

SCHOOL CHOICE MATTERS

Oregon Policy Report

Introduction

PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



Open Enrollment in Oregon

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p>LIMITED</p> <p>Sending and/or receiving districts have discretion over transfers</p>	<p>Oregon Statute provides that districts may enter into contracts with district school boards of other districts for the admission of students in schools of the other district. Expenses are to be paid by the district sending the students.</p> <p>(ORS 339.125 Contract for admission of nonresident pupils)</p> <ul style="list-style-type: none"> • Oregon has promulgated rules relating to interdistrict transfers. <p>Oregon Administrative Rules confirm that districts may allow for interdistrict transfers pursuant to agreements between districts.</p> <p>(OAR 581-021-0019 Interdistrict Transfer Agreement)</p> <p>Oregon statute provides for certain factors that districts are prohibited from considering when giving consent to nonresident students.</p> <p>(ORS 339.127 Factors prohibited from consideration when giving consent to nonresident student; ORS 339.128 Factors prohibited from consideration when admitting tuition-paying nonresident student)</p> <p>Districts may also consider transfer requests outside of the district’s interdistrict transfer policy where a hardship exists.</p> <p>(OAR 581-021-0019 Interdistrict Transfer Agreement)</p>

<p>Transfers Within Districts</p>	<p>NO No policy</p>	<p>Unable to locate policy relating to intradistrict open enrollment.</p>
<p>Year-round Transfer Window</p>	<p>LIMITED Restricted transfer window</p>	<p>Oregon allows local schools to determine transfer priorities and deadlines. <i>(See, for example, Portland Public Schools, Interdistrict Transfers)</i></p>
<p>Tuition-Free Public Schools</p>	<p>LIMITED Tuition can be charged</p>	<p>School districts that admit nonresident students may charge nonresident students tuition, but the district is prohibited from using certain factors in consideration of charging tuition. <i>(ORS 339.115 Admission of students; ORS 339.128 Factors prohibited from consideration when admitting tuition-paying nonresident student)</i></p> <p>Generally, however, school districts are prohibited, under Oregon statute, from charging tuition for students participating in the regular school program. District boards and public charter schools may establish tuition rates to be paid by students and families receiving instruction in educational programs, classes or courses of study, which are not part of the regular school program. <i>(ORS 339.141 Tuition prohibited for regular school program)</i></p> <p>Oregon Statute further prohibits the requirement of tuition payments for courses not part of the regular school program from students who are members of a low-income family in an amount in excess of what the low-income family may receive. <i>(ORS 339.147 When tuition authorized)</i></p>
<p>School Capacity Transparency</p>	<p>NO No transparency policy</p>	<p>Unable to locate policies relating to publicly reporting capacity in school districts by school and grade level.</p>
<p>Transfer Data Transparency</p>	<p>NO No transparency in data reporting</p>	<p>Unable to locate policies that require the Oregon Department of Education to collect and publicly report district-level open enrollment data.</p>

<p>Transparent Appeal Process</p>	<p>NO</p>	<p>Unable to locate policies relating to a process for a parent to appeal a district’s denial of transfer.</p>
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SOURCE CITATIONS

Statutes	Administrative Code	State Department of Education
<p>ORS 339.125 Contract for admission of nonresident pupils</p> <p>ORS 339.127 Factors prohibited from consideration when giving consent to nonresident student; ORS 339.128 Factors prohibited from consideration when admitting tuition-paying nonresident student</p> <p>ORS 339.128 Factors prohibited from consideration when admitting tuition-paying nonresident student</p> <p>ORS 339.141 Tuition prohibited for regular school program</p> <p>ORS 339.147 When tuition authorized</p>	<p>OAR 581-021-0019 Interdistrict Transfer Agreement</p>	<p>Oregon Department of Education, Transfers Between Districts</p>



