

**BETHEL SCHOOL DISTRICT #52
BOARD OF EDUCATION POLICY STATEMENT**

Subject: **Resident Student Denial for Virtual Public Charter School Attendance**

Policy Number: LBEA Effective Date: 2/2024

Date of Original Policy and Revisions: 6/20, 1/21

Cancels Policy No.: _____ Dated: _____

Date of Next Review: 2/2027

POLICY

The District is not required to approve a transfer of a resident student, when more than three percent of the students residing in the District are attending a virtual public charter school not sponsored by the District. The District will semiannually, by October 1 and April 1, calculate the percentage of students residing in the District, who are attending a virtual public charter school not sponsored by the District. When the established percentage is more than three percent, the District may not approve additional students enrollment to such a virtual public charter school.

A parent must give notice to the District of intent to enroll their student in a virtual public charter school not sponsored by the District, before enrolling their student in such a school and notice of actual enrollment.

If the District is not approving the enrollment, the District must respond with a decision to not give approval within 10 calendar days of receipt of the notice of intent from the parent. Such decision must include:

1. The percentage of students in the District that attend virtual public charter schools that are not sponsored by the District, based on recent calculations;
2. The right to appeal the decision to the State Board of Education;
3. A list of two or more other online options available to the student; and
4. A copy of OAR 581-026-0305 and OAR 581-026-0310.

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 District to not approve a student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

If the student was enrolled in a virtual public charter school while living in another district and has maintained continuous enrollment in such school since moving into, and residing in this District, approval is not required.

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REPORTS

None.

ATTACHMENTS

None.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 338.125](#)

[OAR 581-026-0305](#)

[OAR 581-026-0310](#)

[House Bill 3024](#) (2023).