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## Public Charter Schools\*\*

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Public charter schools may be established as a new public school, or a virtual public school, from one or more existing public schools in the district or a portion of the school, or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonpublic sectarian school or religious institution, or encompass all the schools in the district unless the district is composed of only one school.

Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to one or more of the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

An applicant must submit a complete public charter school proposal that meets the requirements of Oregon law and includes other information required by the district in the application process. [The public charter school will be located and operated within the sponsoring district except where authorized by law.](#)

The public charter school employer will be determined with each proposal. If the district is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the district is not the sponsor of the public charter school, the district shall not be the employer and will not collectively bargain with public charter school employees.

The board will not approve any public charter school proposal when it is deemed that its value is outweighed by any direct identifiable, significant and adverse impact on the quality of the public education of students residing in the district. To meet the eligibility criteria for board approval, a public charter school proposal must meet the requirements of Oregon law, board policy and regulation. Upon request of the board, the public charter school applicant must furnish in a timely manner any other information the board deems relevant and necessary to conduct a complete and good faith evaluation of the public charter school proposal or renewal.

The district will determine if it has any vacant or unused buildings and make a list of such buildings. Buildings may be leased to a public charter school, subject to board approval and board policy.

Public charter school students shall not be permitted to participate in district curricular programs.<sup>1</sup>

Public charter school students in grades K-8 may participate in their resident district's activities that are offered before or after regular school hours. Public charter school students in grades 9-12 may participate in their resident district's available activities that are sanctioned by the Oregon School Activities Association (OSAA) when requirements found in Oregon law are met.

The district will not provide instructional materials, lesson plans or curriculum guides for use in a public charter school.

### **Virtual Public Charter School Enrollment**

The district will monthly calculate the number of students residing in the district who are enrolled in a virtual public charter school. When the percentage is more than three percent, the district may choose to not approve additional students for enrollment to any virtual public charter school, subject to the requirements in Oregon Administrative Rule (OAR) 581-026-0305(2).

The district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools;
4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
5. The number of students who reside in the district enrolled in private schools located within the school district.

If enrollment in a virtual charter school is not approved, the district will send a notice of disapproval to the parent of the student who has sent to the district a notice of intent to enroll in a virtual public charter school within 14 calendar days of receipt of the notice of intent to enroll.

A parent may appeal a decision of a school district to not approve a student for enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

The superintendent will develop administrative regulations to include, but not limited to, the proposal process, review and appeal procedures and program evaluation, renewal, and termination.

END OF POLICY

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

[ORS 327.077](#)

[ORS 327.109](#)

[ORS 332.107](#)

[ORS Chapter 338](#)

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<sup>1</sup> Unless allowed by Oregon law related to OSAA-sanctioned activity participation.

[ORS 339.141](#)

[ORS 339.147](#)

[ORS 339.450](#)

[ORS 339.460](#)

[OAR 581-026-0005](#) to [-0710](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 ([2018](#)).

[Senate Bill 767 \(2023\)](#)