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HOUSE OF REPRESENTATIVES

COMMONWEALTH *of* PENNSYLVANIA

House Democratic Policy Committee Hearing

The Future of Education in Cambria County

Tuesday, October 11, 2022 | 1:00 p.m.

Representative Frank Burns

1:00 p.m. Opening remarks

Panel 1: Rob Gleason, President
Westmont Hilltop School Board

Tom Mitchell, Superintendent
Westmont Hilltop School District

Panel 2: Dr. Anne Clark, CEO
Pennsylvania Coalition of Public Charter Schools

Panel 3: Jason Moore, Superintendent
Central Cambria SD

Dr. Amy Arcurio, Superintendent
Greater Johnstown School District

Q & A with Legislators

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Amy D. Arcurio, D.Ed.
Superintendent of Schools, Greater Johnstown School District
October 11, 2022

Thank you Representatives Frank Burns and Ryan Bizzaro for hosting the event and thank you Superintendent Mitchell for opening your doors to us. My name is Dr. Amy Arcurio and I am the proud Superintendent of the Greater Johnstown School District. I am honored to be here today to provide testimony regarding the current situation in our district. We are a small urban district located in the city of Johnstown within Cambria County. A city that once had over 67,000 residents now claims around 18,000 due to many factors, including the decline of the steel and coal industry as well as three major floods. Our district currently serves around 3,000 students. Ninety-three percent of our student population is considered economically disadvantaged and over fifty percent of our students come from single parent homes. Our city has a very high transient population and it is not uncommon for our schools to see a third of our students come and go in any given school year, thus constantly changing the classrooms for our teachers.

During my testimony I would like to focus on two major issues: cyber school costs and staffing shortages.

Charter tuition is a state-mandated cost. Each year those costs go up because of a convoluted formula that virtually guarantees an increased annual income for Charter Schools. These increases are costing Pennsylvania taxpayers millions of dollars each year, with very little accountability on the part of these schools. My school board is charged with the fiscal responsibility every year of being stewards to the taxpayers of our district. Yet, every year they watch millions of dollars, \$3.2 million to be exact, leave our account to pay for cyber school tuition. The GJSD, as of last week, has already paid \$980,737 to twelve cyber schools. Our board of directors has no discretion as to whether these tax dollars are fully serving our students. Historically, cyber schools perform at the bottom when compared to all public schools across the Commonwealth. Over the years, I have watched children return to our public schools from cyber charters, so far behind our public school students that they need expensive remedial help. Not only do we pay huge tuition payments for them to attend a cyber charter school, but we also spend additional money when they return to our District in order to close the gaps that were allowed to develop while they attended the school. The cost of this remediation has all been passed onto taxpayers; We have no choice.

The most puzzling fact in Pennsylvania's Charter School system is that of Cyber Charter Schools. Despite having a much lower cost to operate compared to brick and mortar schools, they receive the same and/or better funding. According to the PA Department of Education, in 2021, tuition rates for Charter Schools (including Cyber Charters) ranged from \$8,917 (Hazelton) to \$23,798 (New Hope-Solebury) for a regular education

student. For special education students, that cost exploded to a range of \$18,599 (Steelton-Highspire) to \$57,371 (Lower Merion).

At Greater Johnstown we operate our own cyber school at the cost of \$3,500 for every regular and special education student. We serve 92 students. The total cost is \$322,000 annually. They can receive on-site support at our Park Avenue school from our teachers. At the end of the day, if all cyber schools operated at the same cost, we would have about 2 million dollars back in our budget.

As you are aware, the Greater Johnstown School District is a plaintiff district in the Fair Funding Lawsuit. During my three day testimony I spoke a great deal about our students' needs. I also spoke at length regarding the inability to meet those needs due to being incredibly underfunded. It does not take too long to figure out how easily we could begin to change the tide of our underfunding if real reform was applied to the issue of charter cyber school funding.

As you may also be aware, our district received incredible dollars through ESSER 1, ESSER 2 (CRSSA), and ESSER 3 (ARP). We are extremely grateful and were able to address numerous building, curriculum, mental health, and social-emotional needs of our students. However, the funding issue remains as the dollars must be spent by September 2024 with a narrow application scope regarding those allocations.

We currently have numerous positions unfilled at our schools. We currently are in need of eleven paraprofessionals, who are most often assigned to assist our students in our special education programs. We also have been unable to fill a health occupations teaching position in our vocational program for over a year. This program prepares students for careers in the medical field. You may be thinking that we should use ESSER dollars to increase wages to attract candidates to these positions. The truth is that once we reach September 2024, we are no longer able to sustain the higher wages that could attract folks into the education field. Superintendents were specifically cautioned to treat these as one time funds that will not be sustained. Quite frankly, even if you are interested in working with students and making a difference in a child's life, you are much better off financially to work in the private sector.

Even though we have significant challenges in our district, it does not hinder our ability to think outside the box and develop innovative opportunities for our students. Our partnership with Martin-Baker has created a clear career pathway for our seniors to work in the defense industry with a family sustaining wage that keeps our students here in Johnstown. We recently developed a second Associate Degree pathway in Culinary Arts with our partnership with Penn Highlands Community College.

Thank you for holding this hearing which allowed me to address important issues at the Greater Johnstown School District. Thank you for your dedication, time, and effort to address these complex issues in education and above all thank you for caring about our students and community.



