

Written Testimony to Senate Education Committee on SB 767
Feb 2, 2023

I am a 15-year resident of Ashland, Oregon and the current Ashland School Board chair. To be clear, I am only speaking for myself and not the Ashland School Board. I believe Senate Bill 767 is necessary and urgent to close an unintended loophole in current state law.

In Oregon, local school boards are elected by their community to represent and advocate for the needs of the students attending public schools within the school district. It is a strongly held value and practice that school boards should be empowered to determine the direction and structure of the public education within their community based upon the legal duty and public responsibility entrusted to them by Oregon law and their local stakeholders.

The possibility that a charter school could physically locate themselves outside of a sponsoring district, against the sponsoring district's wishes AND against the "host" district's wishes (i.e. the district that would actually contain the physical charter school) flies in the face of the practice of school boards' legal, ethical, and fiduciary duties. It is a negation of the entire process of local control for both involved school boards and only remotely possible by the manipulation of an unintended loophole in Oregon law. Due to statutory language originally intended to give flexibility to virtual/online charter schools to provide ancillary services (like testing and tutoring) for their students, an unintended loophole was created. This loophole was never intended to allow a charter school to open a physical campus wherever they please and without consent.

If this unintended loophole is not closed, what would stop any "sponsored" charter school from opening a physical school building in any other school district in Oregon? Should a charter school in Portland be allowed to open a physical campus in Medford or vice versa? It seems unwise in general and certainly should never occur without the explicit consent of both districts. Additionally, such charter schools would have direct negative impacts on the enrollment of the districts where they were coercively located. This potential "wild west" of forced charter schools would set a dangerous and unintended precedent that undermines local control, damages the impacted school districts, and threatens the delivery of public education itself.