Charter Schools in Oregon

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p>LIMITED</p> <p>No real authorizer options</p>	<p>Oregon Statute governs charter schools and requires public charter schools to be approved by “sponsors.”</p> <p>Oregon Statute requires applicants to first submit proposals to the school district board of the school district within which the public charter school will be located. Applicants must provide the State Board with a copy of any proposal submitted to a school district board and a copy of the approval by the school district board.</p> <p>(ORS 338.035 Establishment requirements)</p> <p>Sponsors of charter schools may include:</p> <ul style="list-style-type: none"> • The board of the common school district or the union high school district in which the public charter school is located; or • The State Board of Education <p>(ORS 338.005 Definitions for chapter)</p>
<p>Charter Appeal Process</p>	<p>YES</p> <p>Independent appeals process</p>	<p>Oregon Statute provides that a school district board may disapprove a proposal if the applicant does not provide a proposal that is complete, after having a reasonable opportunity to complete the proposal. If the board disapproves the proposal, the applicant may appeal the decision to the State Board. The State Board then reviews this proposal for completeness only.</p> <p>Following a decision to deny the proposal, the applicant may amend the proposal to address objections and any suggested remedial measures and resubmit the proposal to the school district board. If the proposal is not approved after resubmitting, the applicant may appeal this to the State Board.</p> <p>(ORS 338.055 Evaluation process and criteria)</p> <p>Oregon Statute provides that if a school district board denies a proposal to establish a public charter school following reconsideration of a proposal, as discussed above, the applicant may request that the State Board review the decision of the school district.</p>

		<p>Statute further allows applicants to seek judicial review of an order of the State Board.</p> <p>(ORS 338.075 Review of school district board decision)</p> <ul style="list-style-type: none"> • Oregon has promulgated rules relating to the appeal of a sponsor’s denial. <p>Oregon Administrative Rules provide further details on appeals to the State Board when an applicant’s request to create a charter school is denied.</p> <p>(OAR 581-026-0065 Appeal Process)</p>
<p>Charter Regulatory Flexibility</p>	<p>LIMITED</p> <p>Some or no exemptions</p>	<p>Oregon Statute provides that statutes and rules that apply to only school district boards, school districts, or other public schools will not apply to public charter schools. Some rules enumerated in statute, however, do apply to charter schools, including federal law and the statutes relating to the following:</p> <ul style="list-style-type: none"> • tort claims; • public records law; • public meeting law; • public contracting code; • municipal audit law; • student records; • criminal records checks; • academic content standards and instruction; • high school diploma, modified diploma, extended diploma and alternative certificate; • physical education; • the statewide assessment system developed by the Department of Education for mathematics, science and language arts; • use of personal electronic devices; • textbooks; • consideration for educational services; • tuition and fees; • prohibition on infliction of corporal punishment; • notice concerning students subject to juvenile court petitions;

		<ul style="list-style-type: none"> • reporting of suspected abuse and suspected sexual conduct; • core teaching standards; • employment department law; • discrimination; • any statute or rule that establishes requirements for instructional time provided by a school during each day or during a year; • statutes and rules that expressly apply to public charter schools; • statutes and rules that apply to a special government body or a public body; • health and safety statutes and rules; • any statute or rule that is listed in the charter; and • this chapter. <p>(ORS 338.115 Applicability of laws)</p> <p>Charter schools may also seek waivers from Oregon Statutes 338 relating to charter schools.</p> <p>(OAR 581-026-0130 Procedure to Waive Certain Provisions of the Charter School Law; see Oregon Department of Education, Process to Request a Charter School Waiver (2022))</p>
<p>Equitable Charter Funding</p>	<p>LIMITED</p> <p>Disparities exist</p>	<p>Public charter schools receive funds from the State School Fund. Funds are calculated as though the students enrolled at a public charter school are students enrolled at the public schools of the school district in which the public charter school is located.</p> <p>For schools with the local district as a sponsor, payments for provision of educational services shall equal an amount per weighted average daily membership (ADMw) that is at least equal to:</p> <ul style="list-style-type: none"> • 80% of the amount of the school district’s General Purpose Grant per ADMw calculated under statute for students who are enrolled in K-8; and • 95% of the amount of the school district’s General Purpose Grant per ADMw as calculated under statute for students who are enrolled in grades 9-12. • For schools with the State Board as the sponsor, payments for provision of educational services shall equal an amount per weighted average daily membership (ADMw) that is at least equal to: • 90% of the amount of the school district’s General Purpose Grant per ADMw calculated under statute for students who are enrolled in K-8; and

