

Days Creek Charter School and
Douglas County School District 15
Board of Directors Workshop
October 6, 2016

Present.

Charter School Board members: Diane Swingley, Pauline Montgomery-Borg, Nicole Bambino, Matt Giles, Jim Docherty, Rex Fuller, and Dana Stone

Administration: Dr. Mark Angle

Attorney to Charter Board: Rebekah R. Jacobson

Arriving at 6:30 p.m.

Douglas County School District 15 Board in attendance:

Kathy Bennett, Tammy Eichmann, Lori Depew, Dana Stone, Rex Fuller, and Travis Fuller

District Board Secretary: Lisa Hemphill

The workshop started with the Charter School Board only, from 5:00 to 6:30 PM. The Charter School Board attorney Rebekah R. Jacobson presented an overview of laws governing charter districts and charter boards roles and responsibilities. The following elements of The Charter Law (ORS Chapter 338) were discussed:

How Does the Law Treat Charter Districts Differently?

- Non-profit Status (ORS338.035(2))
- Charter Boards (ORS 338.035(3))
- Single Legal Entity (ORS 338.035(6))
- Audit (ORS 338.095(3))
- Oregon Charter Districts

Charter vs District Responsibilities

- Curriculum- State Law (ORS 338.015)
- Curriculum- Original Division (March 4, 2004 Operation Responsibilities)
- Curriculum- Charter Language (Section 4.B.(1) & (2) and Section 4.C)
- Special Education- State Law (ORS 338.165)
- Special Education- Charter Language (Section 6 and Appendix A)
- Finances- State Law (ORS 338.095 and .155)
- Finances- Historical (March 4, 2004 Operation Responsibilities)
- Finances- Charter Agreement (Section 10.A(1) Proposed Language)
- Hiring- State Law (ORS 338.135(2)(a))
- Hiring- Historical (2005 and 2014)
- Hiring- Charter Agreement (Section 11.A) Proposed Language
- Other Charter Responsibilities- Historical
- District Responsibilities- Historical
- District Responsibilities- Generally

Discussion around this overview:

- ORS 338.035 states that in order for a charter school to be exempt from the requirements to be established as a nonprofit under state and federal law and for a District Board member to be a voting member of a Charter District Board, Charter Schools are required to meet the “Single Legal Entity” requirements. The “Single Legal Entity” would allow the District and Charter School to become a single entity. One of the requirements is to be a remote and necessary school district (ORS 338.005(4)). Days Creek Charter School does not meet the requirement of “remote and necessary.”
- The DCCS needs to apply for non-profit status 501(c) (3)
- The division of responsibilities between the Charter School and the District Board is something to negotiate.
- The instructional policies follow the Districts’ unless there is a conflict with OSBA.

The District Board members joined the Charter Board members at 6:30 PM. Rebekah Jacobson recapped a few of the elements above. She emphasized that the roles and responsibilities allow for a lot of flexibility in the Charter Agreement.

Dr. Angle explained his responsibilities as Superintendent of the District Board and as Director of the Charter Board. Ultimately he is responsible to the District Board.

The remainder of the discussion focused on the Charter Boards desire to be part of the process in the hiring, evaluation, discipline, and firing of the Charter Director/Superintendent (Charter Agreement Section 11.A Proposed). The Charter Director impacts the ability of the Charter Board to fulfill the operational responsibilities of designing and implementing its educational program. The District Board members expressed a concern in the word “collaborate” as used in the proposed Section 11.(A) DCCS Authority; Status of DCCS Employees. They felt it to be too broad. Rebekah suggested attaching Appendix C to the Charter Agreement defining the specifics of collaboration. It was agreed by all that the Charter Board will review and provide the language in the final contract form to the District Board regarding the selection of a superintendent search firm; will jointly develop standards, criteria and policy directives to be used in hiring the Director/Superintendent; and provide recommendation of the final candidates for the Director/Superintendent. With logic and reason from Nicole Bambino (“we all vote in favor of all of the Board members so we all trust the judgement of each member to represent us as a whole”), it was agreed that the Charter Board may establish a sub-committee of two board members to participate in the discussion of the District Board related to the final decision-making on the job offer. The Charter Board will also provide an annual performance evaluation of the Executive Director portion of the Director/Superintendent’s position to the District Board. With all of the above, it will be stated that the District Board shall be the final decision maker.

Rebekah will draft the new language and provide to the Charter Board for review prior to the next Charter Board meeting on November 9.

Adjourned at 8:02 PM