Submitter: Dr. Anne Clark, CEO of Pennsylvania Coalition of Public Charter Schools

Location: York, Pennsylvania

Submitted on: October 11, 2022

Type: Written and Oral

Thank you, Pennsylvania House Education Committee, for allowing me to testify today. I am Dr. Anne Clark, CEO of the Pennsylvania Coalition of Public Charter Schools. We are here as the voice of the 163,625 students attending charter schools across the commonwealth of Pennsylvania. I want to share my background with school choice in Pennsylvania as a mother, grandmother, educator, advocate, and school administrator. I spent 22 years at Lincoln Charter School in York, Pennsylvania. I began my career in the cafeteria and finished my career at the school as acting CEO with Superintendent credentials. I have four children and seven grandchildren who have attended all types of schools here in Pennsylvania, including public charter, traditional public, private and technical schools. I found all of the schools to have had great teachers and school leaders. However, each child and now grandchild has needed something different. While working full-time, I needed something different in my educational plan. I made that transition from the kitchen



to the classroom and beyond due to education, hard work, and support from other charter school leaders. However, my story is not unique; many of our charter school leaders have similar stories. I pursued a career change with the Pennsylvania Coalition of Public Charter Schools for a moment like this to testify for the children, the parents, the teachers, and the future of education in our great state.

On Friday, when this event was being tweeted out, I decided to look at what other states were tweeting regarding education; here is a small sample:

Washington D.C. "One thing is sure: Parents want to have a say in how their children are educated, and that is not likely to change."

New Jersey: "Every public charter school in New Jersey is governed by an independent non-profit board of trustees composed of members who receive no compensation for their volunteer services and may not have any conflicts of interest."

Rhode Island: "It's clear parents want choice in their children's education. One size doesn't fit all. Charters are free, open to the public, and provide options to families."



Arkansas parents: "As we move forward, many parents want to understand what is being taught to their children and want to make sure their children recover from the learning loss."

Illinois, Mississippi, Maine, and Oklahoma had additional quotes about education.

The competition is no longer among public charters, private, or traditional public. Pennsylvania's competition is where are we in the global education arena? The 25-year-old argument that charters take money away from the district doesn't stand up anymore. We all know how charter schools are funded. Our educational system is damaged because of the toxic environment created by the half-truths, finger-pointing, and the Pandemic. In the last ten years, we have dropped from over 15,000 teachers applying for certification to just above 5,000. In addition, Pennsylvania's starting teaching salary is \$40,000 compared to Maryland's salary of \$60,000. In a recent story about the teacher shortage in Pennsylvania, Mr. Fekete said, "There's a political atmosphere in some districts that is poisonous and toxic, and people don't want to put up with it." Our schools have been through so much because of the COVID-19 Pandemic, and we



are still going through it. After everything you have heard, would you want your child to be a teacher in Pennsylvania?

The Pennsylvania Department of Education created "The Foundation of our Economy." The Governor and legislators took a huge step forward in creating an environment of collaboration when you wrote the Pennsylvania Coalition into the school code. The conversations are moving the work forward positively for all students and educators, but solutions are months and years away. Do our children have more time to lose with the same old arguments made for the last 25 years? Could we replace the money arguments with the following "Our great schools provide a world-class education in Pennsylvania, and the funding follows the child where they go to school!"

When we begin the discussion of the regulation of charter schools, we must know the conversation starts with transparency and accountability of the authorizing district. In 2019 the Equity-Focused Charter School Authorizing Toolkit was released to guide authorizing districts. This Toolkit was commissioned and funded with generous support from the Pennsylvania Department of Education (PDE). The document's purpose is to give guidance to the authorizers on their



responsibilities to the charter schools, which include the following:

1. Accountability and transparency are necessary to ensure charter schools equitably serve students in their communities.
2. High-quality authorizing is time- and labor-intensive and requires active engagement from district staff, the local school board, and outside partners.
3. The purpose of authorizing and oversight activities by district staff should be to inform the decision-making of the local school board, which is responsible for administering the public education system in their communities.

PCPCS challenges that district authorizers are not following the Toolkit across the state. What we found as standard practice by the majority of authorizers is the following: no site visits, no written feedback from the authorizer to a charter school, no training offered, no support provided; and in many cases, we found that the authorizers imposed CAPS on the charter as the only way to have the charter renewal approved. The CAPS in our schools created waiting lists that block educational opportunities for our most vulnerable students. We are using the following definition to describe vulnerable students "the group of children that experience negative outcomes, such as the loss



of their education, morbidity, and malnutrition, at higher rates than do their peers."

Parents in Pennsylvania believe that their children are being blocked from charter schools, and it is violating their civil rights. The only criterion that has to be met to enroll in a public school is proof of residency. The U.S. Department of Education wrote the following: "Discrimination based on race, color, national origin, or ethnicity has no place anywhere, especially in our schools; if you see or experience racial Discrimination in education, you are to report it. I have spoken with many parents across Pennsylvania with children on waiting lists for charter schools, and the schools do have openings. However, the charter school cannot enroll the child due to the CAPS.

In 2016 in a bipartisan decision, the Pennsylvania Supreme Court ruled in *West Philadelphia Achievement Charter Elementary School v. School District of Philadelphia*, that the School Reform Commission overstepped its bounds in attempting to suspend provisions of the state's Charter School Law for purposes of unilaterally imposing enrollment caps on charter schools. Our charter schools are experiencing imposed CAPS across Pennsylvania, which delays the charter school's renewal. Furthermore, we found a delay in the renewal of the



charter schools for a few months and in some cases, years. Who benefits when charter schools are not approved promptly? Only the attorney for the authorizing district.

