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## Texas educators ask that you block Senate Bill 2.

Combined, TSTA, TCTA, Texas AFT and ATPE represent more than 250,000 Texas educators. Our combined memberships support access to high quality public education at traditional neighborhood schools, specialized district campuses, and in-district, university and open enrollment charter schools. However, at this time, we find many of the proposals in the Committee Substitute to Senate Bill 2 to be either unnecessary or ill-advised, and we respectfully request that you not vote to bring it up for consideration on the floor of the Texas Senate.

The bill would allow school districts to grant campus charter status to campuses serving up to 15 percent of the students in the district. Campus charters are subject only to the provisions of the Education Code listed in Texas Education Code Section 12.056(b), so they lack important legal protections not only for teachers and other educators, but also for the parents and students at the campus. Currently a district may not assign a student to an in-district charter outside of voluntary enrollment by the student's parent, nor may the district assign a teacher to an in-district charter campus without their consent. Under currently law these protections apply to all in-district charters unless the charter has been approved by a majority of the educators and parents of the students at the campus

SB 2 also focuses on permitting significant open-enrollment charter expansion, while glossing over many critical issues including research on the charter school movement and performance in Texas. Virtually all of the research indicates that charter schools, as a group, underperform their traditional public school counterparts. It makes no sense to us to greatly expand a system that is not performing as well as the existing, traditional system.

### Research worthy of note:

A 2009 report, *How Charter School Affect Student Outcomes*, produced by the Rand Corporation states that charter school students are not outperforming public school peers and that charters are, "producing few of the problems – but also almost none of the benefits". The report singles out Texas, in particular, for unexpectedly low performance of its charters: "The only state in which charter schools deviate significantly, in both reading and math, from average performance of traditional public schools, is Texas, where students who enter charter schools appear to be falling behind their own trajectories in traditional public schools.

The latest and final Texas Center for Educational Research report (July 2011) on charters found significantly lower academic achievement of students in state-created open enrollment charter schools vs. similar students in the traditional public schools.

Michael Marder, a professor at the University of Texas department of physics and co-director of the university's UTeach program stated, "that out of 140 secondary charter schools, there are five charter operators that serve low income students and perform well, including YES Prep, KIPP, IDEA and Harmony. Thirty schools were comparable, but over 100 were dramatically worse."



The largest charter school study to date, done by CREDO, showed that charter schools had 17% percent of their students doing better than their traditional public school peers, 37% did worse, and 46% showed no statistical difference. These numbers mean a student has a one-in-five chance of testing better after entering a charter school, but the chances nearly double that the student will perform worse.

Texas educators have the following concerns with SB 2 (this is not an exhaustive list):

- The bill would grant the Commissioner authority to approve 115 NEW charters (in addition to those that can be created by colleges and universities or are eligible for self-replication). TEA has repeatedly indicated that the agency does not have the personnel to adequately oversee existing charters, much less this kind of expansion.
- The bill allows charters qualifying as special education charters, at-risk charters or out-of-state high performing charters not to be counted under the charter cap, making charter expansion basically unlimited.
- The bill grants automatic renewal of charters after 30 days/60 days from submission of a renewal request for both expedited and discretionary renewals. This practice will practically guarantee that no substantive review of a charter's performance will occur before extending a charter.
- The bill grants 10-year terms for charter renewals. In addition to our above concern, this means the process by which charters should be critically examined will only happen once a decade, if at all. Locking in a charter holder's property interest for a decade at a time all but ensures costly litigation in the event that a charter should need to be terminated.
- Charter schools under the Alternative Education Accountability System (AEA, which requires lower student performance for a satisfactory rating, though this is not apparent to parents), should be subject to mandatory revocation procedures for poor performance. SB 2 does not make provision for mandatory revocation of AEA charters.

Please feel free to contact representatives of our respective organizations to further discuss this or any issue that affects public education.

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