



Pennsylvania Association of School Administrators
Proud Leadership for Pennsylvania Schools

Testimony
before the House Education Committee

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Chairman Clymer, Chairman Roebuck and distinguished members of the House Education Committee, good morning and thank you for providing PASA the opportunity to share our views on the issues of charter schools and school choice.

I have the pleasure of serving both as superintendent of Big Spring School District, located in Cumberland County, and as chair of the PASA Legislative Committee. PASA members include school superintendents and others who lead our school districts, intermediate units, career and technical education centers and charter schools.

At the outset, it is important to note that the Public School Code already offers nearly as many educational options to parents in this state as can be found in any state in the nation. Public school options include traditional public schools, charter schools, cyber-charter schools, alternative schools and career and technical schools. Nearly 1.8 million students are enrolled in public schools. More than 90,000 of these are enrolled in charter and cyber-charter schools. Increasingly, school districts have also begun to offer their own cyber-education programs, sometimes in partnership with intermediate units or other school districts. In fact, many districts use the same curriculum and educational resources that are used by cyber-charter schools – but the cost to taxpayers is about half the rate paid to cyber-charter schools.

In addition to the public school options, parents have available private academic schools and non-public schools. Nearly 250,000 students are enrolled in these schools. Parents who believe the best educational option for their child is home education educate more than 23,000 children in the Commonwealth.

PASA recognizes and respects the rights of parents to choose a private, non-public or home education for their child. PASA believes that private school, nonpublic school and home education are important parts of the Pennsylvania educational system.

We must recognize that school choice already exists in our state. Thus, the real issue isn't about choice, as educational choice already exists. Rather, the issue is over who pays for the choice.

We believe the debate about school vouchers centers around two primary issues.

The first concerns the charge given the General Assembly by the Pennsylvania Constitution to provide for a "thorough and efficient system of public education" to serve the needs of the Commonwealth. Does this provision mean the General Assembly must assure that the system provides every child an equal opportunity to access a quality education? Is this provision an individual entitlement? Or does the Constitutional obligation require the General Assembly to support a system that offers students the opportunity to receive a quality education? That is, the General Assembly is charged to create, fund, maintain and oversee a system that offers quality educational opportunities across the state.

We believe it is the latter. When considered together with other provisions in the Pennsylvania Constitution that prohibit the use of public funds to support sectarian schools, we suggest the intent of these provisions is clear: that the General Assembly has the obligation to maintain the public education system by fixing persistently low-performing public schools. The General Assembly should provide the necessary resources, together with a sustained commitment of both expertise and money, to transform the five-percent of low-performing schools into well-functioning, successful schools.

We believe that previous efforts made under the now expired Education Empowerment Act and then under the federal No Child Left Behind Act were too limited, too brief and without sustained leadership and resources from the state, school districts or even on the school building levels. The only way successful, transformational change can occur is through sustained effort over time. The only way to achieve this is through stable, committed leadership.

It is time to discontinue the experiments in privatization and governance where they have not been successful, to discontinue the quick-fix investments in magic-bullet educational programs and expensive technologies, and stop protecting anyone's turf, all of which get in the way of doing what is necessary to provide students enrolled in challenged schools with the opportunity to receive a quality education.

We should reengage efforts to provide districts with genuine mandate relief, providing school districts, particularly those that have low-performing schools, the same flexibility that is currently provided charter schools.

PASA opposes any legislation that will divert state funding away from public schools. Pennsylvania's system of public education is financed with one of the lowest shares of state support of any state in the nation. On average, Pennsylvania's public schools receive just 36 cents of every dollar spent from the state to educate, support, transport, feed and provide health services to our students. On average, other states contribute 48 percent of total education spending. This low state share means that, on average, Pennsylvania's local school districts must pay 56 percent of all public education costs, compared to the national average of 44 percent. As a result, Pennsylvania ranks 4th among the 50 states in our dependence on local taxes to support public education.

Diverting additional dollars to fund school vouchers will further erode the already limited amount of state dollars received by challenged districts that fund essential educational and student support services. And, as you know, having a small number of students transfer to another school doesn't produce cost savings to the public school. The fixed costs of public schools do not change when a small number of students leave.

In addition, we all must recognize that, should a voucher bill become law, the vast majority of Pennsylvania's nearly 1.8 million public school students will remain enrolled in public schools. In the vast majority of public schools where student achievement, graduation rates, college-enrollment rates have dramatically improved over the past decade, we need to maintain continued commitment to support these schools. The vast majority of public schools in this state are not broken and should not be tampered with.

