

**STATE BOARD OF EDUCATION – TOPIC SUMMARY**

**Topic:** Coburg Community Public Charter School Waiver Request

**Date:** October 24, 2014

**Staff/Office:** Kate Pattison/Office of Learning

**Action Requested:**  Informational Only  Adoption Later  Adoption

**Adoption/Consent Agenda**

**ISSUE BEFORE THE BOARD:** Whether the State Board of Education should approve a request for enrollment priority to be given to children living within the former attendance boundaries of the Coburg Elementary School.

**BACKGROUND:**

The city of Coburg is approximately 8 miles from downtown Eugene. The Coburg School has been in the city of Coburg since 1865. During the 1960s Eugene School District annexed the Coburg School District. Eugene School District elected to close the Coburg Elementary School at the end of the 2010-11 school year. Coburg Community Charter School was approved to operate as a charter school starting in the 2011-12 school year. The school successfully opened in 2010 with a three year charter and has been approved to operate for another three years beginning this school year.

In March 2012, the State Board of Education, approved a waiver that would allow the charter school to grant priority admission to be given for students who live within the previous Coburg Elementary attendance boundary for up to 50% of total enrollment. If, at the time of the lottery, the total percent of students enrolled from the previous year and siblings enrolling for the year is less than 50% of the school’s total enrollment, priority will be given to those students within the previous Coburg Elementary School attendance boundary up to 50%. Then priority would be for in-district students, then out-of-district students. The school is requesting the State Board to approve this waiver again for the duration of their current three-year charter contract.

**581-026-0130 Procedure to Waive Certain Provisions of the Charter School Law**

- (1) A public charter school may petition the State Board of Education for a waiver of any provision of ORS 388. The written petition must specify the reason(s) the charter school is seeking the waiver and any other relevant information.
- (2) The public charter school must notify the sponsor if a waiver under this section is being considered. Waivers granted by the State Board to a charter school may require amending the charter under the provisions of OAR 581-026-0100 (7).
- (3) The State Board of Education, upon receipt of a waiver petition, will review the petition and may grant the waiver upon a showing that approving the waiver would:
  - (a) Promote the development of programs by providers;
  - (b) Enhance the equitable access by underserved families to the public education of their choice;
  - (c) Extend the equitable access to public support by all students; or

(d) Permit the development of high quality programs of unusual cost.

(4) The State Board of Education may not waive any review provision under the Act or any provision under ORS 338.115(1).

This request is consistent with waiver criteria as stated in OAR 581-026-0130. This request is before the State Board of Education for a first read and will return to the board in December 2014 for a decision.

**POLICY QUESTIONS:**

- Would this waiver set a precedent allowing charter schools to be more restrictive on enrollment?

**STAFF RECOMMENDATION:** Although staff did not recommend the original waiver request in 2012, having reviewed the data provided by the charter school and considering the Board's prior action, the Deputy Superintendent and ODE staff recommend approving the Coburg Community Charter School waiver request for the duration of their current charter contract.

**ATTACHMENT –**

- 10/9/14 Email with lottery and enrollment data
- Waiver Request Letter
- CCSC Minutes

**From:** Leah Claypool [mailto:leahclaypool@gmail.com]  
**Sent:** Thursday, October 09, 2014 3:33 PM  
**To:** PATTISON Kate  
**Subject:** Coburg Community Charter School -- Data for waiver renewal application

Kate,

I pulled together some of the data we discussed on Monday. I was able to compile two "snapshots" of data. One is from our enrollment numbers at the beginning of this school year, and the other is from enrollment applications and lottery results from the lottery for this year. If you are looking for something else, please let me know and I will do my best to track it down.

Enrollment #s at the beginning of the 2014-15 school year:

Total enrollment: 218

Students from within the Coburg attendance boundary: 82 (38%)

Students from the rest of the 4j district : 101 (46%)

Students from districts other than 4j: 35 (16%)

Lottery applications and results from March 2014 for the 2014-15 school year

CCCS received 153 applications for enrollment for the 2014-15 school year during the open enrollment period.

CCCS, at the time of the lottery, had 37 openings available for the 2014-15 school year.

Application Data:

Siblings of current students - 28 (18%). Of the 28 siblings, 5 were from within the Coburg boundary, 7 were from other districts, and 16 were from 4J.

New enrollment from within the Coburg boundary -- 22 (14%)

New enrollment from the rest of the 4j district -- 68 (45%)

New enrollment from districts other than 4j -- 35 (23%)

Lottery resulted in the following:

30 students were offered enrollment after the lottery (at the time of the lottery we had no applicants for the 5 openings in 8th grade, and only 3 applicants for the 5 openings in 6th grade)

17 were siblings (5 -Coburg, 2-other district, 10-4j)

10 were new Coburg boundary

3 were new 4j

0 were new other district

After examining the lottery results it appears that 5 Coburg boundary students benefitted from the priority status granted by the waiver. Had the lottery occurred without the waiver 5 district 4j students would have been offered enrollment in place of the 5 Coburg area students who benefitted from the priority status.

