



Testimony of Lawrence F. Jones, Jr., M.Ed.

President

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Good afternoon Senator Piccola, Senator Dinniman, members of the Education Committee, members of the legislature, and audience members. My name is Lawrence F. Jones, Jr, and I am the President of the Pennsylvania Coalition of Public Charter Schools (PCPCS). I am also the CEO and Founding Team member of the Richard Allen Preparatory Charter School, a charter school serving 425 students in grades 5 to 8 in Southwest Philadelphia. Today, I am testifying in my role as President of PCPCS, an organization dedicated to supporting and advocating for the right of every parent to have public school options via high quality public charter schools. We believe that high quality public charter schools provide parents with educational options and the opportunity to help ensure that every child receives a sound education, regardless of race, creed, zip code, or economic status. As you know, since their inception in 1997, Pennsylvania's charter schools have grown to become a shining example of school reform in our Commonwealth. With more than 90,000 students enrolled across the state, charter schools have proven to be both a programmatically and fiscally viable reform option to the traditional public school system.

Over the past seventeen years, I have been a teacher in the School District of Philadelphia, Educational Consultant and Trainer in Pennsylvania and New Jersey, Behavioral Specialist for children with mental health and behavioral health diagnoses, charter school Chief Executive Officer, and most importantly, a parent of two wonderful children. These experiences have allowed me to view the impact of education on the lives of children in our Commonwealth from various perspectives. My years spent working with and on behalf of children solidified a life lesson first



taught to me by my parents, that education is the key to success and independence.

Unfortunately, thousands of children have not had the opportunity to have access to a high quality education. Charter schools have helped to provide options and opportunity for all children in our commonwealth. It is for this reason that I believe the charter school and school choice movements have been the most effective reform vehicles in Pennsylvania public education in the past three decades. The accomplishments of charters and related data support my assertion as to the impact and efficacy of charter school with regards to the public educational system in Pennsylvania.

Despite opposition by the educational establishment, misinformation related to the charter movement, and legislative and policy impediments, the charter school movement has evolved from an experiment to a tested approach to school reform. Consider the fact that enrollment has grown to more than 90,000 students, with more than 30,000 students on waiting lists, despite the imposition of enrollment caps (illegal but still imposed in some districts) and reluctance on the part of many school districts to approve or expand charter schools.

Academically, charter schools have shown tremendous promise in addressing gaps and deficiencies in public education. For example, in Philadelphia, the number of charter schools meeting Adequate Yearly Progress (AYP) standards under No Child Left Behind (NCLB) bests the traditional district (70% for charters compared to 59% for district schools during the 2009-2010 academic year). Statewide, charters have met the AYP standard regardless of policy implementation that has created anything but a level playing field. Cyber charter schools and brick & mortar charter schools serving multiple grade spans (K-12) are held to a much higher standard than traditional districts for making AYP. A cyber charter school serving grades K-12 must meet all AYP indicators in all grade spans to make AYP. On the other hand, traditional districts may have a school at a certain grade level (elementary, middle, or high school) not make AYP, but the district still makes AYP. A recent analysis of AYP indicators revealed that as a collective, cyber



charter schools met 87% of their indicators – a testament to the academic value provided by cybers. Across the state, whether it be the Blue Ribbon winning Manchester Academic Charter School in Pittsburgh or nationally recognized charter schools like MAST Community Charter School and Boys Latin, the academic contribution of charter schools is clear.

There are more examples of the effect charters have had on communities in Pennsylvania. Absent a substantial funding source for facilities, charters have repurposed old school buildings, vacant land, factories, commercial spaces, and in the case of the school where I am employed a former industrial laundry center and created state of the art educational facilities. This has led to increased community redevelopment opportunities and provided the opportunity for smaller vendors to service the public education industry, where district politics or scale previously prevented their participation. Year round school, creative administrative structures, and community partnerships have created efficiencies that should be duplicated in traditional districts. This benefit has been provided to Pennsylvania since 1997 , often for as little as \$.65 to \$.70 on the dollar.

Innovations in technology, teaching and learning approaches, and school climate/culture development also point to the success of the charter school movement. But, I am not here to justify the creation or continued presence of charter schools in Pennsylvania. Respectfully, we are far past that point and to continue down that road would be a waste of your time and mine. I'm certain we all agree that when it comes to educating our children, time is something we can not afford to waste. Education on a national, state, and local level is in a tenuous position. The success of past generations has lulled the educational community into the false belief that things are OK and if we only work harder at what's been done in the past, things will be fine. Well, things are not fine now and with each passing day the hope that the overall quality of education for our children will improve diminishes. The good news is that we have identified a viable option for parents in Pennsylvania to solidify the future of their children by providing them with high



quality educational options. That option is choice created by public charter schools.