As a school leadership team member for ten years before leaving LCS. Charter School Accountability in Pennsylvania is alive and well with our audits of all programs, including but not limited to Title I, Special Education, ELL, and Food Service. In addition to writing our charter every five years. We also complete Comprehensive Planning, and our students participate in statewide testing. We must provide Safe Schools Planning, Wellness Planning, Fire Drill and Severe Weather Drill Reports. We must complete an evaluation of all staff. All staff must be compliant with all training requirements. Furthermore, Charter schools must comply with provisions relating to, among others:

- Discrimination
- Instructional time
- Civil rights
- Health and Safety
- Attendance

Charter Schools are non-profit organizations that have to follow non-profit compliance, which includes:

Filing a 990 informational return on time



Act following the Organization's Bylaws

Conduct public board meetings.

Make a conflict of interest policy.

I have asked many times what report or compliance does an authorizing district have to do that charter school doesn't do? No one has ever been able to answer that question.

In a new report, *Never Going Back: An Analysis of Parent Sentiment on Education*, the National Alliance for Public Charter Schools examines results from a survey of more than 5,000 parents conducted by The Harris Poll in May 2022.

- Parents value choice—93% agree one size doesn't fit all in education. More than one in four parents are school-type switchers, and 86% of all parents we surveyed want options for their children other than the district school they are zoned for or assigned to attend.
- Safety is a number one priority.
- More than four in five parents (83%) agree that education has become a more important political issue than it was in the past, and 82% are willing to vote outside their party on education.
- Support for charter schools is high. Three in four parents want more public charter school offerings in their area.



The system in Pennsylvania is flawed due to the competition between the authorizing district and the charter schools. It is time for a system that allows for collaboration between traditional public schools and public charter schools. Other states have created non-bipartisan legislation that makes an independent system of volunteers to approve all charter schools. The funding follows the student to whatever school their parents choose. In the states who took the funding argument away, collaboration grows, economic development grows, and teacher retention grows.

"When children are denied an education, they're more likely to experience life-altering violence, forced labor, sex and slavery trafficking, early marriage, hunger and malnutrition, and recruitment by militias, according to Education Cannot Wait." This description could be applied to our communities that do not have safe schools for children to attend.

The Pennsylvania Coalition of Public Charter Schools is committed to working locally and nationally to provide the best practices across all our charter schools. We are committed to becoming the best state in the country for our students to have



improved educational outcomes through innovation,
opportunity, and unity.

Thank you for your time today.



Referenced:

CB Pittsburg “Nationwide teacher shortage felt in Pennsylvania”
<https://www.cbsnews.com/pittsburgh/news/nationwide-teacher-shortage-being-felt-pennsylvania/>

Education Cannot Wait

<https://www.educationcannotwait.org/>

Federal Law Parents Rights

<https://www.parentsrightsined.org/federal-law.html>

The National Alliance for Public Charter Schools

<https://www.publiccharters.org/our-work/publications/never-going-back-analysis-parent-sentiment>
<https://www.education.pa.gov/Documents/Teachers-Administrators/PA%20Educator%20Workforce%20Strategy.pdf>

The United States Department of Education Parent’s Rights

<https://search.usa.gov/search?utf8=%E2%9C%93&affiliate=ed.gov&query=parent+rights>

Pennsylvania Department of Education Authorizers Toolkit

<https://www.education.pa.gov/K-12/Charter%20Schools/Pages/default.aspx>



Pennsylvania Department of Education “The Foundation of Our Economy.”

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Pennsylvania Supreme Court CAPS

<https://kleinbard.com/pennsylvania-supreme-court-decision-leaves-charter-schools-wondering-what-now/>

Twitter

https://twitter.com/search?q=%23%20charter%20schools%20education&src=typed_query&f=top



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Center for
Charter Change
at PSBA

**Testimony Regarding the Impact of Charter Schools
on Rising Property Taxes**

**Prepared by
Robert Gleason
President, Westmont-Hilltop Board of School Directors
and
Resident, Keystone Center for Charter Change
<https://www.PaCharterChange.org/>**

**Prepared for
The Pennsylvania House Democratic Policy Committee**

October 11, 2022

Introduction

Chairman Bizzarro, Vice Chair Isaacson and members of the Policy Committee, thank you for the opportunity to contribute to today's hearing regarding the impact of charter schools on rising property taxes.

My name is Robert Gleason. I am the board president of the Westmont-Hilltop School District here in Cambria County. Like all of you, I have served the citizens of Pennsylvania in many positions including Secretary of the Commonwealth.

I come before you today not only in my role as a school director, but as a Resident of the Keystone Center for Charter Change (the Center). Established nearly two years ago, our mission is to build support and political will for the development and enactment of legislation that would provide meaningful changes to Pennsylvania's 25-year-old Charter School Law.

I am relatively new to this issue but in the short time I've served on my board, I've seen the tremendous impact that charter tuition costs have on our school district and taxpayers.

Let me be perfectly clear on an important point, so there is no misinterpretation later: there is no question that charter and cyber charter schools have a place in our public educational system and that they work well for many students. However, flaws in the current formulas used to fund charter schools result in school districts overpaying by hundreds of millions of dollars which comes out of the pockets of local taxpayers and out of school district classrooms.

Over the past ten years, mandated charter tuition costs have increased more than \$1.5 billion (132%) while the state charter school reimbursement – the last year of which was funded at \$219 million – was discontinued. This means that the total increase on school districts and local taxpayers has been more than \$1.7 billion.

These flaws in the current charter school funding formulas and the substantial increases in mandatory charter schools tuition costs have caused school districts to label mandatory charter school tuition payments as the most significant budget pressure they face in each of the last three annual PSBA State of Education surveys.

Again, this discussion is not about putting charter and cyber charter schools out of business. It is about accountability for taxpayers' money, another rapidly growing unfunded state mandate in the context of Act 1 budget caps, and ensuring that school districts and taxpayers are no longer overpaying or reimbursing charter schools for costs they do not have.

