OREGON EDUCATION ASSOCIATION

Date: April 21, 2021
To: Senate Education Committee, Chair Dembrow and Members
From: Laurie Wimmer, OEA Government Relations
RE: *SB 240 [Eliminates for-profit virtual school enrollment cap]*

On behalf of the 41,000 members of the Oregon Education Association, I am submitting this testimony in opposition to SB 240, which **would cost school districts hundreds of millions of dollars** at a time when our schools are already facing a budget shortfall for the coming biennium.

Before the pandemic, Oregon's online programs enrolled more than 14,000 students, and that enrollment swelled by another 7700 during the year of comprehensive distance learning. We believe that most of those students will, upon complete and safe reopening, return to their neighborhood public schools. Meanwhile, the for-profits have opportunistically attempted to market their programs to public school students, which is a part of their business model. It should not, however, be a part of Oregon's ambition for its public-school students' optimal education experience.

As you will see by reviewing the attached chart, the **educational performance of online programs is deeply concerning**. We compared each virtual school in Oregon with the nearest public school in the same age band, to give you a comparative sense of the demographic differences and the student performance indicators.   The for-profit virtual schools, as distinct from the district-run programs, have graduation rates starkly below their counterpart brick and mortar comparison schools and also well below the state average that year of **79%**. Some examples from the chart:

> Insight School: **20%** graduation rate;
> Oregon Virtual Academy: **33%** graduation rate;
> West Lane Technical Learning Center: **10%** graduation rate; and
> Oregon Charter Academy: **57%** graduation rate.

An audit in December 2018 by then-Secretary of State Dennis Richardson was blunt in its criticism of these schools. You can see from the chart or the State Report Cards (https://www.ode.state.or.us/data/reportcard/reports.aspx) that these programs do not serve a demographically diverse student body, fail to have robust English learner programs, and have dismal educational outcomes (one graduated just 33 percent of its seniors last year). We believe that **equity issues abound**: in access, program quality, and services to enrollees to say nothing of logistics for students whose parents are unable to provide in-home oversight and assistance because of language barriers (materials are exclusively in English) and the need to work outside the home.

Even a **half-percent (.5) increase would redirect $55.5 million out of district budgets**. For the students who remain in their resident districts, those funding losses will translate to program losses, larger class sizes, and setbacks on all the progress we have made and have worked with our communities to move forward. **This too is an equity issue.**

OEA has worked to make Oregon's virtual public charter schools and other online programs more accountable, transparent, equitable, and educationally sound since the advent of cyber schools in 2005. We have testified before the State Board of Education, have passed legislation intended to achieve these objectives, and even served for a decade on the board of a unique online public school option that offered individual courses taught by 100% licensed Oregon teachers. We have worked to ensure that online programs that serve our students do so in a way that puts students ahead of profits. We have also sounded the alarm about other, disturbing aspects of some of these programs.

For instance, the Oregon Department of Education has warned school districts that the for-profit corporations offering what they call "personalized learning" are really eliminating educator professional judgment in their algorithm-based, "machine learning" programs. **Baked into these platforms are inherent biases**, and the curricula/programming are not transparent because the corporations running them argue that they are "proprietary" and must be kept secret. For more information on the equity and educational dangers of these programs, read ODE's warning in its latest version of its "Comprehensive Distance Learning" guidance, beginning on Page 58: https://www.oregon.gov/ode/students-and-family/healthsafety/Documents/Comprehensive%20Distance%20Learning%20Guidance.pdf

Despite the fact that these schools do not run buses, field teams, have music or theater programs, do not feed students, or have any of the physical-plant infrastructure of brick-and-mortar schools, they get the same per-student funding as brick-and-mortar charters. Their unsuccessful effort in the June 2020 special session to raise the enrollment cap from 3% to 8% would have cost school districts nearly $500 million in State School Funds. These outfits have created waiting lists of tens of thousands of students hoping the 2021 Legislative Assembly will open the flood gates, which would seriously disrupt the ability of Oregon's 197 school districts to serve their remaining students and to invest in safe reopening protocols.

Finally, virtual vendors take public money for private gain. In privatizing public education services, they put concerns about the bottom line <u>first</u>, though their marketing and political campaigns would have you believe otherwise. Their teachers have extremely high student loads (some as many as 150 students), do not have to be fully qualified (Oregon requires just 95% of virtual school courses to be taught by Oregon-licensed personnel, and their administrators may be employees of the corporation, not the charter school), and have a high turnover rate. We believe that this is the reason their graduation rates and other indicators lag drastically behind other schools.

