



network
CHARTER SCHOOL

Student Handbook

2550 Portland Street
Eugene, Oregon 97405
(541) 344-1229
www.networkcharterschool.org

Network Charter School Student Handbook

Table of Contents

I. Introduction to Network Charter School.....	5-6
A. Welcome	
B. Purpose of the Handbook	
C. NCS Philosophy	
D. NCS Mission	
E. NCS School Improvement Goals	
II. How We Treat Each Other.....	6-8
A. Code of Conduct	
B. Student Rights and Their Limitations	
C. Summary of Consequences for Misbehavior	
D. Serious Misconduct	
III. Admission and Attendance.....	9-12
A. Admission	
B. Attendance	
C. Relationship Between Attendance and Credit	
D. Students Who Have Been Suspended or Expelled	
E. Leaving School During Regular School Hours	
IV. Student Rights and Responsibilities.....	12-23
A. Freedom of Expression	12-15
1. School Publications	
2. Distribution of Materials	
3. Participation in Patriotic Exercises	
4. Objections to Instructional Materials	
5. Prohibited Speech	
6. Computer Usage	
B. Dress and Grooming.....	15
1. Dress and Grooming	
2. Prohibited Dress	
C. Freedom of Assembly.....	16
1. Informal Gatherings	
2. Student Meetings	
3. Speakers	
4. Student Walkouts	

D. Freedom of Religion.....	16-17
1. Student Religious Meetings	
2. Release Time for Religious Instruction	
E. Use of Motor Vehicles.....	17-18
F. Student Records Privacy.....	18-20
G. Search and Seizure.....	20-22
H. Medication.....	22
I. Personal Electronic Device Policy.....	22-23
J. Child Abuse.....	23
V. Responses to Misconduct.....	23-38
A. Noncompliance with Routine Expectations.....	23-24
B. Serious Misconduct.....	24-27
1. Discrimination and Harassment	
2. Theft and Stolen Property	
3. Substantial Disruption of School Activities	
4. Willful Disobedience of Staff Authority	
5. Use or Display of Inappropriate Language	
6. Damage to or Destruction of School Property	
7. Damage/Destruction of Property at School or During School Activity	
8. Coercion, Assault, Menacing, Threats, Intimidation, or Harassment	
9. Deadly Weapons	
10. Controlled Substances	
11. Violations of City, County, State or Federal Laws During School	
12. Off-campus Misconduct	
C. Disciplinary Procedures.....	27-31
1. Informal Procedures for Minor Misconduct	
2. Formal Procedures	
a. In-school suspension	
b. Out-of-school suspension	
c. Expulsion	
3. Physical Discipline	
4. Suspension or Expulsion of Students with Disabilities	
a. General policy	
b. Violations of weapons and drug policies	
c. When Injury to self or others is likely	
5. Suspension of Driving Privileges	
6. Required Reports to Law Enforcement Agencies	
7. Right to Hear Accuser	
8. Teacher-Student Privilege	

D. Discrimination and Harassment.....	32–35
1. Definitions	
2. Staff and Volunteer Responsibility	
3. Student Responsibility	
4. Reports	
5. Formal Complaint Process	
a. Informal complaint to site director	
b. Formal complaint to NCS Director	
c. Appeal to NCS Dispute Resolution Committee	
6. No Reprisal or Retaliation	
7. Students with Disabilities	
E. Gang Activity.....	35
F. Tobacco Use.....	35–36
G. Cooperation with Law Enforcement Agencies.....	36–37
1. Investigations by Law Enforcement Officers	
2. Contacting Parents/Guardians	
3. Investigations Related to Illegal Acts that Occur Off-Campus	
4. Investigations Related to Violations of School Policies and Rules	
5. Questioning of Students, Taking a Student from the School	
H. Trespassing.....	37–38
1. Visitors Permitted On School Grounds	
2. Visitors Must Report to the Office	
3. Weapons Prohibited	
4. Students Who Have Been Suspended or Expelled	
5. Violations of this Policy	
I. Alternative Education Options.....	38
Appendix 1: Out-of-School Suspensions.....	39
Appendix 2: Expulsions.....	40–41
Appendix 3: Substance Abuse Violations.....	41
Appendix 4: NCS Member Organizations.....	42–48

I. Introduction to Network Charter School

A. Welcome

Network Charter School (NCS) welcomes you! We are a community of partners whose goal is to nurture your interests, talents, and dreams and put them to use in projects that serve us all. We are implementing new ways to use manual skills, artistic ability, social action, and sustainable practices to make stronger, more responsible social connections and a better world. Your choice to join us reveals that you share our most important values. As your teachers and colleagues, we look forward to learning about your unique qualities and working with you.

B. Purpose of Handbook

This handbook explains the culture of the NCS community, including rights and responsibilities of members. It tells a little about where NCS comes from and what its ambitions are. Then it provides guidance on the state laws, district policies, and NCS values that affect our work together. Its purpose is to let you know what it means to belong to NCS, what we expect from you, and what you can expect from us.

C. Philosophy Statement

We believe that education is an ongoing process that is part of community life. Offering courses in classrooms located at community organizations and workplaces helps you discover how your special talents can become part of a larger effort and how academic skills apply in everyday problem solving situations. We believe that when you direct your own learning, you explore opportunities, expand your boundaries, and follow through on your educational plans with real commitment. At NCS, we encourage you to take the risks you need to grow, but also give you the structure you need to succeed with integrity. We believe that education is not just about what we do for ourselves, but also about how we build strong, honest, and healthy relationships with friends, family, community, and the world.

D. Mission Statement

The mission of the Network Charter School is to provide you with three resources for learning. First, we offer an educational network. It is a web of support that involves families, peers, teachers, community members, other schools, businesses, and nonprofit organizations all working together to help you discover your strengths and interests. Second, NCS offers work-based and project-based learning through activities that emphasize hands-on experiences in environmentally and socially sustainable, compassionate, productive, and supportive settings. Third, we give you opportunities to design your own programs with the guidance that best suits your needs, from completely self-

directed study to a formal diploma program, based on the Personalized Education Plans that you help develop when you enroll at NCS.

E. NCS Goals

As a publicly funded institution that serves students from Eugene 4J and other school districts in Lane County, NCS has a formal obligation to set specific goals and report annually on how well we achieve them. Achieving these goals will make us more effective in helping students meet and exceed their educational aims, better stewards of public funds, and stronger community partners. Based on our experience in prior years and our progress in the recent past, our goals include:

1. Improve math achievement
2. Sustain gains in reading
3. Improve graduation rate

II. How We Treat Each Other

This part of the handbook is divided into three sections. The first provides the guidelines for our work together as a community of learners within the larger communities of Eugene. The second is a very simple list of your rights as a student and the limitations on those rights. For example, you have a right to dress in your own personal style, but you may not wear clothing with vulgar or obscene or gang-related words or symbols. The third part describes the consequences for misbehavior, from simplest to most severe.

A. The NCS Code of Conduct

The code of conduct at NCS expresses our values with five guidelines.

1. Respect all beings. Being respectful means acting with consideration towards others. The people in your classes--teachers and students alike--deserve to be treated with courtesy. Arriving on time, attending school regularly, keeping your comments and questions relevant to the topic at hand, and wearing clothes appropriate for school activities are ways to show respect for your choice to come to NCS. Cleaning up your own messes and taking care of furniture, equipment, and meeting spaces show respect for others who use the spaces as well as for those who prepared them. In many of your classes, you will learn how to take expert care of the natural environment too. Distinguish yourself by the way you behave toward others and the way you tend the earth and the life around you.

2. Always do your best. Under any circumstance, challenge yourself to do your personal best. If you don't attain your goal the first time, doing your best ensures that you will do better the next time. Be bold enough to turn in your own best work, and your teachers will respond with kindness and honesty about its quality. If your work needs to be improved to meet some standard, your teachers will give you opportunities to improve.

3. Care for yourself. Be a good friend to yourself and stay safe. Make sure your choices are good for you. Remember that the best friends are those who recognize your independent judgment and respect your gifts. You are the one with final responsibility for becoming the amazing person you were meant to be. Treat yourself well: get enough sleep, be careful about what you eat and drink, and listen to your inner voice when it warns of danger. Real personal strength comes from behavior that shows self-respect.

4. Contribute to our community. Leave your corner of the world a little richer than you found it by offering kindness, by pitching in to help, by listening well, and by sharing your talents and energy in other ways. Be a good neighbor to the members of your school, the South Willamette community, and the people with whom you share the bus and the park and the other places you go. At NCS, you are not sheltered on a campus off the beaten path--you are right in the midst of the city. Our neighbors are organizations and businesses that provide goods and services, and someday they could provide jobs that interest you. Make them glad that you are around!

5. Act with integrity. Be honest with yourself and others, even if it is not easy. Do the right thing, even if the wrong thing is very tempting. Remember that your behavior is an example to everyone around you. Turn in your own work. Respect the property rights of others. Show the honesty you hope to encounter in others.

These are simple rules based on common sense, but it may be hard to follow them. Give your best effort to honoring the code of conduct, so that NCS may remain a rewarding and productive place for you to spend your days.