		<ul style="list-style-type: none"> 95% of the amount of the school district’s General Purpose Grant per ADMw as calculated under statute for students who are enrolled in grades 9-12. <p>(ORS 338.155 Distributions of State School Fund amounts)</p> <p>Oregon statute assumes charter schools have the same percentage of children in poverty families as the school district in which the charter school is located, so additional amounts are added to the average daily membership of the public charter school.</p> <p>(ORS 338.157 Adjusting number of students for poverty level)</p> <p>In addition to the State School Fund dollars, charter schools are awarded grants from the Statewide Education Initiatives Account to be used to increase academic achievement, including reducing academic disparities.</p> <p>(ORS 327.362 Grants to public charter schools to increase academic achievement for students who have historically experienced academic disparities or who are disabled; see also Oregon Department of Education, Charter School Equity Grants)</p>
<p>Charter Facilities Funding</p>	<p>LIMITED</p> <p>Some or no facilities funding</p>	<p>Unable to locate information relating to charter school facilities funding.</p>
<p>Options for High-Performing Charters</p>	<p>LIMITED</p> <p>No opportunities for high-performing charter schools</p>	<p>Unable to locate information on incentives and favorable regulatory environments to attract and reward high-performing charters.</p>
<p>Charter Zoning Exemptions</p>	<p>LIMITED</p> <p>Less than full protections</p>	<p>Unable to locate information on zoning and ordinance exemptions.</p>

SOURCE CITATIONS

Statutes

[ORS 327.362 Grants to public charter schools to increase academic achievement for students who have historically experienced academic disparities or who are disabled](#)

[ORS 30-338 Public Charter Schools](#)

Administrative Code

[OAR 581-26 Public Charter Schools](#)

State Department of Education

[Oregon Department of Education, Charter Schools](#)

[Oregon Department of Education, Process to Request a Charter School Waiver \(2022\)](#)

[Oregon Department of Education, Charter School Equity Grants](#)



Private School Choice in Oregon

POLICY	OVERALL RATING	PROGRAM OVERVIEW
Universal Eligibility	<p>NO</p> <p>No choice program</p>	Oregon does not have a private school choice program.
Comparable Student Funding	<p>NO</p> <p>No choice program</p>	
Uncapped Student Access	<p>NO</p> <p>No choice program</p>	
Extended Application Window	<p>NO</p> <p>No choice program</p>	
Student Testing Options	<p>NO</p> <p>No choice program</p>	
School Autonomy	<p>NO</p> <p>No choice program</p>	

Accessible School Participation	NO No choice program	
ESAs and Parent-Directed Spending		
Freedom to Customize	NO No ESA or microgrant program	Oregon does not have an education savings account or microgrant program.
Freedom to Access	NO No ESA or microgrant program	
Carry-Over Funding	NO No ESA or microgrant program	
Tax Credits		
Full Tax Credit	NO No choice program	Oregon does not have an education tax credit program.



Homeschooling in Oregon

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p>YES</p> <p>No permission required</p>	<p>Oregon does not require parents to receive permission to practice homeschooling.</p> <p>Oregon Statute provides that parents who choose to withdraw their children from a public school must ensure instruction is taught by a parent, legal guardian, or private teacher and parents must notify the education service district in writing.</p> <p>Further notification is required when the child moves to a new education service district.</p> <p>(ORS 339.035 Teaching by private teacher, parent or guardian)</p>
<p>No Extra Homeschool Notifications</p>	<p>YES</p> <p>One-time or no notification</p>	<p>Oregon Statute requires parents to notify local officials, in writing, only when a student is withdrawn from a public school. Annual notification is not required.</p> <p>Further notification is required when the child moves to a new education service district.</p> <p>(ORS 339.035 Teaching by private teacher, parent or guardian)</p> <p>Note that Administrative Rules require the education service district to annually notify school districts of homeschooled students who reside in the school district.</p> <p>(OAR 581-021-0026 Examination of Children Instructed by Parent, Legal Guardian or Private Teacher)</p>
<p>No Certification to Homeschool</p>	<p>YES</p> <p>No certification requirement</p>	<p>Oregon does not require homeschool parents to possess teacher certifications.</p>

Flexible Assessment Options

NO

Standardized testing required

Oregon Statutes require children who are taught by parents, legal guardians, or private teachers to be examined in grades 3, 5, 8, and 10.

