance events such as the Spring Program. Jeans, t-shirts, and sweatshirts will not be allowed. All attire should be well fitted and free of rips or tears.

Parents and students will be informed of the appropriate dress code prior to a fieldtrip or event. Students who do not adhere to this dress code will not be allowed to participate in the event.

Please mark your student's name on jackets, sweaters, school t-shirts, outdoor shoes, etc

Search and Seizure

School officials may search the student, his/her personal property and property assigned by the charter school for the student's use at any time on charter school or district property or when the student is under the jurisdiction of the school. Such searches will be conducted only when there is reasonable suspicion to believe evidence of a violation of the Student Code of Conduct, administrative regulation or school rule, Charter Board policy or other laws are present. Charter school officials may also search when they have reasonable information that emergency/dangerous circumstances exist.

All searches will be consistent with the mission and vision of Molalla River Academy, keeping in the highest consideration the need and right for every person at the school to have a respectful learning environment. Strip searches are prohibited by Molalla River Academy and the school district.

Questioning

Should law enforcement officials find it necessary to question students during the school day or during periods of extracurricular activities, the director or designee will be present, when possible. All effort will be made to notify the parent of the situation.

In the circumstance that a search taking place in a possible abuse investigation takes place, parents are advised that in suspected child abuse cases, the Oregon Department of Human Services, Community Human Services, and/or law enforcement officials may exclude charter

school and district personnel from the investigation procedures and may prohibit Molalla River Academy and district personnel from contacting parents.

Extracurricular Activities

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

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

Students are expected to maintain proper decorum. Students who are referred to the executive director for misconduct will be suspended from extracurricular activities until after the next event. Drug and alcohol use are not permitted.

Physical Examinations (OSAA Requirements)

Students in grades 7 and 8 must have a physical examination performed by a physician prior to practice and competition in Molalla School District athletics, and shall additionally have a physical examination once every two years and after either a significant illness or a major surgery prior to further participation.

The physical examination is the responsibility of the parent/student and is to be paid for by the parent/student.

Record of the examination must be submitted to Molalla River Academy and the district and will be kept on file and reviewed by the coach prior to the start of any sports season.

Students shall not participate without a completed school sports pre-participation examination form on file with the charter school.

Medication

Personnel trained to give any medication (prescribed, natural or over the counter) are the only people at school who may dispense medicine. This procedure will be carried out only after parents complete and sign the annual written permission form which includes dispensing directions from the doctor if prescribed and written by the parent or guardian if not. All medication must be left at the office and not in the classroom or in a student's backpack, lunchbox, or on their person. Exceptions might occur with prescribed Epipens, inhalers, and diabetes medications. All paperwork must be completed in its entirety. All medication must come to the office in its original pharmacy or commercial prepared packaging with the student's name on it, the dosage/directions, and with the appropriate forms completed. Baggies of miscellaneous medicines or herbs will be refused or disposed of. This includes cough drops, decongestants, topical antibiotics, antacids, etc.

Immunization

A student must be fully immunized against certain diseases or must present a certificate or statement that, for medical or religious reasons, the student should not be immunized. Proof of immunization may be personal records from a licensed physician or public health clinic.

Any student not in compliance with Oregon statutes and rules related to immunization may be excluded from school until such time as he/she has met immunization requirements. Parents will be notified of the reason for this exclusion. A hearing will be afforded upon request.

Assignment of Students to Classes

Students are assigned to classes based on their age as well as their social and academic needs. Should the executive director of Molalla River Academy, in concurrence with respective lead teachers, feel it appropriate to hear parent requests for placement into a classroom, it will be his/her discretion to consider such requests. The consideration of the whole-school community will be kept in the forefront of all decisions, alongside meeting the needs of individual students and classrooms communities.

Promotion, Retention and Grade Level Placement of Students

At MRA we take the retention and promotion of students very seriously. We believe that students should be with their age level peers, with the understanding that within one grade level we will have students with early September birthdays and with late August birthdays. Our program and curriculum have been developed with mixed age classrooms to better meet the needs of all students. As a result, we are able to challenge them to push themselves into projects and to show deeper understanding of their learning. Students are provided opportunities to extend and challenge their own learning, but only if the student embraces it.