For all these reasons, we ask you to reject SB 240. Thank you for your consideration.

[See Chart, next page]

2019-20 COMPARISON OF VIRTUAL AND BRICK-AND-MORTAR SCHOOLS

TYPE	SCHOOL DISTRICT SPONSOR	# STUDENTS	RACE/ETH*	EVER EL	SPED	HOME LANGS	FRL [POVERTY]	ON-TIME GRAD	ATTENDANCE	ON TRACK	MED. CLASS SIZES	% COLLEGE GOING
STATE AVERAGES		722	61.9% W	21.7%	13.8%	Varies	52%	79%	80%	85%	25	62%
VIRTUAL	Baker Web Academy Home District Sponsored Baker SD 5J	1827	A-1% As-1% B-2% HL-11% M-5% N-‹1% W-80%	<5%	13%	14	47%	63%	88%	62%	6	27%
BRICK AND MORTAR	Baker High School Baker SD 5J	408	A-<1% As-2% B--‹1% HL-10% M-4% N--0% W-83%	<5%	12%	10	38%	84%	69%	85%	18	54%
VIRTUAL	Cascade Virtual Academy K-8 only Mitchell SD 55	165	A-1% As-3% B-1% HL-15% M-13% N-1% W-66%	-‹10% Or data unavail.	15%	2	60%	K-8	91%	K-8	19	K-8
BRICK AND MORTAR	Crooked River Elementary School K-5 only Mitchell SD 55	602	A-1% As-<1% B-0% HL-8% M-5% N-0% W-87%	‹5%	16%	8	62%	K-5	86%	K-5	22.5	K-5
VIRTUAL	Clackamas Web Academy North Clackamas SD 12	470	A-1% As-1% B-1% HL-8% M-4% N-1% W-84%	22%	11%	9	23%	66%	95%	77%	26.5	40%
BRICK AND MORTAR	Clackamas High School North Clackamas SD 12	2449	A-‹1% As-18% B-2% HL-12% M-8% N-<1% W-59%	24%	11%	37	25%	94%	88%	95%	29	75%
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TYPE	SCHOOL DISTRICT SPONSOR	# STUDENTS	RACE/ETH*	EVER EL	SPED	HOME LANGS	FRL [POVERTY]	ON-TIME GRAD	ATTENDANCE	ON TRACK	MED. CLASS SIZES	% COLLEGE GOING
STATE AVERAGES		**722**	**61.9% W**	**21.7%**	**13.8%**	**Varies**	**52%**	**79%**	**80%**	**85%**	**25**	**62%**
VIRTUAL	Crater Lake Charter Academy Eagle Point SD 9	297	A-1% As-1% B-<1% HL-12% M-3% N-1% W-81%	<10 students or data unavail.	15%	6	54%	81%	>95%	>95%	20	50%
BRICK AND MORTAR	Eagle Point High School Eagle Point SD 9	980	A-1% As-1% B-1% HL-33% M-5% N-‹1% W-80%	20%	11%	17	62%	86%	79%	89%	25	48%
VIRTUAL	Destinations Career Academy of Oregon Mitchell SD 55	84	A-1% As-2% B-1% HL-24% M-7% N-0% W-64%	<10 students or data unavail.	14%	2	51%	<10 students in cohort	62%	39%	4	<10 students in cohort
BRICK AND MORTAR	Mitchell School Mitchell SD 55	44	A-0% As-7% B-2% HL-20% M-2% N-0% W-68%	<10 students or data unavail.	<10 students or data unavail.	3	39%	75%	72%	<10 students or data unavail.	6	<10 students In cohort
VIRTUAL	Fossil Charter School Fossil SD 21J	748	A-<1% As-2% B-2% HL-3% M-5% N-0% W-88%	<10 students or data unavail.	7%	2	25%	100%	76%	<10 students or data unavail	3	<10 students in cohort
BRICK AND MORTAR	Wheeler High School Fossil SD 21J	453	A-<1% As-2% B-3% HL-4% M-5% N-0% W-86%	8%	7%	2	22%	100%	64%	100%	5	63%
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TYPE	SCHOOL	# STUDENTS	RACE/ETH*	EVER EL	SPED	HOME	FRL	ON-TIME	ATTENDANCE	ON	MED.	%