B. Student Rights and Their Limitations

Minor misconduct disrupts instruction in small ways and shows disrespect for the learning community. It includes horseplay, disruptive behavior, littering, abuse of property, inappropriate language, unauthorized use of portable electronic devices, and other activities restricted by teachers because it makes teaching and learning hard for others. If you engage in minor misbehavior, usually, teachers will use one or more of the following responses:

- B.**
- Issuing a verbal warning and redirecting you to appropriate behavior
 - Keeping you after school for a private conversation
 - Sending you to another classroom or the office for the rest of the class period
 - Calling your parents or guardians
 - Assigning you after school detention
 - Recommending suspension or expulsion

At the discretion of the site or NCS director, consequences of misbehavior may involve implementing a written behavior contract. This contract will describe desired behavior and the consequences for failing to abide by the contract. Continued failure with or without a contract may be considered serious misconduct. (See below.)

C. Serious Misconduct

Serious misconduct causes significant disruption of learning and/or puts others at risk of harm. It includes but is not limited to discrimination and harassment; theft; damage to property; coercion, intimidation, and assault; possession of a weapon; consumption, possession or being under the influence of alcohol, drugs, or illegal substances around any NCS campus during school hours or immediately before or after school in transit; misconduct off campus that affects another NCS student; and willful disobedience, including leaving class without permission or failing to participate in detention. Such misconduct will result in one or more of the following:

- Suspension, in or out of school, possibly including community service and always including a conference involving parent/guardian a condition of returning to school
- Notification of law enforcement officials
- Removal from class without the option of substituting another class. (Family is responsible for supervision.)
- Expulsion from NCS

In the event of repeated minor misconduct or any serious misconduct, instructors have the option of asking an administrator to remove a student from class and/or having a parent/guardian pick the student up.

For details on responses to misbehavior and due process guidelines, see Section V-B, on Serious Misconduct and Appendices 1-3.

Oregon law requires that all children between seven and eighteen years of age who have not completed the 12th grade regularly attend a public full-time high school (ORS 339.010). The law establishes several exemptions to the compulsory attendance law (ORS 339.030).

III. Admission and Attendance

A. Admission

You have been admitted already to NCS, but if you consider recommending the school to a friend or relative, you may want to know our formal attendance policy.

Subject to enrollment limitations specified in the NCS charter with Eugene School District 4J, NCS shall admit free of charge all students entering grades 7 through 12 seeking enrollment, unless they have received a high school diploma or unless they have been expelled from another school district as specified below.

- NCS may deny regular school admission to a student who is expelled from another school. In order to deny admission to a student, the administrator must follow the procedures related to expulsion listed in this Handbook.
- NCS shall deny regular school admission to a student who is expelled from another school for an offense that constitutes a violation of federal firearm laws or state laws regarding dangerous or deadly weapons and who subsequently applies for admission.
- NCS administration will inform a student and the student's parents/guardians about the availability of alternative education programs, if the student's admission is denied because he or she has been expelled from another school district.

Often students who have had difficulties in other schools are able to make a successful transition to NCS. We welcome everyone to make an appointment with admin to see whether they might be able to learn at NCS.

B. Attendance

1. ***Attend all sessions.*** At Network Charter School, you are expected to attend all classes in which you are enrolled, arrive on time, and stay for the whole class. State and local laws require school attendance; Lane County may issue a judicial citation of up to \$150 for your parent or guardian's failure to ensure your attendance at school. Attending class makes it possible for you to pass courses and achieve your learning goals. Parents or guardians and the school share responsibility for supporting your attendance.

Because attendance is so crucial for learning, scheduling other appointments or activities during school hours is strongly discouraged. According to law and school district policy, excused absences are those that occur for illness, school function (for example, a field trip with another class), a death in the family, and a family emergency. If you must

be absent for these reasons, your parent or guardian should call as soon as possible to let the school know. Under certain conditions, other absences may be considered excused if your family makes arrangements ahead of time. Unexcused absences and tardies are violations of the compulsory attendance law (ORS 339.010). If we do not hear from your family about the reason for an absence, NCS will call your home to confirm that your family is aware that you are not in school and to inquire whether we can help with the problem that is interfering with your attendance.

2. ***Arrive promptly.*** You must come to class on time and are expected to stay until the lesson is over. Your enrollment in class shows your agreement with the conditions of instruction, which include a commitment to arrive on time for every class session. For every three tardies, students receive one “absence” that counts against credit eligibility. If you come more than an hour late to class without an approved excuse, you are considered “super-late.” However, you can earn credit for attending as little as an hour of class, so you should always come. Teachers are not required to allow you to make up grades for warm-up exercises or quizzes that you miss due to unexcused tardies or absences, although they may do so and it is always wise to ask.
3. ***Make up missed work.*** You are responsible for making arrangements to cover material or tests missed due to absence. If your absence was excused, your teacher will cooperate with your efforts to catch up. Your teacher will allow three class days for each excused day for you to obtain and make up missed work and tests. If the absence was unexcused, your teacher is not required to allow you to make up missed work or tests. If your teacher does agree to let you make up work or tests in this circumstance, he or she has the right to impose reasonable conditions on the student for the make-up work. In any case, the teacher is responsible for telling you and your parents/guardians when your academic progress is threatened by excessive absence.
4. ***Consequences for absence.*** In the small learning communities of NCS, every student’s presence and participation are important for the success of the experience; every student’s presence (or absence) is notable. The consequences for unexcused absence or tardiness are as follows: Teachers will assign after school detention and or make-up work for unexcused tardiness. The first time you miss school without an excuse, NCS will hold a conference with you and your parent or guardian about appropriate consequences, which will include making up the time and the work. If a you leave class without authorization from the teacher, a call home and an

after school detention may result.

5. **Legal excuses.** NCS evaluates the merit of excuses, to ensure that absence or tardiness meets the legal definition of “excused.” If NCS determines that it does not, it will be considered “unexcused” no matter who attests to the reasons for absence. Whatever the reason you are absent, please urge your parents to call NCS when they have given permission for you to miss class. When you are absent and we receive no call, we worry about you!

C. Relationship Between Attendance and Credit

1. At the beginning of each course, teachers will inform you about how attendance and class participation are related to the instructional goals of the course. Your teachers may base grades in part upon participation and attendance, in addition to your test scores and other indicators of mastery.
2. If you miss 3 class sessions of a course without an excuse, you risk earning less than full credit and/or failing the course. If you miss 10% or more of the sessions in a course (in one quarter, that is 2 sessions of a TTh course and 3 of a MWF course) without an excuse, you will not get full credit for the course except in rare situations approved by both the teacher and the NCS director.
3. If you ask for partial credit in a course for which you have accumulated unexcused absences amounting to 10% or more of the class sessions and your teacher agrees that partial credit may be warranted, the teacher may award credit in proportion to attendance. For example, if you attend 80% of the class time in a course worth .5 credit and the teacher sees evidence that you have mastered 80% of the content, the teacher may award .25 credit. However, it is the teacher’s right to determine whether any credit is warranted, and it will often be the case that you earn no credit, and fail the course. In rare cases, a teacher may allow you to earn full credit despite having excessive absences, because, for example, you put in overtime equal to the time missed and made up all the work. In these rare cases, the teacher must present to case to the grading committee and explain its merits. The committee has the final authority to accept or reject the proposal.
4. Grades may not be reduced nor may credit be denied based exclusively on absences due to religious reasons or your disability, or absences that are excused under school policy. This means that if you do the assigned make up work after an excused absence, you will have the option to pass with full credit.

D. Students Who Have Been Suspended or Expelled

You may not attend any NCS site or NCS-sponsored activity or be on any NCS site if you have been suspended or expelled from school, except with the consent of the NCS director.

E. Leaving School during Regular School Hours

Your parent or guardian must give permission before you may leave school for any portion of the day. You must also inform staff before leaving. If you know in advance that you will have to leave school for part of the day due to unavoidable schedule conflicts, for example medical or dental appointments that cannot be scheduled outside of school hours, you must let staff know when you will be leaving and returning. You should contact the teachers of classes you will miss and get assignments in advance, if possible. Please keep in mind: NCS is a small school with small classes, so we notice when a student is missing and we take appropriate action to track you down unless we have parental notification.

If you become ill at school, you may lie down in the mentor center for up to 45 minutes; then you will be asked to decide whether you want to go home or go back to class. If you decide to go home, then your parents/guardians, or their approved friend or relative will be called to pick you up. Under exceptional circumstances, you may stay in the mentor Center if no one can be reached to pick you up and you are too ill to attend class.

IV. Student Rights and Responsibilities

The main purpose of classes at the Network Charter School is learning. Because our curriculum is so diverse in format, the conditions for optimal learning vary from course to course. The teachers' responsibility is to maintain clear expectations for behavior in each course and to implement them in a fair and consistent manner. Beyond the specific expectations for courses, students and staff are bound by rules and considerations of fairness that come from school, district, state, and federal sources. This final, lengthy section of the handbook offers the details about regulations and procedures that affect the whole NCS community.

A. Freedom of Expression

Citizens of our country are permitted free expression under the first and fourteenth amendments of the United States Constitution and under Article I, Section 8, of the Oregon Constitution. Students, as citizens, have the right of free expression and must also bear the responsibility for the abuse of this right. Students are entitled to express their personal opinions under all reasonable circumstances, but the use of vulgar and plainly offensive, obscene, or sexually

explicit language undermines one of the school's basic missions. Symbolic or actual expression shall not interfere with the freedom of others to express themselves nor shall it substantially disrupt the orderly conduct of the school.