The Coburg School, before its shut down and conversion to a charter school, rarely had enrollments over 125 students. It was a K-5 school, but many students also came from other district schools and even the neighboring school district. Coburg, at this time, does not have the capacity to fill CCCS. It is important to make sure that the students of this area who were left without a school in their community have stable access to CCCS. One of the most important reasons CCCS was granted its charter from District 4J was that we would be serving students and families left behind by the closure of the neighborhood elementary school. CCCS cannot fulfill that obligation or stay true to its mission without having the ability to grant some kind of priority placement to local families.

I hope the ODE staff and board members will consider the role charter education is playing in small rural communities around the state and give all those schools the stability to serve local families as well as students from other parts of their sponsoring districts.

Thank you once again,  
Leah Claypool



CCCS Co-Founder  
CCCS Board Liaison

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Coburg, OR 97408  
Ph: (541) 344-4113  
Fax: (541) 344-4120  
[www.Coburgcharter.org](http://www.Coburgcharter.org)

September 29, 2014

Members, Oregon State Board of Education  
255 Capitol St. NE  
Salem, OR 97310

Dear State Board of Education Members:

Coburg Community Charter School (CCCS) respectfully requests that you waive ORS 338.125-- which requires, "selection for admission to a charter school be through an equitable lottery." The request is made pursuant to ORS 338.025 and OAR 581-026-0130 We would like to request the following at this time:

**Waiver Renewal Request:** CCCS requests the renewal of the 2012 waiver that has allowed CCCS to maintain up to 50% of total enrollment for priority placement of students who reside within the attendance boundary for the former Coburg Elementary School.

Background

Coburg Community Charter School's proposal was approved by the Eugene School District 4j School Board on February 2, 2011. CCCS currently has a three year charter with District 4j beginning in the 2014-15 school year. CCCS is located in the rural city of Coburg, Oregon. There has been a school in the city of Coburg since 1865. District 4j annexed the Coburg School District in the 1960s and has overseen an elementary school in Coburg since that time. Due to budget issues District 4j elected to close Coburg Elementary School as of the end of the 2010-11 school year. Community members rallied to create a charter school for the city of Coburg and the surrounding community. CCCS won approval due in no small part to the overwhelming support of community members. That support will allow CCCS to continue the legacy of local education in the small city of Coburg and the surrounding rural area. CCCS is leasing the former Coburg Elementary School building from District 4j. A previously approved waiver gave priority to students that were students of the former Coburg Elementary School at the time of its

closure. We seek to continue CCCS's connection to its community by providing the opportunity for local families to receive priority placement.

Coburg Community Charter School is strongly anchored by its community. The involvement of the community in the school and the school in the community is an integral part of the school's curriculum and identity. CCCS is not a charter school born out of a particular pedagogy. At its core is the vision of a small community driven school where students are welcomed and valued as important members of a wider community. The continued success of the school is in the hands and hearts of its community members. It would be detrimental to the future of CCCS and to the children of the Coburg area if local families were denied enrollment.

If student enrollment from within the attendance boundary of the former Coburg Elementary School falls below 50 percent of the total enrollment of the school, we ask that students who reside within the boundary be given priority in the lottery until their numbers reach 50 percent of the total enrollment. Once returning students and their siblings are enrolled the overall percentage of total projected enrollment would be calculated. We would then determine the number of new students from within the former Coburg Elementary attendance boundary who would be given priority in the lottery for that year. After those priority slots have been filled, the lottery would continue to fill the other remaining slots with in-district students followed by out-of-district students. This would allow the community that helped to create CCCS, and will continue to support it in the future, more secured access to the school while also providing an educational option for students from within our sponsoring district as well as students from neighboring districts.

In the last two years since the 50% priority waiver has been in place CCCS has been able to place almost all local families seeking enrollment while still serving as an educational option to families of our sponsoring district. The loss of Coburg Elementary left local families with no neighborhood school option. The ability of CCCS to provide an option for families without another local public school choice is crucial to our community and to our mission.

According to OAR 581-026-0130, the State Board of Education, upon receipt of a waiver petition, will review the petition and may grant the waiver upon a showing that approving the waiver would meet one of the four criteria below. CCCS believes that our waiver request meets two of the four criteria, as follows:

Promote the development of programs by providers:

The creation and development of CCCS stemmed from a grassroots effort to create a stable public school in the Coburg community. The overwhelming support of community members was key in CCCS being granted its charter by its sponsoring district, and the reason for CCCS's continuing success. Local families need assurance their children can participate in the school their community fought so hard to create. "Community" is a central part of our mission and as such we do considerable outreach in the community to solicit volunteers and partnerships with

community members, agencies, and businesses. These ties need to remain strong in order to bring in the level of community involvement the school currently enjoys.