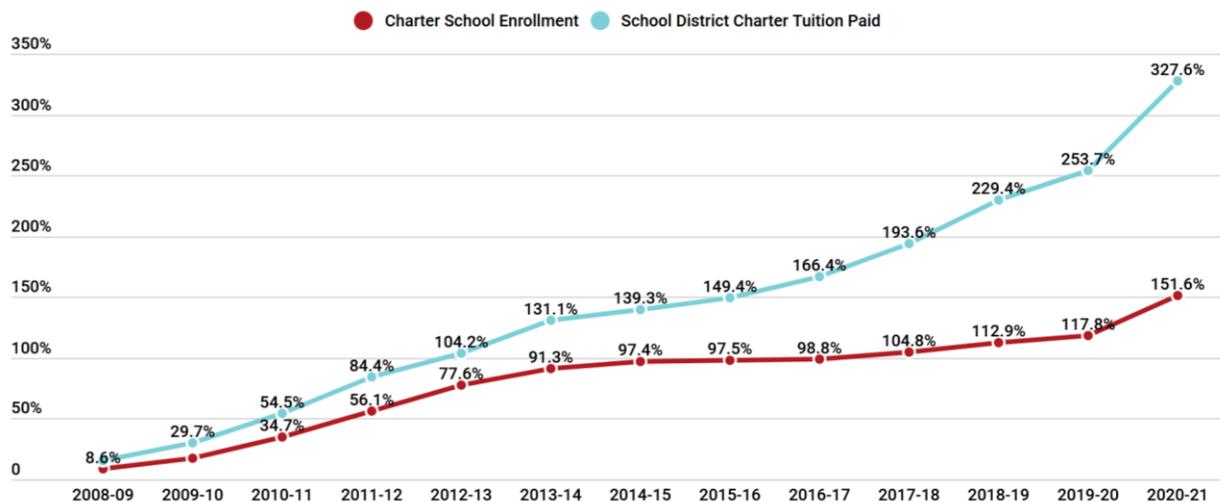
Although there are many more issues related to charter school reform, today I limit my remarks to providing a brief summary of the charter funding issue, a bit more detail regarding the flaws in funding for cyber charter schools and special education funding for all charter schools, and close with information regarding the 436 resolutions that have been passed by school boards across the state thus far calling for meaningful charter school reform.

Issue Summary

According to information from the Pennsylvania Department of Education, there are 179 charter schools and cyber charter schools that are authorized to operate in the state. Those charter schools will receive about \$3 billion to operate this school year — far more than it costs to educate the roughly 170,000 school children enrolled in a charter or cyber charter school.

The most common explanation for the increase in charter school tuition costs is that tuition costs continue increasing for school districts because more and more families are choosing to enroll in charter schools. It is true that charter school enrollments have gone up, but due to the flaws in the way charter schools are currently funded, tuition costs have increased at a much faster rate than enrollments, illustrating a flaw in the funding mechanism. Between the 2014-15 and 2020-21 school years, enrollment in charter schools increased roughly 28% while charter school tuition costs increased nearly 80%.

School District Charter School Tuition Payments and Charter School Enrollment Growth from 2007-08



27.5%

Growth in charter school enrollments between 2014-15 and 2020-21.



78.7%

Growth in charter tuition payments by school districts between 2014-15 and 2020-21.

In their January 2022 COVID Impact Report, the Pennsylvania Association of School Administrators (PASA), the Pennsylvania Association of School Business Officials (PASBO), and the Pennsylvania Association of Rural and Small Schools (PARSS) noted that *“charter school tuition expenditures continue to be the largest area of fiscal concern for school leaders. Behind looming labor challenges, escalating charter school tuition costs were reported to be the next most significant area of concern among superintendents and school business officials. ... Further, the 2020-21 charter tuition increase estimate is expected to exceed the entire statewide district increase in property taxes for the same fiscal year.”*

That Impact Report also noted that *“across survey responses, far too many districts noted that charter increases (as a single budget line item) exceed their Act 1 property tax increase dollar amount and/or their BEF increase allocations.”*

Here at Westmont-Hilltop it became apparent to me as we worked on the 2022/23 Budget, that spending \$600,000 to send 49 students to Charter schools had become unsustainable. In fact it was one of the principal reasons that the Board raised property taxes for 2022/2023.

Cyber Charter Tuition

All 500 Pennsylvania school districts make payments to cyber charter schools for resident students who are enrolled. In the 2020-21 school year, fueled primarily by increases in cyber charter school enrollment due to the pandemic, school districts payments to cyber charter schools increased \$331 million, for a total of more than \$1 billion. This increase has brought renewed attention to the significant flaws in the way cyber charter schools are funded.

Although cyber charter schools have been in existence in Pennsylvania since 2002, the funding mechanism used to calculate the tuition paid for students enrolling in a cyber charter school is the exact same formula used under the 1997 charter school law that authorized the creation of brick-and-mortar charter schools. This may have been the most expeditious method to include cyber charter schools into the law at the time, but it never worked, and the flaws embedded in the law have reached a point where it is quickly becoming unsustainable.

Cyber charter schools receive the same tuition payment from school districts as brick-and mortar charter schools despite not having the same level of expenses as their brick-and-mortar colleagues. Cyber charter schools do not maintain physical school buildings and do not incur the costs of maintenance, utilities and other overhead that go along with that. Cyber charter schools do not incur costs related to tax assessment and collection and providing support services to

private schools, nor do they incur costs to the extent school districts do for extracurricular activities, food services, debt service, health services and infrastructure.

Because each school district calculates its own unique tuition rates based on the school district's expenses, this results in vastly different tuition rates being paid by districts to the cyber charter school despite all students in the school being provided the same education. In the last school year, tuition rates for special education students could vary by as much as \$38,000 and for non-special education students, by as much as \$ 14,000.

