



## Position Paper: NYS PTA AND CHARTER SCHOOLS

Public education has been in existence since the 1600's giving opportunity to educate all children and youth through the use of public funds. The ideal of a free and appropriate public education at the elementary level was within reach for all American children by the end of the 19th century. In 1894, the guarantee of a free primary and secondary education was embodied in the NYS constitution stating, "The legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this state may be educated."

Today's education system offers school choice for students. The concept of school choice is embedded in the principle that it empowers parents to choose between schools in a true democratic sense as it provides increased incentive for schools to respond to the market choices of parents of varying economic backgrounds. Charter schools offer one form of public school choice.

National PTA and NYS PTA acknowledge charter schools as one avenue to school reform. Both support the creation of innovative schools that are based on a set of principles designed to retain and enhance the integrity of public schools. This support is contingent upon the fact that charter schools reflect the positions and principles of the National PTA.

In accordance with National PTA, NYS PTA is prepared to assist charter schools in meeting the academic, social, physical, and emotional needs of students through the creation of new PTA units. PTAs promote active parent and family involvement and provide access to PTA programs, services, and leadership.

NYS PTA adheres to the beliefs that charter schools need to:

- Be open to all students, including students with limited English proficiency, students with special needs, and students from diverse racial and cultural backgrounds.
- Comply with federal and state laws governing public schools, including laws regarding teacher qualifications, testing standards, and fiscal accountability.
- Adhere to federal, state, and local laws designed to ensure student health and safety.
- Be accountable to local school boards in the districts where they are located.
- Be funded in such a way as to preclude the charging of tuition or mandatory fees not charged by other public schools in the district.
- Be independent of nonpublic, sectarian, religious, or home-based school affiliations.
- Include parents in meaningful decision-making roles.

National PTA believes that all levels of the government (federal, state and local) have a central role in providing services that support public education and must share in providing adequate funding for our schools. The intent of the NYS Charter Schools Act of 1998 was to allow for the establishment of models of academic innovation that were free of bureaucratic regulation but would be held strictly accountable for their performance. Unfortunately, New York's law funded this experiment by diverting money away from its traditional public schools. While a number of NYC charter schools have met the standard of improving achievement, studies have shown that a majority of charter schools outside the city have failed. The original intent of the Act has led to unintended consequences in that some communities suffer serious financial drain on traditional public school programs and have no local recourse.

Fair funding of public education has been a priority of the NYS PTA. Our current position, *Funding for Charter Schools\**, was established in 2001 and seeks to address the unintended consequences cited above. This resolution asks that PTA members urge and support legislation to *change the method of funding* NYS's charter schools in order to eliminate the potential for an adverse effect upon traditional public schools and the communities they are intended to benefit.

The rationale behind this position was based upon the following facts:

- that funding of NYS charter schools is derived from a formula-based proportion of K-12 spending (approved operating expense), including non-related and special education services
- that school districts still must provide transportation, textbooks, library materials, computer software, and health and welfare services to charter school students
- that reduction of existing enrollments in several buildings generally does not reduce the total cost of staffing, utilities, supplies, insurance, etc.
- that a public school on contingency may not increase their budget beyond the cap set by the state legislature but would still be required to pay the charter school at the previous year's approved operating expense. This would potentially force the public school district to eliminate or reduce programs and services to the students enrolled in the traditional public schools.

The popular view is that the PTA has opposed charter schools. The reality is that NYS PTA acknowledges charter schools as an avenue to school reform and supports actions that rationally invest in innovation and experimentation. We support the passage of legislation that would change the method of funding charter schools to eliminate adverse impact on public school districts. NYS PTA supports charter school legislation that will ensure accountability to the public by:

- Requiring that all applications/renewals of charters be approved by the local school board before being received and acted on by any chartering entity
- Requiring that charter schools shall not enroll more than 5% of a local district's student enrollment nor divert more than 5% of a local district's budget
- Requiring a 14-month notice period between the approval of a charter application and the opening of a charter school;

and that minimizes financial impact by:

- Providing transitional state aid (100% in year one, 60% in year two, 40% in year three) to ease the financial impact on local districts when a new charter school opens
- Providing that districts shall be eligible to receive transitional aid for charter schools that already exist or that have already been approved to commence operations
- Providing for the immediate recovery of funds by a local school district when: a) students who signed up do not attend a charter school; b) students return to a regular district school from a charter school; c) a charter school ceases operation before the end of the school year
- Revising the Annual Operating Expense (AOE) formula for charter schools to
  - hold districts harmless for fixed costs that do not decrease when students attend charter schools
  - differentiate between the per-pupil cost for K-8 (90%) and secondary (110%) students
  - apply contingency budget constraints to funding that flows to charter schools

While we acknowledge and share the concerns of some of our education partners in the field regarding charter schools, we recognize that the world is changing and we would like to be a positive influence on changes that will ensure every child has the opportunity to attain excellence in education and quality of life. It is our belief that parents and families will assume an active role in making these changes. With the establishment of a statewide Parent Advisory Council (PAC) to support public and charter schools, parents, teachers, and students, the NYS PTA is prepared to be the premier child advocacy organization in the state to lead all schools and school children to success.

\*See *Where We Stand: The Basis for Action of the New York State PTA*, page 8

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