In my opinion, there are four major impediments to the continued growth and development of high quality charter schools in Pennsylvania. Each impediment can be overcome by changes to the charter school law proposed in the bill presented by Senator Piccola. These impediments are the unequal and inadequate funding of public charter schools, the retarding of charter school growth and innovation by district authorizers unwilling to approve or expand high quality charter schools, the bastardization and perversion of the charter school law, and sadly, the lack of enforcement of transparent accountability measures that has allowed a few bad actors and outliers to tarnish the movement. I will spend the remaining time addressing these issues and answering any questions you may have regarding the same.

Senate Bill 904 proposed the creation of a commission to examine funding of charter schools in Pennsylvania. Proponents of public education may differ on the pragmatics of charter school funding, but one cannot argue the fact that students attending charter schools in Pennsylvania are funded at levels that are significantly lower than students who are similarly situated, save for the fact that they attend traditional public schools. Traditional school districts have argued that special education funding, cyber charter school funding, and the fund balances of some charter schools point to excessive funding of charters. The facts are simple and indicate that public charter schools are anything but over funded. It's important that facts are presented in order to grasp the needed for charter funding reform. Related to special education, charter schools must admit children as they apply and by law cannot deny enrollment due to a child's status related to special education. Charters serve special education students and are mandated to comply with IDEA and each child's Individualized Education Plan (IEP). Consequently, funding to ensure services are provided must be made available to charters. Cyber charter schools are included in this mandate to service special education students and despite having costs that are different from traditional brick and mortar schools, cybers have costs that are real and significant. Understanding that charter schools



do not have the same taxing authority of school districts underscores the need for charters to be fiscally responsible by ensuring that adequate reserves are kept to allow for emergency expenditures, building and construction funds, and unforeseen changes in programming or budgeting. Fund balances are not profits for charters. In any event, the funding commission should examine all aspects of charter school funding as a whole and make recommendations accordingly. It is unfair to students and their families for flaws in the current funding formula to be addressed individually and often to the detriment of charter schools. The recent removal of the FICA subsidy is one example. After charter budgets had been finalized and many schools had offered positions to staff, a funding formula change for charter schools resulted in a 3% revenue loss for charters in Pennsylvania. When charter funding is fixed, it must be done in an equitable and holistic manner. The funding commission is the first step in this process. PCPCS believes that the move towards portable school funding (backpack approach) in the Governor's Budget Policy Guidelines is a tremendous step in the right direction and will aid the charter funding commission.

The remaining problems with the current law can all be addressed to a large extent by the creation of multiple independent authorizers, specifically an independent state authorizer as proposed in Sen. Piccola's legislation. The creation of an independent state authorizer for charter schools is vital for a true reform of the current law. The authorizer should be designed to focus solely on high quality authorization, not mentoring, sharing of best practices or providing technical support. Those areas are actually more appropriate for the charter/educational community to develop in conjunction with the authorizer and/or PDE. I caution that if the breadth of responsibility placed on the commission is too broad, this body may be planting the seeds of failure.

Unlike the current structure, independent authorizers would ensure that continued growth of charters is based upon quality. Allowing school districts to determine when, where, or if a competing entity will come into existence creates an imbalance



and uphill battle for charter operators. The end result is often the limiting of school choice for parents. Last week, at the House Education Committee Hearing, Tom Gentzel (Executive Director of the Pennsylvania School Boards Association) stated that parents ultimately know best how public schools are doing. I agree with Mr. Gentzel in this regard. If parents know best how schools perform for their children, it is unconscionable that a parent's right to choose the best public school for their child be limited or rationed out by school districts. An independent authorizer will allow for high quality charter applications to be judged solely upon the merit of the application and qualifications of the group or entity making application. There have been amendments proposed to Senator Piccola's bill that would limit an independent authorizer to the lowest performing school districts in the commonwealth (lowest 10%). This assumes that the parents of children in districts that are performing well (or at least not as bad as fifty others) neither desire nor deserve the right to choice. This couldn't be further from the truth. There are districts in Pennsylvania that have been tremendously successful for years, but they are not necessarily successful for all students. For example, in Philadelphia, the achievement gap measured by the PSSA for African American students and their White counterparts is 23% in Reading and Math. A stone's throw from Philadelphia, in Cheltenham (a high performing district), the achievement gap is 27% in Reading and 29% in Math. Am I to believe that the parents of disenfranchised children in Cheltenham are less deserving of choice than those in Philadelphia, Chester, or Duquesne? What about parents who simply want their child to attend a cyber charter school or a school focusing on service learning? I implore you to listen to the sound words of Tom Gentzel on this issue and ensure that parents are given the respect and credit for knowing what is best educationally for their children.