The State Board is tasked with developing a list of approved comprehensive examinations. The examination must be administered by a qualified neutral person, which is to be defined in State Board rules.

[\(ORS 339.035 Teaching by private teacher, parent or guardian\)](#)

Through Administrative Rules, Oregon has approved the following examinations for homeschooled students:

- California Achievement Test
- Comprehensive Tests of Basic Skills
- Iowa Tests of Basic Skills/Tests of Achievement and Proficiency
- Metropolitan Achievement Battery
- Stanford Achievement Test Battery

[\(OAR 581-021-0026 Examination of Children Instructed by Parent, Legal Guardian or Private Teacher\)](#)

The list of approved homeschool testers is also included on the Oregon Department of Education [Home Schooling](#) webpage.

Oregon does have two exceptions to testing in the grades enumerated above:

- Students participating in interscholastic activities must test annually;

Students with disabilities and an IEP or PDP that indicates methods other than testing should be used to indicate satisfactory progress.

[\(Oregon Department of Education, Home Schooling in Oregon\)](#)

SOURCE CITATIONS

Statutes

[ORS 339.030 Exemptions from compulsory school attendance](#)

[ORS 339.035 Teaching by private teacher, parent or guardian](#)

Administrative Code

[OAR 581-021-0026 Examination of Children Instructed by Parent, Legal Guardian or Private Teacher](#)

State Department of Education

[Oregon Department of Education, Home Schooling in Oregon](#)

POLICY ENHANCERS



Part-time Enrollment in Oregon

POLICY	RATING	POLICY OVERVIEW
<p>Resident Course Access</p>	<p>LIMITED</p> <p>By type of student, type of course, or district policy</p>	<p>Oregon allows (but does not require) school districts to adopt policies to allow homeschool students to take academic courses at their resident school.</p> <p>(Oregon Department of Education, Home Schooling in Oregon: Information for Education Service Districts and School Districts)</p> <p>Oregon does not regulate private school students in any way. The Oregon Department of Education website for Private Schools notes that most districts have policies on private school participation in school activities.</p> <p>(Oregon Department of Education, Private Schools in Oregon)</p>
<p>Nonresident Course Access</p>	<p>LIMITED</p> <p>Districts only serve resident students or can impose other restrictions</p>	<p>Unable to locate information on allowing nonpublic and homeschool students access to courses outside their district of residence.</p>

<p>Virtual Course Access</p>	<p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>In partnership with the Northwest Regional Education Service District, the Oregon Virtual Education (ORVED) program provides individual course offerings to students regardless of schooling type. According to the website, students have the option to enroll in ORVED courses for enrichment, credit recovery, or flexibility while remaining in their local school district.</p> <p>(Northwest Regional Education Service District, Oregon Virtual Education (ORVED))</p>
<p>Extracurricular Access</p>	<p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>Oregon Statute requires public schools to give GED students, homeschooled students, or students who attend a public charter school the opportunity to participate in interscholastic activities if they are available in the school district within the attendance boundaries of the student. Students in grades K-8 are limited in statute, however, to activities that are offered only before or after regular school hours. There are some limits in statute relating to examination requirements for eligibility, payments to public schools by charter schools for participation, and other requirements.</p> <p>Statute also contemplates students participating in interscholastic activities outside the attendance boundaries of the school if the school district has a policy that allows any student attending a school of the district to participate at any school of the school district.</p> <p>(ORS 339.460 Participation in interscholastic activities by GED student, homeschooled student or student who attends public charter school)</p> <p>The Oregon Department of Education notes that districts may establish local policies relating to private school participation in school activities.</p> <p>(Oregon Department of Education, Private Schools in Oregon)</p> <p>(oregonlegislature.gov/bills_laws/ors/ors339.html)</p> <p>ORS 339.460 allows high school equivalency, homeschooled, or a student who attends a public charter school to participate in interscholastic activities in the district they reside in. However, students must score on the 23rd percentile on national norm exams to participate.</p> <p>Students do have the option to demonstrate eligibility in an alternative way like submitting a portfolio of student work. High school equivalency students must pass one practice test administered by the high school equivalency program.</p>

In addition, charter school students must pay a fee to participate in extracurricular activities. The student might have to pay two annual fees if the interscholastic activity requires the student to enroll in a course for credit.