	DISTRICT SPONSOR					LANGS	[POVERTY]	GRAD		TRACK	CLASS SIZES	COLLEGE GOING
STATE AVERAGES		722	61.9% W	21.7%	13.8%	Varies	52%	79%	80%	85%	25	62%
VIRTUAL	Frontier Charter Academy K-10 Gervais SD 1	351	A-1% As-1% B-1% HL-13% M-5% N-0% W-79%	<10 students or data unavail.	17%	2	47%	<10 students in cohort	86%	48%	29	<10 students in cohort
BRICK AND MORTAR	Gervais High School 9-12 Gervais SD 1	284	A-1% As-1% B-<1% HL-67% M-3% N-0% W-27%	57%	16%	5	>95%	94%	74%	>95%	20	53%
VIRTUAL	Insight School of Oregon – Painted Hills Mitchell SD 55	394	A-2% As-1% B-3% HL-19% M-5% N-0% W-72%	6%	16%	3	48%	<mark>20%</mark>	53%	38%	21	30%
BRICK AND MORTAR	Mitchell School Mitchell SD 55	44	A-0% As-7% B-2% HL-20% M-2% N-0% W-68%	<10 students or data unavail.	<10 students or data unavail.	3	39%	75%	72%	<10 students or data unavail.	6	<10 students In cohort
VIRTUAL	Metro East Web Academy Gresham-Barlow SD 10J	575	A-3% As-3% B-1% HL-14% M-3% N-‹1% W-75%	16%	5%	14	39%	<mark>46%</mark>	70%	46%	12	55%
BRICK AND MORTAR	Sam Barlow High School Gresham-Barlow SD 10J	1551	A-1% As-3% B-2% HL-21% M-6% N-‹1% W-67%	19%	10%	22	34%	85%	72%	82%	29	67%
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TYPE	SCHOOL DISTRICT SPONSOR	# STUDENTS	RACE/ETH*	EVER EL	SPED	HOME LANGS	FRL [POVERTY]	ON-TIME GRAD	ATTENDANCE	ON TRACK	MED. CLASS SIZES	% COLLEGE GOING
STATE AVERAGES		**722**	**61.9% W**	**21.7%**	**13.8%**	**Varies**	**52%**	**79%**	**80%**	**85%**	**25**	**62%**
VIRTUAL	Oregon Charter Academy Santiam Canyon SD 129J	4463	A-1% As-2% B-2% HL-14% M-8% N-‹1% W-72%	<5%	17%	31	40%	<mark>57%</mark>	71%	59%	29	41%
BRICK AND MORTAR	Santiam Junior / Senior High School Santiam Canyon SD 239J	262	A-2% As-1% B-<1% HL-8% M-7% N-<1% W-82%	<10 students or data unavail.	19%	5	49%	85%	71%	79%	19.5	50%
VIRTUAL	Oregon Family School Harney County SD 4	298	A-0% As-0% B-4% HL-6% M-7% N-‹1% W-83%	<10 students or data unavail.	12%	1	<10 students or data unavail.	<10 students in cohort	>95%	>95%	7	<10 students in cohort
BRICK AND MORTAR	Crane Union High School Harney County SD 4	66	A-2% As-0% B-0% HL-3% M-5% N-0% W-91%	<10 students or data unavail.	<10 students or data unavail.	1	30%	100%	69%	>95%	13	78%
VIRTUAL	Oregon Virtual Academy North Bend SD 13	2011	A-2% As-1% B-2% HL-14% M-9% N-‹1% W-71%	<5%	16%	9	65%	<mark>33%</mark>	74%	56%	47	43%
BRICK AND MORTAR	North Bend Senior High School North Bend SD 13	741	A-3% As-2% B-1% HL-9% M-9% N-1% W-76%	<5%	12%	9	39%	88%	83%	78%	22	64%
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TYPE	SCHOOL DISTRICT SPONSOR	# STUDENTS	RACE/ETH*	EVER EL	SPED	HOME LANGS	FRL [POVERTY]	ON-TIME GRAD	ATTENDANCE	ON TRACK	MED. CLASS SIZES	% COLLEGE GOING
STATE AVERAGES		**722**	**61.9% W**	**21.7%**	**13.8%**	**Varies**	**52%**	**79%**	**80%**	**85%**	**25**	**62%**
VIRTUAL	Paisley School Paisley SD 11	210	A-0% As-4% B-0% HL-10% M-5% N-0% W-80%	<10 students or data unavail	11%	9	28%	92%	85%	<10 students or data unavail	9	<10 students in cohort
