COUNCIL OF THE CITY OF PHILADELPHIA

COMMITTEE ON EDUCATION

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, November 17, 2009
5:30 p.m.

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PRESENT:
COUNCILWOMAN JANNIE BLACKWELL, CHAIR
COUNCIL PRESIDENT ANNA C. VERNA
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILWOMAN MARIA QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN FRANK RIZZO

RESOLUTION 080596 - Resolution authorizing the Council Committee on Education to hold hearings to investigate the present state of Charter schools in Philadelphia, and to examine the oversight relationship between Charter schools, the Philadelphia School District, and the School Reform Commission.

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THE CLERK: Good evening, everyone. Thank you for coming to Council's Education Committee hearing on Resolution 080596 pertaining to charter schools. We're going to get started probably in the next five or ten minutes. We're just waiting for the arrival of Committee Chair Councilwoman Blackwell.

Thank you all for coming, and, again, we'll get started shortly.

Thank you.

(Pause.)

COUNCILWOMAN BLACKWELL: Good evening. Let me thank you all for your patience in beginning our hearing with regard to this important issue, charter schools and education and how they affect the School Reform Commission.

We will now call on the Clerk to read the title and number of the resolution.

THE CLERK: Resolution 080596, authorizing the Council Committee on Education to hold hearings to investigate

the present state of Charter schools in Philadelphia, and to examine the oversight relationship between Charter schools, the Philadelphia School District, and the School Reform Commission.

COUNCILWOMAN BLACKWELL: Thank you very much.

Let me certainly welcome all of you. Thank you for being here. We would like to thank my colleague Councilwoman Maria Quinones-Sanchez for introducing Resolution 080596 that was adopted by City Council on June 19th, 2008.

Let me note that we do have a quorum. To my right, Vice-Chair Councilwoman Blondell Reynolds Brown. To my left, the author of the resolution, Councilwoman Quinones-Sanchez. To her left, Councilman Bill Greenlee; President, President Anna C. Verna. Thank you. And Councilman Frank Rizzo.

So we do have a quorum. We thank them all for being here.

We thank all of you, certainly Dr. Ackerman, Mr. Ben Rayer, all the charter school providers and all those who are interested in charter schools and in education.

We realize that we all have a mission of public education, and it is only by us all assuming the responsibility of educating our youth that we can be successful.

Let me note for the record that we pulled out -- we even made copies. They're not shiny magazine copies that we print, but we pulled out some old charter school newsletters that we wrote back in '98 and '99 before the School District decided that they wanted to totally adopt them. So we had charter school books back, as the kids say, in the day. And on the first page, we raised commonly known issues, like what are charter schools, and answered them. They're public schools operated by non-profit organizations.

Two, are they certified? Yes. They are approved by the School District and operate under state charter law.

Three, how are they funded? They receive public funds to cover 80 percent of their operating costs. They fundraise for the other 20 percent.

Four, why were they created? Charter schools were created, quote, "to provide parents and pupils with expanded choices and the types of educational opportunities available within the public school system," end of quote.

Five, are charter teachers certified? Answer, 75 percent or more are certified. Charter schools may also employ a small number of talented individuals from the community.

So I leave you with those wonderful, exciting and scintillating remarks from way back in 1999, and I will call on Councilwoman Quinones if she has an opening statement. And while she comes forward, we invite Dr. Ackerman

forward to the witness table.

See, we're late, but we move fast.

COUNCILWOMAN SANCHEZ: Yes, and I'm Latina, so I can speak fast.

Thank you all for coming. I will be brief, other than to say thank you very much for your patience. I know that we've been asking for a public discussion for quite a while. We are extremely excited at the fact that the School District of Philadelphia between June 2008 and today engaged in what we thought was a pretty thorough review of charter schools, some recommendations and policy recommendations that came out. They subsequently held two public forums, which many of you got an opportunity to also provide some private -- to provide some public input.

We are here today because those of us in Council, and particularly those of us who represent a large number of charter school operators, for me

personally as a founder of a charter school, believe that sometimes as we look to set up high standards -- and we're all for high standards -- sometimes it is important to have a public discussion in what we like to call a neutral space, but one where those of us in public office are extremely concerned about public education that we can also weigh in and hopefully provide a mechanism for us to get to the same end, which is providing the young people in Philadelphia a public education that they deserve. And sometimes in order to get there, as they often used to say, the adults have to get it.

