



Date: March 22, 2013
To: House Education Committee, Chair Gelser and members
From: Laurie Wimmer, OEA Government Relations
RE: *Charter School Legislation [HB 2150, HB 2153, HB 287, HB 2879, and HB 3093]*

The 42,000 members of the Oregon Education Association support charter schools that are laboratories for teaching and learning innovation and that do not destabilize the fiscal stability of school districts. We have worked to improve Oregon's 14-year-old charter school laws over the years, to improve process, financial and policy issues related to this topic.

From this vantage point, we'd like to offer our thoughts about several pieces of legislation you are considering today.

HB 2150

OEA was pleased to participate in the 2010 interim on a 10-year charter review committee, which was composed of legislators and advocates from all facets of the issue. We worked together over many months to craft a consensus bill that would revise timelines, clarify accountability, and ensure an appropriate appeal process for applicants. That bill did not survive the 2011 session, and so, with some revisions to update the package with 2011 changes, HB 2150 was brought forward to try again to improve the process for all concerned. OEA supports HB 2150, and asks you to consider it in whole cloth as a series of agreements among the parties who work with the charter school law in our public education system. We especially support Section 13 of the bill, which clarifies with which statutory provisions charter schools must comply.

HB 2153

We also support the charter school changes found in HB 2153. We think that alignment of educational goals to resource allocation – which includes the decision to sponsor charter schools – makes sense. We do offer a suggestion for the improvement of this language, which we've shared with the bill's requestor. In several places in the legislation, the phrase "three percent of the students who reside in a school district" is found. As we learned upon adoption of HB 2301 in 2011 (virtual school legislation), no census-gathering agency tracks how many students "reside" in school districts – that information is available by county, but not by school district. A remedy for this language error in 2011 is currently making its way through the process in SB 255 this session. We would recommend that a similar fix be applied to HB 2153 so that the enrollment cap is based on those *enrolled* in a school district who attend a charter school, rather than who *reside* in a district.

HB 2875

It would appear that the goal of this bill, like HB 2150, is to fix a potential “glitch” in the system, and we therefore would support the bill.

HB 2879

This bill would enable a would-be sponsoring district to essentially franchise charter schools in other districts’ geographic area, which is a concern. The element of HB 2879 that we could support would be the ability of a district to sponsor a terminated charter, as long as that (non-virtual) charter program physically relocates to the sponsor’s school district. We would also ask that the fact of termination be explicitly disclosed, as well as the reason(s) for the termination, to the proposed new sponsor as a part of the charter schools application. The information specified in Section 2 of the bill gets close to that goal but may not be clearly enough stated to ensure this level of disclosure. Finally, in Section 2, sub (10), the transferring charter agreement has no length parameters – not typically how the statute treats charter agreements in other contexts. We believe that it is especially important in the case of a charter school that has lost its sponsorship, that a timeline be specified.

HB 3093

We enthusiastically support HB 3093, which would put teeth into the accountability statute regarding charter school finances. This legislation is a classic case of closing a loophole after an event of bad management that led to court action, to closing illegally operated schools, to compromised student records privacy, and to filing of criminal charges against an operator charters in multiple locations. District sponsors may have been spared the loss of many thousands of dollars had this bill been enacted when the web academies began to proliferate.

Thank you so much for considering our perspective as you work through the policy issues relating to these five bills.