



MITCH  
Charter School

Equal employment opportunity and treatment shall be practiced by MITCH Charter School regardless of race, color, national origin, religion, sex, sexual orientation, age, marital status, veterans' status, genetic information or disability, if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The following staff have been designated to coordinate compliance with these legal requirements, including; Title VI, Title VII, Title IX and other civil rights or discrimination issues; the Americans with Disabilities Act; Health Insurance Portability and Accountability Act (HIPPA); Section 504 of the Rehabilitation Act of 1973; and may be contacted at the MITCH Charter School office for additional information and/or compliance issues:

Melissa Meyer, Executive Director  
Shasta MacLean, Dean of Students

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## **MITCH Vision and Mission**

MITCH Charter School, where every child excels academically, pursues a Core Knowledge Foundation School of Distinction designation with agriculture fully integrated throughout our curriculum.

Our mission is to teach a coherent, cumulative, and content-specific curriculum in language arts, history, geography, mathematics, science, the arts and agriculture so that our students become literate, knowledgeable, and confident leaders serving our community, nation and world.

## **Preamble**

1. The material covered within this staff handbook is intended as a method of communicating to employees regarding general public charter school information, rules and regulation and is not intended to either enlarge or diminish any Board policy, administrative regulation, or changes in state or federal law.
2. This handbook identifies the personnel policies of MITCH Charter School (MITCH) and provides to the Board, management and staff a usable guidebook for administration of these policies. This handbook should increase the understanding and help to eliminate confusion of any given policy. No information in this document shall be viewed as an offer, expressed or implied or as a guarantee of any employment of any duration.
3. Any information contained in this staff handbook is subject to unilateral revision or elimination from time to time without notice.
4. Each employee is responsible for adhering to the policies and procedures of MITCH. It is the employee's responsibility to read and understand this handbook. Any questions as to the interpretation of any policy should be asked of the Executive Director, who is the only employee authorized by the MITCH Board of Directors to interpret this manual on behalf of MITCH. Interpretations of policies and procedures by the Board of directors shall be final and binding.
5. MITCH is an at-will employer and reserves the right to terminate an employee at any time for any or no reason, with or without notice just as an employee has the right to terminate employment with MITCH at any time for any or no reason with or without cause or notice. This at-will employment policy is not subject to change.
6. This information supersedes all previous employee handbooks, personnel policies, procedures manuals or internal manuals or internal memoranda which addressed personnel matters.

MITCH's mission incorporates the Oregon Educational Act's four key components designed to dramatically raise student achievement: Focusing curriculum and instruction on higher standards built on the basics; holding students accountable for achieving the standard through assignments and test; using the curiosity as a learning resource; and building new partnerships among schools, parents and employees.

### **Absence**

A staff person must notify the Executive Director if she/he is to be absent and must make substitute arrangements with the appropriate service. Staff is expected to maintain a regular attendance record. Excessive, habitual, and unauthorized absence and tardiness is disruptive to the instruction of students and creates a burden on other staff. A call to the Executive Director or his/her designee is required the night before whenever possible.

### **Abuse of a child reporting**

A report must be filed with Children's Protective Services if any child enrolled at this school is suspected of being a victim of abuse. This is a state law and anyone knowingly aware of an act of child abuse that chooses not to notify an authority within 48 hours will have committed a felony. If you suspect abuse has occurred, please contact the Executive Director for assistance. By law, mandatory reporters must report suspected abuse or neglect of a child regardless of whether the knowledge of the abuse was gained in the reporter's official capacity. In other words, the mandatory reporting of abuse or neglect of children is a 24-hour obligation. Report child abuse to a local office of the Department of Human Services (DHS) or a local police department, county sheriff, county juvenile department, or Oregon State Police.

You can also call **1-855-503-SAFE (7233)**. This toll-free number allows you to report abuse or neglect of any child or adult to the Oregon Department of Human Services.

### **Dedicated Washington County child abuse hotlines:**

Local: 503-681-6917

Toll Free: 800-275-8952

### **Tualatin Police Non-Emergency:**

503.629.0111 ► For Non-Emergency/ Dispatch (Crimes Not Occurring Now)

503.691.4800 ► For Police Records or Support Services (Business Office)

### **Accidents**

Any accident is to be reported immediately. Please complete an incident report form within 24 hours.

### **Animals**

With the Executive Director's permission, teachers have the option of keeping small animals in their classrooms, except poisonous or dangerous animals. Parents and students must be notified in case of allergies or other factors. Teachers are responsible for keeping cages clean, rooms sanitary and all veterinary shots up to date or they will be required to take the animal home. All animals must be removed from the school during all holidays and breaks. Students (and parents or guardians) are not to bring animals to school without permission from the Executive Director, unless the pet has been designated as a service pet. Please refer to the Parent & Student Handbook.

### **Arrival/departure of personnel**

For most staff, the start of the work day is 7:15 AM and end at 3:15 PM. There are other specific instances where these times may differ. All personnel should notify the front desk when starting and ending their day. This can be done informally with a greeting. It is important that administration and assistants know who is in the building in the case of an emergency or other circumstance. Whenever possible, doctor appointments and other personal business should be scheduled outside the work day.

### **Board of Directors**

The legislature of the state of Oregon delegates to the Board responsibility for the conduct and governance of public charter school schools. A list of current Board members is on the school's website.

Board members have the primary responsibility for fulfillment of the school's mission and are legally accountable for its operations. The Board sets school policies and is fiscally responsible for the school's resources. The Board selects and evaluates the Executive Director, who is responsible for the day-to-day operation of the school.

#### ***Responsibilities of the Board include the following:***

1. Oversight of the legal and financial operation of the school.
2. Hiring, evaluating and collaborating with the Executive Director in operating the program.
3. Budget oversight.
4. Maintaining and amending corporate bylaws and policies.
5. Making long-term plans and ensuring the Board's own succession.

#### ***Board of Directors Composition:***

As a non-profit corporation, MITCH has a Board of Directors with three to fifteen Directors. All Board meetings are public meetings. The State of Oregon's Open Meeting Law and its Public Records Law apply to MITCH. The only time the board can meet privately is in an executive session, which is defined in law with respect to what for and when a board can adjourn to executive session. Advisory Committees may be formed as needed by the Board of Directors.

The regular Board meeting schedule is on the website. All regular and special meetings of the Board are open to the public unless otherwise provided by law. All staff members are invited to attend the Board meetings. All formal communications or reports to the Board are to be submitted through the Executive Director in accordance with established lines of authority, as approved by the Board. All official Board communications, policies and information of staff interest will be communicated to the staff through Executive Directors to staff.

### **Budget**

Teachers and staff are provided basic curricular materials and supplies from the budget. An annual allocation of up to \$100 per classroom is provided for classroom set-up; teachers must request approval for the use of these funds prior to purchase. All other items or materials for the classroom environment is the responsibility of teachers and will not be reimbursed.

Student activity fees are collected and used for field trips, Core Knowledge Events, and classroom curricular consumables.

If you have a student who cannot provide their own supplies, see the Executive Director for options for support and materials. If you require any special or unique items, please contact the Executive Director prior to submitting a requisition to order these materials.

### **Breaks**

Scheduled breaks are provided to all nonexempt employees to ensure safety, efficiency and to meet the requirements of law. (Nonexempt employees are generally hourly and classified employees.) All nonexempt staff members who work 4 or more consecutive hours are entitled to one 10-minute break. Those working 8 hour days are entitled to two 10 minute breaks. (Fair labor standards act of 1938, 29 U.S.C. 206-207, ORA 839-021-0072)

### **Care/Use of MITCH school property**

All staff members are encouraged to exercise continuous and vigilant care of all MITCH school owned property. Such items as computer and video equipment are priority items for theft and damage. Incidents of theft or willful destruction of MITCH school property through vandalism or malicious mischief should be reported immediately to the Executive Director.

### **Cash in school building**

Money collected by staff because of fund raisers or other school-related purposes is to be deposited in the office, whenever the sum accumulated in any one day by a class, staff member or others exceeds \$25. At no time are funds greater than \$25 to be kept overnight or held during holidays or for long periods of time in classrooms or with teachers. Staff members are asked to emphasize to students the importance of promptly depositing money collected with appropriate school officials.

### **Classroom and office furniture**

If the furniture does not meet the needs of the students and staff, please contact the Executive Director. If you want to purchase and bring additional pieces, you will need to check with the Executive Director before doing so. Please be aware that all property provided to employees belongs to MITCH. This means that MITCH has access at any time and without reason to employee's computer, desk, file cabinets, telephone messages, email and web access if provided to employees by MITCH.

### **Classroom security**

When leaving the classroom or other work areas between classes or at the end of the day, teachers are expected to turn out the lights and secure all doors. Staff are asked to refrain from keeping personal items of value in or about their desks. Purses, backpacks, briefcases, etc., should never be left unsecured. Students should be instructed to leave valuables at home. MITCH will not be responsible for the loss of, or damage to, personal property due to such causes as fire, theft, accident or vandalism.

### **Cleaning classrooms**

It is the responsibility of the teachers to establish a daily clean up routine for the end of the day and then monitor and ensure the students follow it. All papers, pencils and trash items should be off the floor. The janitorial contractor should be able to come in and vacuum without needing to pick up items from the floor.

### **Communication with families**

Staff are asked to maintain access to contact information for families; this should include home, cell and work phone numbers and their preferred email address. Email addresses are essential to communication efforts and regular updates sent to teachers must be incorporated in class directories immediately.

All staff members are reminded to be careful when communicating with others. Confidentiality is extremely important in education. Staff should be aware of what is said to families and community members in person or on the phone. Staff should be judicious when putting anything in writing such as an email or letter. All requests for information from a family member or another professional representing a family member, must be referred to school administration. Staff members are not authorized to provide information. Identifying student information should never be included in an email subject line.

The expected response time for electronic communication is by the end of the next school day. If a phone call is received, it should be addressed by the end of the next business day. Communication from the Executive Director must be returned no later than the next business day during normal business operating hours.

### **Community use of the building**

The building may be open to community groups during the week and weekend for approved use, when such use does not interfere with MITCH programs. As classrooms may be scheduled outside regular building hours, all staff are encouraged to leave their rooms in order and to secure personal items. MITCH is not responsible for personal items left on MITCH school property.

### **Computer Use**

The school retains ownership and control of its computers, hardware, software and data at all times. All communications and stored information transmitted, received or contained in the school's information system are the school's property and are to be used for authorized purposes only. Use of school equipment or software for unauthorized purposes is strictly prohibited. To maintain system integrity, monitor network etiquette and ensure that those authorized to use the school's system are following Board policy, administrative regulations and law, the Executive Director may routinely review user files and communications.

Files and other information, including e-mail, sent or received, generated or stored on school servers are not private and may be subject to monitoring. By using the school's system, individuals consent to have that use monitored by authorized school personnel. The school reserves the right to access and disclose, as appropriate, all information and data contained on school computers and the school-owned e-mail system.

Staff who violate Board policy, administrative regulations, including general system user prohibitions, shall be subject to discipline up to and including termination. Violations of law will be reported to law enforcement officials.

### **Curriculum**

We integrate a few excellent, research supported curricula to create a K-8 program of study that is instrumental in students learning. The Common Core State Standards (CCSS) are the building frame for our curriculum, but we do not teach standards. We teach the content in our curricula and focus on mastery of content knowledge as the essential component for student achievement. Our curricula meets Oregon State standards and goals as well as the CCSS.

### **Disability**

MITCH will make reasonable accommodation for the known physical or mental disabilities of an otherwise qualified employee, unless an undue hardship would result for MITCH as allowed by Oregon law. A disability is a physical or mental impairment that substantially limits one or more major life activities. Any employee who requires accommodation to perform the essential functions of a job should contact the Executive Director to apprise the school of what accommodation he or she believes is needed.

### **Discipline**

At MITCH, we all work on creating a positive school climate, improving academic learning and increasing responsible behavior using a positive, proactive and instructional model of student management/discipline practices. We are working to institutionalize these practices to support:

- Increased student academic performance
- Increased school safety
- Sustaining a very positive school climate

- Building an effective, proactive, consistent school wide discipline system
- Setting positive behavioral expectations for all students and adults
- Actively teach expected positive school and social behaviors
- Create a learning environment in which staff and students feel supported
- Significantly decreasing disruptive, dangerous, disrespectful behavior
- Effectively collect, analyze and use discipline and school climate data
- Using effective research based strategies for meeting the needs of students who are disruptive to their learning environment
- Developing support systems and collaboration among all staff on discipline issues and interventions for disruptive students
- Developing and teach a curriculum that corresponds to MITCH's behavior expectations
- Effectively teach communication, problem solving and social skills
- Utilizing proactive, positive, instructional classroom management techniques
- Utilizing effective school based interventions for troubled students

***To support our positive behavior system, please be familiar with the student code of conduct in the student and family handbook; MITCH expectations are:***

- All adults are teachers to all kids
- Everyone is treated with respect
- Everyone helps make the learning environment safe
- Appropriate/responsible behavior must be explicitly taught, practiced and reinforced
- Students need to know what it takes to be successful in all areas of the school
- All staff must share responsibility for teaching responsible behavior, which must include modeling and feedback to students
- Re-teaching is a necessary practice

***Behaviors requiring interventions always handled by the Assistant Principal or Executive Director:***

- arson
- attendance/engagement issues
- blatant defiance/disrespect
- chronic offenders of school rules
- criminal activity
- fighting
- on-going bullying or harassment
- physical assault
- possession of drugs or drug paraphernalia
- possession of weapons (or any object used as a weapon)
- racial/sexual harassment
- threatening to use weapons to harm students, staff or property
- vandalism

Interventions may include: off campus suspension; expulsion

***Behaviors initially handled and documented by teachers initially (if behavior continues, refer to Assistant Principal):***

- aggressive behavior
- bullying
- cheating
- derogatory remarks/intimidation
- disrespect
- loud voice/profanity/inappropriate language
- minor theft
- non-compliance
- not following school rules

Interventions may include: problem solving, behavior plan, restitution, family conference. These behaviors and any interventions should be documented. Staff members should always attempt to handle behavior with students using routine strategies.