SOURCE CITATIONS

Statutes

[ORS 339.460 Participation in interscholastic activities by GED student, homeschooled student or student who attends public charter school](#)

State Department of Education

[Oregon Department of Education, Oregon Private Schools](#)

[Oregon Department of Education, Private Schools in Oregon](#)

[Oregon Department of Education, Remote Learning](#)

Other Resources

[Northwest Regional Education Service District, Oregon Virtual Education \(ORVED\)](#)



Learn Everywhere in Oregon

POLICY	RATING	POLICY OVERVIEW
Provider Qualification Standard	<p>NO</p> <p>No program</p>	Oregon does not have a Learn Everywhere program.
Course Credit Standard	<p>NO</p> <p>No program</p>	
Core Course Opportunities	<p>NO</p> <p>No program</p>	
Central State List	<p>NO</p> <p>No program</p>	



Transportation in Oregon

POLICY	RATING	POLICY OVERVIEW
<p>Open Enrollment Transit</p>	<p>NO</p>	<p>Oregon Department of Education guidance explains that resident districts do not have responsibility to provide transportation beyond school district boundaries. If a district chooses to provide transportation beyond district boundaries, the district may apply for reimbursement from the state school fund transportation grant.</p> <p>(Oregon Department of Education, Interdistrict Transfer Frequently Asked Questions)</p> <p>Generally, school districts are required to provide transportation for elementary students who reside more than 1 mile from school and for secondary school students who reside more than 1.5 miles from school. The State Board may waive the requirement to provide transportation for secondary school students who reside more than 1.5 miles from school.</p> <p>(ORS 327.043 When district required to provide transportation)</p> <p>Administrative Rules confirm these requirements. Approved transportation costs in Oregon include home-to-school transportation of elementary school pupils who live at least one mile from school and home-to-school transportation of secondary school pupils who live at least one and one-half miles from school.</p> <p>(OAR 581-023-0040 Approved Transportation Costs for Payments from the State School Fund)</p>
<p>Fair Transportation Access</p>	<p>LIMITED</p> <p>Equitable transportation offered to some charter OR private students</p>	<p>Oregon Statute provides that where a district board lawfully provides for transportation for students attending public schools, the district must also provide transportation to children attending any private or parochial school, under the compulsory school attendance laws, where the school is along the route.</p> <p>(ORS 332.415 Transportation of students attending private or parochial schools)</p> <p>Oregon Statute provides that public charter schools are responsible for providing transportation to students who reside within the school district and attend the public charter school. Statute does give charter schools the discretion to negotiate with a school district to provide transportation for charter school students.</p> <p>(ORS 338.145 Responsibility for student transportation services)</p>

<p>Vehicle Flexibility</p>	<p>YES</p>	<p>Oregon statute requires all school buses and school activity vehicles to conform to Oregon minimum standards – an entity seeking to purchase a vehicle that does not meet the minimum standards may apply for an appeal for variance.</p> <p>(OAR 581-053-0070 School Bus and School Activity Vehicle Acquisition, Maintenance and Inspection)</p> <p>The minimum standards for school buses in Oregon specify that vehicles that transport students to and from school may include vehicles that have capacity of not more than 10 persons.</p> <p>Further, school buses may not be vehicles known as private passenger cars or private passenger vans that are used by the owner of the vehicle for personal transportation of students to or from school or school activities.</p> <p>(ORS 801.460 “School bus”)</p>
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SOURCE CITATIONS

<p>Statutes</p>	<p>Administrative Code</p>	<p>State Department of Education</p>	<p>Other Resources</p>
<p>ORS 327.043 When district required to provide transportation</p> <p>ORS 338.145 Responsibility for student transportation services</p> <p>ORS 801.460 “School bus”</p>	<p>OAR 581-023-0040 Approved Transportation Costs for Payments from the State School Fund</p> <p>OAR 581-053-0070 School Bus and School Activity Vehicle Acquisition, Maintenance and Inspection</p>	<p>Oregon Department of Education, Pupil Transportation</p> <p>Oregon Department of Education, Interdistrict Transfer Frequently Asked Questions</p>	<p>Minimum Standards for Oregon School Buses (2018)</p>

