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**School District No. 1 meets Oregon statutory and regulatory requirements to be considered a non-profit organization.**

## 6.70.010-P Charter Schools

charter school within the boundaries of Portland School District No. 1J.

- (6) "Public charter school" means an elementary or secondary school, which offers a comprehensive instructional program, operating under a written agreement entered into between a sponsor and an applicant and operating

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- (g) Create new professional opportunities for teachers;
- (h) Establish additional forms of accountability for schools; and
- (i) Create innovative measurement tools.

### III. Source of Public Charter Schools

- (1) A public charter school may be established:
  - (a) As a new public school;
  - (b) From an existing public school, or a portion of the school; or
  - (c) From an existing alternative education program.

### IV. Non-Conversion of Private or Sectarian Schools

- (1) To the extent prohibited by state law, a public charter school may not:
  - (a) Convert an existing tuition-based private school into a charter school, or contract with a tuition-based school or institution, for the provision of a comprehensive instructional program;
  - (b) Affiliate itself with a non-public sectarian school or religious institution; or
  - (c) Encompass all the schools in the district.

### V. Approval Criteria

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students and other community members, including comments received at the public hearing required by Oregon Revised Statutes 338.055. The application should demonstrate how the proposed public charter school would further the mission, core values and strategic objectives of the district.

- (b) The demonstrated financial stability of the public charter school or the detailed plan for financial operations of a new school.
- (c) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs to students pursuant to an approved proposal, including the professional qualifications of staff.
- (d) The capability of the applicant, in terms of support and planning, to specifically provide, pursuant to an approved proposal, comprehensive instructional programs to students identified as academically low achieving and the arrangements, if any, through which the needs and requirements of special education students and English Language Learners will be met. The district retains responsibility for providing appropriate programs for students in need of special education services.
- (e) The extent to which the proposal addresses the statutory requirements for a complete application contained in Oregon Revised Statutes 338.045.
- (f) With respect to a public charter school established from an existing public school or a portion of the school, whether there are alternative arrangements for students and teachers and other school employees who choose not to attend or who choose not to be employed by the public charter school; and

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- (g) Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact on the quality of the public education of students in the school district in which the public charter school will be located.
- (i) A "directly identifiable, significant and adverse impact" is defined as an adverse loss or reduction in staff, student, program or funds that may reduce the quality of existing district educational programs. This may include, but is not be limited to, the following current data as compared to similar data from preceding years:

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and administrative staff of the public charter school will hold valid Oregon Teaching licenses.

- (j) The exist

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### VIII. Transportation

- (1) The district is not responsible for transportation of students attending a public charter school. However, if there is space available on an existing district bus route, a charter school student may be transported in accordance with hitcher provisions in district transportation procedures.

### IX. Status of Employees

- (1) The public charter school shall be the employer of any employees at the public charter school and shall control the selection of employees at the school. The district shall not be the employer of the public charter school and will not collectively bargain with the public charter school employees. In the case of an existing Portland public school converting to a public charter school, existing staff members who chose not to be employed at the public charter school will be provided an opportunity to transfer to another Portland Public School in accordance with the negotiated agreements and transfer policies of the Portland Public Schools Board of Education. Existing Portland Public Schools staff members who wish to work in an approved public charter school shall be granted a minimum of a two year leave of absence in a manner agreed upon in the negotiated agreement.
- (2) At least 50% of the public charter school full time equivalent (FTE) of teachers and administrative staff must possess a valid Oregon teaching or administrative license.
- (3) Employees of an existing alternative education program that converts to a public charter school shall continue to be employed by the charter school.
- (4) Employees of a new school shall be considered employees of the public charter school.

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### X. Reporting, Evaluation and Audit Requirements

- (1) The public charter school shall report in writing on an annual basis to the Portland Public Schools Board of Education and to the parents and community of the public charter school on the academic performance of students in the school and demonstrate compliance with the provisions of the charter agreement with the Board.
- (2) Public charter schools are required to administer all Portland Public Schools and State of Oregon assessments for determining student progress toward the Certificates of Initial and Advanced Mastery and attainment of state and local student performance standards. Results of these assessments shall be reported to parents of students in the school and to the Portland Public Schools Board of Education. The Portland Public Schools Board of Education may designate an external entity to evaluate the success of the academic program of the public charter school.
- (3) Public charter schools shall be required to prepare an annual School Improvement Plan and submit this plan to the Portland Public Schools Board of Education and to the charter school parents and community. These plans shall include an analysis of student performance data and growth in achievement, accomplishment of the previous year's established goals for the school, the revised improvement goals for the school, the action plan to achieve those goals and the evaluation plan to measure accomplishment of the goals. The parents and community of the public charter school shall be provided an opportunity to provide input to the revisions to the School Improvement Plan.
- (4) The public charter school shall provide to the Portland Public Schools Board of Education an annual audit of accounts in accordance with the Oregon Municipal Audit Law. IO Or 0 12 165.60027 o31qpec810/ Tm(mplishme)T5

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- (5) Members of the Portland Public Schools Board of Education, Superintendent or Superintendent's designee may visit an approved public charter school at any time during normal business hours for purposes of monitoring progress of implementation of the agreement between the Board and the public charter school. There shall be at least one annual on-site visit by the Board or the Board's designee to review compliance with the provisions of the agreement between the Board and the public charter school and to review growth in student achievement.

### XI. Termination of the Charter

- (1) The agreement between the Board and the public charter school may be terminated in accordance with provisions in Oregon Revised Statutes 338.105 on any of the following grounds:
- (a) Failure to meet terms of the charter agreement with the Board;
  - (b) Failure to comply with provisions of Oregon Revised Statutes Chapter 338;
  - (c) Failure to meet requirements for student achievement growth, violation of other federal, state or local laws or ordinances;
  - (d) Failure to maintain appropriate insurance; and
  - (e) Failure to maintain financial stability.
- ~~(2) 60 days before termination~~ (2) If a charter is terminated under provisions of ORS 338.105(1), the district shall notify the public charter school governing body at least 60 days prior to the proposed effective date of the termination. The notice

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ORS 339.141, 339.155; ORS 342.125, 342.127, 342.143, 342.165, 342.175, 342.180, 342.232, 342.815; ORS 659.155; OAR 581-020-0300-0340

History: Adpt 9/11/00, BA 1469; Amended 6-13-2005, BA 3331, Amended 8-8-2005, BA3064

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