If inappropriate behavior is persistent, staff should refer the student to the Assistant Principal.

***Please remember:***

Academic work and discipline should be separated (don't use academic work as punishment.) Take time to make decisions regarding consequences for misbehavior. Think carefully before acting.

***Teachers' responsibilities:***

Act on the beliefs of MITCH and maintain high expectations.

Contact families if strategies need parental cooperation for success within 24 hours.

Develop agreements and procedures with students to aid in successful classroom management.

Keep accurate written accounts of student conduct so the Assistant Principal will have a clear understanding of the situation should the student be referred to the office.

**Domestic Violence Victims**

MITCH will make reasonable accommodation for the safety of any employee who is a victim of domestic violence, sexual assault or stalking, unless to do so imposes an undue hardship on the operation of MITCH as allowed by Oregon law. Any employee who requires accommodation for safety should contact the Executive Director to apprise the school of what accommodation he or she believes is needed.

**Electronic communications systems**

MITCH relies on electronic communications for educating students and these systems include computers, software, electronic mail (e-mail), copiers, fax machines, telephones, voice mail, and various online services. These systems are operated and managed based upon this policy.

***The use of these systems is not private or confidential.*** MITCH, within the bounds of current and future laws, reserves and intends to exercise the right to review, audit, intercept, access, and search these business systems at will, monitor data and messages within them at any time for any reason, and disclose selected contents without notice or other restrictions. Messages sent through these systems remain the property of MITCH.

Any messages or communications used through this system are subject to our anti-harassment, anti-discrimination, and non-solicitation policies. Employees are expected to carefully compose and review the wording, tone, and content of your communications before transmission.

Employees must follow policies and rules connected to any software licensed to MITCH and used by employees. For example, employees may not use any licensed software for other than MITCH purposes and may not violate the copyrights of such software. Modifications of materials may be permissible for MITCH purposes.

Employees should check with the Executive Director regarding questions about the proper use of communication or software systems. All system users who discover violations of this policy are expected to notify their supervisors immediately. Improper use or violation of this policy can result in disciplinary action, up to and including termination of employment.

### **Emergency closure**

Office closures or late starts necessitated by extremely bad weather are announced beginning at 6:00 am, sometimes earlier, through the Flash Alert system, and on many radio and TV stations. Staff members are responsible to monitor the media for information. Information may also be announced on the web page, push notifications or emails to all staff. If there are no announcements concerning Tigard-Tualatin School District, then MITCH is open and on a normal schedule. If schools are scheduled to start late, staff will be informed by email of the reporting time. If there is any question of difficulty to safely make it to work, staff are encouraged to call the office. In the event there is a staff or committee meeting scheduled on a weather delayed day, the meeting will be cancelled and rescheduled as soon as possible.

Please use this link: [FlashAlert](#) to sign up for notifications and emails regarding emergency messages, such as breaking news or weather closure information, and news releases from the district.

### **Emergency drills**

The purpose for emergency drills is to prepare students for a real emergency. Consider every alarm a real emergency until you know otherwise. Take your students outside when required and move them away from the building. Inside classrooms are to evacuate through the predetermined route outside. Make students aware of their route out of the building, including times when they are in places other than the regular classroom. Students should walk when returning to the building after it

has been determined safe to do so. Please refer to the emergency response plan for student and staff expectations during drills. (ORS 336.097, emergency response plan)

### **Employment at will**

Employment with the MITCH Charter School is "at will." This simply means that employment can be terminated at any time with or without cause or notice, at the option of the staff member or the option of MITCH.

### **Employment notification**

At the beginning of each designated period of work (e.g. school year or portions thereof) each employee will receive a written employment agreement under conditions set forth in this document.

### **Employee privacy rights**

MITCH recognizes employees' rights to privacy. In achieving this goal, the school adopts these basic principles: The collection of employee information will be limited to information the school needs for business and legal purposes. The confidentiality of all personal information in our records will be protected except where required by law. Internal access to employee records will be limited to those employees, Board members and our legal counsel having an authorized, business-related need-to-know. Access may also be given to third parties, including government agencies, because of a court order or subpoena. The organization will refuse to release an employee's personal information to outside sources without an employee's written approval unless legally required to do so. Verifications of employment dates may be provided without written approval of the employee.

An employee is permitted to see the personal information maintained about him or her in personnel records and may correct inaccurate factual information or submit written comments in disagreement with any material contained in his or her personnel records. All employees involved in recordkeeping will be required to follow these policies and practices. Violations of this policy will result in corrective action, up to and including termination of employment.

### **Employee reimbursement**

Occasionally an employee will have to purchase or use personal equipment that is required to fulfill his/her role. With *prior* approval by administration, staff members will be reimbursed for actual costs upon submission of legal receipt from an appropriate vendor.

### **Travel Expenses**

Reimbursement will be made for reasonable and necessary expenses incurred for travel to conduct MITCH business. Individuals are expected to exercise the same judgment and control in incurring expenses for MITCH that a prudent person would exercise if traveling on personal business.

A travel expense report is to be used for reporting all reimbursable expenditures incurred on behalf of MITCH for travel, accommodations, transportation, and other activity as defined in this policy.

All expenses must be itemized by day, properly described, and approved by administration. Expense reports not properly documented will be returned for completion.

### **Air Transportation**

**Carrier Selection:** Individuals should "shop" for schedules and prices that will provide the lowest logical airfare. Every attempt should be made to receive discounts for advance purchases and to secure special discount fares. **Carrier Seating:** Individuals will travel coach class (or lower fare if available) on all flights. Business and first class accommodations will not be reimbursed.

### **Lodging**

When hotel accommodations are needed by an individual while on MITCH business, low or moderately priced hotels should be used when possible. When making reservations, single room accommodations and corporate rates should be requested (making sure the lowest rate available is obtained upon check-in). Incidentals such as magazines, newspapers, laundry, toiletries, in-room snacks and beverages, and in-room movies will be considered personal expenses and, therefore, non-reimbursable.

### **Ground Transportation**

**Type of Automobile Rental:** Employees should rent a small or medium class vehicle unless a larger vehicle can be rented at no additional cost or more than two (2) people share the same vehicle. The most economical agency that is readily available should be used, with no consideration given to program benefits. Employees should compare corporate and special discount rates to obtain the lowest available rate.

### **Use of Personal Vehicle.**

A rate that is equal to or below the Internal Revenue Service's standard mileage rate will be used as reimbursement for the use of an individual's personal vehicle while on MITCH business. This rate is designed to include all related expenses of operating the vehicle including fuel, but does not include parking fees and toll charges which will be reimbursed separately. However, the total reimbursement for mileage, tolls, and parking is limited to the total cost of economy air fare plus estimated local transportation expenses for the same trip.

All individuals who desire to use their personal vehicles for MITCH business must maintain a current driver's license and vehicle liability insurance in an amount equal to or greater than state law requirements

### **Meals**

In order to ensure compliance with IRS regulations and good stewardship regarding the usage of the school's resources, the following requirements are imposed regarding meal expenses while traveling and entertaining.

### **Required Documentation for Business Meals**

Information for meal expenses should include the date, establishment, description of the business nature, names of each person in attendance, and their employment or business affiliation. An itemized receipt for all meal expenses (regardless of the amount) must be attached to the appropriate expense report.

### **Fair Labor Standards Act (Authorized Overtime)**

Regular working hours for all classified staff will be set by the Executive Director. Nonexempt staff (classified employees) are not to work before, beyond or outside their established working hours and are not to work overtime without prior authorization from the Executive Director. All timesheets must be a true reflection of all time worked, whether it is more or less than regularly scheduled work hours. Failure to comply may result in disciplinary action in accordance with applicable provisions of Board policy, and administrative regulations.

Overtime is defined as time worked over 40 hours in one week. A week is defined as seven consecutive days covering Monday through Sunday. Overtime will be compensated at one and one-half times the employee's rate of pay.

### ***Schedule adjustment as a means to avoid working more than 40 hours per week***

A nonexempt employee who works beyond their usual hours on any given day, can take time off, or may be required by their supervisor to take time off, in the *same week* to avoid overtime. A nonexempt employee who works overtime without the authorization of their supervisor may be disciplined, up to and including termination of employment.

### **Field trips**

Each teacher will conduct school-sponsored optional educational events offsite at least six times per academic school year funded by student activity fees. Field trips must be pre-approved by the Executive Director. To receive pre-approval, teachers must complete the field trip form 60-days prior to the field trip. A signed permission form must be on file at the school before a student can go on a field trip. Permission forms must indicate field trip locations. General field trip forms are not adequate. Transportation services need the addresses of field trip locations.

### **Gender Inclusive Spaces**

#### ***Restrooms***

MITCH affirms the right of all people to use the restroom of the gender with which they identify.

### **Guest speakers/controversial speakers**

Guest speakers may be used by teachers from time to time, when such use is consistent with educational goals and with a demonstrable relation to the curriculum. Guest speakers must be pre-approved by the Executive Director.

Guest speakers should represent various approaches or points of view on a given topic to afford students a more comprehensive understanding of the issue. Prior to his/her participation, guest speakers are to be informed in writing of the following regulations:

1. Profanity, vulgarity and lewd comments are prohibited;
2. Use of tobacco, alcohol and/or drugs is prohibited;
3. Sexist and/or racial remarks or derogation of any group or individual is prohibited.

Teachers responsible for inviting a particular guest speaker maintain the right and obligation to interrupt or suspend the presentation if the conduct or content being presented is judged to be in poor taste or endangers the health and safety of students or staff. Guest speakers must show photo ID at the front office and obtain a visitor's pass.

### **Health Benefits**

For coverages effective July 1, 2017, group health insurance plans will be administered through Providence Health. Please refer to *2017-18 Plan Year Open Enrollment Guide* for more information.

### **Health insurance portability and accountability act (HIPAA)**

MITCH will safeguard the protected health information of employees from use or disclosure that may violate standards and implementation specifications to the extent required by law. "Protected health information" means individually identifiable health information that is:

1. Transmitted by electronic media;
2. Maintained in electronic media;
3. Transmitted or maintained in any other form or medium.

The electronic exchange of financial and administrative transactions related to an individual's protected health information will meet the requirements of HIPAA, including national standards for transactions designed to ensure the security of health information created or received by the school. Individuals with questions about how medical information may be used and disclosed and how to get access to this information, or with complaints about school compliance with HIPAA, should contact the personnel office.

### **Identification badges**

1. To help ensure the protection of staff and students and reduce the possibilities of theft, vandalism and loss of school property, all school employees shall be issued and wear identification badges when on school property.
2. Identification badges are the property of the school for use by school employees. Any employee who duplicates or lends his/her identification badge will be subject to disciplinary action;
3. All identification badges are to be worn in plain sight when the employee is engaged in the performance of school duties while on school property;
4. A report of a lost or stolen badge must be made to the office immediately;

5. An identification card lost, stolen or damaged due to circumstances beyond the employee's control will be replaced by the school at no cost to the employee. Other replacement costs will be charged to the employee;
6. The school will not disclose the identification badge or card of an employee without the written consent of the employee if:
  - a. The badge or card contains the photograph of the employee;
  - b. The badge or card was prepared solely for internal use by the school to identify employees.

### **Injury/illness reports**

All injuries/illnesses sustained by the employee while in the actual performance of job duties, occurring on school property or during the course of school-sponsored activities, including field trips and off-site events, are to be reported to the Executive Director immediately. Reports will cover property damage as well as personal injury. A completed injury/illness report form must be submitted to the Executive Director within 24 hours or the next scheduled school workday, as appropriate.

In the event of a work-related illness or injury to an employee resulting in overnight hospitalization for medical treatment other than first aid, the building safety coordinator will inform the Oregon Occupational Safety and Health Administration (OR-OSHA) within 24 hours as required by law. Fatalities or catastrophes will be reported within eight hours. An injury or illness is work related if an event or exposure in the work environment caused or contributed to the condition or significantly aggravated pre-existing condition. Medical treatment includes managing or caring for a patient for the purpose of combating disease or disorder. The following are not considered medical treatment: visits to a doctor or health care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid. A catastrophe is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or equivalent medical facility.

All work-related injuries/illnesses will be promptly investigated and corrective measures implemented, as appropriate. (Board policy EBBB, OSHA, and Oregon Occupational Safety and Health Division)

### **In-service/meetings**

MITCH requires that all staff perform their work and accept responsibility for carrying out the mission and goals of MITCH. The MITCH calendar is available for all staff members. It is each staff members' responsibility to keep his/her calendar current with the MITCH's calendar of events. Additional staff meetings, other meetings and conferences, and community events will be added and scheduled during the school year. These are designed to promote communication between staff, families, students, and encourage community access and awareness.