1. School Publications

Students are encouraged to participate in the production of school publications. Any publication sponsored or funded by the school is a school publication. Students may express personal opinions in these publications but shall adhere to the written editorial policies of the school. A school newspaper should reflect the life of the school community. Students responsible for the publication of a school newspaper must be mindful of this responsibility to the school community. Vulgar and plainly offensive, obscene, or sexually explicit material; knowing or reckless false or libelous statements; and any material that would substantially disrupt classes or other school activities or is inconsistent with the school's basic educational mission are prohibited from all school publications.

2. Distribution of Materials

- a. **Rights and Responsibilities:** Students have the right to distribute to and receive written material from each other. This right, however, also carries responsibilities. Students shall not distribute or display materials that are knowingly or recklessly false or defamatory, vulgar and plainly offensive, obscene, or sexually explicit, or that tend to create an immediate danger or disruption to the orderly operation of school, or urge the violation of the law, or existing attendance regulations, or the provisions of this handbook. Materials to be distributed or posted within the NCS must identify the source of the printed material. Materials that students choose to distribute shall not carry the endorsement or sponsorship of the school.
- b. **Commercial and Fund-Raising Activities:** Students shall not distribute or display announcements or advertisements of a commercial nature, or sell materials, or engage in activities to solicit financial contributions without the prior authorization of NCS officials.
- c. **Time and Place of Distribution:** NCS officials may designate the time and place for distribution of written information and related materials so that the activity does not materially interfere with the school program. This policy shall be applied in a manner that encourages respect for individuals without regard to disability, race, color, gender, national origin, ethnicity, sexual orientation, age, religion, marital status, socioeconomic status, cultural background, familial status, physical

characteristics, or linguistic characteristics of a national origin group. Individual NCS site rules may limit the time of distribution of material, including the circulation of petitions, to periods before school begins, after dismissal, and during lunch time when such limitation is necessary to prevent interference with the school program. Individual NCS site rules may define where distribution of material and circulation of petitions may take place so as to permit the normal flow of traffic within the school.

- d. Student Display: NCS sites may provide a student display area of reasonable size and prescribe methods to inform students of the board policy and school guidelines for the distribution of literature and the display of material.

3. Participation in Patriotic Exercises

Students may refuse to participate in patriotic exercises so long as the manner of such non-participation does not deny other students their rights to participate and does not disrupt the educational process.

4. Objections to Instructional Materials

If a student objects on religious or ethical grounds to reading, studying, or discussing any instructional material, the teacher will supply alternative materials without prejudice to the student.

5. Prohibited Speech

The use or display of vulgar and plainly offensive, obscene, or sexually explicit language, threats of harm to persons or property, or language that creates or threatens to create an immediate danger of disruption to the orderly operation of the school, violation of the law, attendance regulations, or the provisions of this handbook is prohibited.

6. Computer Usage

In some programs in Network Charter School, students will be provided access to computers and connections to the Internet. Email access will be allowed with permission and on a limited basis. Students may only use the computers if they abide by the expectations described below.

Students will not use the school's computer resources to harass, harm or disadvantage others; nor engage in illegal activities (including accessing another person's individual account without prior consent, or accessing a restricted account without the prior consent of the responsible administrator or teacher); nor download games or bring games in on disks; nor view or transmit

pornography or plainly offensive, obscene or sexually explicit language or material in any form; nor eat or drink around school computers; nor tamper with the hardware of the computer in any way without a staff member being present and giving permission. Students will not share inappropriate materials or their sources with other students or knowingly access inappropriate materials. Students should report any inappropriate material they access to a teacher, other staff person, or their parents/guardians. Students will be courteous and respect the rights of others to enjoy appropriate access to computer resources. The computers are for school related work only. Theft or vandalism will result in permanent suspension of privileges.

A first-time violation of these expectations will result in a conference between staff and the student committing a violation. Further violations may result in a suspension of computer privileges, parent/guardian notification, and suspension or expulsion from school.

B. Dress and Grooming

The responsibility for dress and grooming of a student rests primarily with the student and his/her parents or guardians. A student's dress or grooming should not affect participation in school classes, programs, or other school-related activities, except as provided below.

1. Student Dress and Grooming

Student dress and grooming shall be clean and in keeping with health, sanitary, and safety practices. Because of health and safety considerations, students are required to wear shoes while on NCS or NCS site property or while participating in NCS -sponsored activities that may occur off NCS related property. When a student is participating in the educational program or an NCS-sponsored activity, dress and grooming will not substantially disrupt the activity or constitute a threat to the health and safety of the student or others. Provisions for dress and grooming for special activities should arise directly out of the needs of the activity. For example, on days when a student has PE, he or she must have shoes and clothing suitable for exercise. All students are required to wear shirts during the school day.

2. Prohibited Dress

Clothing with messages that encourage the use of illicit drugs, alcohol, or tobacco is prohibited. Clothing with vulgar and plainly offensive, obscene, or sexually explicit references, graphics or comments is also prohibited. Clothing with gang symbols, colors, or other signs of gang affiliation is prohibited.

C. Assembly of Students

Citizens of our country are guaranteed the right of peaceful assembly under the first and fourteenth amendments of the United States Constitution and under Article I, Section 26, of the Oregon Constitution. Students, as citizens, have the right of assembly and must also bear the responsibility for the consequences of such assembly. Students and staff all share responsibility for the activities that take place in school. School personnel are held accountable to the general public, and in cooperation with students, are accountable for the image of the institution. Therefore, the orderly use of school facilities is required.

1. Informal Gatherings

Students have the right to gather informally, but such gatherings shall not substantially disrupt the orderly operation of the school or infringe upon the rights of others.

2. Student Meetings

Students are permitted to hold meetings at school under the following conditions:

- Meetings must be scheduled in advance and sponsored by school officials or an official school club or organization.
- If a large crowd is anticipated, a crowd control plan must be filed with the NCS site official in advance of the meeting.
- Meetings must not be disruptive to class or school activities nor be of such a nature that damage to any person or property is likely to occur.

3. Speakers

Invitations to speakers will be approved by the executive director or a designated school official in advance of the meeting. Attempts will be made to present a balance of viewpoints to students. However, no speaker will be allowed to make a speech that advocates breaking the law or otherwise violates the school's policies or the provisions of this handbook.

4. Student Walkouts

Student organized "skip days" or other unauthorized group absences of students are not acceptable. Permission for absences for this type of activity will not be granted, because NCS is bound by state attendance policies.

D. Freedom of Religion

The Constitutions of the United States and the State of Oregon require the public schools to take a neutral position concerning religion. Public schools cannot aid one religion or all religions or prefer believers to nonbelievers. However,

schools may provide instructional activities relating to historical and cultural aspects of religion under the following circumstances: (1) The activity must reflect a clearly secular (nonreligious) purpose. (2) The activity must have a primary effect that neither advances nor inhibits religion, which includes creating an excessive entanglement with religion.

1. Student Religious Meetings and Discussions

If NCS site officials permit other non curriculum student meetings or discussions on NCS site premises during non instructional time, religious meetings of students that are voluntary and student initiated will also be permitted. Non school persons are prohibited from directing, conducting, controlling, or regularly attending the activities of such student groups.

2. Release Time for Religious Instruction

Students may be excused from school for up to two hours in any week to attend weekday schools giving religious instruction. A written request must be signed by the parent or guardian before the student is released.

Religious teachers or organizations are not permitted to promote student participation by directly contacting students on NCS site grounds or by asking students who participate in their programs to recruit students who remain at school. All activities promoting student participation in religious activities will be conducted away from school.

E. Use of Motor Vehicles

Students who are licensed drivers have the privilege of driving a motor vehicle to school. Certain regulations are necessary to control the use of motor vehicles because of limited parking, traffic patterns, and the large number of pedestrians around schools.

The Network Charter School encourages students and staff to use forms of transportation other than cars, such as bicycling, walking, and the public bus; however, students with a valid driver's license may drive to school if they have parent/guardian permission and valid insurance policies. This privilege may be revoked if the following conditions are not met.

- Students must drive safely, obeying speed limits and rules of the road.
- Drivers may not take other students as passengers in their cars without written permission from BOTH the driver's and the passengers' parents or guardians. Students may not drive someone else's car without written permission.

- Students who drive to school must sign a form promising to follow school policies and those who park in the school lot must have a permit.
- Cars in the parking lots must have the volume of the sound system turned low at all times, so as not to disturb others.
- The NCS sites provide transportation for field trips. Students should not take their own cars on any school trip unless staff has granted permission after discussing it with a parent or guardian. This will be considered a RARE exception.
- Sometimes emotions run high at school, and it is difficult for drivers who are angry or upset to maintain the self-control required to safely drive a car. Slamming doors, racing through the parking lot, screeching brakes, accelerating quickly, or threatening to hit others with a car are very dangerous behaviors. Angry drivers need to stay out of the car until they calm down.
- All students are to STAY OFF CARS, which includes hoods and bumpers, while moving. No jumping, climbing, or standing on cars. Sitting on cars is allowed only with the permission of the car's owner. Do not distract drivers or obstruct vehicles by jumping, running or standing in front of, beside, or behind a moving vehicle.

