

**DIVISION 26**  
**PUBLIC CHARTER SCHOOLS**

KP 10/18/17

**581-026-0005**

**Definitions**

- (1) "Applicant": An applicant means any person or group that develops and submits a written proposal for a public charter school to a sponsor.
- (2) "District School Board": The board of directors of a common school district or a union high school district (ORS 332.002(1)).
- (3) "Interscholastic activities": Athletics, music, speech and other similar or related activities that are:
- (a) Operated by the district;
  - (b) Not part of the public charter school student's comprehensive instructional program; and
  - (c) For which the district participates in and is sanctioned by the Oregon School Activities Association (OSAA).
- (4) "Public Charter School": A public charter school means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between a sponsor and an applicant and operating pursuant to ORS 338.
- (5) "Sponsor": A sponsor of a public charter school means:
- (a) The board of the common school district or the union high school district in which the public charter school is located that has developed a written charter with an applicant to create a public charter school.
  - (b) The State Board of Education pursuant to ORS 338.075.
  - (c) An institution of higher education pursuant to ORS 338.075.
- (6) "Virtual Public Charter School": A public charter school as defined in ORS 338.005(6) and 581-026-0300.

Stat. Auth.: ORS 338.025

Stats. Implemented: ORS 338

Hist. ODE 10-2014, f. & cert. ef. 2-19-14

**581-026-0700**

**Participation in District Interscholastic Activities for Students Who Attend a Public Charter School**

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(1) A school district may not deny a student who attends a public charter school the opportunity to participate in interscholastic activities if the following requirements are met:

(a) The student resides within the school district;

(b) The student attends a public charter school that is not a full member of the Oregon School Activities Association (OSAA);

(c) The student attends a public charter school that does not participate in any activities sanctioned by OSAA;

(d) The student who attends a public charter school meets all of the eligibility requirements in ORS 339.460 and;

(e) The student fulfills the same responsibilities and standards of behavior and performance, including related class or practice requirements, as other students who participate in the interscholastic activity. The student must comply with any applicable participant code of conduct for the duration of the period of participation.

(2) As used in the section, “resides” means: the student lives within the attendance boundaries of the school district as per ORS 339.133.

Stat. Auth.: ORS 326.051 and 338.025

Stats. Implemented: ORS 339.460

## 581-026-0705

### Interscholastic Activities Eligibility Requirement for Students Who Attend a Public Charter School

(1) A student who attends a public charter school may participate in interscholastic activities in his or her resident district's attendance area if the student meets all of the requirements of ORS 339.460 and:

(a) Achieve a minimum score that places the student at or above the 23rd percentile, based on national norms, on an examination from the list the State Board of Education adopts under ORS 339.035. The student must take the examination at the end of each school year, and the student's parent or legal guardian must submit the results to the school district for use in determining eligibility for the following year; and

(b) Meet alternative requirements that a school district adopts, in consultation with the student's parent or legal guardian, to participate in interscholastic activities, including but not limited to a requirement that a student submit a portfolio of work samples to a school district committee for review to determine whether the student is eligible to participate in interscholastic activities.

(2) Notwithstanding subsection (1)(b) of this rule, any student attending a public charter school may participate in interscholastic activities while awaiting test score results.

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(3) A school district may adopt alternative requirements, in consultation with the parent or legal guardian of a student who attends a public charter school, that a student must meet to participate in interscholastic activities, including but not limited to a requirement that a student submit a portfolio of work samples to a school district committee for review to determine whether a student is eligible to participate in interscholastic activities.

(4) A student who attends a public charter school must fulfill the same responsibilities and standards of behavior and performance, including related class or practice requirements, as other students who participate in the interscholastic activity of the team or squad and must meet the same standards for acceptance on the team or squad. The student must also comply with all public school requirements during the time of participation.

Stat. Auth.: ORS 326.051 and 338.025

Stats. Implemented: ORS 339.460

#### **581-026-0710**

##### **District Fees for Interscholastic Activities for Students Who Attend a Public Charter School**

(1) A public charter school must pay a school district or school an annual fee if a student who attends a public charter school intends to participate in an interscholastic activity.

(a) As used in this section, “intends” means: the student is enrolled at the public charter school, has met the eligibility requirements to participate in the interscholastic activity, and has been added to the roster of the interscholastic activity.

(b) The fee may not exceed five percent (5%) of the school district’s General Purpose Grant per ADMw as calculated under ORS 327.013 per fiscal year regardless of the number of interscholastic activities the student participates in.

(2) Notwithstanding section (1), a public charter school must pay an additional annual fee if the student who attends the public charter school participating in an interscholastic activity which requires the student to enroll in a course for credit.

(a) The public charter school and the school district must enter into an agreement for the payment; and

(b) The fee may not exceed five percent (5%) of the school district’s General Purpose Grant per ADMw as calculated under ORS 327.013 per course for credit per year.

(c) A course for credit shall be limited to secondary courses for credits on a high school diploma.

(3) Fees shall be based on the Oregon Department of Education’s most recent published State School Fund Estimates on or before August 31 of the year in which the student participates.

Stat. Auth.: ORS 326.051 and 338.025

Stats. Implemented: ORS 339.460