Each year several times and dates are dedicated to in-service, staff development, workdays, and conferences. Staff is required to participate as necessary. Absences are permitted only by ***prior*** approval by the Executive Director. We value the time we spend working together, and it is beneficial for the school that all staff attend these sessions.

### **Job performance counseling and termination**

MITCH recognizes that employees need time to learn their positions and that guidance and instruction is a necessary part of staff training. The Executive Director is generally available to discuss problems which may arise, and to assist the employee to solve such problems whenever possible. Employees generally will be counseled when the school becomes aware that there is a deficiency in performance, and an effort will be made to help the employee resolve the problem as appropriate in response to a given situation. Subjecting a student to humiliation, ridicule or using abusive languages towards any child, however, are examples of grounds for immediate dismissal.

MITCH reserves the right to impose any form of discipline for inappropriate conduct or substandard performance it believes appropriate under the circumstances. This includes verbal or written reprimands, suspensions or any other action up to and including termination. Although employment with MITCH is an "at-will" relationship and nothing in this handbook should be considered as a contract of employment, should an employee be terminated, he or she generally will be informed of the reasons for dismissal and may be afforded the opportunity to respond to the Executive Director at the Executive Director's discretion.

### **FOBs/Keys**

FOBs and keys are issued to staff by the Executive Director. In order to protect property, students and staff and to ensure the building is adequately secured when no authorized personnel are present, all staff are expected to follow the following key-control procedures:

1. Staff will be assigned an individual FOB and one key for internal door access; no master or external keys will be assigned to staff;
2. The duplication of keys is prohibited;
3. FOBs and keys are not to be left unattended. Avoid leaving FOBs/keys on desks, tables, in mailboxes, unattended coat pockets, etc.;
4. FOBs and keys may not be loaned to students or to individuals not employed by the school. Under no circumstances should staff provide keys to students to "run errands," "unlock/lock" doors, etc.;
5. Lost or stolen keys must be reported to the Executive Director at the time of discovery of the loss or theft so that measures may be taken to protect school property. Two days will be allowed for the finding or recovery of FOBs/keys before any charges are assessed;
6. Upon completion of a lost or stolen FOB/key report form, presentation of the broken or damaged key(s) and submission of assessed fees, replacement FOB/keys will be issued within 72 hours;
7. Charges for lost or stolen keys will be made to the staff member to whom the key(s) has been issued.

### **New hires**

Applicants for positions at MITCH will first be screened by the Executive Director or a screening committee. In most cases, finalists will be interviewed at the building by a team consisting of teachers and family members. The Executive Director will have final say in the decision but will consider input from the interview team.

### **Organizational structure and governance**

MITCH is organized as a nonprofit, public benefit corporation under the laws of Oregon and is tax-exempt as a public charity under section 501(c)(3) of the Internal Revenue Code of the U.S. This legal status is required for all public charter schools in Oregon. Because of this legal status, however, MITCH may operate differently than a public or private school because the laws and regulations may be different for a public charter school than other more traditional schools. It is better to ask questions about whether a law or regulation is applicable to MITCH than to assume it is or isn't applicable. As a nonprofit corporation the school is governed by a Board of Directors. MITCH operates by a charter contract with Tigard Tualatin School District. Any questions about MITCH and the charter contract should be directed to the Executive Director and not to Executive Directors or the Board of the District.

### **PERS (Public Employees Retirement System)**

Employees may be eligible for Oregon's Public Employees Retirement System plan. From its general operating budget, MITCH contributes each month to PERS on behalf of the eligible employee, based on a percentage of the employee's gross wages each month. The employee also pays a percentage of their gross income, which automatically is deducted pre-tax from each paycheck, and deposited for the employee in the PERS fund. Currently, the employee's portion is 6% of gross income. To be eligible for PERS, an employee must have worked 600 hours and be employed by MITCH for six months, or have been eligible for benefit through another state agency or district previous to employment with MITCH. For questions about eligibility or details of the benefit, please contact the office.

### **Personal Property**

MITCH is not liable for lost, stolen or damaged personal property on school property.

### **Time Off**

#### **Holidays and Breaks**

Every school year, the Executive Director will provide a calendar to employees that designates the holidays and the winter and spring break periods for the school year. Generally, those holidays may include: Labor Day, Veterans Day, Thanksgiving Day and the following Friday, about two weeks for winter break (including Christmas and New Year's Day), Martin Luther King Jr. Day, Presidents Day, about one week for spring break, and Memorial Day. The calendar of holidays and breaks will generally follow the Tigard-Tualatin School District's calendar.

Salaried employees working at least thirty (30) hours per week will be paid for such holidays and periods the same as if those holidays and periods had been actual work days.

Typically, there are no paid holidays or break periods provided to temporary, part time or most hourly employees. The Board has authority to determine the appropriate compensation, if any, for part-time employees who would normally work less than a full day, or would not be scheduled to work on such holidays and school breaks. The Board has authority to determine the appropriate compensation, if any, for hourly employees who would not be scheduled to work on such holidays and breaks.

Employees on leave of absence are not eligible for holiday or school break pay.

#### Paid Leave

MITCH will grant employees time off with pay (referred to as paid leave) according to the terms that follow, which shall be effective commencing January 1, 2016. Employees employed by MITCH prior to January 1, 2016 will be given credit for prior service for purposes of determining the employee's right to paid leave. All leave taken for any reason in excess of the total number of days of paid leave available to employees shall be considered unpaid leave and the employee shall not be entitled to compensation for the same.

Employees may not receive or accumulate paid leave in excess of 5 days each school year. Unused leave in any school year may not be carried over to following school year.

Paid leave may be used for personal time off. The employee must inform the Executive Director of an anticipated absence as soon as possible after the employee becomes aware that the absence is likely or certain (and at least thirty (30) days before the start of the anticipated leave if possible). If advance notice is not possible (due to an unanticipated or emergency situation), the employee must give oral or written notice to the Executive Director as soon as possible (preferably 24 hours) before starting the leave.

Where questions, ambiguities, and problems arise under the paid leave policy, the Executive Director has authority to resolve those matters.

Accrued, but unused, paid leave at the end of the school year will be paid out at the employee's current rate of pay. If a salaried employee's employment is terminated for any reason during the school year, the employee shall not be entitled to be paid for accrued, but unused, paid leave at the time of termination.

Paid Leave and Oregon Statewide Sick Leave Law (ORS 839-007-0000)

Under MITCH's paid leave policy, paid leave may be used to cover leave entitled to employees under Oregon's Statewide Sick Leave law (ORS 839-007-0000), which was effective January 1, 2016. This law requires all employers in Oregon with more than 10 employees to provide up to 40 hours of paid sick time per year to their employees. Employers are required to allow employees to accrue at least one hour of paid sick time for each 30 hours worked up to a maximum of 40 hours per year. This law applies to full and part time employees in the state of Oregon.

For this purpose, MITCH grants all employees five (5) days of paid leave, or pro-rated portion thereof for part time employees, at the beginning of each school year. Paid leave may be used for personal time or sick time.

For purposes of the Oregon Statewide Sick Leave law the year is defined as the beginning of the school year in August and the end of the school year in June as outlined in the Employment Agreement. Accrued but unused paid leave may be cashed out at the end of the school year, but is not payable upon termination of the employment relationship.

In addition to personal time, paid leave may be used for any of the following reasons which qualify as sick leave under Oregon's Family Medical Leave Act (ORS 659A.159):

- Diagnosis, care or treatment of mental or physical illness, injury or health condition, including preventive medical care of an employee or family member (e.g., medical appointments);
- Reasons related to domestic violence, harassment, sexual assault or stalking;
- Any Oregon Family Leave Act reason as defined by ORS 659A.159 (see the Oregon Family Leave Act portion of the Personnel Manual).
- If the employee's place of business closes for public health emergency;
- To care for a family member whose presence in the community would jeopardize the health of others;
- If the employee is excluded from work by law due to health reasons.
- The definition of family member includes the spouse or domestic partner of the employee, biological, adoptive, or foster parent or child of the employee, the grandparent or grandchild of the employee, a parent-in-law of the employee or a person with whom the employee was or is in a relationship of in loco parentis.

You may use Oregon Statewide Sick Leave in increments of one hour to cover all or part of a shift, unless it is physically impossible for you to work only partway through a shift.

MITCH may not require you to search for or find a replacement worker as a condition for your use of Oregon Statewide Sick Leave, or require you to work an alternate shift to make up for the use of Oregon Statewide Sick Leave. However, if it is possible to work alternate hours, you may choose to

work additional hours or shifts without using accrued Oregon Statewide Sick Leave for the missed hours or shift.

MITCH may not deny, interfere with, restrain or fail to pay for sick time. No employee shall suffer discrimination or retaliation for requesting, using, or complaining that s/he is not receiving sick time for a qualifying reason as required by the Oregon Statewide Sick Leave law. Employees may file a complaint with the Bureau of Labor and Industries if they feel sick time for a qualifying reason has been denied, or if they believe that they have suffered retaliation for requesting or taking sick time for a qualifying reason. Employees are also encouraged to bring any concerns about the use of sick time for a qualifying reason, or possible retaliation for same, to the Executive Director.

MITCH expects employees to provide reasonable notice of the intent to use sick time when the need is foreseeable, e.g., a scheduled doctor's appointment, by completing an authorization for leave. Whenever possible, the anticipated duration of the sick time request must be entered on the leave authorization form. When the need for leave is unforeseeable, e.g. waking up ill or suffering an emergency medical situation, employees must notify MITCH as soon as practicable by contacting their supervisor and completing an authorization for leave upon return to work.

MITCH reserves the right to require employees to provide documentation from a health care provider verifying that an absence was caused by a medical situation. MITCH also reserves the right to require documentation from the provider authorizing the employee to return to work.

#### Unpaid Leave; OFLA; OMFLA; Crime Victims' Leave; Jury Duty

##### (a) Unpaid Leave

- (1) The Executive Director may grant up to two days of unpaid leave per employee per fiscal year for urgent personal business or other emergencies. Such leave shall be without pay.
  
- (2) If MITCH is ever determined to be subject to the federal Family and Medical Leave Act ("FMLA," 29 USC 2601), or the Oregon Family Leave Act ("OFLA" ORS 659A.150 to 659A.186, and OAR 839-009), MITCH will comply with such laws and will adopt appropriate policies required by such laws.

##### (b) Oregon Family Leave Act (OFLA)

MITCH will act in accordance with the Oregon Family Leave Act ("OFLA") regarding time off for family and medical leave of absence ("Family Leave") when applicable by the law. The employee must have been employed by MITCH at least one hundred eighty (180) calendar days immediately preceding the date Family Leave would begin. For all OFLA leave, except Parental Leave, you must have worked an average of twenty-five (25) hours per week during that time period. For the purposes of this 180-day calculation, summer calendar days count for returning employees. MITCH uses a backward rolling year in accordance with applicable law in determining leave availability.

A total of twelve (12) workweeks of leave under OFLA may be taken for one or more of the following purposes:

- “Parental Leave”: To care for a newborn child or a newly adopted or newly placed foster child under age eighteen (18), or adult "child" who is incapable of self-care because of a disability. This leave applies to each parent of the child. Parental Leave must be completed within twelve (12) months after birth or placement.
- “Family Member’s Leave”: To care for a family member with a serious health condition. For the purpose of this leave, "family member" includes an Employee's spouse; same-sex domestic partner; biological, adoptive, stepchild, foster child (and any person with whom the Employee has a loco parentis, i.e., in place of parents, relationship); parent (biological parent or an individual who stands or stood in loco parentis); parent-in-law; grandparent, and grandchild.
- “Employee’s Serious Health Condition Leave”: To recover from or seek treatment for a serious health condition that renders you unable to perform one or more of the essential functions of your regular position.
- “Sick Child Leave”: To care for your child if that child is suffering from an illness, injury, or condition that requires home care but is not a serious health condition. The availability of another family member to provide home care for the child will be considered by MITCH in determining whether you are eligible for this leave.

An eligible female Employee may take an additional twelve (12) workweeks off within any leave year for any other OFLA leave if she took Employee’s Serious Health Condition Leave because pregnancy or childbirth disabled her from performing any available job offered to her by MITCH. Also, any eligible Employee, male or female, who takes a full twelve (12) weeks of Parental Leave may take up to an additional twelve (12) weeks of Sick Child Leave within the one year period to provide home care to ill or injured children.

#### (1) Intermittent Leave and Concurrent Application

In most circumstances under OFLA, Employees may take leave intermittently, which means taking leave in blocks of time or by reducing their normal weekly or daily work schedule.

However, Parental Leave must be taken in one uninterrupted period, unless otherwise approved by MITCH. An exception is that Parental Leave needed to effectuate adoption or foster placement of the child need not be taken in one, uninterrupted period.

When two family members work for MITCH, the Employees may not take concurrent Family Leave unless: (a) one Employee needs to care for the other Employee who is suffering from a serious health condition; or (b) one Employee needs to care for a child who has a serious health condition while the other Employee is also suffering a serious health condition.

#### (2) Benefits

Family Leave is without payment of wages unless an employee had paid leave days as described in Section 503 to apply to Family Leave. However, an Employee is required to utilize all accrued paid leave first, unless the Employee is receiving disability pay.

Employees who are absent due to a serious on-the-job injury or on-the-job related health condition may be eligible for workers' compensation benefits. OFLA will run concurrently if the Employee refuses an offer of light duty or modified employment.