Research has shown – conclusively – that students who see themselves as “hard workers” generally outperform, out-learn, and outpace students who see themselves as “smart”. The reason being that “smart” is seen as innate, uncontrolled, unchanging, and turns out to be very fragile when challenged. Whereas “hard work” is seen as an element within our control, success is within our grasp, and a challenge simply means a need for harder work, (which I can do) not more smarts (which I can’t get).

Our approach to education is a change from the traditional. We expect more out of our students, and while acceleration or retention may be beneficial for a very small numbers of students, we firmly believe it is generally in the student’s best interest to remain with their assigned grade level.

For details about our retention/acceleration policy, please visit our website, or ask in the office for a paper copy.

Transcript Evaluation

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

SECTION FIVE: SCHOOL SAFETY

Overview: Section Five - School Safety describes Molalla River Academy’s role in providing a safe and secure educational environment. These policies describe how the school will respond in emergency situations, including accidents, medical events and weapons.

In-School Student Illness / Injury

A student who becomes ill or is injured at school must notify his/her teacher or another staff member as soon as possible. In the case of a serious illness or injury, Molalla River Academy will

attempt to notify parents according to information provided on emergency forms and submitted by parents to the school. Parents are encouraged to update this information as often as necessary.

If the student is too ill to remain in school, the student will be released to the student's parents or to another person as directed by parents on the student's emergency form.

Molalla River Academy staff may administer emergency or minor first aid, if possible. The school will contact emergency medical personnel, if necessary, and will attempt to notify the student's parents whenever the student has been transported for treatment.

Communicable Diseases / Exclusions From School

Parents of a student with a communicable or contagious disease are asked to call the office so that other students who have been exposed to the disease can be alerted. A student with certain school restrictable diseases is not allowed to come to school while the disease is contagious. This restriction is removed by the written statement of the local health officer or a licensed physician (with the concurrence of the local health officer) that the disease is no longer communicable to others in the school setting. For those diseases indicated by an asterisk (*) below, the restriction may be removed upon approval from the school. For head lice, indicated by a double asterisk (**) below, the restriction may be removed after the parent provides a signed statement that a recognized treatment has been initiated. These diseases include chicken pox*, diphtheria, measles, meningitis, mumps*, lice infestations**, whooping cough, plague, rubella, scabies*, staph infections*, strep infections* and tuberculosis. Parents with questions should contact the school office.

Tobacco, Alcohol and Drug Policy

Molalla River Academy provides a safe, secure, and drug-free learning environment for students. The school will respond with serious consequences for each violation of Molalla River Academy's drug and alcohol policy.

Student possession, use, sale or supply of tobacco, alcohol or unlawful drugs, including drug paraphernalia on or near the school premises or while participating in any school-sponsored activity is prohibited and will result in disciplinary action. This policy specifically includes any substance purported to be an unlawful drug (look-alikes).

If possession or use occurred on school grounds or while participating in school-sponsored activities, students will be subject to discipline up to and including expulsion. Disciplinary action may include removal from any or all student activities, extracurricular activities and/or forfeiture of any school honors or privileges. Appropriate health and law enforcement agencies may be involved in at least a consultative and investigative capacity. Parents will be notified.

Tobacco-Free School Policy

Molalla River Academy will maintain a tobacco free environment.

The use of tobacco products is prohibited on all school property, including school grounds, athletic grounds, or parking lots that are used for school purposes. The use of tobacco products is prohibited in all charter school vehicles and in all rented, chartered or leased vehicles used for school purposes. The use of tobacco products is prohibited at any school-sponsored event on or off school property.

Student possession of tobacco in any form on school premises, at school sponsored activities or in school vehicles is prohibited.

Staff violations of this policy will lead to disciplinary action up to and including dismissal.

Violations of this policy by non-students may result in the individuals' removal from charter school property. Molalla River Academy reserves the right to restrict access to school property by individuals who are repeat offenders.