So we are here to have an adult discussion so that we can get it, because the children have demonstrated time and time again that they continue to rise to the occasion, and that is evidenced by the wonderful things we see at our charter schools as well as our public schools. So I personally also want to

thank Dr. Ackerman, her team and all of the operators who have come this evening to share in this public dialogue.

Because of the great number of responses that we have, after our initial panel, we are going to ask folks if they have written testimony to please get it to us so that it can be submitted officially into the record. We may have to ask you to summarize some of your remarks, because we want to get through every single person that's here today, who is just as invested and an important stakeholder for us here in the City of Philadelphia.

So I want to thank my Chairwoman for allowing us to have these hearings this evening. Thank you.

COUNCILWOMAN BLACKWELL: Thank you very much.

And the Chair also notes that we have State Senator Anthony Hardy Williams, who has also joined us at the witness table, and now we will call on

them to make their remarks. And, again, thank all of you. Each time as I look, I see more individuals. And certainly we want to thank Councilman Curtis Jones for being here as well. Thank you.

DR. ACKERMAN: Thank you, and I'm going to yield my starting first to the Senator.

MR. HARDY: No, no.

DR. ACKERMAN: You want me to go first? Okay.

Well, my name is Arlene Ackerman, Superintendent, CEO of Philadelphia public schools, and I'm pleased to be here. I want to reassure the Committee that this is an adult who gets it, that we are all here for children, for all of our children, and we are here to create a system of great schools so that all of our children and our families get a quality education or access to it and then can take advantage of it.

I'd like to also -- I come

bearing gifts. We are starting a new campaign to cut our truancy, and eradicate it is our goal. And our new campaign is "Graduate to Greatness." We have enlisted -- and you'll be hearing more about this initiative -- all of our graduates, all of our alumni. We're asking them to come back, have their pictures taken, and we're putting them on posters throughout the district so that our young people can see faces of graduates, alumni who have graduated from their schools and gone on to do extraordinary things or ordinary things, but make a contribution back to this community.

So we're going to ask Ben to give each one of these to you. We're going to ask -- you'll see some faces that you recognize, friends, maybe relatives, maybe you'll see yourself.

Thank you. Good evening. I'm going to start again. Madam Chair and members of the City Council Committee on

Education, for the record, I am Arlene Ackerman, Superintendent of the School District of Philadelphia, and with me this evening from my staff is Ben Rayer, Chief of Charter, Partnerships and New Schools, and we are here to offer -- on the side of me is Senator Williams, and we are here to present testimony tonight on charter schools in Philadelphia, specifically in the context of the District's five-year strategic plan, Imagine 2014, and we are here again to reiterate our shared commitment to building a better system of great schools for all of our children.

Before I begin, I'd like to thank you, Madam Chair Blackwell, on all that you've done to support public education. We do appreciate that, and I'm happy that we can give you an update on issues relative to Philadelphia's charter schools.

As noted in our Imagine 2014 strategic plan, the School District of

Philadelphia has a rich and proud history in providing school choice to students and families. We believe the students and families deserve quality choices, and that innovation and choice can lead to high-quality school options throughout the entire District. As such, Philadelphia continues to grow and strengthen its public charter school community. More evidence of our support of school choice can be found in our vibrant history -- and our Chairperson just reminded us of that -- and a vibrant history of working with external partners to provide additional options and build a portfolio of great instructional models for our students.

Another sign of the administration's commitment to expanding high-quality choice and options for Philadelphia students is the opening of the Office of Charter, Partnership and New Schools in January of this year. This was in response to the Charter

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School Task Force recommendation that we establish a "charter region." School administration and the School Reform Commission moved quickly to create the Office of Charter, Partnership and New Schools, and then we appointed Ben Rayer as Associate Superintendent with responsibility for all Philadelphia public charter, contract, partnership and new schools. Since then, Mr. Rayer has been promoted to Chief Officer. He reports directly to me and serves as a member of my executive cabinet.

The Office of Charter, Partnership and New Schools oversees nearly all schools operated by external organizations within the City's boundaries. The Office must ensure that schools receive appropriate supports from the School District and that they meet accountability requirements set forth under federal, state and local laws. The Office manages all efforts related to selecting, approving and renewing

contracts and/or charter agreements with existing and new schools, and assists the School Reform Commission in meeting all legislative obligations under Pennsylvania's 1997 Charter School Act, known as Act 22.

Thus, the Office of Charter, Partnership and New Schools is responsible for designing and implementing the District's plan to provide Philadelphia with quality school choices. This includes leading all efforts to identify and monitor progress in high- and low-performing schools and target appropriate interventions to schools according to their academic and operational needs.