(3) Definitions

"Serious health condition" has specific meanings under these laws. It means an illness, injury, impairment, or physical or mental condition that involves:

- Hospital Care: Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.
- Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:  
Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider within 7 days of the initial event and within 30 days total; or treatment by a health care provider on at least two occasions per year for periodic treatment which results in a regimen of continuing treatment under the supervision of the health care provider. The first treatment must occur within 7 days of incapacity and must involve an in-person visit. The second must occur within 30 days of incapacity and be in person.
- Pregnancy: Any period of incapacity due to pregnancy, or for prenatal care
- Chronic Conditions Requiring Treatments: A chronic condition which:
  - Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
  - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).
- Permanent/Long-term Conditions Requiring Supervision: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The Employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
- Multiple Treatments (Non-Chronic Conditions): Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

"Incapacity" means the inability to work, attend MITCH or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery therefrom.

"Treatment" includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

A regimen of "continuing treatment" includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

#### (4) Requirements

Request for Family Leave must be made in writing. If the need for the leave is known to you in advance, you must give thirty (30) days advance notice. In addition, our usual reporting and call-in requirements must be met, absent unusual circumstances, during the leave.

Medical certification supporting the need for leave due to the serious health condition of an Employee or immediate family member, or the need to provide home care to a child, may be required. However, medical verification will not be required to substantiate your need to be absent to provide "home care" for a child unless you are absent for this purpose more than three (3) workdays in a one-year period. Contact between MITCH and your health care provider will comply with the Health Insurance Portability and Accountability Act privacy regulations. MITCH may contact your health care provider for authentication or clarification of the medical certification by using a health care provider, a human resource professional, a leave Executive Director, or a Executive Director official.

You also may be required to provide second or third medical opinions (at our expense), periodic recertification and fitness for duty reports, and weekly reports during leave regarding your status and intent to return to work. Copies of second and third opinions will be provided to you upon request.

When leave is needed to care for an immediate family member or the Employee's own illness and is for planned medical treatment, the Employee must try to schedule treatment so as not to unduly disrupt MITCH's operations.

When an employee gives notice of Family Leave, MITCH shall give the employee specific information on what is required of the employee and what might occur in certain circumstances, such as if the employee fails to return to work after Family Leave.

Employees on leave must keep MITCH apprised of their anticipated date of return to work, changes in medical status, address or telephone number, and any other reporting obligations

directed by MITCH. All Employees who are either fully or partially released to return to work must report to MITCH upon receipt of the release. MITCH will generally require a release to return to work from an employee's treating physician before an employee will be allowed to return to work.

(5) Reinstatement

In order to have reinstatement rights when you are returning from Family Leave, you must request reinstatement promptly upon the expiration of leave. If you make a timely request for reinstatement and comply with other requirements under state and federal regulations, you shall be reinstated to your former position in accordance with applicable law. If you cannot be reinstated to your former position because that position no longer exists, you will be reinstated to an available equivalent position in accordance with applicable law. If there is not an available equivalent position, you must continue to submit written requests for extensions of your leave until a suitable job becomes available. Otherwise, MITCH will assume that you are no longer interested in employment and your employment will be terminated.

(c) Oregon Military Family Leave Act (OMFLA)

- (1) All employees who work an average of 20 hours per week or more are eligible for Oregon Military Family leave.
- (2) During a period of military conflict, employers must provide an eligible employee who is a military spouse up to fourteen (14) days of unpaid leave per deployment of his/her spouse in the Armed Forces, National Guard, or military reserves when the spouse: (1) has been notified of an impending call to active duty; (2) has been ordered to active duty; or (3) has actually been deployed.
- (3) Within five days of receiving official notice of an impending call or order to active duty or of a leave from deployment, the employee must notify the Executive Director.
- (4) Employee must pay for his or her insurance premiums during any Oregon military leave. Military family leave cannot run consecutive with workers compensation leave, but will run concurrently with OFLA leave. Reinstatement rights are allowed to employees on Military Family Leave.

(d) Crime Victims' Leave

Employees who have suffered financial, social, psychological or physical harm as a result of a personal felony (or an immediate family member has suffered the same) may be eligible for leave in order to assist in the prosecution and trial of the accused. This leave is unpaid leave. Employees taking qualifying Crime Victims' Leave may choose to use remaining available paid leave during this leave.

In order to be eligible to take this leave, the Employee must have worked for MITCH at least 25 hours per week for the 180 days immediately preceding the leave. For the purposes of this 180-day

calculation, summer calendar days count for returning employees. The employee or immediate family member must also be the victim of the crime.

Employees must provide no less than three days' notice of the intention to take leave to attend a court hearing. The employee must also provide a copy of any hearing notice to the Executive Director prior to taking the leave. MITCH may limit such leave if the same will present an "undue hardship" for MITCH, as that term is defined under Oregon law.

(e) Domestic Violence Leave

Employees may be eligible for leave for the following purposes:

- To seek legal or law enforcement remedies to ensure the Employee's (or the Employee's minor child's) health and safety. This includes preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, sexual assault or stalking;
- To seek medical treatment or to recover from injuries caused by domestic violence, sexual assault or stalking;
- To obtain counseling related to domestic violence, sexual assault or stalking;
- To obtain services from a victim services provider; or
- To relocate or secure their existing home to ensure the Employee's (or child's) health and safety.

Domestic Violence Leave is unpaid leave unless the employee has accrued paid leave available. Employees taking qualifying Domestic Violence Leave may choose to use remaining paid leave during this leave. In order to be eligible to take this leave, the employee must have worked for MITCH at least 25 hours per week for the 180 days immediately preceding the leave. For the purposes of this 180-day calculation, summer calendar days count for returning employees. The employee must also be the victim of the domestic violence, sexual assault, stalking, or harassment (or the parent/guardian of a minor child who is a victim).

Employees must provide reasonable notice of the intention to take leave. We may require the employee to provide certification that she/he is the victim of domestic violence, sexual assault, stalking or harassment and that the leave is for one of the purposes outlined above (i.e. a police report, a protective order, or documentation from an attorney, police, counselor, clergy member, etc.) that the employee or employee's child is undergoing treatment, counseling, or relocating as a result of domestic violence.

(f) Jury Duty

MITCH will grant employees time off for mandatory jury duty and/or jury duty orientation. Any employee, when advised of a call to jury duty, must immediately inform the Executive Director. Upon notification by a court to report for jury duty, an employee shall immediately request jury duty during non-MITCH school periods (e.g. winter, spring and summer breaks). If this request is not granted, time off without pay will be provided for jury duty required to be served during the

MITCH year. Employees taking time off for jury duty may choose to use remaining paid leave while serving jury duty. A copy of the court notice must be submitted to the Executive Director to verify the need for such leave.

The employee is expected to report for work when doing so does not conflict with court obligations. It is the employee's responsibility to keep the Executive Director informed about the amount of time required for jury duty and to provide documentation.

### **General Personnel Policy**

The quality of the professional and support staff is of primary importance in achieving MITCH's educational goals. In filling any licensed or classified position, MITCH will seek out and appoint the best-qualified person available for the position.

The Executive Director, upon the hiring committee's recommendation, will approve the employment of candidates to fill open positions. Notice of all regular job openings will be available to current staff members. Staff is encouraged to apply for open positions. The school will give consideration to all staff applications. Vacant positions may also be advertised through professional and institutional placement agencies, appropriate employment agencies and general and specialized media.

Applications or inquiries concerning job openings will be directed to the school office on standard school application forms. The selection process will be coordinated and supervised by the Executive Director with the involvement of staff and community, as appropriate.

Each candidate selected for a position with the school must possess or demonstrate eligibility for any license or permit required to fill the position. In addition, the individual must be insurable by the district's insurance carrier for any position requiring liability insurance coverage or bonding.

In accordance with Oregon law, MITCH may require any candidate, as a condition of employment, to hold a current, recognized first-aid card. A current employee required to hold a card will obtain it within 90 days from the date the school gives notification.

Personnel selected for employment will be notified in writing. This notification will specify the assignment, the job classification, the salary or hourly rate, the length of the workweek and the length of the assignment. Unsuccessful applicants who were interviewed will be notified.

The Executive Director will establish regulations governing the recruitment, selection and employment of personnel in accordance with this policy.

### **Board-Staff Communications**

The Board desires to maintain open communication channels between itself and the staff. The basic line of communication will be through the Executive Director. All recorded communication between the Board and staff is public record as described in Board policy KBA - Public Records. Communications or reports to the Board or Board committee from any staff member or members should be submitted through the Executive Director. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of an active administrative procedure, nor disruptive to the operation of the school. All official communications, 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 concerns and actions.

### **Communicable disease/blood borne pathogens/infection control procedures**

The school provides for the reasonable protection against the risk of exposure to communicable disease to all staff while engaged in the performance of their duties. Protection is provided through immunization and exclusion in accordance with Oregon Revised Statutes and Oregon Administrative Rules. Infection control procedures, including provisions for handling and disposing of potentially infectious materials, have also been established through Board policy and administrative regulations for staff and student protection. All staff shall comply with measures adopted by the school and with all rules set by the Oregon Department of Human Services, Health Services, and the county health department. Staff members have a responsibility to report to the school when infected with a communicable disease unless otherwise stated by law.

### ***HBV\*/Blood borne Pathogens Training and Immunization***

Staff members designated as primary first-aid providers, or who may otherwise incur occupational exposure to blood or other potentially infectious materials in conjunction with their assigned duties as determined by the school, will receive appropriate information and training as follows:

1. At the time of initial assignment to tasks where occupational exposure may take place;
2. At least annually thereafter and within one year of their previous training;
3. When changes such as modification of tasks or procedures or new tasks or procedures affect the staff member's occupational exposure.

Additionally, HBV vaccination and vaccination series will be made available after training and within 10 days of initial assignment to all staff that have been identified by the school as having occupational exposure. Report any occupational exposure to blood borne pathogens to the Executive Director. Following a report of an exposure incident, the school will immediately make available to the exposed staff member a confidential post-exposure evaluation and follow-up.

Employees who use medical sharps in the performance of their duties (e.g., administering injectable medicines to students, such as epinephrine and glucagon) will annually be provided an opportunity to identify, evaluate and select engineering and work practice controls (e.g., sharps disposal

containers, self-sheathing needles, safer medical devices, such as sharps injury protections and needleless systems). The school will implement such work practice controls, as appropriate.

### ***Infection Control Procedures***

Appropriate hygienic and sanitation practices have been established by MITCH Charter School as follows

1. Standard precautions are to be followed at all times. Standard precautions require the assumption that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV\*\*, HBV and/or blood borne pathogens;
2. Whenever possible, students would be directed to care for their own minor bleeding injury. This includes encouraging students to apply their own band-aids. If assistance is required, band-aids may be applied preferably with gloves or after removal of gloves if caregiver will not come into contact with blood or wound drainage;
3. Food and Drug Administration (FDA) approved gloves are required for all tasks in which an individual may come into contact with blood or other potentially infectious materials. Such tasks include cleaning body fluid spills, emptying trash cans, handling sharps/containers, handling contaminated broken glass, cleaning contaminated equipment and handling contaminated laundry/clothing. This also includes assisting with any minor wound care, treating bloody noses, handling clothes soiled by incontinence, diaper changing and cleaning up vomit. These gloves can be found in the staff kitchen cupboards, at the front desk, and in the cafeteria.
4. Immediate, complete and effective hand washing with soap and running water of at least 30 seconds duration should follow any first aid or health care given a student or contact with potentially infectious materials;
5. If exposure to blood or other potentially infectious materials occurs through coughing, any first-aid procedure or through an open sore or break in the skin, thorough washing, preferably with germicidal soap, is necessary;
6. In the event hand-washing facilities are not readily available, thorough cleaning using an antiseptic cleanser and clean cloth/paper towels or antiseptic towelettes provided by the public charter school as an alternative is necessary. In the event alternatives are used, hands must be washed with soap and water as soon as feasible;
7. Contaminated work surfaces shall be decontaminated with an appropriate disinfectant after completion of procedures; immediately or as soon as feasible when surfaces are overtly contaminated or after any spill of blood or other potentially infectious materials; and at the end of the work shift if the surface may have become contaminated since the last cleaning. Clean surfaces with soap and water and then rinse with an Environmental Protection Agency (EPA) approved disinfectant\*\*\* following labeling instructions for use. These surfaces include equipment, counters, mats (including those used in physical education classes and athletic events), toys or changing tables;
8. An EPA-approved disinfectant must be used when cleaning fluids such as blood or vomit from the floor or other such contaminated surfaces;
9. Contaminated laundry such as clothing and towels must be placed and transported in bags and containers in accordance with the public charter school's standard precautions. All such items must be laundered in hot or cold water and soap and placed in a dryer;
10. Needles, syringes, broken glassware and other sharp objects found on public charter school property must not be picked up by students at any time, nor by staff without appropriate puncture-proof gloves or mechanical device such as a broom, brush and dust pan;

11. All wastebaskets used to dispose of potentially infectious materials must be lined with a plastic bag liner that is changed daily;
12. Gloves and repellent gowns, aprons or jackets are required for tasks in which exposure to blood or other potentially infectious materials can be reasonably anticipated to contaminate street clothing. Type and characteristics of such protective clothing will depend on the task. Such tasks may include diapering/toileting with gross contamination, assisting with wound care, sorting or bagging contaminated laundry/clothing and disposing of regulated waste with gross contamination;
13. Maximum protection with gloves, face and/or eye protection and gowns are required whenever splashes, spray, spatter or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated. Such tasks may include feeding a student with a history of spitting or forceful vomiting and assisting with severe injury and wounds with spurting blood;
14. If a first-aid situation occurs, students should report to a person in authority, staff should report to a supervisor.