The term "tobacco products" as used in this policy is consistent with Oregon's statutory definition.

Weapons at School Policy

No person shall bring, possess, conceal or use a weapon on or at charter school property, activities under the jurisdiction of the charter school or interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon Schools Activities Association).

Weapons under the control of law enforcement personnel are permitted. The executive director may authorize other persons to possess weapons for courses, programs, or activities approved by Molalla River Academy and conducted on charter school property including but not limited to hunter safety courses, weapons-related vocational courses, or weapons-related sports.

Definitions:

For purposes of this policy, and as defined by state and federal law, weapon includes:

1. "Dangerous weapon" (must meet all three below –
 - any weapon, device, instrument, material or substance,
 - which under the circumstances in which it is used, attempted to be used or threatened to be used; and
 - is readily capable of causing death or serious physical injury;
2. "Deadly weapon" –
 - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. "Firearm" –
 - any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, or any firearm silencer;
4. "Destructive device" –
 - any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line throwing, safety or similar device.

Replicas, fireworks, and pocket knives

Replicas of weapons, fireworks, and pocket knives are also prohibited. Exceptions to the charter school's replicas prohibitions may be granted only with prior approval from the executive director for certain curriculum or school-related activities.

Prohibited weapons, replicas of weapons, fireworks and pocket knives are subject to seizure or forfeiture. Disciplinary action will be treated case by case, but could result in expulsion.

Mandatory Reports to Law Enforcement

In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, within the previous 120 days, unlawfully been in possession of a firearm or destructive device as defined by this policy, shall immediately report such violation to an administrator, his/her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform the executive director.

The identity of a person participating in a good faith effort to comply with this reporting law shall remain confidential and may not be disclosed by any school employee, law enforcement agent, or school attorney.

Administrators shall promptly notify the appropriate law enforcement agency when:

1. Receiving staff reports of possible violations as described above
2. Any other time there is reasonable cause to believe violations as described above have occurred, or
3. When a student has been expelled for bringing, possessing, concealing or using a firearm or destructive device.

Parents will be notified of all conduct by their student that violates this policy.

Employees shall promptly report all other conduct prohibited by this policy to the executive director.

Disciplinary Consequences

Expulsion:

1. Students found to have brought, possessed, concealed or use a dangerous or deadly weapon, firearm or destructive device in violation of this policy will be expelled for a period of not less than one year.
2. All other violations of the policy will result in discipline up to and including expulsion and/or referral to law enforcement as appropriate.
3. The executive director may, on a case-by-case basis, modify this expulsion requirement.

Assisting Others

Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special Education Students

Special education students shall be disciplined in accordance with federal law and board policy, and accompanying administrative regulations.

Gun-Free School Zone Act:

Possession or discharging of a firearm in a school zone is prohibited. A "school zone", as defined by federal law means in or on school grounds "Gun-Free School Zone" signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise accepted by law or this policy, shall be reported to the appropriate law enforcement agency.

Molalla River Academy may post a notice at any site or premise off school grounds that at the time is being used exclusively for a school program of activity. The notice shall identify the charter school as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under ORS 166.370.

Child Abuse Reporting

Any Molalla River Academy employee who has reasonable cause to believe that any child with whom the employee has come in contact has suffered abuse or neglect, as defined in state law, or that any adult with whom the employee is in contact has abused a child, will immediately notify the State Department of Human Services or the local law enforcement agency. The school employee shall also immediately notify the executive director, unless the executive director is the subject of the report, in which case the employee shall notify the board chair. The obligation to report child abuse occurs regardless of whether the suspected abused child is a student at MRA or not, or whether the suspected abuser is an employee of Molalla River Academy or not.

A written record of any report of child abuse shall be made by the charter school employee in any case where the suspected abused child is a Molalla River Academy student or the suspected abuser is a Molalla River Academy employee. Such reports shall be retained in a confidential file, accessible only to the executive director or board or upon lawful subpoena. This record is not an educational record, nor shall any information derived from a child abuse investigation become part of a child's school record.

Employees shall be informed of the obligation to report child abuse by information included in the Employee Handbook.