

Sonoran Science Academy

Sonoran Science Academy
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TO: Tim Steller
The Arizona Daily Star

FROM: Ozkur Yildiz, Superintendent
Daisy Education Corporation (Central Office for Sonoran Science Academy Schools)
oyildiz@sonoranacademy.org

Dear Mr. Steller:

Mr. Karatas of our Sunset Road location forwarded your email inquiry to me. Please be aware that our school district policy is that matters concerning human resources should be handled at the central administrative level. Please direct further inquiries on your topic of certifications by the U.S. Department of Labor to me, at my email address above.

You obtained records from the U.S. Department of Labor showing applications for “Labor Certification Application” or LCA’s, in Arizona at various schools, including schools under the banner of Daisy Education Corporation.

Based on these records, you have asked: “what’s the need for bringing in so many teachers and other staff members from other countries.”

In order to respond to this inquiry, while protecting the confidentiality of our employees, and with regard to our policies of non-discrimination on the bases of all protected categories, including national origin, I will first address the records you have obtained, and then give an overview of DEC’s policies and practices.

The LCA system

You have stated that DEC schools “have been certified for many more of these visas (H-1B) than any other school or even big district in the area.” Technically, a certified (or approved) LCA does not give H-1B work permission – it is a necessary prerequisite for H-1B work permission approval, but much more goes into an approved H-1B petition than simply an approved LCA.

An LCA is a sub-part of an H-1B filing for work permission for a professional foreign worker. Approval of an LCA does not mean that an H-1B will necessarily be filed based on that LCA.

More than one LCA can be filed for the same professional worker. For example, if a professional worker works at more than one location for the same employer, the employer is required to obtain an approved LCA for all work locations.

Whenever a renewal of H-1B work permission status is done for an existing worker, which must be done from time to time, and at least every three years, an approved LCA must be part of that renewal filing package.

Whenever an existing H-1B worker, who is in the U.S. in lawful work status with another employer, changes employers, a new H-1B petition package, including an approved LCA, must be filed by the new employer.

DEC has a number of workers who no longer are working in H-1B status, because they have moved on to the lawful permanent residency (“green card”) process and no longer rely on H-1B status for work permission. Thus, even though an approved LCA on behalf of that worker might show up in old records, the worker is no longer working pursuant to that approved LCA.

Occasionally, due to administrative error or oversight, more than one LCA is obtained for a particular worker. Only one approved LCA is relied on for an H-1B filing, but there might be more than one LCA related to a single H-1B filing.

In summary, the gross number of approved LCA's is always higher, sometimes by a significant factor, than the actual number of workers who work at an employer in H-1B work status, based on an approved LCA. I do not know exactly how many workers at DEC schools are currently working under one of the approved LCA's from your spreadsheets, as we do not maintain records by the LCA number, but it is far less than the gross numbers on your spreadsheets.

H-1B workers at Daisy Education Corporation – policies and practices

DEC operates math/science/technology focused charter schools, under the jurisdiction and oversight of the State of Arizona, which issues their charters.

One of the valuable aspects of charter school education is that community leaders and educators can start with fresh focus and fresh ideas in seeking the very best educational options and opportunities for Arizona's children. From the very beginning, DEC has focused on excellence and innovation in math/science/technology as it relates to education.

The results and excellence of DEC's model is well-known in Arizona. Sonoran Science Academy was named statewide “Charter School of the Year” for 2009 – and labeled “Excelling” by Arizona Department of Education (ADE) –for the past six years. These accolades are a result of the focused ideas and plans for education, as well as incredible hard work over years by the governing board, administrative leadership, teachers, and other staff.

In other recent honors and recognition, **Newsweek**'s “America's Best High Schools- 2009” lists Sonoran Science Academy-Tucson (SSA-Tucson) as 103rd out of 27,000 schools ranked. Also in 2009, **U S News & World Report** labeled SSA-Tucson as a Silver Medal Winner. Arizona had only two gold medal winners and SSA-Tucson was the highest-ranked silver medal winner (out of total eight silver medals) in the State.

When one compares Sonoran Science Academy to other public schools, it is impossible not to notice the wide range of unique academic and extra-curricular programs that continue to attract national attention. For example, SSA has extraordinary rates of participation and success in local, state, national and international academic competitions. See attached our recent compendium of awards and achievements in these competitions.

Per SSA's Charter and mission statement, the school is committed to provide a quality education by preparing students to compete in a global society that is rapidly increasing in technology. SSA relies on our highly qualified staff to achieve this. For example, one of our international teachers – Mr. Kadir Bahar, who has given permission to be mentioned here – has recently been awarded an “Edyth May Sliffe Award” by the **American Mathematical Association** and a “Math Hero” award by **Raytheon**. Mr. Bahar is the only math teacher in Arizona history to coach Arizona's MathCounts team for two years in a row, in representing our state in the national competitions. He has been recently featured in **KOLD channel 13**, **KVOA channel 4** and **The Arizona Daily Star** for his astounding accomplishments in educating our youth.

Beginning in 2002, because of the math/science/technology focus of our educational model, and because the strong U.S. economy made almost impossible to find qualified math, science and technology-oriented professionals willing to work in education, DEC began to employ qualified H-1B workers to work in our schools. Over the years since then, reflecting the continued scarcity of such professionals, DEC has continued to employ a number of qualified foreign professionals, many of whom have started at DEC in H-1B work permission status.

In connection with this employment, DEC has always complied with federal immigration and employment laws, as well as all state and local laws governing workers. One of the conditions of an approved LCA, for example, is that the foreign worker must be paid at least the “prevailing wage” – or the minimum average wage for that type of professional job. If you review your spreadsheet records, you will see that DEC always offers at least the minimum prevailing wage for its professional workers.

The current economic downturn, which has spread to math/science/technology sectors, has only just begun to affect the availability of qualified math/science/technology professionals who are willing and able to work at a math/science/technology focused school.

In your spreadsheets, you make a comparison between established general public schools in the Tucson area, and the DEC schools. This is not a fair comparison, as charter schools by definition should be quite different from established general public schools. A more appropriate comparison would be between DEC schools and similar charter schools all over the U.S.A., focusing on math/science/technology education. I suspect that you will discover that nationwide, charter schools with a track record of excellence in math/science/technology education have similar historic numbers of approved LCAs and H-1B workers as DEC schools.

This mirrors similar phenomena in the math/science/technology sectors of the United States in general. The energy, innovation and intellectual commitment of foreign professionals in this area of our economy over the past decade and beyond, who have come legally to the United States pursuant to laws that encourage their presence and contributions, is well-known.

DEC is proud of the contribution of all our employees, and proud to play a role in educating Arizona's children for a brighter future.

Sincerely,

Ozkur Yildiz
(Sent Electronically)