

TESTIMONY: THE PA SENATE EDUCATION COMMITTEE

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Urban Pathways Charter Schools

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Good morning members of Senate Education Committee. Thank you for allowing me the opportunity to testify about charter school issues in support of Senate Bill 904.

I am a native of Youngstown, OH, have lived and worked in Washington, D.C. for 20 years, and have loved my experience in Pittsburgh for nine years now. I come before you with over 35 years of experience in the field of education. I have experience as a K-12 teacher, principal and superintendent in the traditional public school setting. My experience spans private, Catholic, traditional public and now public charter schools. I feel that I speak with good authority on these issues.

Urban Pathways Charter School serves a grades 6-12 population that is 98% minority and 88% free and reduced lunch. The research will show you that most charter schools nationally mirror this population. 100% of our graduation classes of both 2010 and 2011 have been accepted to colleges and universities throughout our country. We are very proud of that statistic.

Despite the growth in the charter school movement, myths still surround us. Charter schools are public schools in every sense of the word. We cannot “cherry pick” our population; the law clearly states that acceptance is by lottery, then first come, first serve. We must abide by every regulation that is inherent in the traditional public school except having an elected board. I challenge anyone in this room to name something that charter schools do not have to do that a traditional public school has to do. That is a fact. I prefer to speak about factual data and to give specific examples to verify what I am saying. Therefore, let me share a simple example with you to paint a picture of the current charter school situation.

Let's pretend for a moment that I own a pizza shop on Penn Avenue, and you would like to also own a pizza shop on Penn Avenue. However, your pizza shop would just offer different types of pizza. It would not matter what support you have or demand there was for your pizza shop. I still get the final say on whether or not you can exist next to me. If I choose that you cannot exist, you may appeal that decision using up your limited financial resources. Also, I am deciding that you can only charge a little more than half of what I charge for a slice of pizza. If you eventually get your pizza shop, you will find out that your customers don't have to pay you, and, there is no consequence for them not paying you. You will eventually get paid by going to your state department and waiting for your money. In addition, I get to evaluate your pizza shop. It really doesn't matter that you have more satisfied customers than me. I am still going to evaluate your pizza shop as poor. There is no appeal for that rating, and there is nothing that you can do about that. In addition, I can vote to close your pizza shop and prevent you from expanding your current store or opening another just because I want to, making you go through a lengthy and expensive appeal process.

Members of the Senate Education Committee, I stand here and ask you: Would you want to have a pizza shop under these conditions? We need to be treated fairly and with dignity. Allow us fair authorizers and processes for appeals.

All of these things have happened to Urban Pathways:

- In 2006, Pittsburgh Public Schools (PPS) voted to close our charter school for no reason.
- In 2007, we discovered that the 363 formula by which we get paid was flawed; the result: PPS owed millions of dollars collectively to the local charter schools.
- Currently, we are operating on 62% of the per pupil expenditure of PPS.
- The amount of revenue that we get from districts keeps going down.
- In 2009, we applied for an amendment to allow for grade expansion of our current school; the request was denied. We are still in the appeal process of this amendment.
- On the 363 formula, districts are allowed many deductions prior to issuing our per pupil expenditure. One example lists \$65 million dollars of miscellaneous deductions (Exhibit A). If our auditor ever saw even a \$10,000 of miscellaneous anything, it would be questioned. How do districts get away with such a huge amount of miscellaneous deductions?
- We cannot verify the enrollment numbers of our districts which is how we know that we are being paid correctly. The media reports that their populations keep decreasing. If that is true, the per pupil expenditure should be increasing. That is not happening. The state department can't verify the numbers either, so the state department may be paying for students who do not exist.

Equitable funding and treatment of our urban poor children is a major concern that I have.

- We serve the same population of students; therefore, we should receive the same amount of funding as these districts, especially in large urban areas like Pittsburgh. To do otherwise is discriminatory.
- In the past, the state department chose to use the term "LEA" for charter schools to prevent them from being eligible for federal, state or local grants that are meant for DISTRICTS. We are our own districts. To deny us these opportunities is discriminatory.
- We are not treated as a DISTRICT for AYP purposes. For example, in a district, if any faction of their schools make AYP (elementary, middle or high school), the whole district makes AYP. This is not so for charter schools. Our school is a prime example. This year, as a school, we made every AYP target except in middle school math; however, our 11th grade math made AYP. If we were considered to be a "district," our school would have made AYP outright. We are appealing this decision because it is discriminatory. Also, why is it, because we have 40 students in the 11th grade who made AYP, but because there may only be 38 in a particular subgroup (economically disadvantaged, for example) that also made AYP, that this fact should weaken any argument? In small schools such as ours, does not anyone understand that pride prevents many parents from filling out these forms? Does not anyone understand that some of our parents can't read the forms to fill them out and do not want to ask for help?
- We not only give the PSSA test; we test all of our students three times a year, every year, to note progress.
- I have to put 6th grade students on a city bus to come to school because districts will not transport them on a school bus. That is discriminatory.

