



LEGISLATIVE BRIEFS...

April 2009

Update: Where is New York State PTA with Charter Schools?

At a recent public policy forum on charter schools, Jonas Chartock, Executive Director of the SUNY Charter Schools Institute, stated that charter schools are “hitting a sweet spot in terms of national political support”. Claiming that NY’s charters have fared well throughout their first ten years, he noted that charters still face challenges, the greatest of which will be concerns with regard to funding. Other challenges will be in human capital, i.e. acquiring teachers willing to put in extra time and effort required by a charter school and research and documentation of best practices and performance.

The Charter School Act of 1998 authorized the opening of 100 public charter schools in New York. The law prescribed several paths of authorization: for conversion of an existing public school, authorization would be through the local school board; for charter school start-ups, 50 would be authorized by the State University of New York Board of Trustees and an additional 50 would be authorized through the NYS Board of Regents. For NYC public schools the authority would belong to the chancellor for both conversions and start-ups. Public schools that elected to convert to charter schools are not included in the count. Under the 2007-08 state budget reform initiatives, the cap of 100 was expanded to allow the authorization of 200 (50 of the additional would be in NYC) public charter schools.

An application to establish a charter school may be submitted by teachers, parents, school administrators, community residents or any of these in combination. Applications may be filed in conjunction with a college, university, museum, educational institution, not-for-profit and for-profit organizations and companies.

Charter schools are held accountable for meeting specific student performance goals. They are reauthorized every five years. Upon review, a charter may be revoked or not renewed if results are not attained. In return, charter schools are exempt from many public school regulations for curriculum development, staffing and budgeting.

State aid funding for public education follows the student. The 1998 law created a funding scheme that requires the public school district of a student who enrolls in a charter school to pay the charter school 100% of the district's prior year average approved per pupil operating expense. Charter school students are counted in the enrollment of the school district of residence which pays the charter school tuition and any federal or state aid attributable to a student with a disability – payments are made directly from district of residence to the charter school. School districts still must provide transportation, textbooks, library materials, computer software, and health and welfare services to charter school students. State and federal grants are available to charter schools and they are permitted to fundraise from private sources as well. Charter schools do not receive any city, state, or federal funding for facilities.

The assumption exists that PTA has opposed charter schools. The reality is that both National PTA and NYS PTA acknowledge charter schools as an avenue to school reform and support actions that rationally invest in innovation and experimentation. The issue in conflict is a matter of funding. [For those located outside the cities, the outcome of the charter school legislation has been to divert needed funds from traditional public schools to charter schools.](#) As equitable

funding of public schools is a PTA priority, NYS PTA adopted a resolution seeking a change in the method of funding those charter schools to eliminate any adverse impact on public school districts. Also, when a public school budget is placed on contingency it may not increase the budget beyond the cap set by the state legislature yet the public school would still be required to pay the charter school at the previous year's approved operating expense. And, while Governor Paterson proposed his deficit reduction assessment to cut school aid, charter schools were excluded. Both actions would potentially force the public school district to eliminate or reduce programs and services to the students enrolled in the traditional public schools. Finally, school districts are subject to audit by the NYS Comptroller; it is the position of NYS PTA that charter schools should be held to the same fiscal accountability.

Currently there are 115 charter schools operating throughout the state. Twenty-five more have been set to open in September 2009 and five more to open in 2010. In light of the state's economic volatility, vacillating proposals regarding state aid distribution, and the possible fiscal impact of some charter schools scheduled to open in the fall, several bills calling for a moratorium and changes to the authorizing entities have been introduced in the state legislature. As stated in the rationale of Assembly bill A6447, "...school property taxes are by far the highest local tax burden for New York State residents and redirecting precious resources at a time of fiscal crisis will place additional burdens on local taxpayers...small city school districts are especially hit hard by the establishment of charter schools."

With alleviation of funding issues and 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. 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.

Recognizing that PTAs promote active parent and family involvement and provide access to programs, services, and leadership development, [NYS PTA has been chartering PTAs throughout the state including within the boroughs of NYC](#). 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. Our NYS PTA vision to become the premier parent involvement and child advocacy organization includes all children and families in all NY's public schools.

<http://www.legislativegazette.com/printable.php?id=3627>

<http://www.uscharterschools.org/cs/sp/view/sp/34>

<http://nyspta.neric.org/pdfs/advocacy/WHEREWESTAND200809post-convention.pdf>

<http://www.assembly.state.ny.us/leg/?bn=A06447>