



Support School Choice Options

LC 75; Increase the 3% Law

June 22, 2020

Good afternoon co-Chair Courtney and members of the Joint Special Committee on the First Special Session of 2020. I am Marshall Cobra representing the Oregon Virtual Academy. ORVA is a virtual public school chartered with the North Bend School District. I am testifying in support of raising the cap on students that may attend a virtual public charter school. I was involved in HB 2301 in 2011 that created the cap. Now is the time to raise it.

- HB 2301 in 2011 allowed up to 3% of students per district to attend virtual public charter schools.
- 10 years of generic growth has brought many districts to near or exceeding the cap.
- Once the 3% cap is met, districts may deny families the option to choose a virtual public charter school outside of their district. Several districts have begun to deny requests to choose a virtual public charter school.
- We were planning to introduce legislation in the 2021 full legislative session beginning in February to remove or increase the cap.
- The COVID-19 pandemic has accelerated our timeframe as parents need options with the uncertainty surrounding traditional schools in the fall of 2020. We need to remove or increase the cap in the special session in June 2020 so parents will have adequate time to plan.
- If a family is denied the opportunity to choose a virtual public charter school, current law allows denied families an appeal process to the State Board of Education. This appeal process can be intimidating, stressful and stretch out to nearly two months before final decisions are made.
- LC 75 raises the 3% to 8% but lowers the cap back to 3% effective July 1, 2021.
- Raising the cap significantly is welcomed as national polling suggests that up to 40% of families will be strongly considering an option other than their traditional school for fall 2020.
- Reasons for the potential surge in attendance include concerns about COVID-19, wearing masks all day, overall uncertainty about how schools will operate this fall, a poor experience with district run online learning in the spring and many others.
- Lowering the cap to 3% on July 1, 2021 is a bad policy and would leave some families and students in limbo next spring as they would be forced to leave the virtual public charter school and return to an uncertain educational option.
- Best outcome: Amend the bill to increase the cap to 5% and delete the provision that returns to 3% on July 1, 2021. This allows for the pandemic to pass and for us to return to planning for continued slow and generic growth. It has taken a decade to reach 3% and we anticipate it will be another decade before we reach the 5%.

If questions or comments please contact Marshall Cobra at 503-580-1668 or Marshall@cobacompany.com