\* HBV – Hepatitis B Virus

\*\* HIV – Human Immunodeficiency Virus

\*\*\* Disinfectants which can be used include EPA approved Puregreen 24 Disinfecting Spray, Benefect Botanical Disinfecting Wipes, and Seventh Generation Disinfecting Multi-Surface Wipes. Other disinfectants as recommended by the Center for Disease Control may be used.

## **Complaints**

### ***Student/family complaints***

MITCH recognizes that complaints regarding staff performance, discipline, grades, student progress and homework assignments will be made by students and families from time to time. Every effort will be made to ensure that such complaints are handled and resolved informally and as close to their origin as possible. Students, families and others with complaints will be encouraged to discuss the complaint directly with the staff member. All such meetings should be held in confidence and not in the presence of others. If the complaint is not informally resolved, staff should advise the complainant that she/he may submit the matter directly to the Executive Director as appropriate. The complainant will be provided with necessary formal complaint procedure guidelines in accordance with Board policy. When a complaint is made directly to the Board as a whole or to an individual Board member, it will be referred to the Executive Director for appropriate follow-up. If the complaint is against the Executive Director the complaint will be referred to the Board Chair. All staff members should familiarize themselves with Board policy and applicable provisions of administrative regulations regarding the handling of complaints.

### ***Staff Complaints***

It is an unlawful employment practice for an employer to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment for the reason that the employee has in good faith reported information in a manner as to disclose employer violations of any federal or state law,

rule or regulation, mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety. Staff member complaints contending a violation, misinterpretation or inappropriate application of MITCH school personnel policies and/or administrative regulations should be directed to the Executive Director for informal discussion and resolution. If the staff complaint is against the Executive Director the complaint should be referred to the Board Chair. If the complaint is not resolved informally, formal complaint procedures may be initiated by staff in accordance with Board policy and administrative regulations.

### **Copyright**

A variety of machines and equipment for reproducing materials to assist staff in carrying out their educational assignments is available to staff. Infringement on copyrighted material, whether prose, poetry, graphic images, music, audio recording, video or computer-programmed materials, is a serious offense against federal law, a violation of Board policy and contrary to ethical standards required of staff and students. All reproduction of copyrighted materials shall be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as “fair use” under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form.

“Fair use” guidelines are as follows:

#### ***Fair Use***

##### 1. Printed Materials

- a. Permissible uses – public charter school employees may:
  - i. Make a single copy of the following for use in teaching or in preparation to teach a class:
    1. A chapter from a book;
    2. An article from a periodical or newspaper;
    3. A short story, short essay or short poem, whether or not from a collective work;
    4. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.
  - ii. Make multiple copies for classroom use (not to exceed one copy per student in a course) from the following
    1. A complete poem, if it has fewer than 250 words and does not exceed two printed pages in length;
    2. A complete article, story or essay of less than 2,500 words;
    3. Prose excerpts not to exceed 10 percent of whole or 1,000 words, whichever is less;
    4. One chart, graph, diagram, cartoon or picture per book or per issue of a periodical;
    5. An excerpt from a children’s book containing up to 10 percent of the words found in the text.
- b. All permitted copying must bear an appropriate reference. References should include the author, title, date and other pertinent information.
- c. Prohibited uses – MITCH school employees may not:
  - i. Copy more than one work or two excerpts from a single author during one class term;

- ii. Copy more than three works from a collective work or periodical volume during one class term;
  - iii. Copy more than nine sets of multiple copies for distribution to students in one class term;
  - iv. Copy to create or replace or substitute for anthologies or collective works;
  - v. Copy “consumable” works, such as workbooks, exercises, standardized tests and answer sheets;
  - vi. Copy the same work from term to term;
  - vii. Copy the same material for more than one particular course being offered (may not copy every time a particular course is offered) unless permission is obtained from the copyright owner.
- d. All sound recordings, including phonograph records, audio recordings, compact discs and laser disks, will be treated under the same provisions that guide the use of print materials unless as may otherwise be excepted by regulations governing the reproduction of works for libraries/media centers.
2. Sheet and Recorded Music
- a. Permissible uses – school employees may:
    - i. Make emergency copies to replace purchased copies which for any reason are not available for an imminent performance so long as purchased replacement copies will be substituted in due course;
    - ii. Make, for academic purposes other than performance, multiple copies (one per student) of excerpts not constituting an entire performance unit such as section, movement or aria, but in no case no more than 10 percent of the whole work;
    - iii. Make, for academic purposes other than performance, a single copy of an entire performable unit such as a section, movement or aria if confirmed by the copyright holder to be out of print or the “unit” is unavailable except in a larger work. The copy may be made solely for the purpose of scholarly research or in preparation to teach a class;
    - iv. Edit or simplify printed copies which have been purchased provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist;
    - v. Copy complete works which are out of print or unavailable except in large works and used for teaching purposes;
    - vi. Make a single copy of a recorded performance by students to be retained by the school or individual teacher for evaluation or rehearsal purposes;
    - vii. Make a single copy of a sound recording, such as a tape, disk or cassette, of copyrighted music owned by the school or an individual teacher for constructing aural exercises or examinations and retained for the same purposes.
  - b. Prohibited uses – school employees may not:
    - i. Copy to create or replace or substitute for anthologies, compilations or collective works;
    - ii. Copy works intended to be “consumable,” such as workbooks, exercises, standardized tests and answer sheets;
    - iii. Copy for the purpose of performance, except as noted above (1.a.) in emergencies;
    - iv. Copy to substitute for purchase of music except as noted above (1.a., b. and c.);
    - v. Copy without inclusion of the copyright notice on the copy;

- vi. Downloading/file sharing of music from the internet that was originally intended for sale.
- 3. Television Off-the-Air Recording: if a school employee intends to record a television program, please see the Executive Director (or designee) for the list of permissible and prohibited uses prior to recording and using in the classroom.
- 4. Rental, Purchase and Use of Video Recordings
  - a. Permissible uses – school employees may:
    - i. Use purchased or rented video recordings such as feature films as part of a systematic course of instruction, in accordance with public charter school policy. Such use shall be for direct instruction and must take place in a classroom or similar area devoted to instruction;
    - ii. Use only rented lawfully-made video recordings;
    - iii. Arrange for the local school to transmit video recordings over their closed circuit television for direct instruction;
    - iv. Use off-air video recordings made at home for classroom instruction and only in accordance with television off-air guidelines and public charter school policy.
  - b. Prohibited uses – school employees may not:
    - i. Use rented or purchased video recordings where a written contract specifically prohibits such use in the classroom or direct teaching situation;
    - ii. Use rented or purchased video recordings such as feature films for assemblies, fund raising, entertainment or other applications outside the scope of direct instruction without public performance rights.
- 5. Computer Software
  - a. Permissible uses – school employees may:
    - i. Make a copy of an original computer program for the purpose of maintaining the availability of the program should it be damaged during use. Either the copy or the original may be retained in archives. Only one, either the original or the copy, may be used at any one time;
    - ii. Make a copy of a program as an essential step in using the computer program as long as it is used in conjunction with the machine and in no other manner;
    - iii. Make a new copy from the archival program in the event that the program in use is damaged or destroyed;
    - iv. Use a purchased program sent from a manufacturer labeled “archival” simultaneously with the original copy of the program provides its use is permitted (not excluded) by the terms of the sales agreement;
    - v. Make an archival copy of a rightfully-owned disk that is labeled “archival” by the software manufacturer;
    - vi. Load a software program from a single disk into a distribution network or to individual stand-alone computers for simultaneous use when the distribution network is only accessible to the owner-user if not otherwise prohibited by terms of a sales agreement;
    - vii. Adapt a copyrighted program from one language to another for which it is not commercially available or add features to a program to better meet local needs.
  - b. Prohibited uses – school employees may not:
    - i. Load the contents of one disk into multiple computers at the same time in the absence of a license permitting the user to do so;
    - ii. Load the contents of one disk into local network or disk-sharing systems in the absence of a license permitting the user to do so;

- iii. Make or use illegal copies of copyrighted programs on public charter school equipment;
  - iv. Allow any student to surreptitiously or illegally duplicate computer software or access any database or electronic bulletin board;
  - v. Make copies of software provided by a software publisher for preview or approval;
  - vi. Make multiple copies of copyrighted software (or a locally-produced adaptation or modification) even for use within the school or public charter school;
  - vii. Make replacement copies from an archival or backup copy;
  - viii. Make copies of copyrighted software (or a locally-produced adaptation or modification) to be sold, leased, loaned, transmitted or even given away to other users;
  - ix. Make multiple copies of the printed documentation that accompanies copyrighted software.
- c. With permission from the copyright holder, prohibitions may be significantly modified or removed altogether.
6. Reproduction of Works for Libraries/Media Centers: if a school employee intends to reproduce work, please see the Executive Director (or designee) for the list of permissible and prohibited uses prior to recording and using in the classroom.
7. Performances
- a. Permissible uses –school employees must contact the copyright holder in writing for permission whenever copyrighted works such as plays and musical numbers are to be performed. This is particularly important if admission is to be charged or recordings of the performance are to be sold.
8. Violations
- Employees in violation of copyright law may be required to remunerate the school in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

### **Criminal records check/fingerprinting**

~~All newly licensed or registered educators are required to submit to a nationwide criminal records check including fingerprinting in accordance with rules established by the Teacher Standards and Practices Commission (TSPC). This includes any individual registering with TSPC for student teaching, practicum or internship as a teacher, Executive Director or personnel specialist who has not submitted to a criminal records check within the previous three years. Additionally, all staff not requiring licensure or registration as a teacher, Executive Director, and newly hired are required to submit to a nationwide criminal records check including fingerprinting as required by Board policy and law. Employment will be offered pending the return and disposition of such checks. All offers of employment are contingent upon the results of such checks. Fees for individuals subject to the checks, including fingerprinting of non licensed applicants, shall be paid by the individual. A staff member may request periodic payroll deductions rather than a lump sum payment. All newly licensed or registered educators and those applying for reinstatement of a license or registration that has expired for more than three years are required to submit to nationwide criminal records checks and fingerprinting in accordance with rules and procedures as set forth by TSPC. The school's use of criminal history must be relevant to the specific requirements of the position, services or employment.~~

The following procedures will be used for all newly hired employees subject to criminal records checks including fingerprinting:

### ***Processing/Reporting***

1. — The individual shall, as part of the application process, complete either a Criminal History Verification of Applicant's form or a Fingerprint-Based Criminal History as provided by ODE.
2. — If the individual is subject to fingerprinting, she/he will be required to report within three working days to an authorized finger printer for fingerprinting. Fingerprints may be collected by one of the following:
  - a. — Contracted agent of employing public charter school;
  - b. — Local or state law enforcement agency.

Individuals shall be subject to fingerprinting only after acceptance of an offer of employment or contract.

3. — To ensure the integrity of the fingerprinter collection and prevent any compromise of the process, the public charter school will provide the name of the individual to be fingerprinted to the authorized fingerprinter and require that the individual submit a photo ID (driver's license or other) containing the individual's name and picture in order to verify the identity of the individual intended to be fingerprinted.
4. — The Fingerprint Criminal History Verification form and fingerprint cards will be sent to ODE. A copy of the form will be kept in the personnel office.

### ***Termination of Employment or Withdrawal of Employment Contract/Offer***

1. — Any individual required to submit to criminal records checks and/or fingerprinting in accordance with law and/or Board policy will be terminated from consideration as a public charter school volunteer and employment or contract status or withdrawal of offer of employment or contract will be made by the superintendent immediately upon the following:
  - a. Refusal to consent to a criminal records check and/or fingerprinting; or
  - b. Notification by the Superintendent of Public Instruction, or his/her designee, or the State Board of Education that the employee has made a false statement as to conviction of a crime or conviction of crimes prohibiting employment with the public charter school as specified in law.
2. — Employment termination shall remove the individual from any public charter school policies, and the provisions of Accountability for Schools for the 21st Century Law.

### ***Appeals***

All appeals regarding a determination which prevents his/her employment or eligibility to contract with the public charter school will be directed to the Oregon Superintendent of Public Instruction. Individuals eligible to appeal as a contested case will be so notified in writing by ODE. (board policy GCDA/GDDA, ORS 362.603, Title VII of the Civil Rights Act of 1964, as amended 42, U.S.C)

### **Drug-free workplace**

Staff members engaged in work shall not unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcohol, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. Section 812) and as further defined by regulation at 21 CFR 1308.11 through 1308.15 and by board policy JFCG/JFCH/JFCI.

“Workplace” is defined to mean the site for the performance of work done in connection with a federal grant or contract. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school where work is performed.

No school employee shall knowingly sell, market or distribute steroid or performance enhancing substances to kindergarten through 8th grade student with whom the employee has had contact as part of the employee’s school duties; or knowingly endorse or suggest the use of such substances.

Each staff member must notify his/her supervisor of his/her conviction of any criminal drug statute based on conduct occurring in the workplace, as defined above, no later than five days after such conviction.