Looking ahead, the School District of Philadelphia will continue to support school choice wherever it expands high-quality school options for students and their families and stimulates innovation in and among our schools. As I stated earlier, quality choices is one

of the five major goals in Imagine 2014. Our aim is to provide the children of Philadelphia with access to a diverse portfolio of schools, including traditional neighborhood schools, magnet schools, vanguard schools, empowerment schools, charter schools, contract schools, renaissance schools, and career, vocational and technical schools.

Today, over 34,000 students, or 17 percent of our total student population, are enrolled in Philadelphia's 67 public charter schools, and each year the charter community continues to grow. This count reflects the closing, though, of two charter schools at the end of the 2008-2009 school year and then the opening of six charter schools in September 2009.

As projected, charter school enrollment increased by 5.6 percent in 2009-10 due to this net increase -- I'm sorry; due to the net increase of four schools and the planned addition of new

grades to some existing charters. The per pupil reimbursement paid by the District in FY 2009-2010 totals $338,250,176. This reflects a substantial investment in school choice in general and public charter schools in particular.

In a recent report by the National Alliance for Public Charter Schools, Philadelphia ranked third in the nation in charter school enrollment, right behind Detroit with 43,000 students and Los Angeles with 59,000. Madam Chair Blackwell and members of the Committee, I feel that the City and the School District of Philadelphia has reason to be proud of the role we have played in the charter school movement and proud that we have been a charter-friendly district ever since that movement began over 12 years ago.

To give more perspective, over half of all charter schools approved by the Pennsylvania Department of Education

are located in Philadelphia. In addition, Philadelphia's total number of 67 charters is more than five times the number of charter schools approved by any other Pennsylvania school district. If Philadelphia's charter schools were to stand alone as a district, it would be larger than Pittsburgh and the second largest district in the Commonwealth behind the School District of Philadelphia.

Let there be no mistakes about the fact that the School District of Philadelphia supports charter schools that work. In the words of Secretary of Education Arne Duncan, he said, I am an advocate of using whatever model works for children, and I want charter schools to join that work.

As laboratories of innovation, successful charter schools have paved the way for promising reforms in public education. For example, high-performing charter schools are held strictly

accountable for results in student achievement, financial performance and adult professional behaviors, the Charter Policy amendment recently proposed by the Office of Charter, Partnership and New Schools.

Recently, the School Reform Commission -- I'm going to skip over a part of my, if you don't mind, part of my testimony. It's kind of long here. I'm getting tired of hearing myself speak. Okay.

Recently, the School Reform Commission of Philadelphia issued a call for public comment on a draft amendment to its Charter School Policy. This amendment anticipates a process by which charter schools may apply to increase enrollment and/or alter existing grade configurations. All public comments and criticisms received our full consideration. We believe the community's engagement is essential to the success of all public and charter

schools. In fact, when Ben Rayer offers his testimony, he will include an update on the details concerning what, when and why we moved to amend the policy and proceed with a plan to engage the community.

The District's process to gathering feedback on the original draft of the proposed amendment from individuals and organizations in the Greater Philadelphia area began in August. Currently, we are sorting through the public comments and concerns as we think how best to incorporate that feedback in a revised draft. We want to be fair in addressing the public's concerns about amending the existing Charter Policy without compromising the District's goals.

In response to public discussions, we are looking closely at the following ideas as ways of incorporating public feedback:

Adding a provision that permits

public charter schools to apply for changes under the policy during their third year of operation in any renewal period. This would be in addition to the option to apply for changes at renewal.

Secondly, adding a "grace period" to allow charter schools that have previously requested consideration of changes to grades and/or enrollment increases, dating back to the 2007-2008 renewal cycle, to request those changes now, setting a minimum academic standard of School Improvement 1 or above.

Third, making AYP status or meeting 80 percent of the targets on School Report Cards as the minimum academic standard that charters must maintain in order to be considered for enrollment increases going forward after the grace period has ended.

And then finally, another option we are considering for future use as a standard is the school performance index, which would allow us to evaluate

the performance of individual charters in comparison to other charter schools over time.

To conclude, I would like to state once again that quality choices are a key component in the School District of Philadelphia's five-year plan. Let there be no mistake about our conviction that children come first and that all children deserve equal access to a system of great schools, including fiscally sound, well-managed, educationally innovative and academically successful charter schools.

I want to extend again my thanks to Madam Chair Blackwell, members of the City Council's Education Committee, Mayor Michael Nutter, Dr. Lori Shorr and every Philadelphian for your ongoing and steadfast support of quality choices in education.