Consequences: Violations of these rules jeopardize the safety of all concerned. The first time a person violates one of these rules, she/he will be given a warning, and parents or guardians will be called. The second time, she/he will not be allowed to bring a car to school for one month. If there is a third time, privileges to drive to school will be revoked for the rest of the school year.

F. Student Records

Federal and state laws require schools to maintain certain education records on students. The records allow the school staff to share progress information with parents or guardians and other educational institutions. They also document the eligibility of students for various federal and state mandated programs. Students frequently request copies of their records many years after they have left school to assist them in documenting school attendance and eligibility for certain programs.

The following statement is a summary of school regulations regarding student records. NCS policy parallels that of Eugene School District 4J.

1. Confidentiality of Education Records

All student records are confidential and may be opened for inspection only in accordance with applicable federal and state law and school board or NCS policy.

2. Inspection of Education Records

Students and their parents or legal guardians have the right to inspect their own student records and to challenge the content of the records. Once the student reaches age 18, those rights transfer to the student alone.

3. Release of Education Records

Generally, parents/guardians or the student, if he/she is 18 or is attending an institution of higher education, must consent to the release of all student records. The school, however, may release student records without consent in the following instances:

- a. To NCS board members during an executive session to consider the expulsion of a student or to examine confidential medical records;
- b. To NCS or NCS site employees who have a legitimate educational interest in the records;
- c. To the officials of another school, or school district, an institution of postsecondary education in which a student seeks to enroll, or to another educational agency that has requested the records and in which the student seeks or intends to enroll. Schools are required to forward these records within 10 days of receiving the request.
- d. To state and federal officials requiring such information;
- e. To support a student's application for or receipt of financial aid;
- f. To organizations conducting studies on behalf of the school to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction;
- g. To accrediting organizations to carry out their accrediting functions;

- h. To parents or guardians of a dependent student;
- i. To comply with a judicial order or lawfully issued subpoena after the school has made a reasonable attempt to notify the parent/guardian or eligible student; or
- j. For emergency situations involving the health or safety of the student or other persons. A “health and safety emergency” includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction, or custodial interference, and law enforcement or child protective services efforts to respond to a report of child abuse or neglect.

4. Directory Information

The NCS may also release directory information in conjunction with an NCS related activity. “Directory Information” is defined as a student’s and parent’s or guardian’s name, address, telephone listing; photograph; date and place of birth; participation in officially recognized activities and sports; weight and height if a member of an athletic team; grade level; dates of attendance; degrees and awards received; and the school most recently attended by the student. Parents/guardians may limit the release of directory information and will be notified annually of this right.

5. Withholding of Education Records for Nonpayment of Fees, Fines, or Damages

The NCS may withhold the grade reports, diplomas, or other records of students who owe fees, fines, or damages until those fees, fines, or for property lost or willfully damaged are paid, except that records must be released to another school district to which the student has moved, and except as required by law for the release of education records for use in any civil or criminal proceeding in any court of the state. Parents or guardians or the student, if he or she is 18 years of age or older, must be given written notice at least five school days in advance of the record being withheld, except for graduating seniors, who may be given 48 hours notice. The notice will outline the procedure for challenging the school’s decision.

G. Search and Seizure

The United States Supreme Court has determined that students have a legitimate expectation of privacy, which is protected by the 4th Amendment of the United States Constitution. Schools must have reasonable suspicion that the student has violated or is violating a law or school rule before

conducting a search. Searches must be reasonable in scope and not excessively intrusive in relation to the nature of the suspected infraction or the student's age and sex.

1. Student Searches

The search of a student's person or belongings will be limited to a time when there is a reasonable suspicion to believe that the student is withholding evidence of an illegal act or violation of a school rule, for example possession of a weapon, tobacco, alcohol, or illegal drugs. The student will be given the opportunity to be present when the search of personal possessions is conducted, providing the student is in attendance and if there is no reason to believe that his/her presence would endanger his/her safety or the safety of others. Any search of a student's person will be conducted in the privacy of a school office except in an emergency where delay might endanger the welfare of other persons.

2. Seizure of Property

Illegal items, stolen property, evidence of commission of a crime or violation of school policy, or other possessions reasonably determined by school authorities to be a threat to the safety or security of students or others will be seized by school officials. Such items include, but are not limited to guns, other dangerous weapons, illegal drugs and drug paraphernalia, tobacco, and alcohol. Other items that may be used to disrupt substantially or interfere materially with the education process may be temporarily removed from the student's possession.

Dangerous weapons, including guns, knives, metal knuckles or any other weapon, the purpose of which is to injure other persons or property, will be promptly turned over to a representative of the appropriate law enforcement agency. Parents or guardians will be notified whenever such an item is removed from a student's possession, unless the notification will unduly interfere with the investigation of the law enforcement agency.

3. Use of Storage Space, Lockers and Desks

- a. Assignment of Storage Space, Lockers and Desks: Storage space, lockers and desks, if available, belong to NCS or the NCS site and are assigned for the convenience of students. They are to be properly cared for by students and not used for the storage of illegal or dangerous items prohibited by this handbook, or evidence of an illegal act or violation of a school rule.

- b. **General Inspections of Storage Space, Lockers and Desks:** A general inspection of lockers, desks or assigned storage spaces may be conducted by school officials on a regular basis. Such general inspections will be announced in advance. Items belonging to the school and not appropriately in the student's possession will be seized and returned. Illegal or dangerous items, or items prohibited by this handbook, will be seized and held for appropriate disposition.
- c. **Special Inspections of Individual Student Storage Space, Lockers or Desks:** Special inspections of individual storage space, lockers, or desks may be made when there is reasonable suspicion to believe that illegal or dangerous items or items that are evidence of a violation of the law or school rules are contained in them. The student will be given the opportunity to be present when the search of personal possessions is conducted, providing the student is in attendance and if there is no reason to believe that his/her presence would endanger his/her safety or the safety of others.

H. Medication

If a student requires prescription medication she/he should inform a staff member, and bring the medications in the original container that shows the prescription. It should be made clear by the parent/guardian whether (a) the student will be responsible for self-medication, or (b) the student needs a reminder, or (c) the staff will dispense medication.

With signed permission from parents/guardians, students may be given ibuprofen (Advil) or acetaminophen (Tylenol) for headache or cramps, or antacid (Tums) for heartburn. A first aid log will be kept to list students' medical complaints and staff's response.

I. Personal Electronic Device Policy

Personal electronic devices (portable CD players, iPods, cell-phones, electronic games, etc.) are not necessary to advance the mission of NCS or NCS sites. Students should not use them during class time while at NCS.

NCS recognizes, however, that many students own, use, and carry these devices and that under some circumstances instructors may decide that students can use them appropriately during instructional time to augment instruction. Thus, NCS allows instructors to make their own determinations about whether to allow the use of personal electronic devices at certain times and locations.

NCS instructors must ensure during all classes that students' use of such devices has an instructional merit or purpose. Furthermore, during class time, students must obtain specific approval from their instructor for each and every use of personal electronic devices.

J. Child Abuse

Oregon law requires all public employees to report possible child abuse to the Department of Human Services (DHS) or a law enforcement agency.

1. Reporting Child Abuse

Any NCS or NCS site employee having reasonable cause to believe that a child with whom he/she comes in contact, on or off the job, has suffered abuse, or that any adult with whom he/she comes in contact has abused a child shall report immediately to the Department of Human Services or a law enforcement agency. NCS and NCS site staff members may not inform parents/guardians of such reports. All NCS staff are mandatory reporters-- it is required by law that staff report when given reasonable cause to believe abuse is occurring.

2. Investigations of Child Abuse

NCS and NCS site staff will cooperate with investigations of possible child abuse being conducted by the DHS or a law enforcement agency. A member of the DHS staff or a law enforcement officer who is questioning a student in regard to child abuse will determine whether a school official may be present in an interview that occurs at school.

V. Responses to Misconduct

A. Noncompliance with Routine Behavioral Expectations

1. Dismissal from Class

From time to time, students will choose not to comply with behavioral expectations. Teachers may arrange for them to leave class, and they will contact the students' parents/guardians. Teachers will not take this course of action for random or trivial reasons. Students who are asked to leave a class will be marked "dismissed" on the attendance sheet for that day. This consequence will follow misbehavior no more than three times in a semester in any one class. (If a fourth offense occurs, a more serious response will be given.) The consequence for each dismissal is as follows:

- 1st time: Student must arrange to meet the teacher outside of class to discuss the incident before the student may return to class.

- 2nd time: Teacher and student will develop a written behavior contract spelling out desired behaviors and a plan to avoid future problems.
- 3rd time: Student’s parents or guardians will be called. The teacher will discuss the behavior contract and what it specifically requires of the student. The student, parents/guardians, teacher, and administrative staff may meet face to face to develop a cooperative effort to help the student behave in more acceptable ways and regain the right to stay in class.
- 4th time: If the student is asked to leave a class a fourth time, the student will be dropped from that class and not admitted to any other class during that period except upon approval by the NCS Director. The parent/guardian will be responsible for supervising the student during that period.