Each staff member must abide by the terms of the school’s drug-free workplace policy. The school, upon determining that a staff member has engaged in the manufacture, distribution, dispensation, possession or use, on or in the workplace, of a controlled substance or alcohol or upon having reasonable suspicion of a staff member’s use of a controlled substance or alcohol in the workplace, shall, pending any criminal drug statute conviction for a violation occurring in the workplace, take action with regard to the employee determined to be appropriate. Such action may include, granting of leave with or without pay, suspension with or without pay or dismissal. Within 30 days of a staff member’s criminal drug statute conviction for a violation occurring in the workplace, the school shall:

1. Take action with regard to the employee determined to be appropriate, which may include discipline up to and including dismissal; and/or
2. Require satisfactory participation by the employee in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

Board policy: JFCG/JFCH/JFCI

### **Disclosure of Information**

The Executive Director may disclose information about a former employee's job performance to a prospective employer. School officials are immune from civil liability for such disclosures under the following conditions:

- Disclosure of information is upon request of the prospective employer; or
- Disclosure of information is upon request of the former employee;
- The information is related to job performance;
- The action is presumed to be in good faith.
- Presumption of good faith is rebutted by showing the information disclosed was:
  - Knowingly false;
  - Deliberately misleading;
  - Rendered with malicious purpose;
  - Violated civil rights.

The disclosure is of the disciplinary records of an employee who has been convicted of a crime listed in ORS 342.143. These records are not exempt from disclosure under ORS 192.501 or ORS 192.502 and shall be released to any person upon request. Prior to the disclosure of a disciplinary record 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 who is not the subject of the disciplinary record.

The disclosure is the result of a request from a law enforcement agency, the Department of Human Services or the Teachers Standards and Practices Commission regarding the records of investigations of suspected child abuse by a district employee.

No later than 20 days after receiving a request under 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).

### **Evaluation of staff**

The purpose of the school's evaluation process is to aid the teacher in making continuing professional growth and to determine the teacher's performance of the teaching responsibilities. Licensed staff evaluations shall be customized based on collaborative effort and include the core teaching standards adopted by the Oregon State Board of Education, and according to the ODE approved Danielson Framework. Classified staff will be formally evaluated at least once during their first year of employment with the school and annually thereafter. Copies of the school's evaluation procedures will be provided to all staff. Evaluation of all staff will be conducted in accordance with established Board policy and applicable to school evaluation procedures, and Oregon Revised Statutes.

### **Gifts and solicitations**

Staff members are to avoid accepting anything of value offered by another for the purpose of influencing his/her professional judgment. Staff members are prohibited from accepting items of material value from companies or organizations doing business with MITCH. Material value is defined by law as \$50 or more from a single source in a single year. No organization may solicit funds from staff members within the school, nor may anyone distribute flyers or other materials related to fund drives through the school without Executive Director approval. The solicitation of staff by sales people, other staff or agents during on-duty hours is prohibited without approval from the Executive Director. Any solicitation should be reported at once to the Executive Director. (OGEC ORS chapter 244)

### **Harassment/intimidation/bullying/cyberbullying**

Harassment, intimidation, bullying, or acts of cyberbullying of or by students, staff or third parties toward staff is strictly prohibited and shall not be tolerated by MITCH Charter School. Staff who are found to be in violation of this policy will be subject to discipline up to and including dismissal. Individuals may also be referred to law enforcement officials and staff will be reported to the Teacher Standards and Practices Commission (TSPC). Students will be subject to discipline up to and including expulsion.

An employee who has knowledge of conduct in violation of Board policy JFCF Harassment/Intimidation/ Bullying/Cyberbullying shall immediately report his/her concerns to the building Executive Director or Executive Director designee.

Failure of an employee to report an act of harassment, intimidation, bullying, cyberbullying or teen dating violence of a student to the designated public charter school official may be subject to remedial action, up to and including dismissal.

### **Leaves of Absence**

(see Time Off)

### **License/registration requirements**

MITCH must be able to verify the current license of those offered employment before the beginning of school or first day of employment. It is the responsibility of each licensed teacher to keep his/her license and all endorsements current. Teachers are cautioned that failure to maintain license and endorsements may cause termination of employment from the school. In the event the school is required to forfeit any State School Fund moneys as a result of a teacher failure to meet license requirements as set forth by the Teacher Standards and Practices Commission (TSPC), the school is entitled to recover one-half of the amount of the forfeiture from the teacher whose unlicensed status caused the forfeiture. Recovery may not exceed one-half of the amount forfeited that is attributable to the particular licensed person. (TSPC)

### **Mother friendly workplace**

A reasonable effort will be made to provide a room or other location in close proximity to an employee work area, other than a restroom, where an employee can breastfeed her child or express milk in privacy. A 30 minute, paid rest period to express milk or breast-feed during each 4-hour work period, or the major part of a 4-hour work period, to be taken by the employee approximately in the middle of the work period.

### **Participation in political activities**

Staff members may exercise their right to participate fully in affairs of public interest on a local, county, state and national level on the same basis as any citizen in public or private employment and within the law. Staff members may, within the limitations imposed by state and federal laws and regulations, choose any side of a particular issue and support their viewpoints as they desire by vote, discussion or persuading others. Such discussion and persuasion, however, may not be carried on during the performance of school duties, except in open discussion during classroom lessons that consider various candidates for a particular office or various sides of a particular political or civil issue consistent with school curriculum and assigned duties. On all controversial issues and when campaigning for candidates, staff members are expected to make clear that the viewpoints they represent are personal and are not to be interpreted as the school's official viewpoint. It is particularly important with campaigns because MITCH as a 501(c)(3) organization is not permitted to be involved in campaigns and could lose its tax-exempt status. No staff member may use school facilities, equipment or supplies in connection with his/her campaigning, nor may she/he use any time during the working day for campaign purposes.

### **Personal electronic devices and social media**

At no time, whether on duty or off duty, will a personal electronic device be used in a manner that interferes with staff duty, the responsibility for the supervision of students or in a manner that violates any other school policy. A "personal electronic device" is a device that is capable of electronically communicating, sending, receiving, storing, recording and/or displaying information and data. Cell phones which have the capability to take photographs or video shall not be used for such purposes while on school property or while a staff member is on duty in school-sponsored activities, unless as expressly authorized by the Executive Director. MITCH Charter School will not be liable for loss or damage to personal electronic devices brought MITCH property and MITCH-sponsored activities.

Staff members, while on duty and off duty, will utilize social network websites, public websites and blogs, judiciously by not posting confidential information about students, staff or school business. Staff members, while on duty and off duty will treat fellow employees, students and the public with respect while posting to prevent substantial disruption in school. Communication with students using personal electronic devices regarding school-related matters will be appropriate and professional. Communication with students using personal electronic devices, texting, or through

social media sites regarding non school-related matters is prohibited. Exceptions to the prohibitions set forth may be made for educational, health, safety or emergency reasons with the Executive Director's approval.

Staff are subject to disciplinary action up to and including dismissal for using a personal electronic device in any manner that is academically dishonest, illegal or violates the terms of policy. Staff actions on social network sites, public websites, blogs and other social media, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal. A "disruption" for purposes of this policy includes, but is not limited to, one or more parent threatens to remove their children from a particular class or particular school, actual withdrawal of a student or students from a particular class or particular school and/or a threatened or actual negative impact on the learning environment. The taking, disseminating, transferring or sharing of obscene, pornographic, lewd or otherwise illegal images or photographs, whether by electronic data transfer or otherwise – commonly called texting, sexting, emailing, etc. – may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing of obscene, pornographic, lewd or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies which may result in arrest, criminal prosecution and lifetime inclusion on sexual offender registries. A referral to law enforcement officials may also be made.

### **Personnel records**

An official personnel file is established for each person employed by the school. A staff member's personnel file may contain such information as applications for employment, references, records relative to compensation, payroll deductions, evaluations, complaints and written disciplinary actions. All charges resulting in disciplinary action shall be considered a permanent part of a teacher's personnel file and shall not be removed for any reason. Employees may submit a written response to any materials placed in their personnel file.

All records containing medical condition information such as workers' compensation reports and release/permission-to-return-to-work forms will be kept confidential, in a separate file from personnel records.

All other personnel records are considered confidential and not open to public inspection. Access to personnel files is limited and inspection only by the following or as otherwise required by law:

1. The individual employee. An employee or designee may arrange with the personnel office to inspect the contents of his/her personnel file on any day the personnel office is open for business;
2. Others designated in writing by the employee;
3. The auditor, when such inspection is pertinent to carrying out his/her respective duties, or as otherwise specifically authorized by the Board. Information so obtained will be kept confidential. No files will be removed from their central location for personal inspection;

4. A Board member when specifically authorized by the Board. Information will be kept confidential. No files will be removed from their central location for personal inspection;
5. The Executive Director;
6. Attorneys for the school or the school's designated representative on matters of school business;
7. The disciplinary records of a public charter school employee convicted of a crime listed in ORS 342.143 are not exempt from the disclosure under ORS 192.501 or 192.502 and may be released to any person upon request. Prior to the release of disciplinary records the public charter school shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee who is the subject of the disciplinary record;
8. Upon request from a law enforcement agency, the Department of Human Services or the Teacher Standards and Practices Commission, a public charter school shall provide the records of investigations of suspected abuse of a child by a public charter school employee.

The Executive Director may permit persons other than those specified above to use and to inspect employee records when, in his/her opinion, the person requesting access has a legitimate official purpose. The Executive Director will determine in each case the appropriateness and extent of such access. Release of personnel records to parties other than those authorized to inspect them will be only upon receipt of a court order.

### **Research/copyrights and patents**

Staff members engaged in a research project during the work day or who use school resources or students, either for study toward advanced work or for use in classroom instruction, may do so only with the prior approval of the Executive Director. Privacy rights of students or other individuals involved in such research projects must be maintained. Publications, instructional materials, articles, models and other devices prepared by staff members for school use with school time, money and facilities as part of the employee's job responsibilities remain the property of the school. This includes curriculum instruction and design.

In the event that a staff member produces items described above partly on his/her own time and partly on school time, the school reserves the right to claim full ownership. The employee may petition the Executive Director who will take it to the Board of Directors of the school for assignment of copyright or patent rights. Employees may not attempt to copyright or patent such items without the knowledge and consent of the Board of Directors.

### **Resignation of staff**

Employment at MITCH is "at will" as explained throughout this handbook. We request a resigning staff member, however, to deliver a written and signed notice of resignation to the Executive Director. The resignation is effective as of the date determined by the Executive Director in consultation with the employee. A licensed staff member who wishes to resign from his/her position with the school is asked to provide at least 60 days' notice prior to the date she/he wishes to leave school employment to give MITCH time to find a replacement. A classified employee is

requested to submit a written and signed notice of resignation at least two weeks prior to the date she/he wishes to leave school employment.

### **Retirement**

To assist the school in its planning efforts, staff members considering retirement are encouraged to notify the leadership of the school as early as possible, preferably at the beginning of the school year in which the retirement will take place.

### **Sexual conduct (reporting requirements)**

Sexual conduct by school employees as defined by Oregon law will not be tolerated. All school employees are subject to this policy. “Sexual conduct” as defined by Oregon law is

- any verbal or physical or other conduct by a school employee that is sexual in nature;
- directed toward a kindergarten through grade 8 student;
- unreasonably interferes with a student’s educational performance; and
- creates an intimidating, hostile or offensive educational environment.

The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law and public charter school Board policy JHFE and JHFE-AR – Reporting of Suspected Abuse of a Child. Any school employee who has reasonable cause to believe that another school employee or volunteer has engaged in sexual conduct with a student must immediately notify the Executive Director.

When the school receives a report of suspected sexual misconduct by a school employee, the Executive Director may decide to place the employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with students while investigating. An investigation is a detailed inquiry into the factual allegations of a report of suspected sexual misconduct that is based on interviews with the complainant, witnesses, the school employee or student who is the subject of the report.

If, following the investigation, the report is substantiated, the Executive Director will inform the employee that the report has been substantiated. A substantiated report is one that: a) an educational provider has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and b) involves conduct that the educational provider determines is sufficiently serious to be documented in the employee’s personnel file.

A record of the substantiated report will be placed in the employee’s personnel file. The employee will be notified that this information may be disclosed to a potential employer.

The school will provide the name and contact information of the person designated to receive sexual misconduct reports, as well as the procedures the Executive Director will follow up on receipt of a report. In the event that the designated person is the suspected perpetrator, another will

receive the report. When the Executive Director takes action on the report, the person who initiated the report must be notified.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected sexual conduct by a school employee in good faith, the student will not be disciplined by the school board or any public charter school employee.

The school will provide annual training to school employees and volunteers regarding the prevention and identification of sexual conduct. The school will provide to employees at the time of hire a description of conduct that may constitute sexual conduct and a description of records subject to disclosure if a sexual conduct report is substantiated.

Educational providers shall follow hiring and reporting procedures as outlined in ORS 339.370 for all public charter school employees.

(Board policy JHFF)

### **Sexual Harassment**

Sexual harassment of or by staff, students, Board members, school volunteers, parents, school visitors, service contractors or others engaged in school business is strictly prohibited and shall not be tolerated in the school.

“School” includes school facilities, school premises and nonpublic school property while a staff member or student is at any public school-sponsored, public school-approved or public school-related activity or function, such as field trips or athletic events, in which students are under the control of the public school or where the staff member is engaged in public school business. The prohibition also includes off duty conduct which is incompatible with school job responsibilities.

Sexual harassment of students and staff shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of soliciting sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student’s educational performance or with an employee’s ability to perform his/her job; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of

individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff.

The Executive Director has responsibility for investigations concerning sexual harassment. All complaints and reported incidents shall be investigated. The investigator shall be a neutral party having had no involvement in the complaint presented or reported incident.