A statewide [Charter School Task Force](#) convened by PSBA during 2019/2020 recommended that we apply a flat, statewide tuition rate of no more than \$9,500 for all students enrolled in a cyber charter school.

Special Education Funding for Charter Schools

Special education tuition rates for charter schools paid by school districts continue to be calculated under the system contained in the original charter school law. This antiquated formula harms school districts and taxpayers alike by misallocating special education resources at a time when every dollar of special education funding is precious and needs to be used for special education services.

Currently, each school district calculates its own unique tuition rates for its resident students who choose to attend a charter school using a three-step process.

First, the school district starts by taking its own expenses for special education and subtracting any federal special education funding the district received. This is because charter schools already receive federal special education funding directly.

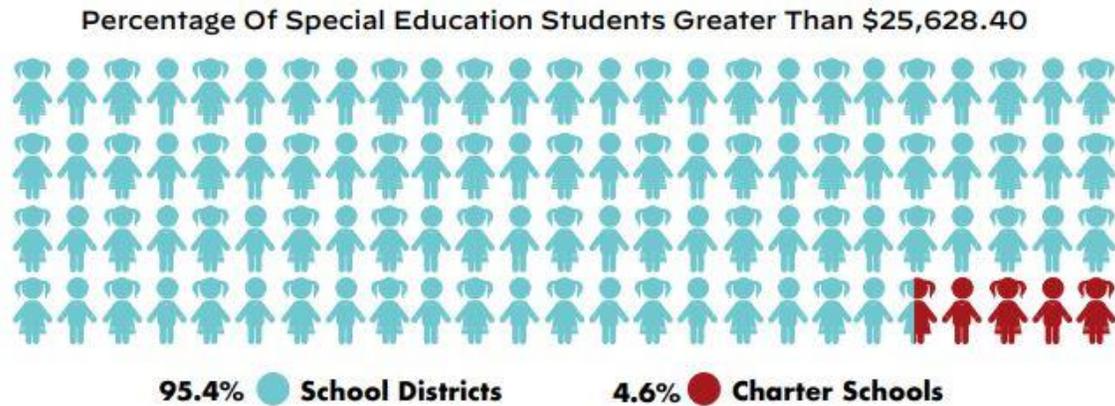
Next, the district multiplies that amount by 16% of the school district's average daily membership. The formula assumes 16% of the school district's students are identified for special education despite many school districts having special education student populations greater than 16%.

Finally, the school district adds that amount to its tuition rate for students not in special education to get its special education charter tuition rate. **This funding mechanism is based on the school district's expenses for special education and not on what the charter school spends to educate its students with disabilities.**

This flaw is critical because school districts are responsible for educating almost all of the students with disabilities who require the most extensive special

education services and supports – those costing more than \$25,628.40 per student (as adjusted annually pursuant to School Code section 1372(8)).

In 2017-18, more than 95% of the students requiring the most extensive special education services were educated by or through a school district. In comparison, more than 94% of all charter school special education students were educated for less than \$25,628.40. Yet, because the tuition calculation is based on the school district's expenses, the average charter school special education tuition rate paid to charters by districts was \$24,200.



The Center recommends that we apply a tiered special education funding system (like school districts operate under) for charter school students that more accurately reflects the actual costs of providing special education. This would be consistent with the recommendations of the bipartisan Special Education Funding Commission which made this same recommendation in 2013 when developing the special education funding formula which the state now uses to distribute state special education dollars to school districts.

School Boards Resolutions

Well over 400 locally elected volunteer Boards of School Directors have passed resolutions calling upon the General Assembly “to meaningfully revise the existing flawed charter school funding systems for regular and special education to ensure that school districts and taxpayers are no longer overpaying these schools or reimbursing for costs the charter schools do not incur.” A copy of a sample resolution is attached as an appendix. In other words, these resolutions are saying – increasing charter school costs are impacting our budgets and leading to either property tax increases, reductions in programs for students, or both. We need the legislature’s help to stop overpaying for these services which will assist school districts in being more responsible with taxpayer dollars and focusing resources on students.

The resolutions of school districts represent overwhelming bipartisan support for the General Assembly to take action. They are from urban, suburban, and rural

districts throughout the state; from wealthy and not-so-wealthy districts; from red, blue and purple areas of the political map.

Map of Passed Charter Resolutions



As of October 10th, 436 school boards, or 87%, have passed resolutions.

You may access the map and list of school districts on the Center's website at:
<https://www.pacharterchange.org/take-action/school-board-resolutions/>

Please visit the Center's website for more information regarding this important issue:
<https://www.pacharterchange.org/>

Thank you very much for your time and attention.

APPENDIX – SAMPLE BOARD RESOLUTION

RESOLUTION CALLING FOR CHARTER SCHOOL FUNDING REFORM

BY THE BOARD OF DIRECTORS OF THE

_____ SCHOOL DISTRICT

WHEREAS, the average Pennsylvania school district spends millions of dollars in taxpayer money annually in mandatory payments to brick-and-mortar and cyber charter schools; and these payments are calculated in a manner which requires districts to send more money to charter schools than is needed to operate their programs and places a significant financial burden on districts' resources and taxpayers; and

WHEREAS, the current charter school funding formula was established in 1997 under the state's Charter School Law and has not been changed in the 24+ years since it was first created; and the formula for regular education programs is unfair because it is based on a school district's expenditures and not what it actually costs to educate a child in the charter school; and