Another important fact is that underachieving public schools and charter schools, the 144 schools identified in several proposals, make up fewer than 4.6 percent of the 3,121 public schools and public charter schools statewide. With that said, we recognize that prompt action

needs to be taken to address the needs of students enrolled in the lowest performing five percent of public schools. Student achievement in these schools remains at unacceptable levels despite years of interventions and assistance to improve performance. However, we also recognize that students who remain enrolled in these schools also deserve the opportunity for a quality education, and therefore these schools cannot maintain the status quo. Aggressive action must be taken to restructure, turn the schools into charter schools or close them.

We applaud efforts by the House Education Committee to update Pennsylvania's Charter School Law. More than a decade of experience in operating charter schools has provided us with sufficient information to determine the strengths and weaknesses of Pennsylvania's charter school law. Charter schools are now an integral component of our state's public education system. Now that they have a sufficient record of performance and cost, it is appropriate that we work collectively to establish fair and coherent state charter school policies.

Although Pennsylvania's charter school law earned relatively high overall marks from the independent National Alliance for Public Charter Schools, earning a ranking of the 12th most charter friendly state in the nation, the Alliance gave Pennsylvania's law its lowest ratings in the areas of authorizer and overall program accountability and funding. Given the glaring weaknesses in the area of accountability, it is not a surprise that Pennsylvania's charters have demonstrated a mixed record in student achievement—a record no better than regular public schools—and, in numerous cases, a shameful record in business and personnel practices.

Several of the reforms proposed in various bills introduced in the General Assembly, particularly those concerning accountability and oversight, are long overdue, and we urge prompt action to strengthen accountability requirements for charter schools.

Placing charter school officials under the Sunshine Act, Right-to-Know Act and State Ethics Act and improving oversight generally are much needed. Taxpayers must be assured that limited public resources are being utilized in a transparent and cost effective manner and that the primary beneficiaries are the students they are intended to serve.

We agree with the concept that state-level oversight of charter schools is necessary and appropriate. We also agree that the oversight entity must be provided with both a clear mission and clear legal authority, along with the necessary resources, to perform that mission. The state entity must have authority to investigate complaints and allegations of wrongdoing, conduct unannounced, on-site inspections, and review contracts and accounting records. In addition, the

entity must have the authority to refer matters to the State Ethics Commission, local district attorney, Auditor General or Attorney General, as appropriate.

In addition, charter schools should be subjected to regularly scheduled, independent audits as are other public entities. The Office of the Auditor General should have clear authority to investigate allegations of wrongdoing as it has for school districts, intermediate units and career and technical centers.

Charter schools also should be required to purchase textbooks, supplies and services using the same open, competitive procurement procedures that school districts must follow. This will provide for a greater level of transparency in the procurement of goods and services for charter schools.

Another recommendation regarding charter school accountability concerns the renewal and closure of charters. As provided in the Model Public Charter School Law, adequate accountability must include clear processes for renewal, nonrenewal, and revocation decisions, including school closure and dissolution procedures to be used by all authorizers. It must include criteria such as whether the charter school adhered to its mission as specified in its charter, met or exceeded the performance targets specified in its charter, was not cited as out-of-compliance with state or federal education laws, and made satisfactory progress in improving student achievement.

PASA members are unanimous in their belief that the existing funding system for charter schools is broken. The method used to pay charter schools for special education services grossly overpays charters for special education services that most charter school students with disabilities require. In addition, the General Assembly must also address the method by which cyber-charter schools are funded in general. The current method is unfair to taxpayers and needs to be fixed. These funding issues must be addressed in any legislation that moves forward.

PASA strongly opposes the designation of institutions of higher education as authorizers of charter schools. Given the regional concentration of institutions of higher education, such expansion would likely add charter schools to communities where they already exist. In addition, Pennsylvania now has numerous for-profit institutions of higher education operating within its geographic boundaries. The expansion of authorizer status to these institutions would permit a for-profit university to authorize and provide oversight of a for-profit operated charter

school. This scenario creates several Constitutional questions. Chartering organizations should have the education of students as their primary motivation, not financial profit.

PASA believes the provisions to improve accountability, ethical practices, oversight, funding and transparency of charter school governance and operations are important first steps to address weaknesses of the current Charter School Act.

On behalf of school administrators from across the state, I thank you for providing PASA with the opportunity to share our views on the Charter School Act and school choice. We stand ready to work with this Committee and others to address how we can continue to improve educational opportunities for every child in each community across the state.