***Step 1***

Any sexual harassment information (complaints, rumors, etc.) shall be presented to the Executive Director. All such information shall be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates.

***Step 2***

The Executive Director shall promptly initiate an investigation. She/he will arrange such meetings as may be necessary to discuss the issue with all concerned parties generally within five working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The school official(s) conducting the investigation shall notify the complainant in writing when the investigation is concluded. The parties will have an opportunity to submit evidence and a list of witnesses.

A copy of the notification letter, the date and details of notification to the complainant, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the Executive Director.

***Step 3***

If a complainant is not satisfied with the decision at Step 2, she/he may submit a written appeal to the Executive Director or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Executive Director or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Executive Director or designee shall provide a written decision to the complainant generally within 10 working days.

***Step 4***

If a complainant is not satisfied with the decision at Step 3, she/he may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, general within 20 working days conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant generally within 10 working days following completion of the hearing.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries. Direct

complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

The initiation of a complaint in good faith about behavior that may violate the school's sexual harassment policy shall not adversely affect any terms or conditions of employment or work environment of the staff complainant. A staff member whose behavior is found to be in violation of Board policy may be subject to discipline up to and including dismissal.

(Board policy GBN/JBA)

### **Staff development**

The Board recognizes the importance of continued educational experiences and other professional growth activities as a means to improve job performance. Professional growth experiences may include, but are not limited to, college courses, workshops, curriculum planning, individual research, travel, supervision of teacher trainees and other such activities. All requests for reimbursement or school payment of college coursework tuition require prior administrative approval. All requests for release time from regular work duties for attendance at meetings or conferences will be decided based on such factors as availability of funds, consistency with school goals and job assignment. Requests require prior Executive Director approval. Completion of continuing professional development requirements as set forth in OAR Chapter 584, Division 090 by the Teacher Standards and Practices Commission for license renewal are the sole responsibility of the employee.

Meetings and conferences devoted primarily or exclusively to organizational or business affairs of staff member political workshops, training sessions for consultation committees and like activities will not be considered as appropriate activities for the expenditure of school funds.

### **Staff ethics**

Staff members are prohibited from engaging in, or having a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as employees of the school. This means that:

1. Staff members shall not solicit for financial remuneration from students, parents or other staff;
2. Any device, publication or any other item developed during the staff member's paid time shall be school property;
3. Staff members shall not further personal gain through the use of confidential information gained in the course of or by reason of their position or activities in any way.

Staff members are prohibited from performing any duties related to an outside job during their regular working hours or during the additional time needed to fulfill the position's responsibilities, unless there is a prior agreement or permission to do so. School facilities, equipment or materials may not be used in performing outside work, unless the Executive Director has granted prior permission to do so.

### **Staff health and safety**

In order to assure the safety of staff and students, information and/or training as necessary is provided to assist all staff to recognize and to respond appropriately to the presence of hazardous materials in the workplace, including proper handling, labeling, storage and disposal of such materials. Material Safety Data Sheets (MSDS), which accompany any hazardous substance used in the school setting, are maintained on file in the office and elsewhere in the building, as necessary, and readily available to any staff member who must handle such materials or who may have been exposed to such products.

*All staff members are expected to conduct their work in compliance with first aid and infection control procedures established by the school and the following safety rules of the school:*

1. All injuries shall be reported immediately to the person in charge or other responsible representative of the school;
2. It is the duty of all employees to make full use of safeguards provided for their protection. It shall be the employee's responsibility to abide by and perform the following requirements:
  - a. An employee shall not operate a machine unless guard or method of guarding is in good condition, working order, in place and operative;
  - b. An employee shall stop the machine or moving parts and properly tag-out or lock-out the starting control before oiling, adjusting or repairing, except when such machine is provided with means of oiling or adjusting that will prevent possibility of hazardous contact with moving parts;
  - c. An employee shall not remove guards or render methods of guarding inoperative except for the purpose of adjustment, oiling, repair or setting up a new job;
  - d. Employees shall report to their supervisor any guard or method of guarding that is not properly adjusted or not accomplishing its intended function;
  - e. Employees shall not use their hands or any portion of their bodies to reach between moving parts or to remove jams, hang-ups, etc. (Use hook, stick, tong, jig or other accessory.);
  - f. Employees shall not work under objects being supported that could accidentally fall (such as loads supported by jacks, the raised body or a dump truck, etc.) until such objects are properly blocked or shored;
  - g. Employees shall not use defective tools or equipment. No tool or piece of equipment should be used for any purpose for which it is not suited and none should be abused by straining beyond its safe working load.
3. Employees shall not remove, deface or destroy any warning, danger sign or barricade, or interfere with any other form of accident prevention device or practice provided which they are using or which is being used by any other worker;
4. Employees must not work underneath or over others thereby exposing them to a hazard without first notifying the other employee(s) or seeing that proper safeguards or precautions have been taken;
5. Employees shall not work in unprotected, exposed or hazardous areas under floor openings;
6. Long or unwieldy articles shall not be carried or moved unless adequate means of guarding or guiding are provided to prevent injury;
7. Hazardous conditions or practice observed at any time shall be reported as soon as practicable to the person in charge or some other responsible representative of the employer;

8. Employees observed working in a manner which might cause immediate injury to either themselves or other workers shall be warned of the danger;
9. Before leaving a job, workers shall correct, or arrange to give warning of, any condition which might result in injury to others unfamiliar with existing conditions;
10. Good housekeeping methods shall be observed in all operations. Materials shall be so handled and stored as to minimize falling, tripping or collision hazards;
11. Working and storage areas and passageways shall be kept free of unnecessary obstructions. No loose object shall be placed in any area where its presence will necessitate employees crowding between such objects as moving machinery, steam pipes or other objects with which contact would be dangerous;
12. Any materials which might cause an employee to slip or fall shall be removed from floors and other treading surfaces immediately or suitable means or methods shall be used to control the hazardous condition;
13. All sharp, pointed or otherwise hazardous projections in work areas shall be removed or rendered harmless.

### **Staff Religious Dress**

All staff when on duty shall be allowed to wear religious attire, in accordance with the employee's sincerely-held religious beliefs, while maintaining religious neutrality and refraining from endorsing religion in the educational environment.

The school retains the authority to specify religious dress guidelines for staff that will prevent such matters from having an adverse impact on the educational process. "Religious clothing" means religious dress worn in accordance with the employee's sincerely-held beliefs, including but not limited to head coverings, jewelry, emblems and other types of religious dress.

In assessing whether MITCH Charter School may restrict or prohibit the wearing of religious clothing, the school should consider whether:

1. The employee's intent of wearing the religious clothing or by wearing the clothing is likely to be perceived by students, parents or employees to indoctrinate or proselytize students and/or create the impression that the school endorses religion or the employee's particular religious belief.
2. The wearing of religious clothing disrupts the educational process, harasses, intimidates, coerces or otherwise interferes with the rights of students, parents or another school employee.

### **Tobacco-free environment**

In order to comply with state law and to protect the health of students, staff and the general public, provide a healthy working environment and promote good health for students, tobacco use is prohibited on all school property and at school-sponsored events. Tobacco is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette and any other smoking product, spit tobacco also known as smokeless, dip, chew, snuff in any form, nicotine or nicotine delivering devices, chemicals or devices that product the physical effect of nicotine substances or any other

tobacco substitute (e.g., e-cigarettes). This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.  
(board policies JFCG/JFCH/JFCI)

### **Weapons**

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 the school's weapons policy, shall immediately report such violation to the Executive Director and law enforcement. Employees who report directly to law enforcement shall also immediately inform the Executive Director. The Executive Director shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Families will be notified of all conduct by their student that violates the school's weapons policy. Employees shall promptly report all other conduct prohibited by the school's weapons policy to the Executive Director.  
(board policy JFCJ)

### **Safety committee**

A building safety committee has been established to help implement the school's safety program and as a part of any ongoing effort to help ensure the safety and health of student, staff and others while on school property. The building safety committee meets monthly and conducts workplace safety inspections quarterly to locate and identify safety and health hazards and makes recommendations for corrections as needed. All significant safety-related incidents are investigated to help prevent similar events from reoccurring. All potential hazards are to be reported immediately to a safety committee member or to the office.  
(board policy EB)

### **Staff Conduct**

All staff is expected to conduct themselves in a manner that conforms to applicable job descriptions, Board policy and administrative regulations. Additionally, all licensed staff is expected to adhere to the Standards for Competent and Ethical Performance of Oregon Educators as specified in Oregon Administrative Rules.

Although it is impossible to identify every possible deviation from the common codes of conduct, the following is a partial list of actions, which may result in disciplinary action up to, and including immediate dismissal without additional warning:

1. Abusive or inconsiderate treatment of parents, staff, or visitors.
2. Carelessness or negligence in the performance of job duties.
3. Encouraging others to engage in any activity in violation of school rules.
4. Refusal to perform assigned work.
5. Unauthorized removal of MITCH property.

6. Unauthorized removal or divulging the contents of records of parents, students, or the school's confidential information.
7. Willful destruction of property.

### **Staff dress and grooming**

All staff are expected to be neat, clean and to wear appropriate dress for work that is suitable for the job at hand. Employees are allowed to wear religious attire while maintaining religious neutrality and refraining from endorsing religion in the educational environment. Please contact the Executive Director for additional information/guidance.

### **Staff involvement in community activities**

MITCH encourages all staff to participate in community activities which have the improvement of the general welfare of the community, state and nation as their objectives.

### **Staff Qualifications**

All teaching staff employed by MITCH must be qualified in accordance with the laws and regulations of the State of Oregon and possess an appropriate state teaching license.

MITCH will have staff meetings, organized and scheduled by the Executive Director in consultation with the staff. The purpose of the meetings will be to allow for focused and meaningful staff conversations on timely issues related to instruction, curriculum, professional learning communities, data, and school improvement. Staff Development opportunities will be scheduled to promote professional growth.

### **Staff/family relations**

MITCH encourages families to be involved in their student's school experience. Teachers are advised that unless otherwise ordered by the courts, an order of sole custody on the part of one parent does not deprive the other parent of certain rights. It is the responsibility of the parent with sole custody to provide to the school any court order that curtails the rights of the noncustodial parent. A noncustodial parent may receive and inspect the school records pertaining to his/her student and to consult with teachers concerning his/her student's welfare and education. Noncustodial parents will not be granted visitation or telephone access to their student during the school day unless a signed agreement has been submitted to the school by the parent having sole custody of the child/children. In the case of joint custody, it is the responsibility of the parents to provide the school, in writing, any special requests or clarifications in areas concerning the student and the school's relationship and responsibilities. Such information will be maintained on file in the office and provided to staff, as appropriate. Staff members with questions regarding custodial and/or non-custodial parent rights with respect to particular students should contact the office.

### **Supervision of students**

Staff members are responsible for the supervision of all students while in school or engaged in school-sponsored activities. All teachers are expected to be in their classrooms prior to the arrival

of students when supervising classroom activities. Under no circumstances are classrooms or other areas where students are under the supervision of assigned staff to be left unattended while students are present. Teachers who may need to temporarily leave the classroom or their assigned duties in an emergency situation while students are present are expected to contact the office to arrange for temporary coverage. No other staff member may leave her/his assigned group unsupervised except as appropriate supervision arrangements have been made to take care of an emergency.

### **Teaching about religion**

Religious education is the responsibility of the home and religious institution. Public schools are obligated to maintain neutrality in all such matters. As religion influences many areas of education such as literature and history, its role in civilization may be taught when consistent with curriculum and teaching assignment. In such instances, teachers may provide information and opportunity for students to study the forms of various religions. Though teachers may be permitted to expose students to information concerning religious beliefs, a teacher may not advocate, openly, covertly or by subtlety, a particular religion or religious belief.

If there is a parent or student objection on an assignment based on religious belief, see the Executive Director to discuss alternative options for the student.

### **Tutoring**

No private tutoring for which a staff member receives a fee is permitted in school on school time. School facilities, materials or equipment may be used at the discretion of the Executive Director. School facilities, materials or equipment may be used under the same conditions as this property is made available to the general public and the authorized use is consistent with ORS Chapter 244.

### **Use of personal car**

On those occasions when an employee is required to use their personal car for fulfilling their role, MITCH will reimburse at the rate set by the Tigard-Tualatin School District. It is required that each employee provide a copy of their driver's license and insurance documents. Transporting of students in an employee's vehicle is strictly prohibited unless under emergency conditions and only with prior administrative approval.

(board policy EEBC)

### **Volunteers**

MITCH encourages the constructive participation of parents, groups and other individuals in the school to perform appropriate tasks during school hours under the direction and supervision of staff. Every effort should be made to use volunteer resources in a manner which will ensure maximum contribution to the welfare and educational growth of students.

## **Student Operational Procedures**

### **Administering prescription/nonprescription medicines to students**

Students may be permitted to take prescription or nonprescription medication at school, at school-sponsored activities, under the supervision of school personnel and in transit to or from school or school-sponsored activities. Training will provide an overview of applicable provisions of Oregon law, administrative rules, school policy and administrative regulations and include, but not be limited to, safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects and allergic reactions and student confidentiality. Materials as recommended and/or approved by the Oregon Department of Education will be used.

All students will be administered medication only by designated staff after receipt of required parent permission forms and written instructions. Administered medication will be recorded with a dual signature as witnesses.