Enhance the equitable access by underserved families to the public education of their choice:

As the only public school option in the area, families who have been, and could be, underserved by the closure of their community school by our sponsoring district can access a local, high-quality public school, only through assurance from this waiver.

Extend the equitable access to public support by all students:

N/A

Permit the development of high quality programs of unusual cost:

N/A

It is for these reasons that we request the renewal of the waiver granted in 2012, so that we can continue to serve our sponsoring district and our sponsoring community. This continuation of this waiver would allow CCCS to continue to assure local residents that they do have access to a public school in their community.

Your consideration is greatly appreciated.

Respectfully Submitted,

*Janel Mcpherson*

Coburg Community Charter School Board President

## CCCS Meeting Minutes

September 15, 2014

Coburg City Hall

Called to order at 6:30 p.m.

Board members present: Janel McPherson, Mollie Smith, Jack Harris, Will Lewis, Paul Thompson (6:21p.m.), and Mindy Hayner

Staff present: Laura Ralls, Terry Hoagland, Michelle Epperson

Guests: Jeanine Wallace (Pacific Benefit Consultants Inc.), Leah Claypool, Dusty Smith, Suzanne Henderson

Pledge

Amended agenda was unanimously approved.

The board unanimously approved the minutes from the August 16, 2014 Board Retreat.

Staff report: Michelle Epperson was excited to share about a new way she is teaching Algebra 1 and Geometry. Since she is teaching both Algebra 1 and Geometry at the same time, she is "Flipping" classes. Instead of the lecture taking place in the classroom and homework consisting of working math problems, she records herself teaching the lesson which students watch at home, and then students work problems in the classroom, where she is able to give assistance.

Principal report

Board Reports

Janel McPherson: Tuesday, October 14, 2015 from 6:00-8:30p.m., is the boards leadership coaching session with Barbara Gibbs from Non Profit Organization of Oregon and The Ford Family Foundation.

Leah Claypool, board liaison, has been in communication with ODE regarding our waiver request, and is currently working on the waiver renewal process.

The board unanimously approved a motion to apply for a renewal of our waiver from ODE to give priority placement in the enrollment lottery to students who reside within the attendance boundary for the former Coburg Elementary School.

Finance report: Dusty Smith and Will Lewis gave an overview of the 2014-15 budget. It was requested by board members to talk about investment reserves at the next quarterly budget meeting.

Director of Operations report

The board unanimously approves Terry's vacation from October 2, 2014-October 10, 2014.

Jeanine Wallace with Pacific Benefit Consultants, Inc., gave a health plan benefits overview for 2014-2015. Our benefit program has been designed well, and we were able to extend our plan to the 2014-2015 year with no changes in rates.

Elections committee: Janel McPherson, and Jack Harris, volunteered to be on the elections committee, this was approved by board consensus.

The board unanimously approved a motion to adopt the Director of Operations job description. Director of Operations goals and evaluation process is tabled until the next board meeting. It is requested to have this take place in an executive session.

The board unanimously approved a motion to adopt the Goal Setting and Evaluation Timeline for CCCS Board of Directors, and Administrators.



The board will have a work session to review the Personnel Handbook this will be scheduled at a later date.

Board Protocol will be discussed in a work session that will be scheduled at a later date.

The board unanimously approves a motion to adopt the Community School Relations Complaint Procedure Policy and the Reporting Requirements Regarding Sexual Conduct with Students Policy.

Paul Thompson has volunteered to attend the November OSBA Convention in Portland.

Staff/Board Vision and Mission Meeting #3 is tentatively set for Friday, November 7 from 1:00-2:30p.m. at the fire station. Laura will confirm this.

Facilities committee: Jack Harris volunteered to be on the facilities committee. Will Lewis will help draft the facilities committee guidelines.

Board work sessions and dates: Staff Handbook/Teacher Evaluation Training is scheduled for Wednesday, January 7, at 6:00 p.m.

The board agreed that if there are any fundamental changes needing to be made to CCCS programs, the change will be proposed, discussed and decided through a two meeting process.

The board unanimously approved the board president, Janel McPherson, to initiate to enter into agreement with OSBA to update our charter school policies through OSBA services in the amount of \$3500 plus fees.

Enter into Executive Session ORS 192.6602i 9:57p.m.

Executive session adjourned at 10:51p.m.

Meeting adjourned at 10:57p.m.

Minutes submitted by Mindy Hayner