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Testimony of Patty Quinzi
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Before the Senate Education Committee
Regarding SB 308 and SB 1830
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Texas AFT supported the state's initial experiment with charter schools. Our hope was that charter schools would be laboratories of innovation, with high quality standards, offering lessons in best practices that could be widely applied throughout our schools.

Thus far, we have been disappointed with the results, particularly as we have witnessed the proliferation of more than 300 campuses, operating under a limit of 215 total state-granted charters approved with too little regard for educational quality. Eleven annual state evaluations of Texas charter schools have consistently documented the fact that these schools by and large produce "lower TAKS passing rates in all tested areas compared to traditional school districts statewide."

The 2008 state evaluation found that Texas charter schools in 2006-2007 were roughly seven times as likely as traditional public schools to be rated low-performing, and that ratio leaves out many charter schools that took shelter under the alternative accountability system. The 2008 study also attempted to compare student achievement of charter schools and a subset of "similar traditional schools," with matching socioeconomic characteristics and student attendance rates. Even with this adjustment, however, the study found that "TAKS passing rate comparisons for students at standard open-enrollment charter schools and traditional campuses favor standard traditional campuses in all tested areas." A new, independent study by Rand Corporation researchers yields similar conclusions, finding that the only site studied "in which charter schools deviate significantly, in both reading and math, from average performance in traditional public schools, is Texas, where students who enter charter schools appear to be falling behind their own trajectories in traditional public schools."

The weak record of most charter schools in Texas, we submit, has much to do with applicable quality standards that are either low or nonexistent. State law establishes no minimum qualifications for charter principals or superintendents. These schools are not covered by state teacher certification standards—teachers outside of bilingual and special education need have only a high school diploma. Class-size limits do not apply. Accountability is reduced; the 2008 state evaluation of charter schools found that 44 percent of these campuses were rated under the less rigorous alternative accountability procedure, versus 3 percent of traditional public school campuses. The Rand researchers also noted that Texas had the "most flexible" standard for

approval of charter schools of any of the sites studied. We have seen recent vivid evidence of that flexibility, as the State Board of Education approved a charter application despite an admittedly low prospect of academic success simply because it had popular support.

Texas AFT still believes in the potential of charter schools, and a handful of Texas charter schools have indeed achieved exemplary results—15 of them in 2006-2007. We want to see more high-quality charter schools and fewer mediocre or bad ones. But in our view neither SB 308 nor SB 1830 will help achieve that goal.

By simply lifting the cap on the number of charters that can be issued by the State Board of Education, these bills will do nothing to improve charter quality. We need more accountability to parents and the public on the front end, setting a higher bar for charter approval, with clear evidence of a well-defined, rigorous curriculum, clear evidence of strong instructional leadership, clear evidence of adequate staffing to deliver what is promised to students.

SB 1830 would go in the opposite direction, relaxing the already-limited quality standards for the approval of charter campuses. Charter holders could self-authorize new campuses, without seeking approval from the State Board of Education, just by notifying SBOE and the commissioner of education. Such self-authorization of new campuses would be open to any charter operator as long as no more than 25 percent of its campuses were rated low-performing. We submit that attaining merely acceptable ratings for 75 percent of campuses under a charter's control should not be a state license for indiscriminate proliferation of still more barely acceptable or even academically unacceptable campuses. We need more quality control in the Texas charter school experiment, not less. We would suggest that the ability to add campuses under an existing charter should be limited to exemplary campuses, and that the requirement of SBOE approval for such expansion be retained and strengthened, to make sure it can be shown that the expansion campuses would likely meet similarly high standards.

SB 1830 would grant extra funding to academically acceptable charter schools for both facilities and operations. Charter schools do suffer a financial disadvantage in one area—facilities funding—because unlike school districts they cannot levy property taxes. However, facilities funding aside, the state's 2008 official evaluation of charter schools shows that open-enrollment charter schools have more combined federal, state and local funds available for operating costs than traditional school districts do (\$8,702 versus \$8,567 per pupil). We suggest that any additional funding for charter schools should be limited to higher-performing charter schools and should be provided for facilities needs only, not for operations, where charter schools have an advantage rather than a deficit. We also believe that the appropriate level of facilities funding for charter schools should not be decided in isolation from your consideration of the facilities needs of low-wealth traditional school districts.

The colocation provision of SB 1830 would appear to blur the lines of accountability and applicable educational quality standards. Why should students not be attributed to a charter school for purposes of accountability? Would this practice allow low performance at one campus or the other to be masked from public view? Does it really make sense to commingle charter teachers who are uncertified and often lack a college degree with the certified, degreed teachers of the traditional public schools? Unlike traditional public schools, charter schools are

exempted from state standards under Chapter 37 for student discipline, so whose discipline standards would apply to the colocated charter program? The more you think about it, the more the questions multiply. We suggest that, if a school district really wants to pilot this idea, it should do so and the state should see the results and ramifications before placing wholesale approval of this option in state law.

The bottom line is that Texas needs high-quality charter schools, not just more charter schools. Statements of the new administration in Washington have been cited to support the idea that state caps on the number of charter schools should be removed. But that's only half of the Obama administration's message. The other half is that low-quality charter schools should be shut down and only proposals for new state-granted charters and charter campuses that meet rigorous quality standards should be approved. Perhaps on that basis all those who supported the original Texas experiment with state-created charter schools, as Texas AFT did, can still find common ground.