

Ohio House of Representatives
Finance Subcommittee on Primary and Secondary Education
Testimony on HB 49
Presented by Sally Perz, Administrator
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Chairman Cupp, Ranking Member Miller, members of the committee, I am Sally Perz, Administrator, Buckeye Charter School Boards, Inc., a 501c3 organization established approximately 8 years ago to “increase the knowledge, skills and effectiveness of Ohio’s charter school boards.” It is truly an honor to address you as a former colleague, member of House Finance Committee and Chair of the Higher Education subcommittee. So I thank you for the many hours you have been and will spend refining this budget bill.

I have been with the charter school movement in Ohio since the beginning. In fact, three of my years in the legislature I researched and had numerous bills drafted that would allow choice in public education in Ohio. Being a member of the first term-limited class in the legislature, when I moved on I had various roles, one of which was compliance officer for a statewide charter school sponsor. In that role I did compliance assessments for, and visits to, nearly a dozen charter schools in addition to attending their monthly governing authority meetings. That was my introduction to the gap between policy and implementation as well as the importance of understanding the impact of each policy.

History sometimes helps put things into perspective, so please allow me to share a few thoughts -- along with a plea to “do no harm” by avoiding amendments to H.B. 49 that address charter school policy issues – particularly in light of the fact that the 131st General Assembly just passed sweeping charter school reform legislation in 2015.

The original intent of Ohio’s charter school laws was to give Ohio’s children and families choice in public education beyond their local, neighborhood school AND to bring more innovation and creativity into the learning process through the creation of “new” public schools. As we all know, introducing this new format of public education didn’t come without opposition!

These unique schools were not new to the U.S., but new to Ohio. Approximately 28 states preceded Ohio in making charter schools part of their systems of K-12 public education. I traveled to many of them as we were working on the first bills. We wanted to learn from those who preceded us.

Since 1998, when the first Ohio charter school opened in Toledo, charter schools have been subject to never-ending change. In fact, in some cases, the Ohio legislature hasn't just tweaked the law, but actually changed it 180 degrees. Some examples are:

- ODE was granted authority to sponsor charter schools, which was later revoked, and then later reinstated.
- Sponsors were subject to caps, limiting the number of schools they could sponsor. These caps were later increased, then eliminated and ultimately dictated by the terms of agreements between each sponsor and ODE. "Exemplary" sponsors may authorize an unlimited number of schools, but no sponsors have received an "exemplary" rating under the new sponsor performance assessment.
- Sponsors were punished for closing charter schools – with caps decreased for every school that closed, regardless of the reason. Now sponsors are punished for not closing low-performing schools – even those that perform better than the traditional public schools in which students would otherwise likely be enrolled.
- Sponsors have gone from operating with some degree of independence, but support from ODE, to being subject to annual comprehensive performance assessments with high-stakes consequences.
- Sponsors and boards were originally empowered to make decisions on whether potential operators could open schools in Ohio. The law was later changed to limit operators to only those with a proven track record of success. Under current law, operators are subject to strenuous reporting requirements and performance monitoring by boards, sponsors and ODE.
- Board members were once only permitted to serve a maximum of two schools ... that limit has been increased to five.

Know that the boards and the schools they oversee are impacted by every change imposed on sponsors. The ripple effect sometimes keeps the charter movement in Ohio in turmoil.

It's the charter school board, the not-for-profit board or governing authority as it's referred to in Ohio law, who represents the public in overseeing its schools. Ohio's charter school board members are the important third leg of the stool – sponsor, school and board. These volunteers (for the most part) enter a complex and politically-charged world when they become board members. Buckeye Charter School Boards, Inc. (BCSB) early on developed 5 modules of board training:

- The Foundation/Basics
- Open Meetings/Public Records
- Academic Accountability
- Fiscal Responsibility
- Legal Requirements

In addition to the training, BCSB has developed many resources for board members, including:

- An education acronym guide
- Roles and Responsibilities of ODE, Sponsor, Board and Operator
- New Board Member Orientation Guide
- Materials for attracting new board members
- Website with information and resources for Ohio's board members

The board members give many hours of service to ensuring compliance, proper policy implementation and a viable future for their schools. They ask the tough questions and are the link from the school to the community.

We sometimes have a tendency to accept misperceptions created by charter critics. One that is particularly confusing to board members is that charters are “for-profit” schools. That’s simply untrue, as all Ohio charter schools are not-for-profit entities held accountable by not-for-profit boards. Given the reality of charter school funding – significantly less than traditional public schools, with very limited facilities funding – the notion that operators are motivated by profit may actually be a gross exaggeration.

Another misperception may be rooted in the cry for a “level playing field” for charters, generally voiced by the critics. One would think a “level playing field” would include no restriction on location of charter schools throughout the state and full funding. Rather it has meant increased restrictions, rankings and limitations. When combined with Ohio’s strict closure law, one must ask how far have we drifted from the original intent to provide new opportunities of choice to all AND bring increased innovation to public education. Instead our reality is an environment where charters live and die by the results of student assessments reported on the local report card.

As policy makers you are empowered to enact laws that support our nearly 120,000 charter school students whose parents have made the deliberate and sometimes difficult choice to enroll in a charter school. The best way to do is to ensure innovation is not stifled by layering on more and more “accountability”, but rather by encouraging growth through fair and equitable funding and providing educational options for all Ohio students, regardless of where they live. These are big concerns for your later pursuit!

Again, thank you for the opportunity to testify today. I truly hope a little of the history and some insights rather than numerous requests has been helpful to you. I’d be happy to answer any questions you may have.