WHEREAS, the calculation for charter special education tuition is unfair because it is also based on the special education expenditures of the school district rather than the charter school; and although the General Assembly revised the special education funding formula in 2014 to more accurately target special education resources for students identified with high, medium and low needs, this formula was applied only to school districts and not to charter schools; and

WHEREAS, because the tuition rate calculations are based on the school district's expenses, they create wide discrepancies in the amount of tuition paid by different districts for the same charter school education and result in drastic overpayments to charter schools; and these discrepancies in tuition rates for regular education students can vary by almost \$13,000 per student and by \$35,000 for special education students; and

WHEREAS, the latest data from the PA Department of Education (PDE) shows that in 2019-20, total charter school tuition payments (cyber and brick-and-mortar) were nearly \$2.2 billion, with \$694 million of that total paid by districts for tuition to cyber charter schools; and

WHEREAS, further analysis of PDE data shows that in 2014-15, school districts paid charter schools more than \$100 million for special education services in excess of what charter schools reported spending on special education; and

WHEREAS, the costs of charter schools for school districts continue to grow significantly each year; and on a statewide basis are the most identified source of pressure on school district budgets; and

WHEREAS, the need for significant charter school funding reform is urgent; and school districts are struggling to keep up with growing charter costs and are forced to raise taxes and cut staffing, programs and services for their own students in order to pay millions of dollars to charter schools.

NOW, THEREFORE BE IT RESOLVED that the _____ School Board calls upon the General Assembly to meaningfully revise the existing flawed charter school funding systems for regular and special education to ensure that school districts and taxpayers are no longer overpaying these schools or reimbursing for costs the charter schools do not incur. We, along with the Pennsylvania School Boards Association, are advocating for substantial change.

Adopted this _____ day of _____, 2022.

Signed,

School Board President

Board Secretary

Written Testimony for PA House Democratic Policy Committee

Jason S. Moore, D.Ed.

October 11, 2022

School leaders have endured challenges over the past few years that no one would have ever envisioned. Certainly, no superintendent or principal preparation program could have predicted a global pandemic to add to their already full curriculum. They would have been far less likely to predict that a public health crisis would become a political battle that would put school leaders under a microscope without their choosing, facing multiple school years full of no-win decisions.

As public education in Pennsylvania turns to the post-COVID era, many challenges remain, and a few have been exacerbated by the pandemic. However, in my testimony, I will point to three major hurdles that the Commonwealth must overcome in order to support its students: 1. The alarming decrease in the quantity of certified teachers graduating from Pennsylvania colleges and universities. 2. The current epidemic of children and adolescents experiencing mental health issues, including anxiety and depression. 3. The Commonwealth's absurd charter school law.

Much has been written in news reports about the either current or impending "Teacher Shortage." I'm here to tell you that it very much exists and is a reality right now. When I started my career in education two decades ago, Pennsylvania was a known exporter of great teachers. County school district human resource professionals from Southern states would recruit Pennsylvania's education graduates. I remember hearing a few at job fairs state that they would hire most Pennsylvania-prepared candidates immediately because our graduates had a reputation for being well-prepared and for possessing a strong work ethic. Many of my classmates took offers and moved South because it was nearly impossible to find a teaching job in one of PA's 500 school districts. Those who stayed and got hired locally usually had to work as a substitute teacher for several years before gaining a full-time position. The best and brightest were hired. The rest moved on to alternate career paths.

Twenty years later, in 2022, having a deep bench of certified teachers to work as substitute teachers is a pipe dream that no PA school district can approach. Vacancies that once garnered hundreds of qualified applicants might attract a handful. Those specialized areas that were once difficult to fill have become nearly impossible. Since Pennsylvania districts have extreme disparity in the local portions of their revenue, small rural schools tend to have the most difficulty filling math, science, or special education positions because they simply can't afford to pay a salary that is competitive with their more resourced neighboring districts. What makes matters worse is the fact that more well-resourced and—therefore higher paying—districts tend to hire experienced teachers from those districts because so few qualified graduates exist. As a school district superintendent and also the chief school administrator for one of Cambria County's two career and technology centers, the most alarming statistic that I can give you is that there were zero new certified technology education teachers prepared in Pennsylvania during the last school year. Zero. Technology education teachers in K-12 settings train students to think like engineers, to solve problems with their brains and hands. Students who take technology education courses in elementary or middle school may decide they want to pursue engineering or architecture when they graduate high school, or they may decide to attend the local CTC and go

on to a trade school to become an electrician, plumber, machinist, or another skilled trade. With the United States slated to invest trillions of dollars in infrastructure in the next decade, Pennsylvania's lack of qualified technology education teachers is a crisis that is hindering our students' and our society at large's economic future.

It is no secret how we got to this point, but the only way to solve a problem is to be honest about its root causes and how it should be fixed. Pennsylvania started producing fewer teachers immediately after the historic cuts in education by former Governor Tom Corbett. However, that is far from the only reason for the reduction. At nearly the same time that a billion dollars was cut from the state budget for education and thereafter, the pension system for new teachers has been greatly diminished. Many teachers who began their careers when I did were the "best and brightest," and they accepted the lower salary of the profession because the pension system made up for some of the disparity between teaching and higher paying professions. That is no longer the case. Students graduating from PA colleges and universities are now likely to receive a significant amount of student debt with their diploma. Without a guaranteed pension to compensate, they are logically opting for higher paying careers. The result is devastating for our current K-12 student population. Add to the less lucrative pension the enormous public scrutiny and pressure faced by teachers in the 21st Century. From standardized testing to social media complaints posted by parents to facing more students with behavioral and mental health challenges, the job has become more stressful and complex while simultaneously becoming less appealing financially.