2. Conflicts and Play-Fighting

Conflicts are an inevitable part of life, but violence and threats of violence are not tolerated at the Network Charter School. When students experience conflict, staff will make every attempt to resolve the situation through mediation and negotiated agreements. Students who assault, menace, threaten, harass, or cause physical harm to another person will face disciplinary action that may include suspension or expulsion. “Assault” means to knowingly, intentionally, or recklessly cause injury to another person. “Menace” means to intentionally or knowingly place another person, through words or gestures, in fear of injury.

Students **may not** threaten or fight with other students at school, after school or off school grounds, as this creates a fearful emotional climate at school. Students **may not** engage in play fighting at school. This includes wrestling, boxing, martial arts, pinching, slapping, punching, or kicking, even “in fun.”

B. Serious Misconduct

Students are encouraged to maintain high standards of academic and personal behavior, not only in accordance with the rights and responsibilities set forth in this Handbook, but with respect toward other students, staff members, and private and public property. Oregon law requires students to comply with the written rules of the school, to pursue the prescribed course of study, to submit to the lawful authority of staff, and to conduct themselves in an orderly fashion.

Students will be subject to discipline, up to and including suspension or expulsion, for misconduct that violates federal, state, county, or city laws or the policies and rules established by the school, including but not limited to harassment or discrimination, theft, disruption of school, damage or

destruction of school property, damage or destruction of private property, assault or threats of harm, unauthorized use of weapons or dangerous instruments, unlawful use of drugs, narcotics, or alcoholic beverages, and persistent failure to comply with rules of the lawful directions of teachers or school officials. When there is clear evidence of illegal activity, such as consumption, possession, or being under the influence of controlled substances during school hours, at school events, or on or near school property, law enforcement officials will be notified.

1. Violation of the NCS Discrimination and Harassment Policy

Students shall refrain from harassment or discrimination by words or actions based on another person's ability, race, color, gender, national origin, ethnicity, sexual orientation, age, religion, marital status, socioeconomic status, cultural background, familial status, physical characteristics, or linguistic characteristics of a national origin group. Students shall also comply with the school's nondiscrimination and harassment policy, which is outlined elsewhere in this handbook.

2. Theft and Stolen Property

No student shall steal or attempt to steal school property or private property on school property or during a school activity, function, or event that occurs off school property. No student shall have stolen property in his or her possession. Stealing means taking or withholding someone else's property without permission, or extorting or taking the property by deception.

3. Substantial Disruption of School or School Activities

Any conduct that substantially disrupts or threatens to disrupt school activity is forbidden. Willful disobedience, open defiance of a staff member's authority, leaving class without authorization, threats of harm to persons or property, harassment or discrimination prohibited by school rules, including racial and sexual harassment, or language that creates an immediate danger of disruption to the orderly operation of the school or creates a clear and present danger of violation of the law or attendance regulations are prohibited.

4. The Willful Disobedience of a Staff Member's Authority

Students will submit to the lawful authority of teachers, administrators, and other staff members. If the student believes that a staff member has behaved inappropriately, he/she and his/her parents or guardians may use the NCS's complaint procedure to resolve the issue.

5. *Use or Display of Vulgar and Plainly Offensive, Obscene, or Sexually Explicit Language*

The use or display of vulgar and plainly offensive, obscene, or sexually explicit language or graphics is prohibited. Clothing with vulgar and plainly offensive, obscene, or sexually explicit references, graphics, or comments is prohibited.

6. *Damage or Destruction of School Property*

No student will vandalize or attempt to destroy school property. NCS will attempt to recover (through legal action if necessary) from those students or their parents/guardians the actual cost of repair or replacement of school or NCS site property vandalized or intentionally or recklessly destroyed by students.

7. *Damage or Destruction of Private Property at an NCS Site or During an NCS-Sponsored Activity*

No student will cause or attempt to cause damage to private property either on the school grounds or during a school activity, function, or event off the school grounds.

8. *Coercion, Assault, Menacing, Threats, Intimidation, or Harassment*

No student will coerce, assault, menace, intimidate, harass, or threaten to harm another person for any reason including to obtain money or other property, or force any person to do any act against the will of that person. “Assault” means intentionally, knowingly, or recklessly causing injury to another. “Menace” means that by words or conduct, the student intentionally attempts to place another person in fear of imminent serious physical injury.

9. *Possession, Handling, or Transport of Any Dangerous or Deadly Weapon*

No student shall possess, handle, or transmit any object that is reasonably considered a weapon on school grounds or off the school grounds at any school-sponsored activity, function, or event, including in a student’s motor vehicle. A weapon includes the following:

- “Firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; () the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device
- “Dangerous weapon” means any weapon, device instrument, material or substance which under the circumstances in which it is used,

attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury.

- “Deadly weapon” means any instrument, article, or substance specifically designed for and presently capable of causing death or serious physical injury.

10. *Consumption, Possession, and Being Under the Influence of Any Controlled Substances, Including Alcohol, Drugs, or Illegal Substances; and Possession of Drug Paraphernalia*

No student shall possess, consume, transmit, or be under the influence of alcohol, drugs, or illegal substances or possess paraphernalia on the school grounds or off the school grounds during a school-sponsored activity, function, or event. A violation of this rule constitutes serious misconduct.

Use of a drug authorized by a medical prescription from a registered physician during school hours shall not be considered a violation. Students who must take prescription medication at school are to follow NCS adopted procedures. Verification of the doctor’s release for consumption of prescriptions during school hours must be on file in the admin office before the drug may be taken.

11. *Violations of City, County, State, and Federal Laws While Involved in School Activities*

No student shall violate federal, state, county, or city laws while involved in school activities.

12. *Misconduct that Occurs Off Campus*

Students may face disciplinary consequences (1) for any off-campus behavior that would otherwise tend to disrupt the educational process or the operation of the school or district; (2) for conduct that occurs off the school premises at school-related or supervised functions and at a bus stop identified by NCS for students’ use; (3) or for behavior that occurs while traveling to and from school if the behavior has a threatening effect on student safety or physical or mental health.

C. Disciplinary Procedures

Fair treatment of all students is essential. Students must be protected from arbitrary and unreasonable decisions. All decisions affecting students must be based on careful and reasoned investigations of the facts and must be consistent in the application of rules and regulations. All students must be informed of the school rules and procedures by which schools are governed and the process by which discipline will be applied.

School officials occasionally may find it necessary to discipline a student or even remove the student from the formal learning environment for a period of time. Officials have discretionary power in invoking disciplinary actions and procedures in order to maintain a climate conducive to learning and to the protection of individuals and property. The school administration shall consider the age and past pattern of behavior of a student in determining whether to suspend or expel that student. Before an expulsion can occur there must be a hearing before the NCS director or the director's designee unless waived by the student's parent or guardian, or the student, if the student is 18 years of age or older.

1. Informal Discipline Procedures For Minor Infractions

Discipline for a minor infraction, including detention and Saturday School, may be handled without going through all the steps of the formal process outlined below.

2. Formal Discipline Procedures

- a. In-School Suspension: An in-school suspension is a temporary exclusion from regular classroom attendance not to exceed five days. The student is assigned to a supervised work area and, if permitted by the school administrator, may perform his/her regular class work.
- b. Out-of-School Suspension: An out-of-school suspension is a temporary exclusion from school attendance for a period not to exceed ten school days. In cases in which the school official states that the suspension will continue until a parent/guardian conference occurs, the suspension notice will state that it will not exceed ten school days. A school administrator may require a student to attend school outside of regular school hours as an alternative to suspension.
[See also Appendix 1, Due Process Procedures for Out-of-School Suspension.]
- c. Expulsion from School: An expulsion is a long-term exclusion from school attendance and requires a hearing before the NCS director or his/her designee. State law provides that the expulsion of a student will not exceed one calendar year. Any student who brings a weapon (as defined in Section V-B of this handbook about Serious Misconduct) onto school property or to a school-sponsored activity or who possesses, conceals, or uses a weapon on school property or at a school-sponsored activity shall be expelled for one calendar year unless a specific exception is made by the NCS director.

Required Expulsion Hearings: The NCS site director or designee may recommend an expulsion for any serious misconduct, but is required to request an expulsion hearing when he/she believes a student is guilty of the following offenses: the possession, transmission, or use of a dangerous weapon on school property or at a school-sponsored event; the sale or distribution of a controlled substance; or commission of a Category IV violation of the interagency substance abuse intervention and networking agreement. (See Appendix 3.) Only the NCS director, as the designated representative of the NCS board, or his/her designee has the authority to expel a student. A hearing must be conducted before an expulsion occurs unless the student's parents or guardian, or the student, if 18 years of age or older, waives the right to a hearing.

[See also Appendix 2, Due Process Procedures for Expulsions.]

3. Physical Discipline

Oregon Statute and NCS Policy prohibit the use of physical discipline. However, a teacher, administrator, school employee, or school volunteer is authorized to use reasonable physical force upon a student when, and to the extent that the individual reasonably believes, it is necessary to maintain order in the classroom or school, or at a school activity or event, whether or not it is held on school property. When so used, physical restraint will not be considered a form of physical discipline.

4. Suspension or Expulsion of Students with Disabilities

It is necessary to follow Eugene School District 4J Administrative Rule 2975 whenever a student with disabilities is being considered for suspension or expulsion. The rules are summarized below.

