

Greater Albany SD 8J Board Policy

Code: **LBE**
Adopted: 1/13/00
Revised: 5/20/02; 6/26/06;
8/13/07

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 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 or guardians¹ 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 school or religious institution or encompass all the schools in the district unless the district is composed of only one school.

¹As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, and adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

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, Oregon Administrative Rules, Board policy and regulation. Upon request of the district, the public charter school applicant must furnish in a timely manner any other information the district 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. 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.

The district 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 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 is not the sponsor of the public charter school, it shall not be the employer and will not collectively bargain with public charter school employees.

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

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 125.005\(4\)](#)
[ORS 125.300-125.325](#)
[ORS 181.539](#)
[ORS 326.603](#)
[ORS 326.607](#)
[ORS 327.077](#)
[ORS 327.109](#)
[ORS 329.045](#)
[ORS 332.107](#)
[ORS 337.150](#)
[ORS Chapter 338](#)

[ORS 339.141](#)
[ORS 339.147](#)

[ORS 339.155](#)
[ORS 342.125](#)
[ORS 342.127](#)
[ORS 342.143](#)
[ORS 342.165](#)
[ORS 342.175](#)
[ORS 342.180](#)
[ORS 342.232](#)
[ORS 342.815](#)
[ORS 419B.373](#)
[ORS 659.155](#)

[OAR 581-015-005\(18\)](#)

[OAR 581-020-0300 to -0340](#)

No Child Left Behind Act of 2001, P.L. 107-110, Title I, Sections 111-1120B.