

TESTIMONY IN OPPOSITION OF SB 912
PUBLIC CHARTER SCHOOLS – FUNDING – AMOUNT PER PUPIL

TO: Honorable Paula C. Hollinger and members of the Senate Education, Health and Environmental Affairs Committee
FROM: Alison Perkins-Cohen, Executive Director of the Baltimore Curriculum Project
DATE: March 15, 2005

The Baltimore Curriculum Project is the non-profit operator of three public schools in Baltimore City that are in the process of converting to charter status. Our schools are neighborhood schools that have converted to independent operation first through the City's New Schools Initiative and now to charter schools while remaining in the existing public school facility and continuing to serve the existing neighborhoods that are zoned to them. Our schools serve approximately 1,200 students in some of the most disadvantaged neighborhoods in Baltimore City. As a public charter school operator committed to the improvement of all Baltimore City and Maryland public schools, I am here today to express our strong opposition to the passage of Senate Bill 912.

As the operator of charter schools that potentially stand to benefit from the passage of SB 912, our opposition to the bill might seem surprising. However, the funding mechanism proposed under SB 912 provides a level of charter school funding that is not commensurate to the level of funding received by other public schools. Instead, passage of the bill would result in a funding level for charter schools that is significantly higher than the funding level received by other public school students. We stand in opposition to such inequity and in support of a higher level of per pupil funding for all public school students. SB 912 would have significant negative implications for all public schools and their students. In a city like Baltimore, where funding for public schools is already far below the level mandated by Thornton, we cannot afford to contemplate the funding change proposed in SB 912.

This bill is intended to ensure that charter school students receive 90% of the county board's total per pupil spending minus some obviously non-negotiable costs such as pensions, debt service and construction. On the surface, such a proposition might seem perfectly fair. However, if SB 912 became law, Baltimore City charter school students would receive a cash disbursement of approximately \$7,800 per pupil. This level of funding is much higher – over 75% more – than the average level of funding received by Baltimore's other public school students. The current average per pupil funding equivalent in the three schools that we operate is only about \$4,400.

The reason that implementation of SB 912 would cause such inequity is simple. In Maryland, charter schools are not their own Local Education Agencies (LEA). Instead, in accordance with the Act, charter schools operate under the supervision of the county boards of education. These county boards – which are ultimately responsible for the performance and accountability of the charters they approve – must provide charter schools with a number of the services and supports afforded other public schools. Such services include:

- general counsel services such as defense against law suits; the provision of legal interpretations and maintenance of collective bargaining agreements;

- development; implementation; monitoring and reporting of the county's budget;
- county policy development and implementation;
- staff responsible for meeting State and Federal reporting requirements;
- special education services;
- support and liaison services to the county school board, State school board and the General Assembly;
- management of information systems; and
- out of county and private placements for special needs students.

As the charter schools will receive these services from the county board, their costs must be taken out of the LEA's budget before a per pupil figure is calculated. Otherwise, the district's provision of these services to charter schools will be financed on the backs of regular public school students.

As no other public schools receive a per pupil disbursement close to the level of funding contemplated by SB 912, passage of the bill would subject the State to potential lawsuits under the equal protection clause of the Constitution.

I believe SB 912 may reflect the good intentions of many members to give charter schools a fair chance by guaranteeing them a level of funding that is commensurate to the funding received by other public school students. However, that is not the effect of SB 912. If the General Assembly is going to continue to provide educational choice through charter schools, it must do so in a way that preserves the common good through the responsible stewardship of the State's limited public education resources. Part of that responsibility means making sure that resources are adequately and equitably disbursed.

Unfortunately, there are powerful interests focused on the potential for-profit benefits that this bill would offer. These groups are interested in getting their hands on some of the limited educational resources available in the State. Passage of SB 912 would make the State of Maryland fertile ground for for-profit organizations interested more in the improvement of their profit margin than in the improvement of student outcomes. If allowed to go forward, this money grab could drastically compromise the long-term health and viability of the State's public school system.

At the same time, there are many well intentioned, community based, non-profit charter school organizations that are interested in providing better educational options for Maryland students. Let's make sure that those alternatives are not provided at the expense of other public schools and students. I call on these community organizations to stand with us to fight for funding for all public schools that is both adequate and equitable. The very future of public education in Maryland depends upon it.