So the question becomes "How do we resolve this crisis?" The answer is not watering down the requirements to lead a classroom. Students deserve a highly qualified and dedicated teacher who is "the best and brightest." The only resolution for the long-term is to begin respecting educators as professionals. This means that education funding must become prioritized and stabilized in Pennsylvania so that school districts can offer attractive and competitive compensation. It also means that teachers need to have a level of autonomy that does not currently exist in Pennsylvania. We currently have mandated trainings to discuss mandates and mandated trainings. Moreover, opportunistic politicians and media figures also need to stop using schools and teachers as political pawns. Schools don't have litter boxes in student bathrooms. CRT is not used in public schools, and no one is indoctrinating or grooming. We are busy enough with teaching reading, writing, math, sciences, and accurate history. That nonsense only makes our difficult jobs that much more challenging

The second problem I point out is the increased level of mental and behavioral health issues experienced by students. I will add to this the issues of school safety. While I certainly don't want to imply that children or adolescents struggling with anxiety or depression need to be profiled for committing potential acts of school violence, the simple reality is that the individuals who have harmed others often displayed issues long before their devastating actions. We are certainly glad that government leaders at both the national and state levels have come to the realization that an ounce of prevention is worth a pound of cure when it comes to students' mental and behavioral health. However, we need to ensure that this is not a funding priority that

falls by the wayside. Whether the pandemic related shutdowns caused or merely exposed the intensifying problem of student mental health is irrelevant. What matters is that students need access to counselors, social workers, and other systems of support. Students also need access to more school police officers, especially those who serve with the principles of community policing and focus on helping rather than punishing. Students need to be and to feel safe in order to learn, and they deserve no less than that.

Finally, the Commonwealth's ridiculous charter school law needs to be updated. Taxpayers should be irate with the current method of charter school funding in Pennsylvania. While the jury is still out on brick and mortar charter schools having any benefit to students, the results for cyber charter schools in PA could not be more dismal. The pandemic has shown us that there is simply no replacement for human interaction with an expert teacher leading a physical classroom full of students. However, for a very small minority of students, cyber school may be a good option. Fortunately, most of Pennsylvania's 500 school districts have begun operating cyber programs that meet those students' needs while keeping costs reasonable for taxpayers. "Reasonable" is far from how the Commonwealth's 14 approved cyber charter schools operate. Not only are they providing an extremely subpar education for students, they are also robbing the regular public school students of valuable resources that would be better allocated by the school district. The reason that they are allowed to do so is because of PA's charter school law from 1997 which is the worst of any state in the country. Instead of schools paying a flat rate to these 14 cyber charter schools, each district pays a different rate based on the costs calculated by the school district—and not the cyber charter school itself based on what it actually costs to provide its services. For example, Central Cambria School District can provide a cyber curriculum with state certified teachers for less than \$4k per student. However, if that student were to enroll into one of the 14 cyber charter schools, the cost could be multiplied by a factor of six depending on the student's special education status. That cost would be more palatable if the education received were six times greater than the one offered by the District. It isn't. Often, these students return to their home districts a few years later having earned no high school credit and have done no work. The situation is often worse for elementary students returning to public school districts from cyber charter schools. I have personally seen students enroll into the public school in grade three after a few years in a cyber charter and could not read at a first grade level. However, the cyber school is certain to track their bill sent to the school districts far more closely than they track the progress of any student.

It is clear that this problem has not been resolved to date because of the powerful cyber charter lobby that spends considerable funds (re-directed from public schools) on campaign contributions. However, the tobacco lobby was once strong as well. Doing what is right involves action to do what is best for Pennsylvania's students. The problem could easily be solved by capping cyber charter tuition billed to public schools to \$5k per student or to require students to attend the home district's cyber program as the Free and Appropriate Public Education option.

Thank you for this opportunity to discuss these issues, and thank you for all of the work that you have done and will continue to do for the students in our Commonwealth.

Written Comments on Charter School Reform
The Arc of Pennsylvania
House Democrat Policy Committee
October 11, 2022



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Sherri Landis

The Arc of Pennsylvania submits the following comments regarding Charter School reform in Pennsylvania and the implications for students with intellectual and developmental disabilities (IDD) who receive special education supports and services.

The Arc of Pennsylvania, which is a member of The Arc US, is the state's leading advocacy network for the human rights of Individuals with IDD. For the past 73 years, The Arc of Pennsylvania, our local chapters, and 13,000+ members, have worked to ensure that children and adults with intellectual and developmental disabilities receive the support and services they need, are included in their community, and have control over their own lives.

Pennsylvania led the nation in providing a public education to students with disabilities following the PARC Consent decree in 1971, which was the precursor to the Individuals with Disabilities Education Act (IDEA). The IDEA guarantees that students with disabilities have the right to receive a free and appropriate public education (FAPE) in the least restrictive environment. To ensure that students with IDD receive the free and appropriate public education they are guaranteed in charter schools, the Arc of Pennsylvania submits the following comments for your consideration:

- 1. Ensure that charter schools are equitably admitting students with IDD as the brick-and-mortar public schools.** Since the foundation of charter and cyber schools in Pennsylvania, students with IDD have utilized their services; however, we continue to see a disproportionate lower level of enrollment of students with IDD, especially those with more complex needs, in charter schools in comparison to traditional public school settings. We believe that any discriminatory enrollment practices should be ended to ensure that all students have equal access to charter school education and support a more open and transparent enrollment process for charter schools across the Commonwealth.
- 2. Prioritize an inclusive educational experience for students with IDD.** The opportunity for students with disabilities to access inclusive education is imperative for their future. Studies have shown that students with disabilities and their non-disabled peers both benefit when classrooms are inclusive. Purposeful steps need to be taken by charter school officials to ensure that students with disabilities are not needlessly segregated from their non-disabled peers. Also, The Arc of Pennsylvania recommends that guidance and support is provided to open the full school 'community' to students with disabilities. This means not only an inclusive classroom and curriculum, but extracurricular activities, field trips, clubs, and all the opportunities their peers without disabilities have access to. Socialization is a critical component of any child's education, and especially critical for students with IDD. It is through these social interactions where

many students with disabilities learn the soft skills necessary to build relationships and interact in an employment setting. By enabling the full education experience and prioritizing inclusive access to extracurricular events, charter schools will be providing students with IDD a holistic educational experience.

