

# OSBA Model Sample Policy

Code:

LBE

Adopted:

3/13/00

## Public Charter Schools\*\*

The district recognizes that public charter schools offer an opportunity to create new, innovative and more flexible ways of educating students in an atmosphere of learning experiences based on current research and development. 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.

Public charter schools may be established as a new public school, from an existing public school 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 ~~nonsectarian nonpublic sectarian~~ school or religious institution or encompass all the schools in the district unless the district is composed of only one school.

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 Revised Statutes ~~law~~, Oregon Administrative Rules, 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.

The district will determine if it has any unused or underutilized buildings. Buildings may be made available for public charter school use, subject to Board approval. Approved use may be limited to instructional purposes only. Appropriate-use fees will be determined by the Board. Public charter school use outside the district's instructional day will be subject to Board policy KG - Community Use of District Facilities and accompanying administrative regulation.

~~Public charter school students may, upon request, be allowed to participate in district programs such as physical education, instrumental and vocal music offerings or other selected options if space and materials are available. Students must adhere to state law, Board policies, regulations and rules concerning conduct and discipline. Public charter school students shall not be permitted to participate in district curricular programs.~~

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 the requirements found in Oregon law are met .

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

The public charter school employer will be determined with each proposal. If the Board ~~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 Board ~~district~~ is not the sponsor of the public charter school, ~~it the district~~ shall not be the employer and will not collectively bargain with public charter school employees.

The district will ~~annually [by October 1]~~ semiannually [by October 1 and April 1] ~~[by [December 1]]~~<sup>3</sup>, 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.

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.

This does not apply to the Oregon law related to OSAA-sanctioned activity participation.

Unless allowed by Oregon law related to OSAA-sanctioned activity participation

<sup>3</sup> [Per OAR 581-026-0305(7)(a) the district must choose OAR annual, semi-annual or other date used for calculation; dates are provided as a recommendation only.]

The superintendent will develop administrative regulations for public charter schools to include the proposal process, review and appeal procedures and charter agreement provisions.

END OF POLICY

---

**Legal Reference(s):**

ORS 327.077

ORS 327.109

ORS 332.107

ORS Chapter 338

ORS 339.141

ORS 339.147

~~ORS 339.460~~

OAR 581-026-0005 - 0515

~~OAR 581-026-0700~~

~~OAR 581-026-0710~~

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2012).

