

M E M O R A N D U M

TO: Senator Bill Owens
FROM: Dave D'Evelyn
DATE: 3/17/93
RE: SB183 Wrap-up tomorrow

The following are some thoughts I've collected over the course of the hearings which you may or may not want to work into your summation before the bill is considered tomorrow.

1. For innovative districts, and we heard from at least Denver and Boulder claiming to be such, SB183 would be moot. If a district is meeting the demand for innovation, it would never have a group propose a charter school.
2. Saying charter schools might be innovative enough to attract students now attending private schools is a two-edged sword: while it reflects well on their quality it also implies a fiscal impact on the state which could be used against SB183.
3. Jack Fenlon has several times called for local boards being given a "good faith" opportunity to do what they can with the idea of charter schools. The hard question is--Does history justify such an opportunity? Denver with the LARASA proposal, Ft. Collins with the core knowledge, Jeffco with the open and fundamental perpetual waiting lists and the Bear Creek K-8 proposal, Boulder with the International Baccalaureate proposal . . . all suggest that the districts have already passed on this opportunity.
4. Al has spoken favorably of a pilot charter school program. In a sense, each charter school is a pilot: specifically designed for a particular community, requiring the prior approval of a publicly accountable body, required to assess and measure itself far beyond what most public schools have to do today.
5. So many strawmen were constructed during the hearings; each needs to be dealt with. The key question here is: Does the language in the bill mean what it says? If we can't assume that, the whole legislative enterprise is empty. There is explicit language in SB183 dealing with each of these scare scenarios:
 - a. ". . . will take away neighborhood schools:" holdover from last year's bill; nothing can happen along these lines without local board approval.
 - b. "will lead to elitist enclaves and/or racial warfare:" The bill has explicit language aimed at preventing this. Ought we not expect local boards and SBE to conscientiously try to

screen out any attempts to pervert the charter school process? Any innovation carries risk, but 183 effectively minimizes those risks.

c. "we don't want an uncontrolled proliferation of charter schools all over the place:" The application process is rigorous and frankly will discourage all but the most motivated groups. The bill is written to facilitate the chartering of schools by local school boards, who presumably would not agree to charter schools at an unhealthy rate. The bill may have its most widespread effect in how the mere presence of the charter option encourages districts to say yes to proposals even before they become formal charter school applications.