

## Charter School Equity Grant Rules

### 581-017-0765 Charter School Equity Grant: Definitions

The following definitions apply to OAR 581-017-0765 to 581-017-0777:

- (1) "ADMw" means the extended weighted average daily membership computed as provided in ORS 327.013(1)(c).
- (2) "Charter School Equity Grant" means the grant established by ORS 327.362.
- (3) "Charter School" means a public charter school that is not a virtual public charter school, as defined in ORS 338.005.
- (4) "Fall Membership" means the data report that represents students attending public schools and programs on the first school day in October, as derived from the 1<sup>st</sup> period cumulative average daily membership collection. Rules governing the Fall Membership report are contained in the most recent edition of the Oregon Student Membership Manual, published by the Oregon Department of Education.
- (5) "Racial or ethnic groups that have historically experienced academic disparities" includes American Indian and Alaska Native students, Black and African American students, Hispanic and Latino students, Native Hawaiian and Pacific Islander students, and multiracial students.
- (6) "Spring Membership" means the data report that represents students attending public schools and programs on the first school day in May, as derived from the 3<sup>rd</sup> period cumulative average daily membership collection. Rules governing the Spring Membership report are contained in the most recent edition of the Oregon Student Membership Manual, published by the Oregon Department of Education.
- (7) "Students with disabilities" means students as provided in OAR 581-014-0001.
- (8) "December Special Education Child Count" means the data report that represents the requirement of school districts to count students ages 5-21 that have an Oregon Eligibility for Special Education, a current Individualized Education Plan (IEP) or Service Plan, and are receiving services on December 1.

Stat. Auth ORS 327.362

Stat. Implemented ORS 327.362

### 581-017-0768 Charter School Equity Grant: Eligibility

- (1) Public charter schools shall be eligible to receive a Charter School Equity Grant if the charter school:
  - (a) Is not a virtual public charter school;
  - (b) Has a student population of which at least 65 percent of the total student population is composed of students from the following combined student groups:
    - (A) Racial or ethnic groups that have historically experienced academic disparities; and
    - (B) Students with disabilities
- (2) Before each application cycle, the Department of Education will publish a list of public charter schools that meet the eligibility requirements of ORS 327.362.
  - (a) For public charter schools that have been in operation for one or more years, the Department will determine eligibility based on the most recent finalized Spring Membership report.

- (b) For public charter schools that are in their first year of operation during a grant cycle year, the Department will determine eligibility based on the most recent finalized Fall Membership report and the December Special Education Child Count report.
- (3) Each eligible charter school shall provide notice before each application cycle to the Department of their intent to apply for the grant according to the process published by the Department and within the time allowed by the Department which shall not be less than 14 days. Notice must include a copy of the charter school's contract for the provision of educational services and funding under ORS 338.155 (2) or (3).
- (a) A charter school that did not provide notice of their intent to apply may not be eligible to receive a grant in the current application cycle.

Stat. Auth. ORS 327.362

Stat. Implemented ORS 327.362

#### **581-017-0771 Charter School Equity Grant: Criteria**

- (1) The Oregon Department of Education shall establish an application and approval process to be conducted each biennium for which Charter School Equity Grant funds are available. The Department shall notify eligible applicants of the proposal process and due dates, and make available necessary guidelines and application forms.
- (2) All applications must comply with requirements of ORS 327.362 and in the form and manner prescribed by the Department of Education.
- (3) Upon approval of the grant application, the Department shall enter into a grant agreement with the eligible public charter school.

Stat. Auth. ORS 327.362

Stat. Implemented ORS 327.362

#### **581-017-0774 Charter School Equity Grant: Distribution of Funds**

- (1) The Department of Education shall determine for each year the portion of the funds available for the Charter School Equity Grant program from the Statewide Education Initiatives Account.
- (2) For purposes of establishing the amount of grant funds apportioned to eligible applicants for the upcoming school year the Oregon Department of Education will use the most current finalized ADMw from the State School Fund from the prior year at the time when the list of eligible public charter schools was published according to OAR 581-017-0768.
- (3) The Department shall determine the amount of the grant for each recipient based on the following formula: Grant Amount = the public charter school's ADMw x the difference between:
  - (a) The amount of the General Purpose Grant per ADMw for the school district that has contractually established payment for the provision of educational services to the public charter school's students under ORS 338.155 (2) or (3); and
  - (b) The amount of the General Purpose Grant per ADMw that the public charter school receives under a contract for the provision of educational services to the public charter school's students under ORS 338.155 (2) or (3).
- (4) The Department may apply a prorate to determine primary and secondary ADMw amounts.

- (5) If the sum of the amounts for each grant as determined in subsection (3) exceeds the total amount available to the Charter School Equity Grant program, the Department may prorate the amount of the grant distributed to each eligible recipient.
- (6) Funds received by a charter school under this section must be separately accounted for and may be used only to provide funding for the purposes described in the grant agreement. A grant recipient may use funds for administrative costs, including indirect costs, directly related to allowed expenditures as provided in the grant agreement. Administrative costs are limited to five percent of the total expenditures.
- (7) The Deputy Superintendent of Public Instruction shall resolve any issues arising from the administration and distribution of grant funds not specifically addressed in this rule. The Deputy Superintendent of Public Instruction's determination shall be final.

Stat. Auth. ORS 327.362

Stat. Implemented ORS 327.362

#### **581-017-0777 Charter School Equity Grant: Reporting**

- (1) Each year, a recipient of the Charter School Equity Grant must report in the manner and form required by the Department.

Stat. Auth. ORS 327.362

Stat. Implemented ORS 327.362

Adopted January 19, 2023 (2nd Rule Revision since first adoption May 19, 2022)