All prescription and nonprescription medication must be kept in its appropriately labeled, original container, as follows:

1. Prescription labels must specify the name of the student, name of the medication, dosage, route and frequency or time of administration and any other special instruction;
2. Nonprescription medication must have the student's name affixed to the original container.

A process shall be established by which, upon parent written request, a backup prescribed auto-injectable epinephrine be kept at a reasonable, secured location in the student's classroom. A premeasured dose of epinephrine may be administered by trained, designated district to any student or other individual on school premises who the personnel believe, in good faith, is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

### **Assignment of students to classes**

The assignment of students and classes to teachers is the responsibility of the Executive Director. Parents have the right to discuss student class assignments with the Assistant Principal and the Executive Director. Teachers with questions regarding a student's placement should contact the Executive director.

### **Communicable diseases/students**

Protection from communicable disease is generally provided through immunization, exclusion or other measures provided for in Oregon Revised Statutes and rules of the county health department. A student with certain school-restricted disease 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. In those cases where a communicable disease is diagnosed and confirmed and the student would not be excluded from school, the school will inform the appropriate staff member to protect against the risk of exposure, as necessary.

### **Corporal punishment**

The use of corporal punishment in any form is strictly prohibited by MITCH and will be considered cause for discipline up to and including dismissal. Corporal punishment is defined as the willful infliction of, or willfully causing the infliction of, physical pain. A staff member is authorized to employ physical force when, in his/her professional judgment, the physical force is necessary to prevent a student from harming himself/herself, others or doing harm to school property.

***Corporal punishment does not include physical pain or discomfort resulting from or caused by:***

1. Training for or participation in athletic competition voluntarily engaged in by a student;
2. Recreational activity voluntarily engaged in by a student;
3. Physical exertion shared by all students in a teacher-directed class activity, which may include, but is not limited to, physical education exercises, field trips or vocational education projects;
4. Physical restraint or the use of aversive techniques as a part of a behavior management program in a student's individualized education program which has been signed by the parents and is carried out according to public charter school procedures.

### **Drug, alcohol, and tobacco prevention, health education**

MITCH will not tolerate the possession, sale or use of unlawful and harmful drugs (illicit drugs, nontherapeutic use of prescribed drugs, misuse of solvents and other dangerous substances and drug paraphernalia), marijuana, alcohol or tobacco in the school, on school property, or while participating in any school-sponsored activity, whether on school property or at sites off school property. Given the extensive use and the formal and informal promotion of drug, alcohol and tobacco use in society, the school has an obligation to provide drug, alcohol and tobacco education that emphasizes prevention, describes intervention and referral procedures and outlines consequences.

No school employee shall knowingly sell, market or distribute steroid or performance enhancing substances to kindergarten through 8th grade students with whom the employee has had contact as part of the employee's school duties, or knowingly endorse or suggest the use of such substances. An age-appropriate drug, alcohol and tobacco prevention curriculum is provided for all students in grades K-8 as a part of the health education curriculum.

### **Emergency drills**

All teachers are required to provide instruction on fire, earthquake, safety threats and drills for at least 30 minutes each school month in accordance with the requirements of law. At least one fire drill will be conducted each month for grades K-8. At least one fire drill will be conducted within the

first 10 days of school year. At least two drills on earthquakes and two drills for safety threats will be conducted each year. A map/diagram of the fire escape routes to be followed should be posted near the classroom doorways and reviewed with students.

The warning signal for a fire alarm/drill is an alarm and flashing light. Upon the sounding of a fire alarm, teachers are required to:

1. Immediately direct all students to orderly exit the buildings using the evacuation route posted. Students may not stop at drinking fountains, restrooms, etc. along the way;
2. Close windows, turn off lights and leave door unlocked;
3. Escort class to at least 100 feet from the building and take attendance. Report any unaccounted students to the safety coordinator;
4. Take attendance record;
5. Upon “all clear” signal, escort students directly back to the school.

In the event of an earthquake, teachers are required to:

1. Immediately direct all students to “drop, cover and hold on.” Students should drop to a crouched position with head bent to knees; hands clasped behind the neck, arms against ears, eyes closed and back towards the windows. Safest areas, if indoors, would be under desks or tables as appropriate, along inside walls, in doorways or other protected areas and away from cabinets, bookshelves, light fixtures or other such suspended objects;
2. Wait until shaking stops;
3. Evacuate building following established evacuation procedures;
4. Take attendance and report any unaccounted students to the administration;
5. Upon “all clear” signal, escort students back to the school;
6. If outdoors during an earthquake, direct students to move away from buildings and other overhead objects such as power lines. Drop low to the ground and protect head and neck.

### **Feature films/videos**

Executive Director approval is required prior to showing a feature film/video to students in school classrooms. Only films/videos rated [G, PG or PG-13] may be authorized for classroom use. Requests are to be submitted to the Executive Director at least ten days prior to the proposed showing.

The following information should be included:

1. Title and brief description;
2. Purpose for the showing;
3. Match with course objectives;
4. Proposed date of showing;
5. When and how parents will be notified, or if necessary grant consent;
6. Audience rating (e.g., G, PG, PG-13).

The showing of all feature films/videos with a G rating requires prior parent notification from the staff member. Feature films/videos with a PG or PG-13 rating must have prior parental consent in

writing. Parents should be provided the opportunity to preview a feature film/video, whenever possible.

### **Grading**

The evaluation of student progress is a primary responsibility of all teachers. The highest possible level of student achievement is a common goal of both the school and the parents. As a close working relationship between the school and parents is essential to the accomplishment of this goal, regular communications with parents is essential. Teachers are expected to regularly report a student's academic progress to the student and their parents. Teachers should use a variety of communication devices, including telephone and personal conferences, as well as written grade reports to keep parents well informed.

Grading Criteria and Percentages: In order to be consistent as a school, our criteria is as follows:

#### **K-3<sup>rd</sup> Grades**

E = Exceeds Grade Level Expectations, 95% and above

M = Meets Grade Level Expectations, 72% - 94.99%

D = Does Not Meet Grade Level Expectations, 0 – 71.99%

N/A = Not Yet Assessed

#### **4<sup>th</sup> – 8<sup>th</sup> Grades**

100-90%    A    Excellent

89-80%    B    Superior

79-70%    C    Satisfactory

69-60%    D    Improvement Needed

59-0%    F    Unsatisfactory

It should be noted that while 4<sup>th</sup> – 8<sup>th</sup> grades use the A-F Scale, 4<sup>th</sup> and 5<sup>th</sup> grades will use the E/M/D scale for the social development and successful learner characteristics.

### **Media access to students**

The media may interview and photograph students involved in instructional programs and school activities including athletic events. Such media access may not be unduly disruptive and must comply with Board policies and school goals. Media representatives are required to report to the Executive Director for prior approval before accessing students or staff involved in instructional programs and activities not attended by the general public.

### **Non-school sponsored study and tours/trips/competitions**

MITCH does not sponsor or financially contribute to the variety of outside-sponsored study and tours/trips/competitions available to students. Students who raise funds for their personal

participation in such activities may not raise moneys for travel and other activity expenses as a representative of the school. Students may not use school supplies, materials or facilities in conjunction with such trips or their related fund raising. Staff members are prohibited from using their contact with students to advertise or recruit for summer or other holiday travel activities not sponsored by MITCH which involve their supervision of students. Staff may not advise families regarding selection of such trips or tours for their students.

### **Restraint and seclusion**

The use of physical restraint and/or seclusion is permitted only as a 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 self or others. Except in the case of an emergency, only staff current in the required training in accordance with the school-designated physical restraint and seclusion training program will implement physical restraint or seclusion with a student. In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher or other school employee as when the student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or to others. The use of physical restraint and seclusion under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to themselves or to others. Any student being restrained or secluded within the school whether an emergency or as part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in OAR 581-021-0568.

### **Resuscitation decision/life-sustaining emergencies**

No staff member may comply with any directive from families or others, written or verbal, that life-sustaining emergency care be withheld from a student in need of such care while under the control and supervision of school staff. Life-sustaining emergency care means any procedure or intervention applied by appropriately trained school staff that may prevent a student from dying who, without such procedure or intervention, faces a risk of imminent death. Examples of life-sustaining emergency care may include: efforts to stop bleeding, unblocking airways, mouth-to-mouth resuscitation and cardiopulmonary resuscitation (CPR). In a life-threatening situation, staff members are expected to dial 911 for paramedic assistance and provide life-sustaining emergency care to any student requiring it to sustain life until relieved by paramedics or other appropriate medical personnel.

### **Student conduct & discipline**

All students are to comply with MITCH policies and administrative regulations, building and classroom rules, pursue the prescribed course of study, submit to the lawful authority of teachers and school officials and conduct themselves in an orderly manner at school during the school day and during school-sponsored activities.

In addition to adopted Board policies governing student conduct, administrative regulations, school rules specifying student conduct expectations have been established. These regulations apply to actions which occur on school property; at any school-sponsored activity regardless of location; or when traveling to or from school for school-sponsored activities on transportation provided or approved by the school. A student handbook has been developed and distributed to parents, students and employees. Disregard of these rules constitutes grounds for suspension, expulsion or other reasonable disciplinary action.

All teachers and staff are expected to review the student conduct rules contained in the Student/Family Handbook with their students during the first week of the school year. A schedule developed by the Executive Director including particular areas to be emphasized will be provided to all staff during in-service.

Student conduct rules unique to individual classrooms may also be developed by teachers. All such rules must be consistent with school policies, administrative regulations and school rules governing student conduct and discipline. Classroom rules and consequences are to be reviewed with students, posted in classrooms and made available to families.

Student discipline, whether in the classroom, building, school grounds or at school-sponsored activities regardless of location, is the responsibility of all staff. Student discipline will offer corrective counseling and sanctions that are age appropriate, and to the extent possible, have shown through research to be effective.

### **School-wide Positive Behavior Intervention & Support**

The goal of SW-PBiS is to achieve excellent behavior school-wide for all members of our school community by focusing on school, classroom and student strategies for achieving important social and learning outcomes while preventing problem behavior with all students. A SW-PBiS approach to behavior purposefully focuses on teaching and rewarding children for appropriate social and academic conduct.

#### *Proactive Positive Behavior Strategies*

School-Wide: Establish clear behavior expectations and proactive incentives for all students and staff across all school settings that serve as the foundation for individual classroom and student behavior expectations.

### **MITCH Code of Conduct**

Be Responsible  
Be Respectful  
Be Resourceful  
Be Safe

**MITCH Foxes T.H.I.N.K.**

**T**ruthful  
**H**elpful  
**I**nspiring  
**N**ecessary  
**K**ind

There will be school-wide regular acknowledgement of positive academic success, social behaviors, social skills and life skills.

**MITCH P.A.W**

**P**ositive  
**A**ctions and/or  
**W**ords

Classroom: Establish clear behavior expectations, as well as consistent routines, structures, and practices for presenting curriculum, designing instruction, and managing the social climate of the classroom. Individual students: Provide intensive and individualized behavior intervention plans for students who are unresponsive to school-wide behavior expectations.

**Student/family handbook**

A student/family handbook is issued to all students at the beginning of each new school year and at the time of registration for new students moving into the school at other times of the year. All staff are expected to familiarize themselves with the general information, administrative regulations and procedures pertaining to students as set forth in the student/parent handbook and in Board policy. Teachers are expected to review the handbook with students during the days/times designated by the Executive Director.

**Student transportation in private vehicles**

Transportation of students to and from curricular field trips is provided by the school's transportation vendor in accordance with school policy.

In extreme circumstances, designated adults may be permitted to use private vehicles to transport students other than their own on field trips only with prior Executive Director approval and parent permission. The adult driving the vehicle must be properly licensed and must provide proof of insurance. Such insurance shall meet or exceed minimum requirements as established by the state of Oregon and as set by the school. The vehicle must contain an adequate number of seat restraints including, when applicable, a child safety system for a child who weighs less than 40 pounds, regardless of age, and the adult driver require their use. The child safety system must elevate the person so that a safety belt or safety harness properly fits the individual and meets the minimum standards and specifications of law. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until she/he is four feet nine inches tall

or age eight and the adult belt properly fits. A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the minimum standards and specifications of law. Training in the proper installation and use of child safety systems may be required. The driver is responsible for not placing children under the age of 13 in the front seat of a vehicle equipped with passenger-side air bags.

**Student withdrawal from school**

Upon notification by the office of a student withdrawal from school, teachers are expected to complete the student withdrawal form, including grade earned to date. Teachers are expected to make a complete accounting of any unreturned or damaged books, materials, supplies, equipment or other school property including replacement costs, if known. Submit the list to the office. In accordance with the law and with Board policy, certain restrictions and/or penalties may be imposed until payment of the debt.

## **Special Programs**

### **Bilingual education (English language learners)**

Students whose primary language is a language other than English are provided appropriate assistance through the school's English as a Second Language Program (ESL) or the district's ESL program until they are able to use English in a manner that allows effective, relevant participation in regular classroom instruction. Parents who are not able to use English in a manner that allows effective, relevant participation in educational planning for their student will be provided with relevant written, verbal or signed communication in a language they can understand. Staff in need of assistance in translations, materials selection, special curriculum development, etc., should contact the office.

### **Special education services**

Students, kindergarten age through grade 8, attending MITCH that have been evaluated by qualified educational and/or medical personnel and found eligible for services or programs for students with disabilities shall be provided a free appropriate public education (FAPE). The related services and educational programs provided are designed to meet the needs as specified by the student's Individualized Education Program (IEP) and are provided by Tigard-Tualatin School District personnel.