

Eugene School District 4J

Code: **LBE**

Adopted: 10/20/99

Revised/Readopted: 4/12/00; 12/20/00; 4/30/03;
12/21/05; 10/21/09; 12/17/14

Orig. Code(s): 7226

Public Charter Schools

Under Oregon law, 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 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, 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.

Within 30 days of a written request, 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 district.

Virtual Public Charter School Enrollment

The district will annually by December 1, 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 a virtual public charter school, subject to the requirements in Oregon Administrative Rule 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.

“In District” Charter Schools

An “in district” charter school is defined as a conversion of an existing public school or a portion of an existing public school or the creation of a new school under the direction of district staff with the Eugene School District as the employer and the sponsor.

“In district” charter schools shall meet the following minimum standards:

1. All “in district” charter school planning grant and proposals shall be reviewed by a joint Eugene Education Association and Eugene School District 4J committee prior to submission;
2. All licensed staff shall be subject to the current collective bargaining agreement between the Eugene Education Association and Eugene School District 4J. The working conditions of all district staff covered by the district/EEA collective bargaining agreement, shall be subject to the terms of the collective bargaining agreement and if any term of this charter school policy conflicts with the collective bargaining agreement, the terms of the collective bargaining agreement shall prevail;

3. “In district” charter schools shall be governed by their own individual governing body, to be appointed by the superintendent. The Eugene Education Association will name at least one member of each charter school governing body;
4. Placement of licensed staff shall be in accordance with existing District 4J voluntary transfer and vacancy policies. Implementation grant funds shall not be used for regular licensed staff;
5. Licensed staff that self identify as being incompatible with an “in district” charter school philosophy shall be placed in a district non-charter school;
6. No licensed positions shall be contracted out by individual charter schools, unless they are normally contracted out by district regular schools;
7. There shall be direct involvement of all affected school employees in the “in district” charter school’s design, implementation and governance;
8. All teachers and specialists shall be properly licensed by TSPC and assigned in their licensure area;
9. All “in district” charter schools shall place an emphasis on addressing the “achievement gap” or similar district board concerns;
10. All “in district” charter schools shall be subject to the same state standards and laws as the regular district schools;
11. All administrators assigned to “in district” charter schools shall be properly licensed by TSPC;
12. No “in district” charter school shall include the word “Charter” in its title;
13. All appropriate conditions and terms included in current district board policy and any subsequently developed board policies shall be followed.

Board Immunity

The district, members of the Board and employees of the district are immune from civil liability with respect to the public charter school’s activities. This immunity does not apply to “in district” charter schools.

Administrative Rules

The superintendent will develop administrative rules for public charter schools to include the proposal process, review and appeal procedure 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](#)

[OAR 581-026-0005 to -0515](#)

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6311-6322 (2006).