

Feb. 1, 2023

From: Jeanne Randall, Pinehurst School District #94, Board Director

To: Oregon Senate Education Committee

RE: Senate Bill 767 – It denies due process to our district and equal access opportunity to parents and students and is not an Emergency

Hello Education Committee,

Thank you for your service to the citizens in your districts and to the greater community in Oregon.

I am a member of the Pinehurst District #94 School board, a small rural school district, 22 miles from Ashland in the Cascade Mountains. We are a K-12 district, currently operating a small K - 6 grade in-district school with 15 students and offering 7 - 12<sup>th</sup> grade opportunities for our students **only** through a district tuition transfer with Ashland district at Ashland Schools. As a district we have often felt disenfranchised and neglected by larger governing bodies and I ask you hear my voice and the voice of a large majority of parents within our district.

While my comments do not reflect a vote or decision made by our entire board, they do reflect a direct interference with the due process of charter application that was begun on Oct. 4th by applicants in our district and board deliberation. Applicants are/were operating under current Oregon law, our district is currently engaged in operating under required law of schedule and procedure for Charter applications, and current legislation should not interfere with this charter candidate and our board business in progress. Other Pinehurst School board members, if giving testimony, would be bringing testimony in the same manner, a personal opinion and not a reflection of a collective board opinion, decision or vote.

Many local families feel as if they are not being equitably served by the district for their 7 - 12<sup>th</sup> experience, students being **only** offered a tuition transfer to the Ashland District public school's only high school and middle school. Applicants, local to our district and Ashland and their supporters believe a classical model will provide and support originality for a local and regional educational model. Applicants are offering a charter model currently operating in three California public school districts. The charter applicants want to offer more choice for Pinehurst students plus a viable additional option of K- 12 for valley residents also seeking more choice in public education.

As you may know it's hard to become a charter school in Oregon, although the original intent of Oregon law is a **very** supportive cheerleader.

ORS 338.015 "It is the intent of this chapter that new types of schools, called public charter schools, be created as a legitimate avenue for parents, educators and community members to take responsible risks to create new, innovative and more flexible ways of educating children within the public school system. The Legislative Assembly seeks to create an atmosphere in Oregon's public school system where research and development of new learning opportunities are actively pursued. The provisions of this chapter should be interpreted liberally to support the goals of this section and to advance a renewed commitment by this state to the mission,

goals and diversity of public education. It is the intent that public charter schools may serve as models and catalysts for the improvement of other public schools and the public school system.”

While the intent of the original charter legislation is highly supportive, the **process** of getting approved to be a charter school is extensive, time intensive and rigorous, taking 4 to 5 months for the process and hundreds of hours of preparations by groups of parents and community supporters. Current Oregon law (ORS 332.158) allows for charters to be sponsored by one district, but to operate in two or more districts without going through the entire labor extensive and redundant application process yet again with a new sponsor. Charters may "satellite" into another district where there is demonstrated additional demand by parents and community members. Under current law charters must only give notice to the district into which they want to satellite, if the charter is already sponsored elsewhere. Thus the existing law permitting multi-district presence and operation is very reasonable and supports widespread regional educational diversity for students. Several Portland charter schools and other rural schools utilize this practice for these same reasons.

This proposed bill was specifically crafted by law makers last month at the request of school district administrators in Southern Oregon (not by parents with children) to prevent this potentially popular charter school now in process of review in our district, and other similar efforts, from entering their districts. A classical educational model is not currently available in **any** district in Southern Oregon. It's ironic that some of the same districts opposing this new charter in their district (Medford), are engaged in the same multi-district "satellite" charter practices themselves being challenged in this bill. The applicants reported to having earlier discussions with Medford and Ashland for a potential sponsorship. Ashland is reported to have said they only offer alternative school opportunities in their district (not charter) and Medford's reported non-negotiable 20% retention of ADM funds being incompatible with applicant's full service model. This regional roadblock, prevents especially economically challenged families and families of color, from having a free public educational classical choice considered by some to be a privilege of generally only the upper and middle class white families who can afford private schools for a classical education.

The bill intends to shut this charter application down before Pinehurst may approve it, (deadline within the next 23 days). This is discriminatory and targeted at those currently in progress under current law, and should not be tolerated. It is a direct interference with our board's obligatory due process with the charter applicant, who has strong rights under Oregon law, as does our district to be free from intentional legislative interference. Pinehurst District may be small, but that does not mean its due civil rights for self-governance under the Oregon law can or should be trampled and disrespected by the legislature.

The bill also says if approved, it will make the effect retroactive for the 12 months prior, which is a direct target against this proposal. It would additionally potentially interfere with private contract negotiations the applicants may have entered into with private citizens or lease opportunities for facilities. Government may not interfere with private contracts. If any new bill were to be passed, in all fairness it should be grand-fathered to any existing charter or one in progress for application such as is before our district, to honor the civil rights existing at the time of its application submission (Oct. 4th).

The bill also claims this is an "emergency" and must be effective immediately on passage. "BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY". There is nothing in Oregon law definitions that supports or allows this as a cause for an emergency

declaration. This is a complete and utter falsehood when reasonably assessed, not supportable by any cause by Oregon emergency law allowances to my knowledge, and an unreasonable overreach of government.

The proposed law also contains no criteria given by which a district can say no to an incoming charter (other than its original sponsor). If the law is changed, more reasonable would be if the district potentially receiving the satellite already has an existing charter or existing program with the same purpose or mission within their district, then perhaps denial is appropriate. But if a model of charter is incoming with a model not otherwise available to the students in the district or region, current law should prevail with equity of opportunity for all students for and education of their choosing. Allow the parents and groups of charter communities of free people their civil rights to offer and educate their children in an educational model they support.

Respectfully, do not interfere with the current business and due process of our district already in progress. And I recommend keeping the law as is, no change necessary. This would support student rights to a free public education that aligns with their values, all parent's civil educational rights in Oregon and ongoing school choice equity for all regions, races and creeds in Oregon.

Sincerely,

Jeanne Randall, Board Member

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