



Testimony to the Senate Education Committee

on proposed Senate Bill 6

The Educational Opportunity and Accountability Act

Presented by

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Good morning. My name is Todd Orner and I am the board president of the Gettysburg Area School District in Adams County. Thank you, Chairmen Smucker and Dinniman, for allowing us to speak with you today, to participate in the dialogue and continue working with you.

The Pennsylvania School Boards Association is a nonprofit statewide association representing the 4,500 elected officials who govern the commonwealth's public school districts. PSBA is a membership-driven organization that is pledged to the highest ideals of local lay leadership for public schools. We work to support reforms for the betterment of public education and to promote the achievements of public schools, students and local school boards.

PSBA supports the important work of the Senate Education Committee to support success for all students and to help improve our system of public education as provided for under our state Constitution. The association believes that while the intent of the proposed Senate Bill 6, the Educational Opportunity and Accountability Act, is to provide turnaround options and tools for struggling schools to improve their academic performance, there are a number of issues with the new proposal that cause PSBA concern. While we believe schools and school districts should be held to the highest degree of accountability, some of the strategies provided for in this legislation are largely unproven as remedies to poor academic achievement and when applied, have not resulted in large-scale turnarounds. State takeovers, privatization of academic services and conversion of schools into charters have not been widely successful.

Local school boards are accountable to their communities

The creation of school boards elected by taxpayers is established by law and they are charged with the responsibility for administering local school systems. Boards consist of locally-elected individuals who volunteer their time to focus on improving the educational opportunities of children; to use federal, state and local tax dollars efficiently; and to distribute burdens of school support equitably. Local school boards reflect the needs and aspirations of the communities as well as the interests and concerns of professional and nonprofessional employees. Non-partisan lay control is best ensured when educational policy is made by local lay representatives whose undivided attention and interests are devoted to education.

In creating a state-run Accountability School District (ASD), Senate Bill 6 removes the authority of locally-elected school boards in favor of the establishment of an appointed, partisan board that has no accountability to the taxpayers, the community, parents or students. School boards will have no control over costs of ASD schools and will be unable to exercise their taxpayer elected authority to administer the school system. Senate Bill 6 removes the elected school board from operational decisions of a district school and only grants them the authority to pay the bill via any means allowable in law.

In fact, nearly all of the decision-making authority regarding the future of the school is given to the executive director of the ASD board. With no public input, the state-run ASD board will decide to take one or more of four required actions: 1) replacing the principal and at least half of the professional staff; 2) contracting with an education management service provider to operate the school; 3) convert the school to a charter school, and: 4) close the school and transfer the students elsewhere.

Further, it ensures that there will always be a list of “intervention” and “eligible” schools because it uses lowest-percentage rankings based on School Performance Profile (SPP) scores. In this scenario, even if all schools were to receive SPP scores above 70, there will be a bottom of the list.

Research shows proposed turnaround efforts harm students

A report issued earlier this month (May 2015) by the National Education Policy Center shows that under close examination, the turnaround options such as those under Senate Bill 6 do not work. (http://nepc.colorado.edu/files/ttr-turnaround-cap_0.pdf) The report finds:

“The claim that rapid, dramatic changes in staffing, management and other conditions inside of schools can spur quick, sustainable improvement is paradoxical because it is contradicted by research evidence. Drastic changes in staffing and management engender the exact conditions that long lines of research have linked with persistent low performance – high turnover, instability, poor climate, inexperienced teachers, and racial and socioeconomic segregation.

For example, rigorous research on school reconstitution demonstrates that firing and replacing school staffs has usually failed to improve organizational or student performance. Instead, it has been consistently linked with reductions in the social stability and climate of schools, as well as increased faculty churn (but not of the weakest teachers). Other analysts have concluded that the political fallout and logistical difficulties from such drastic changes carry enough unintended consequences to outweigh any potential benefits. Finding enough qualified personnel to fill vacancies is common.

Teacher turnover is consistently harmful to schools. In addition to the adverse effects of layoffs on student and teacher morale, localized knowledge about students and the community declines. Collegiality, trust, professional relations, and community tie – necessary conditions for improving student performance – all wane.

With respect to the literature on school closures, mounting evidence consistently documents that such disruptions are concentrated disproportionately in African American and Latino neighborhoods. Other scholars have documented that students displaced after a school closure exhibited lower academic outcomes and higher indicators of emotional stress.

Finally, in one of the most comprehensive analyses to date, researchers who studied district test score data from the National Assessment of Educational Progress (NAEP) — the test long judged to be the gold standard in student assessment — found that turnaround driven layoffs and related reforms did not improve NAEP outcomes. Race-based test score gaps sometimes increased.

Even the business and management literature on corporate turnarounds —the field in which the turnaround concept originated—concludes that such dramatic changes rarely yield the intended results. One analysis associated only a quarter of business turnaround efforts with major organizational improvements. Others found that corporate turnarounds are not associated with either short- or long-term improved company performance.”