- a. Generally: The NCS may suspend or expel students with disabilities for up to ten school days in a school year following its usual policies and procedures. A student with disabilities may be suspended or expelled for an additional ten school days during a school year if there is not a pattern of such removal, as determined by school personnel. If a student with disabilities is being considered for more than ten days of suspension from school (or in the case of where there has not been a pattern of removal, twenty days) the IEP team, which includes the parent or guardian, must conduct a Manifestation Determination to determine whether the behavior is related to the student's disability. If the IEP team determines that the behavior is not a manifestation of the student's disability, NCS

may proceed with its disciplinary action. If the IEP team determines, on the other hand, that the student's behavior is a manifestation of his or her disability the student may not be removed from school unless the removal is for (1) a violation of the school's weapon or drug policies or (2) a hearing officer has authorized the removal of the student because the behavior is substantially likely to cause injury to him or herself or others.

- b. **Students with Disabilities Who Violate Weapon and Drug Policies:** School personnel may move a student to an interim alternative educational setting for up to 45 days if the student violates an NCS weapon or drug policy. The IEP team must determine the specific alternative placement.
- c. **Students with Disabilities Who Are Substantially Likely to Cause Injury to Themselves or Others:** A state appointed hearing officer may move a student to an interim alternative educational setting for up to 45 days at a time if the student is substantially likely to cause injury to him or herself or to others.

5. Suspension of a Student's Driving Privileges

The NCS director may file with the Oregon Department of Transportation a written request to suspend the driving privileges of a student or the right to apply for driving privileges. Such requests may be made if the student is at least 15 years of age and:

- The student has been expelled for bringing a dangerous weapon to school; or
- The student has been disciplined, suspended or expelled at least twice for assaulting or menacing a school employee or another student, for willful damage or injury to school property or for use of threats, intimidation, harassment or coercion against a school employee or another student.

Prior to filing the request, the student will be accorded the due process procedures outlined in the NCS expulsion process, up to and including a review by the NCS board of directors. The statute states that the initial request to the Department of Transportation for the suspension of driving privileges or the right to apply for driving privileges may not exceed one calendar year. If the NCS director files a second written request to suspend the driving privileges of a student or the right to apply for driving privileges,

the Department of Transportation is required to deny privileges until the student is 21 years of age.

6. *Required Reports to Law Enforcement Agencies*

Violations of the school's rules related to guns and dangerous weapons; vandalism and the intentional or reckless destruction of school property; and coercion, assault, or threats must be reported to the police. A NCS or NCS site official may inform the appropriate law enforcement agencies when a student is suspected of committing other illegal acts on the school campus or at a school-sponsored activity.

7. *A Student's Right to Hear His or Her Accuser*

- a. **Complaints and Accusations Made by Staff Members:** A student may hear directly from the teacher or other staff member the specific complaints or descriptions of unacceptable behavior.
- b. **Complaints and Accusations Made by Other Students:** Extreme care must be taken by NCS officials to ensure that a student is not disciplined solely on hearsay evidence. In recognition of the special jeopardy in which student witnesses may be placed, and considering the possible traumatic affects on a student witness of adversary proceedings conducted by attorneys, police officers, or court officials, the complaining student may not be required to face the accused nor to have his/her identity revealed. When it is determined that a complaining student ought not face the accused, an NCS official may then become the official complainant. No NCS staff member may be examined as to communications between a student and that staff member in official confidence relating to the personal affairs of the student or the student's family if the communication will tend to incriminate or damage the student or the student's family. However, the NCS official conducting an investigation is under a special obligation to assure the careful and cautious investigation of all relevant facts and testimony.

8. *Teacher-Student Privilege*

Except in criminal actions or proceedings, no NCS staff member may be examined in any proceedings as to any conversation between the licensed staff member and a student which relates to the personal affairs of the student or family of the student and which if disclosed would tend to damage or incriminate the student or family.

D. Discrimination and Harassment

School board policy prohibits discrimination or harassment against students. Staff, volunteers, and students will provide equal treatment and access to educational programs, services, and aid to students without regard to their disability, race, color, gender, national origin, ethnicity, sexual orientation, age, religion, marital status, socioeconomic status, cultural background, familial status, physical characteristics, or linguistic characteristics of a national origin group.

1. Definitions

- Discrimination means any act that has the purpose or effect of unreasonably differentiating in treatment, based on disability, race, color, gender, national origin, ethnicity, sexual orientation, age, religion, marital status, socioeconomic status, cultural background, familial status, physical characteristics, or linguistic characteristics of a national origin group.
- Harassment means unwanted behavior of a nonverbal, verbal, written, graphic, sexual, or physical nature that is directed at an individual or group of students on the basis of disability, race, color, gender, national origin, ethnicity, sexual orientation, age, religion, marital status, socioeconomic status, cultural background, familial status, physical characteristics, or linguistic characteristics of a national origin group.
- Sexual harassment is defined as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.” Sexual harassment may include such actions as sex-oriented verbal kidding, teasing, or jokes, subtle pressure for sexual activity, physical contact such as patting, pinching, or brushing against another’s body, or demands for sexual favors.

2. NCS Staff and Volunteer Responsibility

NCS and NCS site Staff and volunteers will follow NCS policy to ensure that students are not discriminated against or harassed. They will provide direct and indirect supervision of students; provide reasonable access to all school programs, classes, services, and aid; avoid the use of terms that are derogatory; and use tests and instructional material that do not unfairly discriminate between students.

3. Student Responsibility

Students are expected to follow the standards for student behavior that are outlined in school policy and this handbook, which include the requirement that they refrain from harassment and discrimination. Students are expected to hold their peers and other students to the standards established by policy and this handbook. They are encouraged to bring violations to the attention of a teacher, counselor, administrator, or other staff member. Students who violate these rules are liable for discipline, suspension, or expulsion in accord with the rules established in this handbook.

4. Reports

Students who believe they are victims of harassment or discrimination are urged to report the incident to a teacher, counselor, or administrator or by using the formal complaint process described below.

5. Formal Complaint Process

Teachers and other staff who observe students engaging in discriminatory or harassing behavior are responsible for taking action to deal with the behavior. Likewise, when a parent/guardian or student has observed or been the recipient of a school based discrimination or harassment incident, he or she is encouraged to discuss and resolve the issue by talking directly with the student's teacher, the building administrator, or other appropriate staff member.

Parents or guardians, students, and members of the community are encouraged to follow the complaint process summarized below if they believe that they have been the victim of discrimination or harassment and that it has not been handled appropriately by the school.

- **Step 1: Informal Complaint to Site Director.**
If parents or guardians, students, or other community members wish to pursue a complaint to deal with an incident of harassment or discrimination, or because they are not satisfied with a staff person's response to their initial statement of concern, they may initiate Step 1 in the complaint process by contacting the NCS site administrator. This may be done orally or in writing within 10 school days of becoming aware of the incident or 10 school days after having received the NCS site staff person's response to their initial statement of concern. The NCS site administrator must attempt to resolve the complaint within 15 school days and may use an "outside" facilitator to assist in the process:
- **Step 2: Formal Complaint to NCS Director.**

This step in the process may be used by a parent or guardian, student, or community member who is not satisfied with how the complaint was resolved in Step 1 of the process. They may initiate a formal complaint by filing a completed complaint form with the NCS director or his/her designee within 10 school days of receiving the response from the site administrator. The NCS director or his/her designee must attempt to resolve the complaint within 20 school days after receiving the complaint. He or she may offer voluntary mediation as a way of resolving the complaint.

- **Step 3: Appeal to the NCS Dispute Resolution Committee.** The third step of the process may be used by a parent or guardian, student, or community member who is not satisfied with how the complaint was resolved in Step 2 of the process. The person may appeal in writing to an *ad hoc* NCS dispute resolution committee within 10 school days after receiving the NCS director or his/her designee's response in Step 2. This committee will include a representative from each of the other sites and an NCS Board member. The NCS dispute resolution committee will determine whether or not to schedule a hearing within 10 school days of receiving the appeal. If a hearing is scheduled, the committee may appoint a hearings officer who will schedule a hearing within 20 school days of receipt of the appeal. If the committee does not conduct a hearing, the committee will inform the complainant of his or her rights to file a complaint directly with the state or federal government.

6. *No Reprisal or Retaliation*

No reprisal or adverse action shall occur to any person as a consequence of the initiation of a discrimination or harassment complaint unless it is knowingly false.

7. *Students with Disabilities*

Both state and federal law (Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act) require schools to provide an appropriate education for students who have disabilities. NCS and its teaching staff will make reasonable accommodations and modifications for any student who has a disability, based on support and direction from the student's home school district. Some students with disabilities may require reasonable accommodations or modifications in order to participate fully in the regular educational program while others may require a special education placement. Students with disabilities, or their parents/guardians, may contact their classroom teacher, a counselor, or the school principal if they believe accommodations or modifications need to be made or if they would like to be

referred to receive special education services.

