

BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT

Subject: **Public Charter Schools**

Policy Number: **LBE** Effective Date: **6/2020**

Date of Original Policy and Revisions: **10/00, 11/06, 9/07, 12/10, 12/11, 5/13, 10/14**

Cancels Policy No.: _____ Dated: _____

Date of Next Review: **6/2023**

POLICY

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 or affiliate itself with a nonpublic sectarian school or religious institution. The District's schools may not be entirely comprised of public charter schools.

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 policies and District administrative rules. Upon request of the Board or Superintendent, the public charter school applicant must furnish in a timely manner any other information the Board or Superintendent deems relevant and necessary to conduct a complete and good faith evaluation of the 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 students may, upon Superintendent or designee approval, be allowed to participate in District programs such as physical education, instrumental and vocal music offerings, or other selected

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options if space and materials are available.¹ Students must adhere to state law, Board policies, and District and school regulations and rules concerning conduct and discipline.

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 not provide instructional materials, lesson plans, or curriculum guides for use in a public charter school. In the case of a special education student who is served by the District, the District may provide instructional materials, lesson plans or curriculum guides if a student's individualized education program (IEP) requires the use of such materials.

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 employer of the public charter school, it will not collectively bargain with public charter school employees.

The District will annually calculate the number of students residing in the District who are enrolled in a virtual public charter school. When the percentage is three percent or above, 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.

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

REPORTS

None.

¹ This does not apply to the Oregon law related to OSAA-sanctioned activity participation.

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ATTACHMENTS

None.

END OF POLICY

REFERENCES / COMMENTS

[ORS Chapter 338](#)

[ORS 339.141](#)

[ORS 339.147](#)

[ORS 327.077](#)

[ORS 327.109](#)

[ORS 332.107](#)

[ORS 339.460](#)

[OAR 581-026-0700](#)

[OAR 581-026-0710](#)

[OAR 581-026-0005 – 0515](#)

Every Student Succeeds Act of 2015, 20 U.S.C. §§ 6311-6322 (2015).

[Bethel Administrative Rule LBE: Public Charter Schools](#)