Case Study: ASD failure in Tennessee.

The plan outlined in Senate Bill 6 appears to be part of a larger political agenda. Efforts currently in place in Tennessee provide a prime example of how governance by a state-appointed Achievement School District (ASD) board and the attempted privatization of a district are not assured fixes for a school district struggling to improve its students' academic achievements.

In Tennessee the turnaround option overwhelmingly chosen by the ASD is to convert schools to charters without the consent of the community. What followed was evidence that “the conversion caused chaos within the school and community, leading to a poor and unstable learning environment for students.” Families have subsequently moved their students out of ASD schools to other schools. Charters that made bids to take over operations for ASD schools have pulled their bids because they correctly came to the conclusion that operating schools under the stressful local situations present was not practical, nor lucrative enough, for their business models. (<http://www.tennessean.com/story/opinion/contributors/2014/12/22/asd-riles-parents-community-school-takeover/20648199/>).

Further, recent audits have shown that the ASD has been mismanaging public funds, including federal money. (<https://norinrad10.wordpress.com/2015/02/23/time-to-end-the-asd-fiasco/>). The ASD is currently stretching its limits of performance to work outside the normal boundaries inherent when one takes over a school building - they are seeking to waive requirements such as class size that are currently not waivable and are indicative of a proper learning environment. The ASD has also been seeking to increase their ability to attract students from outside district boundaries in order to artificially boost performance.

The lesson here is that state intrusion and overreach will not improve the public school system.

What struggling schools really need

PSBA is focused on strategies to reform and improve poorly performing and underperforming schools rather than tossing them aside for continued underperformance from charter schools. Research suggests the most effective school improvement and school turnaround efforts fall into one or more of three areas including:

- Recruiting, preparing, and improving teachers and school leaders;

- Preparing students for academic success; and
- Providing schools with tools for success.

No current research in the area of school improvement lends any credence whatsoever to the notion that takeover from the state, curtailment of local governance activities, or imposed conversion to privately operated charter schools has had or will have any positive correlation to student academic outcomes. Attributes associated with effective leadership, quality teaching, and equitable distribution of resources stand out instead as the most promising avenues to academic improvement.

Pennsylvania schools provide an exemplary level of service to public school children throughout the commonwealth. Public schools and children have shown demonstrable growth related to expected academic outcomes. Some schools and districts face obstacles associated with poverty, transience, violence, or lack of resources. Children living in areas where these problems exist can succeed, but they face a complex set of challenges that will not be addressed via school takeover or charterization. These challenges are real and these challenges are significant. With focus in the right areas, and on strategies and efforts that have been proven successful in reforming and improving schools, these challenges are surmountable.

Mandate relief will help all schools

Senate Bill 6 details the process by which a school can be converted to a charter school. Under this process, several provisions of existing law would not apply to a charter school that is established, most notably the Pennsylvania Prevailing Wage Act and the Separations Act. PSBA believes all schools and school districts that have been given any designation under this act should be exempt from these, and any other, costly mandates.

All public schools deal with a complexity of issues, including financial constraints and the obligation to meet hundreds of mandates. PSBA believes that mandate relief is an integral part of reforming the system of funding public education and is strongly supportive of the need to re-establish a mandate waiver program similar to the one that existed from 2000 to 2010. The program is needed because: 1) it allows school districts a means of creating efficiencies in operations and provides savings at a time when all local tax dollars should be spent as efficiently

as possible; and 2) it allows districts to use some creativity in delivering services that are mandated by the commonwealth.

A mandate waiver program will provide greater flexibility to school districts to manage their personnel and create the most appropriate work environment possible. School districts need greater flexibility to diagnose and correct other personnel issues in an effort to improve an underachieving school. School districts should have the ability to remove ineffective teaching staff and should be released from provisions that require the school district to participate in the grievance and arbitration process of teacher dismissals. Districts can only furlough professional employees when they experience a decrease in enrollment or the board decides to discontinue a specific education program. School districts, like other employers, should have the ability and flexibility to make changes to the personnel complement when such changes are necessary. School districts must also enjoy greater flexibility to make the best decisions for their specific circumstances, especially for those issues that are more difficult to address at the bargaining table, such as length of work day and length of the academic calendar.

Conclusion

PSBA has created an Urban Task Force to begin to meet with local leaders to develop further concepts and further ideas to improve struggling districts. We would encourage this committee to establish a commission to review what additional tools and waivers schools in crisis need to succeed in Pennsylvania. We believe strongly that a more comprehensive review of our current practices and development of strategies are needed prior to the enactment of any legislation such as Senate Bill 6.

I would like to thank the committee for their dedication to the students of Pennsylvania and for the opportunity to testify today.