

1 TESTIMONY OF DR. TINA CHEKAN
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3 PROPEL CHARTER SCHOOLS
4 REGARDING PROPOSED DEPARTMENT OF EDUCATION REGULATIONS
5 RELATED TO CHARTER SCHOOLS AND CYBER CHARTER SCHOOLS
6 Pennsylvania Senate Education Committee
7 October 20, 2021, 10 a.m.
8

9 Chairman Martin, Chairwoman Williams and Honorable Members of the Committee,
10 thank you for inviting me today to demonstrate why the regulations from the Pennsylvania
11 Department of Education are not good for the future of school choice in Pennsylvania. Simply
12 put, these regulations are not workable for charter schools, their students, and families.

13 I am Dr. Tina Chekan, the CEO/Superintendent of Propel Charter Schools. Propel operates
14 12 schools, under 8 separate and distinct charters. All of our schools are located in Allegheny
15 County. We serve 3,928 scholars and their families. We opened our school 18 years ago, in 2003,
16 in Homestead, PA the community of the former U. S. Steel Homestead Works. Since 2003 Propel
17 has opened schools in McKeesport, Turtle Creek, Kennedy Township, Robinson Township,
18 Braddock Hills, the Northside of the City of Pittsburgh, Hazelwood, and Pitcairn. About 85% of
19 our students are economically disadvantaged are eligible for free and reduced. More than 80% of
20 our students identify as African American or students of color. Approximately 19% of our students
21 qualify for special education services.

22 During the COVID-19 pandemic Propel focused intently on the needs of our scholars and
23 families. We deployed computer devices to all Propel students so that we were in a 1:1 position
24 for technology and could pivot to a remote learning protocol whenever needed. The caring that
25 Propel and our staff demonstrated toward our scholars and families came through because our
26 enrollment increased in the Fall of 2020 and our retention rate of scholars exceeded 90%.

27 During the 2020-2021 school year, we were open in-person, hybrid instruction all year,
28 other than the occasional shut down due to CDC guidelines as adopted in our health and safety
29 plan. Many traditional school districts were unable for varying reasons to be as flexible as Propel.
30 During my career I have never been as proud of a community of educators, administrators, and

1 other staff as I have been this past year as we worked together through the difficulties presented
2 by the pandemic. Innovation, ability to adapt and caring brought by our charter schools to
3 Pennsylvania are how Propel achieved these results.

4 Personally, I started as a teacher in a traditional school district. But when Propel was
5 opening the Homestead school I made the best choice of my career when I took a leap of faith and
6 joined on as a Kindergarten teacher. We opened in the basement of the old Homestead hospital
7 while our permanent facility was being renovated. As we have started schools over the years, one
8 constant remains and that is that things always go a little differently than you plan. Just like with
9 any new endeavor, a spirit of innovation and calculated limited risk taking is needed. This ability
10 to be nimble and maneuver for the best interest of our students is what makes a charter school
11 successful.

12 Throughout my time at Propel I have seen the wisdom of the General Assembly and
13 Governor Ridge on education matters, specifically school choice, through my work with the
14 Charter School Law. The legislative intent, as embodied in the Law is to “establish and maintain
15 schools that operate independently from the existing school district structure” and as such to:
16 improve pupil learning, increase learning opportunities, encourage different and innovative
17 teaching methods, create new professional development opportunities for teachers, provide
18 families and pupils with expanded choices in the types of educational opportunities that are
19 available in the public school system, all while holding the charter schools accountable.

20 It is this spirit of independence from the traditional district system that attracted me to
21 Propel because I saw the need for choices for our communities, particularly communities that have
22 been historically underserved. We need to be able to respond to those needs in an urgent and
23 flexible way. Charter schools have been doing that in Pennsylvania for decades.

24 Unfortunately, however, as I have progressed in my career at propel to Principal, Assistant
25 Superintendent and then to CEO/Superintendent I have seen a troubling trend. That troubling trend
26 has attacked the independence of charter schools through an increase in top down mandates. More
27 simply put, every time a new law or regulation comes into effect the school district system and the
28 Department of Education wants to make charter schools comply in a manner that brings us into
29 conformity more and more like the traditional school districts.