- Our teachers do not get \$20/30/40,000 jumps in pay because they have been with us for over ten years. Our teachers have been on Pay for Performance for several years now. We have maintained a 99% staff retention rate over the past few years. Our highest teacher pay is in the mid fifties.
- We are audited yearly and have had no audit findings.
- Despite perfect audits, we cannot obtain a loan to help to defray renovation costs, because we have no excess revenues. Our cash flow is that close...what comes in goes out. We don't have the luxury of having "rainy day" funds. Districts are allowed to have "rainy day" funds. This is discriminatory.
- As a CEO/Superintendent, I am not permitted to consult for pay in my profession and on my own time with another charter school. Traditional superintendents are allowed to do this. This is a discriminatory practice.

Ladies and gentlemen, if you really do believe in choice and equity, if you really do care about our minority poor children, then don't be afraid to make changes and to make them NOW. Get the facts...not the fiction...there are no GREY areas...the answers are clear. Just ask charter school students where they would go if they could not attend their charter school. The answers are consistent: "I don't know. I do know, though, that I would not go back to my home school under any conditions." So, let's do the math. If for example, your district has 10,000 kids, and 2,000 of them go to charter schools, that leaves a school with 8,000 kids. If there weren't charter schools, and if these students would be dropping out or leaving their home schools anyway, then, 8,000 - 0 is still 8,000. That is the bottom line. So, why are we wasting precious time when the math doesn't lie?

I know that you are aware of the word FAPE (Free and Appropriate Education), so if you remember nothing else, please remember this little acronym: FAPE 2 ...I am asking for EQUITY, not more, not less, not equal...just EQUITABLE...equity in FUNDING...equity in determining the status of AYP...equity in PROCESS....and equity in EVALUATION/AUTHORIZATION.

Again, I thank all of you for your attention to these most important matters that affect the students in our great state of Pennsylvania. I am happy to answer any questions at any time.

EXHIBIT A: PPS 363 Comparison from 2008 - 2011

PPS - PDE 363 Comparison

<u>Description</u>	<u>2008-2009</u>	<u>2009-2010</u>	<u>2010-2011</u>
Total Expenditures	\$599,841,858	\$600,163,283	\$602,268,530
deductions **	\$246,158,803	\$240,634,005	\$247,510,440
Selected Expenditures	\$353,683,055	\$359,529,278	\$354,758,090
estimated membership	28,586	29,009	28,681
Non Special Funding	\$12,373	\$12,394	\$12,369
** deductions			
Reg Programs (fed)	\$8,866,509	\$14,776,075	\$15,864,123
Sp Ed (fed)	\$83,069,166	\$81,821,488	\$82,631,022
Vocational Training	\$113,447	\$192,489	\$456,879
Other Programs	\$6,107,921	\$1,218,675	\$1,968,829
Pre K	\$17,237,609	\$18,605,148	\$20,557,746
Pupil Personnel	\$2,133,827	\$1,596,173	\$2,119,005
Instructional Staff	\$17,745,381	\$16,447,394	\$17,635,626
Admin	\$2,627,440	\$1,516,362	\$1,414,361
Public Health	\$142,440	\$95,506	\$97,914
Business	\$144,943	\$129,626	\$100,228
Operations & Maint of plant	\$17,475	\$16,777	\$2,004
Student Transportation	\$32,188,322	\$32,336,543	\$31,425,465
Central	\$1,435,680	\$2,117,977	\$2,025,607
Other Support Svs	\$573,934	\$43,850	\$811,825
Noninstructional Services	\$436,679	\$572,687	\$507,814
Construction, Acquisition	\$7,296,990	\$4,836,694	\$4,932,955
Other Financing	\$65,303,538	\$62,119,862	\$64,959,038
Other Services	\$717,500	\$2,190,679	\$0
Total Deductions	<u>\$246,158,801</u>	<u>\$240,634,005</u>	<u>\$247,510,441</u>