Charter school law is the primary guide for operating, authorizing, and providing oversight for charters. I have heard opponents of SB904 state that the intent of this bill is to weaken or minimize charter law, making it easier to open and operate charters. Members of the committee, an independent authorizer will not grease the



skids for charter schools by weakening charter law as some would have you believe.

Rather, a strong and independent authorizer will uphold the law in a manner that will simultaneously support and regulate high quality charter schools. A charter authorizer is not charged with interpreting or unilaterally re-writing the law (illegal caps, catchment areas, quasi-charter schools, etc.). A strong authorizer holds all parties accountable under the law. Ensuring that a state authorizer is independent and insulated from the whims of favored providers or political pressures will create a charter environment predicated upon accountability and focused on providing high quality options for our children. PCPCS does not fear this level of oversight; we both advocate for it and await its arrival. States with strong independent authorizers have clear laws, policies, and performance standards. Members of this legislature not only have the opportunity, but the responsibility to create this level of oversight for charter schools in this commonwealth. To reduce the scope, authority, or independence of the proposed state authorizer is akin to championing the cause of mediocrity.

The final impediment to charter success in Pennsylvania is the heinous abuse of the public trust committed by a few bad actors in our movement and the failure of those charged with providing oversight to ensure such trusts are kept sacred. Currently, school districts are ill equipped and often philosophically opposed to serving as an effective authorizer for charter schools. Consider that the function of a school district is to provide educational services to children and manage schools. By nature, districts are not regulatory agencies and often tend to approach the task of charter authorizing and oversight as managers. For struggling districts (often districts with larger numbers of charter schools), the dual responsibility of reforming themselves while at the same time providing oversight for charter schools is a recipe for disaster. Let me be clear in that I am not excusing the actions of the few bad actors by pointing to the inadequacy of the oversight provided by some districts. Any public official found to be breaching the public's trust should be punished to the fullest extent of the law. However, if it is found that those who



should be providing oversight fell asleep at the wheel, there should be consequences applied for members of that entity, as well.

A truly independent authorizer will set high standards for high quality schools, regularly review a school's progress, and make decisions related to renewal, non-renewal, or revocation in an equitable and transparent manner. Many opponents of charter schools hold up the few miscreants who have run afoul of the law and public trust as a call for increased rules and regulations for charters. When basic rules and regulations are not being enforced, poor leaders creates more rules. Strong leaders recognize that it is often not the number of rules, but the frequency and manner with which rules are enforced that is important. This body has the opportunity to show strong leadership by creating an independent authorizer that will have true authority to authorize, provide oversight, and when necessary close charter schools. This will lead to even more high quality public charter schools that will undergird the traditional public school system. The ultimate question is are we as a commonwealth ready to stand for real change? I know the thought of an independent entity that is the final arbiter for charter schools is different from anything we've seen in Pennsylvania before. If Pennsylvania is not willing to change in the midst of a changing world, then God help our children as they suffer for our inability to meet change head on and fall victim to the system of failure we will have perpetuated.

In closing, it is clear to me that we are at a pivotal time in Pennsylvania's education reform movement. The early success of charter schools can either be a firm foundation upon which a new child centered system of public education will be built, or another attempt at reform that was bastardized and destroyed by our inability to break away from the status quo. To ensure the brightest possible future for our children and our state, I implore each of you to frame every discussion on public education around what is best for our children, rather than what is best for a specific system, whether that system be traditional school districts or charter



schools. We must begin and end each discussion with what is best for children. I
thank you for your time and consideration of this most important matter.



Myths You May Have Heard About Charter Schools

- **Charter Schools are Private Schools:** In reality, charter schools are public schools. Students attending charters are public school students and employees of charter schools are public school employees
- **Charter Schools do not take PSSA's and have no accountability:**
Charter schools not only are required to participate in the PSSA's, they are held accountable under the No Child Left Behind legislation and a litany of accountability measures including;
 - Federal Title I audits and reports
 - Annual independent financial audits
 - Participation in PIMS
 - Submitting an annual Charter School Annual Report to PDE
 - Local audits, laws, and regulations related to buildings, food service, etc....
 - Special education laws
 - Five year charter renewals
 - Cyclical Compliance Monitoring by the state
 - Submission of Annual Financial Reports
 - English Language Learner reports
- **Charter schools do not have to provide special education services:**
Charters are accountable for providing special education services under federal law. Additionally, schools must provide for students with section 504 accommodations and other disabilities
- **Charter schools pick only the best students:** By law, charters cannot discriminate based upon race, academic performance, disability, etc...
Additionally, charter schools enroll a high percentage of minorities, at risk, and impoverished students nationally. Keep in mind that many students leave their traditional schools because they are not successful and have been disenfranchised