

Oregon State Board of Education

May 19, 2016

<p>SUBJECT: Lighthouse Charter School Waivers and Asset Distribution STAFF NAME & OFFICE: Kate Pattison & Cindy Hunt, Office of the Deputy Superintendent of Public Instruction</p> <p>SUMMARY: The Lighthouse Charter School will be moving to a new facility under the sponsorship of a new district beginning in the 2016-17 school year. The charter school is requesting a waiver of the dissolution timeline and for students who are currently enrolled to be given priority enrollment in the new school. The charter school is also requesting that the public assets be transferred to the new school.</p> <p><input type="checkbox"/> New Rule <input type="checkbox"/> Amend Existing Rule <input type="checkbox"/> Repeal Rule</p>	<p><input checked="" type="checkbox"/> Consent Agenda</p> <p><input type="checkbox"/> First Reading</p> <p><input type="checkbox"/> Action (Adoption)</p> <p><input type="checkbox"/> Information</p>
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BACKGROUND

The State Board of Education has the authority to waive certain statutes for public charter schools to allow additional flexibility (ORS 338.025 and OAR 581-026-0130) and the responsibility to distribute the public assets of charter school upon dissolution (ORS 338.105(6) and OAR 581-026-0515). Oregon Department of Education staff receives and reviews the waiver requests using the State Board approved process for public charter school waivers and processes asset distributions on behalf of the State Board.

The Lighthouse School is a public charter school within the North Bend School District serving children throughout Coos County and as far north as Reedsport. The school opened in 2002 and current serves about 215 students in grades K-8. The mission of The Lighthouse School is to provide students and their families with a challenging and creative learning environment dedicated to academic excellence. They use an eclectic approach to holistic education, creating an atmosphere in which children can reach their social, creative, and intellectual potential.

Over the last three years, The Lighthouse School has been searching for a new facility. Due the limited availability of facilities in the rural and remote area in the North Bend School District, the charter school began to look outside the district boundaries. Lighthouse was successful and found a new facility within the Coos Bay School District. In February 2016, Lighthouse notified the North Bend School District of their intent to terminate their charter contract at the end of the 2015-16 school year and seek sponsorship by the Coos Bay School District. This notice did not meet the required 180 day notice in ORS 338.105(7) and the school is requesting a waiver of this requirement. The charter school and the North Bend School District support the dissolution and waiver request.

The Coos Bay School District has since approved The Lighthouse School charter proposal and agreed to sponsor the charter school to begin operation in the 2016-17 school year. In order for the school to allow currently enrolled students to continue their enrollment in the public charter school under new sponsorship, the school is requesting a waiver to give priority enrollment to all students who were enrolled in The Lighthouse School during the 2015-16 school year. The State Board has

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approved similar waivers for charter schools that have successfully sought sponsorship by another district. Currently, 45% of students enrolled in The Lighthouse School reside in the Coos Bay School district and 52% come from North Bend School District. The school anticipates more students from the Coos Bay School District will enroll, and some from North Bend will not follow the school. The Coos Bay School District supports this waiver request.

When a public charter school changes sponsorship, it is actually the dissolution of one school and the establishment of another school since one contract is terminated or ends and a new contract is executed. For this reason, a public charter school that has a new sponsor must request that the assets of the public charter school be distributed by the State Board to the new school under new sponsorship. According to ORS 338.105(6)(a), the State Board “may disburse the assets of the public charter school to school districts or other public charter schools.” The lighthouse School has requested the assets to be transferred to the new school sponsored by the Coos Bay School District. The Coos Bay School District supports this request. The North Bend School District has not made any claim to the assets of The Lighthouse School under their sponsorship.

SUMMARY OF PREVIOUS BOARD ACTION

The State Board has not made any previous actions like these requested for this specific school. However, the State Board has approved two similar waivers for enrollment priority when a school has changed sponsorship. The State Board has also approved three similar request for assets to be disbursed to a charter school when the school changed sponsorship.

POLICY ISSUE OR CONCERNS

None.

CHANGED SINCE LAST BOARD MEETING? (IF APPLICABLE)

- N/A; first read—hasn’t been before board
- No; same as last month
- Yes – As follows: A letter of support from the North Bend School District Superintendent regarding the asset distribution has been included as an attachment.

EFFECT OF A “YES” OR “NO” VOTE (AS APPROPRIATE)

If “YES” – The Lighthouse School will be able to effectively transfer their school to new sponsorship in the Coos Bay School Districts, with currently enrolled students having priority access to the school and all public assets following the school.

If “NO” – The Lighthouse School may not be able to continue operating due to lack of facilities in the North Bend School District, or lack of resources to replace assets, and/or some students who were previously enrolled may not be able to continue their enrollment in the school.

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STAFF RECOMMENDATION

Approve Approve next month No recommendation at this time

Hearing Date:

Prompted by:

State law changes Federal law changes other

1. Approve the request to waive the 180 termination notice as required in ORS 338.105(7).
2. Approve the request to waive the lottery and give priority enrollment for the 2016-17 school year for students who were enrolled in the North Bend School District sponsored Lighthouse School in the 2015-16 school year.
3. Approve the request for public assets to be disbursed to the new Lighthouse School sponsored by the Coos Bay School District upon dissolution of the North Bend School District sponsored Lighthouse School.

As per the preference of the State Board, these requests may be considered as one item or separate items in May.

ATTACHMENTS

Attachment 1: Lighthouse letter of dissolution Feb 2016.pdf

Attachment 2: Lighthouse Requests.pdf

Attachment 3: Lighthouse Assets Inventory.xlsx

Attachment 4: Lighthouse Asset Letter from NBSD.pdf