BRICK AND MORTAR	Lakeview Senior High School (Closest high school to Paisley) Lane Co SD	234	A-2% As-0% B-0% HL-19% M-4% N-0% W-75%	9%	11%	2	45%	91%	66%	84%	15	39%
VIRTUAL	Sheridan AllPrep Academy Sheridan SD 48J	152	A-2% As-1% B-1% HL-10% M-4% N-1% W-82%	<10 students or data unavail	7%	2	16%	86%	45%	80%	12.5	46%
BRICK AND MORTAR	Sheridan High School Sheridan SD 48J	221	A-2% As-0% B-<1% HL-20% M-9% N-0% W-68%	9%	14%	2	>95%	77%	72%	83%	13	48%
VIRTUAL	Silvies River Charter School Harney County SD 1J	443	A-<1% As-<1% B-<1% HL-1% M-8% N-0% W-90%	<10 students or data unavail	8%	1	5%	100%	>95%	>95%	4	30%
BRICK AND MORTAR	Crane Union High School Harney County SD 1J	66	A-2% As-0% B-0% HL-3% M-5% N-0% W-91%	<10 students or data unavail	<10 students or data unavail	1	30%	100%	69%	>95%	13	78%
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TYPE	SCHOOL / DISTRICT SPONSOR	# STUDENTS	RACE/ETH*	EVER EL	SPED	HOME LANGS	FRL [POVERTY]	ON-TIME GRAD	ATTENDANCE	ON TRACK	MED. CLASS SIZES	% COLLEGE GOING
STATE AVERAGES		722	61.9% W	21.7%	13.8%	Varies	52%	79%	80%	85%	25	62%
VIRTUAL	Summit Learning Charter Estacada SD 108	1078	A-<1% As-3% B-3% HL-8% M-3% N-<1% W-84%	8%	<5%	13	10%	94%	94%	94%	8	64%
BRICK AND MORTAR	Estacada High School Estacada SD 109	449	A-1% As-1% B-0% HL-17% M-4% N-0% W-77%	13%	17%	10	40%	81%	82%	67%	21	61%
VIRTUAL	TEACH – NW Marcola SD 79J	306	A-2% As-0% B-1% HL-11% M-11% N-0% W-75%	<10 students or data unavail	7%	1	12%	<10 students in cohort	89%	58%	5	<10 students in cohort
BRICK AND MORTAR	Mohawk High School Marcola SD 79J	129	A-4% As-2% B-0% HL-8% M-2% N-0% W-85%	<10 students or data unavail.	13%	2	22%	83%	84%	>95%	15	<10 students in cohort
VIRTUAL	West Lane Technology Learning Center Fern Ridge SD 28J	113	A-4% As-0% B-4% HL-7% M-4% N-0% W-82%	<10 students or data unavail.	26%	1	52%	==10%==	58%	<10 students or data unavail.	23	<10 students in cohort
BRICK AND MORTAR	Elmira High School Fern Ridge SD 28J	368	A-2% As-1% B-2% HL-6% M-3% N-0% W-86%	<10 students or data unavail.	14%	1	39%	92%	82%	76%	19	66%
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STATE AVERAGES		**722**	**61.9% W**	**21.7%**	**13.8%**	**Varies**	**52%**	**79%**	**80%**	**85%**	**25**	**62%**
VIRTUAL	Willamette Connections Academy (opened in 2019) Scio SD 95	81	A-0% As-0% B-4% HL-11% M-10% N-0% W-75%	<10 students or data unavail.	<10 students or data unavail.	2	<10 students or data unavail.	<10 students or data unavail.	Not available	Not available	Not provided	Not available
BRICK AND MORTAR	Scio High School Scio SD 95	234	A-1% As-1% B-1% HL-32% M-7% N-1% W-55%	<10 students or data unavail.	15%	4	39%	95%	74%	94%	17	70%

*Demographic abbreviations: A-American Indian/Alaska Native; As-Asian; B-Black/African American; HL-Hispanic/Latino; M-Multiracial; N-Native Hawaiian/Pacific Islander; W-White

All data from 2018-19 School Year ODE Report Cards

because the 2019-20 School Year ODE Report Cards do not contain complete data (e.g., class size or attendance).