E. Gang Activity

The presence of members of gangs and gang activities on campus or at off-campus, school-sponsored activities is likely to cause a substantial disruption or material interference with school and school activities. A “gang” is defined as a group that identifies itself through the use of a name, unique appearance, or language, including hand signs, the claiming of geographical territory, or the espousing of a distinctive belief system that frequently results in criminal activity. (ORS 336.109 (2))

The following activities are prohibited at school or at school-related activities:

a. ***No Gang Clothing or Display:***

No student shall wear or display clothing or other objects that are commonly considered evidence of membership or affiliation with any gang if it disrupts or is likely to cause a substantial disruption or material interference with NCS activities.

b. ***No Disruption of School or School Activity:***

No student shall commit any act, or use any speech, verbal or nonverbal, showing membership in, or affiliation with, a gang if it disrupts or is likely to cause a substantial disruption or material interference with school and school activities.

c. ***No Gang-Related Activity:***

No student shall commit any act that furthers gangs or gang activity including, but not limited to, wearing garb or displaying symbols directly associated with affiliation of a known local gang, soliciting others for membership in any gangs or inciting other students to act with physical violence upon any other person. Such acts are presumed to undermine the school’s basic mission and will create an immediate danger to the orderly operation of the school.

F. Use of Tobacco

Oregon law prohibits minors from possessing tobacco products and schools from permitting any person under 18 years of age to possess tobacco products

while present on school grounds, or in school buildings, or while attending any school-sponsored activity.

Student smoking, chewing, and/or other use of tobacco products at NCS sites or at NCS sponsored activities is prohibited. No student under 18 years of age shall possess tobacco products of any kind while on NCS site grounds, NCS site buildings, or while attending NCS sponsored activities. This policy will be implemented by reasonable efforts to monitor use and possession of tobacco products, including, but not limited to, action to cause violators to cease and desist when a violation occurs within the plain view of a school employee.

G. Cooperation with Law Enforcement Agencies

School officials have a dual responsibility. They must safeguard the rights of students, and even represent students in certain situations. They also must cooperate with law enforcement officers in the legitimate pursuit of their duties.

1. Investigations by Law Enforcement Officers

Police officers investigating a case involving an illegal act in which a student may be involved, or about which the student may have information, shall contact the NCS site director or his/her designee before any effort is made to question a student during school hours.

2. Contacting Parents/Guardians

- a. Investigations Related to Illegal Acts that Occur Off-Campus and are Not School Related: NCS site director, or his/her designee, will make a reasonable effort to contact the parent or guardian, when an officer comes to question or arrest a student related to illegal acts that occur off-campus and that are not school related, unless there is reason to believe that such notification would unduly interfere with the investigation, or that the matter pertains to alleged child abuse. If the NCS site director or designee is unable to reach the parent or guardian, the officer should not be delayed further. However, an NCS site official should contact the parent or guardian as soon as possible.
- b. Investigations Related to Violations of School Policies and Rules: The NCS site director, or his/her designee, may involve a police officer in investigating violations of school policies and rules, including student interviews, without first contacting the parent or guardian. However, if during the investigation, a student becomes a focal suspect in an illegal act, then it is the responsibility of the NCS site director or designee to make a reasonable effort to contact the parent or guardian before allowing an officer to proceed with an interview.

3. Questioning of Students

The police officer will observe all the procedural safe-guards prescribed by law and his/her agency when questioning a student. An NCS or NCS site administrator, or designee, will always be present when a student is being questioned, unless the issue pertains to child abuse.

4. Taking a Student from the School

The NCS or NCS site administrator or designee will not let a police officer, or an official from the Services to Children and Families, take a student from a school building without a court order, an arrest, protective custody from SCF, or permission of the parent or guardian.

H. Trespassing

To help protect students and school property and to prevent disruptive activity, school officials must know if any persons who are not members of the school staff or student body are in the school building or on the school grounds.

1. Visitors Permitted On School Grounds

Visitors are permitted on school grounds as long as their presence is not for the purpose of disrupting school, nor threatening, nor intimidating others in school, and so long as school officials know of and consent to the visit in advance.

2. Visitors Must Report to the Office

During a regular school day all visitors of regular NCS related activities are required to first report to the NCS site to arrange for their visit, unless they are engaged in legitimate commercial activity with an NCS site's non NCS-related work that does not put them in contact with NCS students, such as purchasing items (e.g., bikes, cakes, food, maps) or using services of an NCS site (e.g. bike shop, tours, camps, etc.).

3. Weapons Prohibited

While on school property or at a school-sponsored event that occurs off of school property, no person (including those with a concealed weapons permit), with the exception of law enforcement officers or those authorized by the NCS director, shall have possession of a loaded or unloaded firearm, dangerous weapon, or a replica or facsimile of a dangerous weapon, nor sell or transfer possession of such a weapon to another person.

4. Students Who Have Been Suspended or Expelled

Students may not attend any NCS site or any NCS-sponsored activity or be on any NCS site property when they are suspended or expelled from school, except with consent of the NCS director or designee. Students who violate this policy may be prosecuted for criminal trespass.

5. Violations of this Policy

Visitors who are in violation of this policy will be considered in violation of the law and will be subject to prosecution for criminal trespass in the second degree, as provided by ORS 164.245.

I. Alternative Education Options

Oregon law requires that in certain circumstances schools inform students and parents or guardians of alternative education options that might be available to them. Schools are also required to inform students and parents or guardians of those alternative education programs for which they will provide financial support.

The NCS administration will inform students and parents or guardians, about the availability of alternative education programs in each of the following situations:

- Upon the occurrence of a second or any subsequent occurrence of a disciplinary problem within a three year period that would justify a recommendation for expulsion;
- When a student's attendance problem is so erratic that, in the opinion of the NCS, he or she is not benefiting from the educational program, and would appear to benefit from an alternative education venue;
- When the school is considering an expulsion as a disciplinary alternative;
- When a student is expelled; or
- When a student or his/her parent or guardian, notifies the school of the intent to withdraw the student from school attendance as provided under the law.

Except in those cases when a student withdraws from school, the NCS administration will also inform students and parents/guardians of those alternative education programs for which the student's home district would provide financial support. They may be district-operated programs or programs operated by other public or private agencies that are registered with the Oregon Department of Education.

Appendix 1

Due Process Procedures for Out-of-School Suspension

1. When a charge is made against a student, the NCS director or his/her designee will investigate to determine whether the charge has merit.
2. The student shall be given oral or written notice of the charges, including specific acts involved. If the student denies the charges, the student shall be given an explanation of the evidence supporting the charges.
3. The student shall be given an opportunity to explain his or her conduct and to contest the charge informally. If the NCS director then determines the student should be suspended, the student shall be informed and the student's parents or guardians shall be notified of the suspension and the reasons for the action by telephone, whenever possible.
4. The two steps above may be postponed in emergency situations relating to health and safety. Emergency situations shall be limited to those instances where there is a serious risk that substantial harm will occur if suspension does not take place immediately.
5. When parents or guardians cannot be contacted, the decision to send the student home, to allow the student to remain on school premises, or to refer him or her to the proper authorities must be made with consideration given to the student's age, maturity, and the nature of the misconduct that caused the suspension.
6. The NCS director will mail a suspension notice to the parents or guardians. The notice must state the date, the reasons for the suspension, the length of the suspension (not to exceed ten school days), and the procedures that must be followed by the student and parents or guardians to gain reinstatement.
7. After the parents or guardians receive notice of the suspension, they will be given a conference with the NCS director or his or her designee if they so request.
8. After the parents or guardians have discussed the suspension with the NCS director or designee, they may appeal the decision to the NCS director or their designee, whose decision will be final.
9. Only the NCS Executive Director has the authority to suspend or expel a student, giving serious weight to the recommendation of the complaining teacher or site director after establishing the merit of the complaint.

Appendix 2
Due Process Procedures for Expulsions

The NCS director or designee is the only person authorized by the NCS board of directors to expel a student. The expulsion of a student will not exceed one calendar year. Any student who brings a dangerous weapon onto school property or to a school-sponsored activity, or possesses, conceals, or uses a dangerous weapon on school property, or at a school-sponsored activity, shall be expelled for one calendar year unless a specific exception is made by the NCS director or his/her designee. An expulsion will be from all schools and activities unless otherwise specified. Prior to the expulsion of a student, the NCS will refer the student to his home district for alternative programs of instruction for the pupil.

The following is an adaptation of the expulsion procedures set forth in Eugene School District 4J Administrative Rule 3330, Process for Expulsion.

1. The NCS site director or designee notifies the parent or guardian and the student in writing of the intent to request expulsion, citing the charges against the student.
2. The NCS site director or designee submits to the NCS director or designee a written request for expulsion including a description of the charges with supporting facts and evidence.
3. The NCS director or designee sets a date and place for an expulsion hearing.
4. A hearing officer designated by the NCS director or designee conducts the expulsion hearing. The NCS site director or designee presents all evidence supporting the proposed expulsion, and the student has an opportunity to respond to the evidence and to present his or her version of the events. The student may choose to have counsel or representation at the hearing.
5. Where the student or the student's parent or guardian cannot understand the spoken English language, an interpreter will be provided by the school.
6. The hearing officer determines the facts of the case on the evidence presented at the hearing. The hearing officer's opinion and decision, with the recommendation for disciplinary action, goes to the NCS director.
7. The NCS director states the decision in identical form to the student and parent/guardian, their representative, and the NCS site director requesting the expulsion no later than three school days following the hearing.
8. The student and parent or guardian may appeal the decision to the NCS board of directors through a written request directed to the NCS director within 72

hours after receiving the decision.

