

To: Senate Education Committee Members
From: Jennifer Kammerud, Legislative Liaison, DPI 9K
Date: November 7, 2013
Re: 2013 Senate Bill 76 – Senate Substitute Amendment 2

The Department of Public Instruction (DPI) remains opposed to Senate Bill 76 (SB 76). Senate Substitute Amendment 2 (SSA 2) to the bill, raises new concerns in regards to accountability and charter school districts and does not address who will be doing the calculation resulting in charter school replication.

The DPI is opposed to removing a virtual charter school authorized by a school district from that district's report card if over 50 percent of the students are open enrolled. This policy change would treat virtual charter schools differently from every other school run, contracted, or authorized by a school district. A school district should be required to take ownership of the educational facilities created under its authority regardless of the type of school or population served.

SSA 2 would also amend current law to remove the requirement for school districts, which choose to move to district charter status, to provide an alternative public school attendance option for those who do not wish to attend a charter school. This is troubling as it will essentially remove the ability of some parents to choose a traditional public school option. Parents who want a traditional option will be forced to either move, pay tuition to a non-resident district or use open enrollment. Open enrollment is really only available if a non-resident district has space for the student and if someone can get the student to school.

SSA 2 also does not answer questions raised in all versions of this legislation regarding the proven track record of success. Who is doing the calculation to determine whether a school has met the 10 percent threshold that could result in automatic replication? The department does not currently do this type of a calculation and is not directed to do so in the bill. Additionally, is there a minimum cell size or point at which there are too few students to compare to complete the 10 percent calculation?

Given these issues, and the department's testimony at the public hearing on October 3, we request that you vote against SSA 2 and SB 76.