3. **Ensure students with IDD have access to transitional services to prepare them for adulthood.** It is critical that as students with IDD prepare to leave the educational system they have had access to robust transitional supports in their communities. Transitional supports and services teach important independence and employment skills that enable students with disabilities to live and thrive as independently as possible in their communities as they enter adulthood. As an Employment First State, the Commonwealth has a commitment to providing opportunities for students with IDD to have integrated work experience that leads them into employment in adulthood. By ensuring that charter schools offer robust transitional supports and services to the students with IDD enrolled in their programs, it enables greater independence and employment prospects in the future.

4. **Apply the Special Education Funding Formula to Charter Schools.** The Commonwealth's adoption of the Special Education Funding Formula (SEF) was done through the work of the Special Education Funding Commission to address the growing disparities in funding for special education costs faced by school districts. The SEF implemented a tiered funding system for each individual student with IDD that based funding on the student's level of need – the greater the supports and services needed to receive FAPE, the higher level of funding the school district received for that student. The Arc of Pennsylvania recommends that the Special Education Funding Formula be applied to Charter Schools as well. Charter Schools receive funding for special education based of the median percentage of students with intellectual and developmental disabilities in that specific school district. This creates two problems: 1.) a charter school may not receive enough funding to cover the cost of the special education supports and services for a students with disabilities who has medical complexities and/or multiple diagnoses; 2.) a charter school may receive more special education funding then needed to cover the cost of a student with lesser supports or services. Applying the Special Education Funding Formula to Charter Schools not only ensures charter schools receive the funding needed to appropriately educate each child with disabilities, it will also enable greater access for students with disabilities who have greater needs to charter schools.

Again, thank you for the opportunity to provide comments on Charter Schools and the services and supports they provide to students with disabilities.



Sherri Landis
Executive Director
The Arc of Pennsylvania



PHILADELPHIA

FEDERATION of TEACHERS

Jerry T. Jordan, President

Testimony Submission: Democratic Policy Committee

Topic: Charter Reform

10/11/2022

As President of the 13,000 member Philadelphia Federation of Teachers, I applaud the Democratic Policy Committee for taking the time to examine how we can improve charter and cyber charter schools in Pennsylvania. Philadelphia operates by far the most charter schools in the state. Charter schools, despite their original intention, have turned into lucrative endeavors that siphon funding away from traditional public schools. And they do so without necessary accountability and oversight. I'd like to address a few specific areas of concern.

Special Education Funding Discrepancy

One of the most egregious examples of this funding discrepancy is the way in which funding for students with special needs is allocated. Charter schools continue to be funded using a "one-size-fits-all" formula, regardless of a student's exceptionality. This means that the same tuition is paid per student regardless of student needs and abilities. According to a report by the Education Voters of Pennsylvania, school districts are paying charter schools [nearly 25% more per special education](#) student. According to the Mayor's Office of Education, the School District of Philadelphia has paid more than half of its \$700 million in new revenue to charters, [even though only 37% of its students](#) go to those schools. I urge the members to continue to support charter school special education funding reforms in the next legislative session.

We believe all students deserve accommodations that allow them to thrive in the classroom. This should be coupled with increased accountability and oversight to move the needle on the urgency of fairly funding public schools.

Cyber Charter Schools

Nowhere is reform more desperately needed than how Pennsylvania funds and holds accountable cyber charter schools. According to a report by [Children First](#), over 60,000 Pennsylvania students are enrolled in cyber charter schools - more than in any other

state, despite the unproven and unaccountable nature of these institutions. Additionally, out of twenty-seven states that allow cyber charter schools, PA taxpayers spend more money— [nearly \\$1 billion annually](#)—with the least accountability. Reforms, including more frequent audits, payments based on student success, and more performance oversight, are desperately needed. This will not solve our state's incomprehensible funding disparities, but it is a step in the right direction.

Harmful Legislation

Every session, legislators introduce bills that actively harm public education. The Philadelphia Federation of Teachers continues to oppose any expansion of EITC/vouchers. No matter the form, vouchers harm public schools. Whether in the form of Educational Improvement Tax Credit (EITC)/ Opportunity Scholarship Tax Credit Program (OITC) expansion, education saving account (ESA) creation, or any other mechanism, vouchers siphon money from traditional public schools without any fiscal, operational, administrative or academic performance accountability or transparency. Any voucher expansion moves us further away from Pennsylvania's constitutional and moral obligation to provide every child with a "thorough and efficient" public education system.

As [reports have](#) demonstrated, there is very little public data on students who benefit from these programs. Even though these "scholarships" are supposed to help low-income families, there is no evidence to support that claim. In fact, the tax credits often benefit schools located in Pennsylvania's [wealthiest suburbs](#).

In the Independent Fiscal Office [report on Education Tax Credit](#), it is clear that lawmakers have gone out of their way to limit the amount of data collected on these programs. The information made clear that lawmakers have gone out of their way to limit the amount of collected data. We must allow DCED to collect data on student performance and demographic information on these scholarship programs.

Thank you for your attention to our concerns, and as always, my team and I are happy to provide any follow up information.