9. A parent/guardian or the student, if the student is 18 years of age or older, may waive the right to a formal hearing by completing a form entitled “Waiver, Stipulation of Facts, and Recommendation for Expulsion” (from Eugene School District 4J) if the student and parents or guardians agree to the facts and reasons the NCS site administrator has given for proposing an expulsion and they accept, or successfully negotiate, the recommended expulsion action and the alternative education option to be provided for the duration of the expulsion. The administrator must provide the student and his/her family with a copy of the school’s expulsion procedures, which informs them of their rights before they sign a waiver. This alternative process may not be used for a special education student, or if the administrator is requesting an exception to the requirement that there be a one calendar year out-of-school expulsion for a violation of the school’s weapons’ policy.

Appendix 3

Category IV Violations of the Memorandum of Understanding Substance Abuse Intervention/Networking Program

The following violations of the substance abuse memorandum of understanding while at school or any school-sponsored activity will result in a referral for an expulsion hearing.

1. Repeat of a Category III offense (Category III offenses include possession of less than 1 ounce of marijuana or alcohol, including possession by consumption; distribution of alcohol or less than one ounce of marijuana without compensation; use of toxic vapors banned by city or county ordinance)
2. Sale, distribution, or unlawful possession of a drug or any controlled substance
3. Any alcohol, drug, or controlled substance related offense that creates a substantial risk to public health
4. Driving under the influence of intoxicants (DUII). Solicitation by a student or other students to buy, sell or otherwise distribute alcohol, drugs or any controlled substance in any amount
5. Sale or distribution for compensation of alcohol to a student
6. Giving or selling hypodermic devices to a student who has no lawful/authorized use for the device.

Appendix 4
Network Charter School
Member Organizations

Le Petit Gourmet Culinary Arts Program



Address: 2550 Portland St.. Eugene, OR 97405

Phone: (541) 525-1924

Email: josh@networkcharterschool.org

Director: Josh Livie

Type of Organization: Private Business

Member Since: 2000

NCS Teachers: Josh Livie, Dena Stewart, Janet Carr, Jesse Lawton, Evan Woodward, Michelle McLaughlin

Co-Owners or Staff involved in NCS programming: Dena Stewart

Type of Program: Caterer and Network Charter School member

History

Le Petit Gourmet Bakery was founded in 1985. It was originally located in the Oasis Market on Willamette Street. After fifteen years of running a bakery, Dena Stewart, the owner of Le Petit Gourmet, decided that educating children was a goal nearer to her heart.

Le Petit Gourmet Culinary Arts Program is now a program of the Network Charter School. The Network Charter School program offers Language Arts, Social Studies, Math and Music, and Spanish and Art classes with a culinary arts component. Our Advanced Culinary Class is also a College Now course. Josh Livie is the director of LPG courses.

Mission

Our goal is to offer students an intensive course of study in the Culinary Arts. This program serves the student who hopes to continue into a college level program of culinary arts after graduation, as well as the student who hopes to get a head start in the food service job market

At the Le Petit Gourmet Culinary Arts Program, we recognize that each student has a unique style of learning. Our program is designed for the student ready to push beyond the four walls of the traditional classroom.

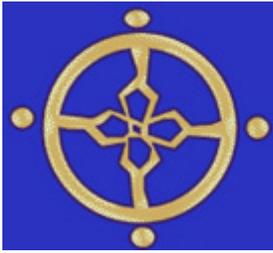
Program

Our course study is hands-on. Students receive invaluable job skills as well as life skills. For the non-traditional student, we offer a unique opportunity to explore and excel in non-academic areas of interest, in conjunction with academic requirements. This balanced approach to education re-engages the student who is at risk of disengaging from the educational process.

Courses

Culinary Arts, music, social science, English, literature, language arts, health, performing arts, journalism, and Spanish.

Materials Exchange Center for Community Arts



Address: 449 Willamette

Eugene, OR 97401

Phone: (541) 302-1810

Website: www.materials-exchange.org

Director: Mija Andrade

Type of Organization: Not-For-Profit 501c(3)

Member Since: 2003

NCS Teachers: Perry Joseph

Type of program: Community Art Education and Network Charter School member

History

M.E.C.C.A. was founded in 1999. The non-profit was created to teach people of all ages to design and build public art and to bring a retail exchange to Lane County for the reuse of scrap material.

Mission

M.E.C.C.A. provides affordable arts education to the Lane County community through hands-on opportunities for creative reuse and artistic expression. Demonstrating that much of the trash that we currently throw away is, in fact, a valuable resource, and that we are responsible for the consequences of our consumption in everyday life brings the creative process conveniently to teachers and students. Learning design and mastering skills with tools and materials are a part of the course work. Being part of a small studio setting provides a supportive environment for expression and building interpersonal skills.

Program

Students will explore the origins, properties and uses of a variety of materials for artistic expression. The use of recycled materials in art will be studied both historically and in contemporary art. Activities include elements and principles of design and lots of art-making. Media will include tile/glass mosaics, construction with inner tubes, telephone wire, and other materials, batik, instrument making, mural painting and more. Internship opportunities include teaching younger students, art marketing development and assisting in the operation of a materials exchange for artists. Low-waste materials are emphasized and the teachers share a “can-do” attitude. Students work on individual and group projects as they build community in the unique studio setting.

Courses

Graffiti, Ancient Arty Facts, Microscopic Mojo, Print making

Nearby Nature



Address: 622 Day Island Rd, Eugene OR 97401

Mailing Address: PO Box 3678, Eugene OR 97403

Phone: (541) 687-9699

Fax: (541) 687-9699

Email: info@nearbynature.org

Website: www.nearbynature.org

Director: Beth Stein and Wendy McKenzie

Type of Organization: Not-For-Profit 501c(3)

Member Since: 2003

NCS Teachers: Denise Velasco, William Hughes, Wendy McKenzie, Breckon Neat, Tom Coppilino

Type of Program: Community Education in Environmental Issues and Network Charter School member

History

At the time Nearby Nature was founded, the Eugene-Springfield area offered few if any holistic outdoor education options for teachers

and students. Nearby Nature’s founders were educators motivated to preserve local natural areas, and to help people understand the ecological footprint of their day-to-day choices. Nearby Nature became a nonprofit in 1992 shortly after its founders promoted a successful ballot measure to protect Alton Baker Park from becoming a golf course. Shortly thereafter, group members began the work of galvanizing support for converting an abandoned building into what is now the Park Host Residence of Alton Baker Park. This site has served as a base of operations for Nearby Nature since 1998.

Nearby Nature’s programs have always included nature walks for school field trips, summer day camps, on site school programs, teacher workshops and ecological restoration projects. We sponsor two major seasonal events, the Egg Walk and the Haunted Hike, featuring our costumed Kinder Critters, who dramatize the lives of native creatures in an urban wilderness through outdoor performance. Nearby Nature also offers programming to middle and high school students through the Network Charter School. Mission

Nearby Nature’s mission is to foster appreciation of nature “in our backyards” and provide tools for ecological living. Our programs emphasize hands-on activity. Nearby Nature’s programming is distinctive for its integration of the topics of nature with issues like ecologically sustainable transportation, energy and resource use, building technologies, farming and business. Nearby Nature’s programming for middle and high school students covers basic academic subjects with a focus on practical applications related to nature or ecological sustainability.

Our programs for all ages work from the perspective that nature provides examples upon which to model many aspects of our lives, including our technology, our living situations, our relationship to nature and our relations with other people. Our instructors encourage a respectful, safe environment for all students.

Programs

Our Network Charter School offerings integrate engaging, outdoor experience with practical academic material reflecting Oregon curriculum standards. Depending on the course, students earn credit for life science, language arts, math, health P.E. or social science.

Courses

Various topics in biology, ecological restoration, ecological literature, various geography topics, applied math, and the literature and science of fly fishing, survival, permaculture and green building. In several of the courses, students have opportunities to develop skills in nature guiding,

acting, teaching, and native plant restoration. Ultimate Frisbee is a NN course.

Other programs include:

Nature Walks: Guided nature tours of Alton Baker Park for schools, and groups of all ages.

Kinder Critters: Interactive, on site presentations by costumed native creatures for ages pre-k to grade 2

Summer Camps: Week long explorations of various themes in nature and ecological living, including creepy crawlies, sustainable energy use and technologies, water and watersheds, and more.

Peace Village, Inc.



PO Box 2635
Eugene, Oregon 97402
(541) 338-7001
ben@peacevillageinc.org

Director: Ben Nichols

Type of Organization: Not-For-Profit 501c(3)

Member Since: 2007

NCS Teachers: Ben Nichols, David (Many Hands) Maloney, Jami Teran

Type of Program: Community Education in the skills of peacemaking and Network Charter School member

Mission

Peace Village is dedicated to the precept that global compassion, not global violence, is our only possible future. To that end, we teach active skills in peacemaking in every form, to every age. We are always looking for new ways to live up to Gandhi's dream, to create real peace in this world, beginning with the children.

Programs

Peace Village is a multicultural network of communities, teachers,

and students from all walks of life offering curriculum in the form of summer camps, contracted courses with public and private schools, after school programs, and adult education classes. This curriculum includes nonviolent conflict resolution and traditional teachings from various cultural leaders. We also offer internships for college students interested in peace work, as well as trainings in the teaching of conflict resolution, media literacy, and environmental engagement.

Courses

Peace Out 1, Peace Out 2, Circle of Change, Coming of Age in the Age of