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2/18/14

League of Oregon Charter Schools  
Debi Lorence

Dear Ms. Lorence:

It appears if SB1538 becomes law, it will further cloud the rules and regulations that apply to all charter schools, including those that are virtual. It seems unnecessary to include so much language regarding district goals, since the charter school is considered one of the district schools of their sponsor. Therefore, the charter school is already expected to be a part of the District Improvement Plan & Achievement Compact that outline the goals of the district. SB1538 also provides the sponsoring district another way to terminate the charter agreement by allowing them to single out one of their district schools (the charter). It does not make mention of what happens if other schools within their district are not making adequate progress. What happens to them? Are they allowed to continue operating, yet the charter school is not? It seems that logically if the charter school was not making adequate progress (which is undefined in this bill), there would be measures and supports in place to assist them in meeting their goals, not simply elimination.

The second issue I see is the continued effort to limit a parent's choice in their child's education by instituting a 3% cap for all charter schools. As you should be aware, a 3% cap already exists for virtual charter schools. Our school, Silvies River Charter, is a virtual school and has first-hand experience with a nearby district which has attempted to limit enrollment options in our rural county for families. In our case, the district initially did not follow the ORS regarding how to establish the 3% limitation and proceeded to call our enrolled families to tell them our school was "full" and they wouldn't be allowed to attend. The parents had already filed their required notice of enrollment to attend Silvies, with this district prior to the first day of school. Yet, the district did not send out the denial letters until the third day of school and in some cases later, so students were already enrolled in their classes and working. Denial letters were sent to the parents before the district had even established what the 3% number was for the district. Yet, even though the district had not followed the procedures outlined in the ORS, the parent was still required to file an appeal to Oregon Department of Education to determine if their child was allowed to remain with Silvies River Charter.

ODE was not totally prepared for these appeals either, as no other district in the state of Oregon had denied enrollment into a virtual charter school due to the 3% limit. We were instructed by ODE that families had to withdraw their students from our school, which placed them in limbo until their appeals were heard by ODE. Student records were then not sent to our school within the 10 days as required by law because the district "denied" them, in their minds, so retained their records (including the needed high school transcripts). We are still attempting to receive records requested from one to two months ago, because every time a student from this district enrolls, they send a denial letter. Silvies chooses to continue to serve the educational needs of these students through the appeal process, but we are not allowed to claim the basic school support dollars. It is not about the money for us, as we believe continuity in an educational program for the student is

more important. **ODE has found in favor of the parent in EVERY appeal.** At the beginning of the year, the overturned denials by ODE were due to the 3% never being accurately established by the school district, however, once the district went back and established that, appeals still have gone in favor of the parent for a variety of reasons.

This has been new ground for ODE and they have done their best to decide these appeals within 2 weeks, however, a couple of them did take almost the full month allowed by the law. Meanwhile, this district also loses the 2.5% for high school students and 10% for K-8 students that the law already allows them for simply having a resident student served by a charter school, while the appeal is being determined.

While all of this has a financial impact on us, our sponsoring district and the district involved, the greater impact is the emotional one it places on our school families. When parents began receiving the denials, they were immediately angry and many stated they would never allow their child to return to a school within that district. They believed that district was simply looking at the dollars lost by their student attending a charter and not their child's best interest. The law does not require each child to be looked at individually by the district, so a few of our students that were single mothers with children 2 years or younger were denied by the district. A traditional day of school is not feasible for them because they live on their own and work during the day. With our program, they are able to do schoolwork in evenings, early mornings and weekends. Is it really about the student or is this really about the money?

We operate in Harney County, which is the largest county, geographically, in Oregon. It is approximately 130 miles from one end of the county to the other and there is not much in between. Without a charter school option, parents have only 1 school option for their children in Burns. If they live in the other rural areas, they each have a K-8 school and those rural schools serve as feeder schools to Crane Union High. Students attending Crane must either drive the distance or reside in a dormitory. We are not like the Willamette Valley with numerous educational options within a short distance. Therefore, it is imperative that our families have school choices available to them and various virtual charter schools fill that need. I believe a little competition for providing K-12 education will only enhance most programs. Schools that want to retain students will need to demonstrate to the families why their school is worthy of attending. If we truly want to promote the 40-40-20 goal, we need to be able to meet the need of all students. Not all students fit the traditional model and not all students fit the virtual one. There must be options for all.

Sincerely,

Katie Baltzor

Superintendent

Silvies River Charter School