

STATE BOARD OF EDUCATION – TOPIC SUMMARY

Topic: Madrone Trail Public Charter School Waiver Request

Date: October 24, 2014

Staff/Office: Kate Pattison/Office of Learning

Action Requested: **Informational Only** **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 who have had a prior Waldorf-inspired education experience.

BACKGROUND:

The Madrone Trail Public Charter School (MTPCS), a Waldorf-inspired school, serves approximately 220 students in grades K-5, and is sponsored by the Medford School District. MTPCS has operated since September 2007 in Central Point, Oregon as a public charter school. In 2012-3, MTPCS received an overall rating of a “5” on the Oregon School Report Card and performed “above average” when compared to other similar schools.

The request is to give children with prior Waldorf-inspired experience preference in enrollment. The waiver would give students who enroll from private Waldorf inspired schools or students who enroll from a Waldorf homeschool program preference over students who do not have prior Waldorf experience. MTPCS explained that the primary reason for seeking would be to help maintain the continuity of the curriculum and teaching methods. According to MTPCS, the Waldorf-inspired curriculum is significantly different from traditional curriculum with regards to *when* and *how* content is presented to students from kindergarten through eighth grade. Additionally, the charter school’s target population is families who are seeking a Waldorf inspired educational program for their students.

Consistent with the requirements of the law, MTPCS notified the sponsoring school district of this waiver request and met with the district to discuss the specifics of the request. The Medford School District expressed concern regarding the possibility of limiting equitable access for all students with this waiver request. Superintendent, Phil Long, states in his letter to the charter school:

I voiced the district concern regarding equitable access for all students to the charter school. This is an interest the district has not only for Madrone Trail PCS, but for the other two charter schools within the district. Associated with the equity issue, is the concern that having a preferential application process that advantages students whose parents provided private Waldorf preschool or Waldorf homeschool curriculum might put families that can afford the private Waldorf preschool (or homeschool curriculum) ahead of interested parents who cannot afford this. That type of priority for enrollment could be construed as preferential based on income.

When reviewing this waiver request, Oregon Department of Education (ODE) staff also considered the school’s performance and ODE’s strategic goals and objectives related to equitable access for historically underserved students. MTPCS served 221 students in 2013-14 with 49% of the students reported as economically disadvantaged. According to MTPCS, only 20

of the students served in 2013-14 had prior Waldorf experience and of those, only a small number would qualify as economically disadvantaged. Staff concluded that even with a potentially limited impact on the overall student population, the waiver would not "enhance the equitable access by underserved families to the public education of their choice" (OAR 581-026-0130(3)(b)) and could limit access to a highly rated public school.

This request was submitted consistent with requirements of the State Board policy regarding waivers, but does not meet the waiver criteria as stated in OAR 581-026-0130.

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).

The State Board reviewed this request at the August 2014 retreat as a first reading. It is now before the board for action. This waiver request is being considered at the same time the State Board is having a larger discussion regarding their policy on public charter school waivers.

POLICY QUESTIONS: If a public charter school gives priority enrollment to children with prior programmatic experience in a private or homeschool environment, does it limit the equitable access of historically underserved students to the public education of their choice?

STAFF RECOMMENDATION: The Deputy Superintendent and ODE staff do not recommend approval of the Madrone Trail Public Charter School waiver request.

ATTACHMENTS –

- Waiver Request Letter
- Letter from Medford School District Superintendent
- 2012-13 School Report Card