

# Sound Bites vs. Sound Data

## Summary of Opponent Testimony against LD 1438 & Reasoned Responses


5/11/09 – Draft

Four groups of opponents submitted written testimony at the hearing on the public charter school bill on May 5th.

The opposing organizations are the Maine School Boards Association (MSBA), the Maine Principals Association (MPA), the Maine School Superintendents Association (MSSA), and the Maine Education Association (MEA).

We list below in **red**, direct quotes from the main arguments in their testimony: arguments based on misinformation, the selective use of information, and out-of-context information.

### 1. Charter Schools Take Funds Away from Existing Public Schools

 **“Public funding should not be diverted away from the greater majority of students;” “charter schools will take away even more money from existing public schools;” they would “siphon off resources from those students still in the regular public system;” they would “siphon off money from regular schools;” “all public schools will be asked to pay for the experiment;” “All public schools ... would suffer, since the money comes out of General Purpose Aid for schools.” “Why would we be starting new schools at a time when we don’t have enough money to fund the schools we already have?”**

- The current system of funds districts rather than students, so there are no financial consequences to the district if the students do not learn; and families have few options unless they can pay for homeschooling or private school, or they can afford to move to a different district.
- When funds follow each child, the money stays within the public education system, and the parents’ choice of public school – traditional or charter - provides accountability for the quality of education services being offered at each school.
- In cases where a school’s enrollment drops because students transfer to public charter schools, studies show that districts always keep the same budget, resulting in a higher average per pupil allocation for the remaining students.
- The state average expenditure per pupil is over \$10,000, and Maine ranks in the top ten states in per-pupil expenditures. Due to their fixed annual budget, charter schools have an incentive to operate more efficiently.

 **Charter schools “would funnel state aid away from existing districts because under this proposal, the money follows the student.”**

- Districts only lose state aid for those students who transfer to a public charter school, just as districts now lose funds when families move to another town, a student is home schooled or private schooled, or a student drops out of school.
- Districts gain state aid when students enroll, and students enrolled in charter schools will count as enrolled in their district of residence for state subsidy purposes.
- Charter schools can add students back to district enrollments: students who have dropped out, been home schooled, or private schooled, or who moved to the district to take advantage of the public charter school.

## 2. Charter Schools are New

### **The charter school concept has been around “for a relatively brief period of time. We are not convinced that there is a significant scientific study of its effectiveness.”**

- Many such studies can be found and downloaded from the National Alliance for Public Charter Schools, [www.publiccharters.org](http://www.publiccharters.org), and US Department of Education Charter School Office, [www.uscharterschools.org](http://www.uscharterschools.org).
- Public charter schools in 40 states now enroll 1.4 million children. From the first public charter school that opened in 1992, educators have now founded 4,600 voluntary public charter schools. Public charter schools in New Hampshire, Massachusetts and Rhode Island have created innovative programs benefitting hundreds of students.

## 3. Charter Schools are Narrowly Focused, Selective, & a Special Class of Schools

### **Charter schools are “narrowly focused, selective;” a “selection/rejection situation may not be appropriate”**

- Charter schools can be theme-based, but unlike magnet schools, all students may apply, there are no admission criteria, and a lottery is used if more apply than seats are available. There is no selection and no rejection, and no discrimination is allowed.

### **Charter schools are “quasi-public”, “separate schools”, “specialized schools”, schools for “gifted and talented” students, “a special class of schools,” Allowing public charter schools “undermines public school programs.”**

- Charter schools are fully public schools.
- Many themed public schools and public schools-within-schools exist around the state and the country. These school structures are well within the traditions of public education.
- Allowing new public school options through the charter school model will expand and strengthen public education to meet the diverse needs of more students.

### **Charter schools are “an elitist model”.**

- The US DOE charter school policy allows a small percentage of children to enroll under the “preference” category to help families with 2 or more children (sibling preference),
- Preference for children of organizers and staff encourages organizers to put in the hard work required to start a charter school.
- The low percentage of these preferences prevents a school from being formed and attended primarily by a group of “insiders.”

## 4. Charter Schools are Bad for Rural Schools

### **“Rural Maine legislators” voted against charter schools.**

- Only charter school bill LD 1640 in 2006 came to a vote. In the Senate, the bill lost by 2 votes – not bad in a rural state. In the House, many Representatives from rural areas voted for the bill.
- There is a myth that charter schools are only for urban areas. In fact, rural charter schools exist in many states, including New Hampshire, Colorado, Idaho, & Montana.

### **The charter school program “could accelerate the closing of small schools in rural Maine.”**

- It has been state policy for some years to push the closure of small and rural schools, using a variety of funding changes, facility regulations, and district mandates.
- The public charter school bill offers a mechanism for small schools, wherever located, to show that they are economically viable and able to respond to the needs of their communities. If they do not, they can be closed by their authorizer, or will go out of business for lack of students.

## 5. Charter Schools Compete Unfairly with Existing Schools

### **Charter schools will “compete for teacher talent.”**

- The bill allows teachers in existing district schools to take a leave of absence to teach in a charter school for a maximum of two years.
- Charter school teachers will not be eligible to participate in the Maine State Retirement System, a significant dis-incentive for teachers, especially senior teachers, to move to a public charter school.
- Teachers should have new opportunities within the public education sector, and be able to choose the learning environment they wish to work in.

### **Charter schools would be able “to operate under different rules than regular public schools.”**

- This is the core idea of charter schools: to promote innovation and different ways of reaching diverse children. Charter schools have flexibility in operations, but only in exchange for heightened accountability. Would a traditional public school accept this tradeoff? If so, they could convert to a charter school.
- Existing public schools already have a great deal of flexibility available to them through waiver provisions in Section 8 of Title 20-A, "Restructuring" – but they don't use it. The broad language of this section is designed to encourage local innovation in improving and modifying school structures. The law permits school units to apply for a waiver of any regulation that they can demonstrate will "prevent or seriously handicap...pursuit of its restructuring goals." Almost no districts have availed themselves of this flexibility over the past 15 years.

## 6. Charter Schools are Untested and Unaccountable.

### **The claim that charter schools “will be better than what is currently offered in the public school is untested;” “What assurances do we have that students will get the best education possible in charter schools?”**

- Public charter schools are accountable to the parents of their students, who can move the child with the per pupil allocation following the child to another school the next year. The parents of over 1.4 million students have chosen to send their children to charter schools in the US this year.

### **Charter schools may “provide educational settings with the potential for less accountability.” Charter schools will have “no benchmarks against which to measure progress.”**

- Accountability is another core idea of charter schools: public charter schools are only authorized following a rigorous application and review process, formalized in a performance contract that is monitored carefully by the chartering authorizer.
- The authorizer can close a charter school due to inadequate performance or for financial mismanagement, bring in new administration, or refuse to renew the school's 5-year contract.
- Public charter schools have more direct forms of accountability than existing public schools, which continue to be funded whether or not they meet their “charge” of educating all students well.

## 7. Summary

Since public charter schools are entirely voluntary - no one is mandated to start one, teach in one, or attend one - they will not emerge where there is no demonstrated need or capacity to succeed.

The public charter school model is designed to return public education's focus to the child, rather than to the adults who manage and work in the system.

The provisions in LD 1438 are designed to provide incentives for educators and families and citizens to envision new ways to meet the needs of Maine children. Publicly-funded education in Maine needs to change and innovate to meet the state's new educational goals – it needs to shift its focus from merely measuring and responding to each student's achievement, to measuring and responding to each school's achievement in maximizing student achievement.