30 The Charter School Law is robust and requires charter schools to comply with a number of
31 provisions of the Public School Code. The current application process is rigorous, and the statute

1 requires comprehensive information to start a school. However, the law still provides some
2 flexibility which is consistent with that legislative intent that I shared with you earlier—namely
3 that charter schools were given some latitude from certain restrictions so that the legislative intent
4 of independence and innovation could flourish. Moreover, it was never the intent of the General
5 Assembly that a new charter school have everything figured out before they even opened because
6 that would frustrate the school’s ability to adjust to the complex and changing needs of the school’s
7 community.

8 The regulations that are proposed do nothing to further the independence of charter schools;
9 do nothing to help their students and do everything to make it more difficult to start and continue
10 to operate a charter school. Indeed, these regulations seek to handcuff and stifle charter schools.
11 These regulations undermine the original legislative intent of the Charter School Law.

12 The time and format of this hearing do not permit a detailed recitation of the problems with
13 each proposed regulation. However, for your benefit, we have prepared a chart that details each
14 proposed regulation; compares it to the current statute; and comments on why the proposal is not
15 needed, not well thought out and, in many instances, not viable and/or punitive. You will see that
16 in all instances, the regulations seek to handcuff charters as opposed to help them. A copy of the
17 chart outlining our technical concerns is attached to my testimony for your ease of reference.

18 I do want to touch on a couple of specifics with my remaining time. An alarming way that
19 these regulations stifle school choice is that they create an application process that requires far
20 more information of a charter applicant than is reasonable given the start-up nature. The
21 regulations would require detailed 5-year budgets; complex staffing reporting structures to be set
22 in stone; all contracts with outside providers or other related entities to be revealed and stated at
23 the time of an application (which could be years before opening due to the lengthy litigation that
24 often accompanies charter application denials by school districts); and other information that
25 realistically cannot be known for certain at the time of application. This, paired with the fact that
26 the current law does not provide for an amendment process would require charter applicants to
27 predict exactly how it would operate in terms of number of students, grade levels, staffing, benefits
28 offered to staff, contract with third parties, financial budgeting, and a number of other matters
29 without the ability to adjust or be flexible to changed circumstances. The largest concern is that
30 the approved application establishes a charter that can be revoked if operations of the charter vary
31 from anything set forth in the rigid application.

1 Also insidious is the proposed language in section 713.2b of these regulations that would
2 enable local school districts to require even more additional information beyond the already overly
3 burdensome application that the PA Department of Education will create. This type of open-ended
4 call for further requirements would enable school districts to pile on more and more pre-conditions
5 upon charter applicants creating potentially endless application requirements.

6 Propel knows all too well the barriers created by open ended application requirements
7 including the seemingly innocuous “additional information”. As some of you may know, Propel
8 has been trying for 3 ½ years now to legally consolidate its operations under the “Multiple Charter
9 School Organization” provision in the Charter School Law. The General Assembly passed this
10 seemingly straight forward provision that became Section 1729-A.1 of the law in 2017. We applied
11 in May 2018. But the statute did allow the PA Department of Education to create an application
12 with “other information”. The statutory requirements are minimal, yet PDE invented so many
13 barriers in its application process and, even AFTER the application process, that Propel just this
14 week appeared in Commonwealth Court seeking to have our consolidation finally approved. Years
15 and years of litigation over charter matters such as new applications, renewals and MCSOs were
16 clearly not in the legislative intent and these regulations will enable that as opposed to limiting it.

17 I am not opposed to regulations ever being enacted that tie to the charter school law nor do
18 I think the current law is perfect. It is far from perfect and if we are going to take the time to enact
19 new legislation or regulations, we should address things that would further the legislative intent.
20 These proposed regulations did not have any input from the charter community and these
21 regulations only add burdens to charters and prospective charters. These proposed regulations do
22 nothing to remedy some of the existing barriers to school choice.

23 State government’s efforts may be better spent creating new and different ways to authorize
24 charter schools; developing a reasonable process for charter amendments; effectively defining the
25 renewal process of existing charters; and more easily allowing charters to consolidate and work
26 together. We at Propel urge those in Harrisburg who seek to regulate charter schools to visit a
27 Propel school or any other charter school to see that the original legislative intention of providing
28 choices for families and innovation in education is alive and working successfully. These
29 regulations will do nothing but harm what is working and should be rejected. Thank you for your
30 time.