It is only with a unified partnership of state, city and district that we will be able to dramatically

reform the quality of all of our schools and educational offerings aimed at greater results for all of our children and families.

Thank you.

COUNCILWOMAN BLACKWELL: Thank you very much, Dr. Ackerman. We'll allow for, if it is okay with my colleagues, for all of you to testify before we raise any questions.

Is that okay?

COUNCILWOMAN SANCHEZ: Yes.

COUNCILWOMAN BLACKWELL: Great.

MR. RAYER: Thank you. Good evening, Chairwoman Blackwell and members of the City Council Committee on Education. My name is Ben Rayer and I am the Chief Charter, Partnership and New Schools Officer at the School District. Thank you for the opportunity to testify tonight.

As the only charter school authorizer in the City of Philadelphia, the School Reform Commission and the

School District of Philadelphia are proud to support the 34,000 students currently educated in 67 charter schools in the City's boundaries.

The Charter School Office at the School District is responsible for supporting the success of charter schools in Philadelphia by performing two primary functions. First, the Charter School Office must be an effective support to our customers, those 67 charter school operators and the students and parents they serve. When schools or families need help, we must be there to assist them.

Second, the Charter School Office must fulfill its oversight function as required by the SRC of charter schools by ensuring their independence and autonomy while fulfilling obligations under federal, state and local laws as an authorizer of charter schools.

The Charter School Office will

continue to focus on supporting charter schools as an important tool to provide quality public school options for Philadelphia's families. To accomplish this goal, we have and will continue to work to build relationships with charter operators and work in partnership with the charter school community.

Our specific work in this regard will include working together with charter schools on implementing recommendations of prior Charter School Task Forces of the SRC and using our recently created Charter School Round Table, made up of charter school community representatives and District staff, to work collaboratively on important issues that include providing parents and students ways to compare performance of all public schools, whether they be charter or District; sharing promising practice among schools, charter and District; establishing a clear support role for charters in

Philadelphia's school system, including our Intermediate Unit; and working together with charter operators to identify other projects of mutual interest that we can work on together.

Dr. Ackerman has already testified today about a proposed amendment to the School Reform Commission's current Charter School Policy. This amendment was proposed based on a need of the Philadelphia charter school community to have a clear, transparent and consistent process which they could use to seek approval to educate additional students. The current policy as it stands today has resulted in ad hoc decision-making about enrollment increases or changes to grades in charters.

As the Superintendent stated, the School District's plan, Imagine 2014, is focused on building a system of great schools that serve all children. We believe charter schools are a critical

component of this work, and we also believe that every child and family in Philadelphia has a right to a great school for their child. Those options should include charter schools.

I'm going to skip ahead a little bit here.

The School Reform Commission and the District believe that the future is bright for charter schools in Philadelphia. We at the District are committed to working as partners with charter schools. We will always work to provide greater opportunities for children to be well educated, and we believe there is a great role for charter schools in this work.

In closing, I would like to thank you, Councilwoman Blackwell and the members of the City Council, for your time and your interest in the support of charter schools in Philadelphia. We thank you for the opportunity to be here this evening and to provide this

testimony.

COUNCILWOMAN BLACKWELL: Thank you very much.

Senator Williams.

SENATOR WILLIAMS: Thank you, Madam Chair. First, let me thank you for having the hearing and, second of all, to all the members of the Committee for allowing me to make comments tonight.

First, I'll start with what allows me or brings me to this issue, and then I'll talk about why I'm sitting at the table next to the Superintendent.

For those who don't know, charter schools have been in existence in Pennsylvania in Philadelphia County for over ten years now. But when we voted on that issue in Pennsylvania, it was not a popular issue, and, frankly, it was viewed as a partisan vote. Very few democrats supported the idea or the legislations related to charter schools. It was a very narrow vote, and I was one of very few democrats from Philadelphia

County who voted for it. So obviously I feel passionate about not only its existence, but its implementation and its effect and affect upon the population of children that it currently houses.

The second part is, for those who don't know, for as long as charter schools have existed in Philadelphia County, I've either been a Board member or a Board President of a charter school. So I've seen the good and the bad in my own charter school, the challenges that charter school operators are faced with every day. That 20 percent that sort of slipped into the conversation tonight is one of the challenges that charter schools have to deal with every year. It's 20 percent less than the traditional public school that I'm sure you will hear about tonight.

Some of the services that traditionally are housed around traditional neighborhood public schools to date charter schools don't currently

have. And despite my dear friend and colleague, Arlene Ackerman's, commentary, charter schools were not always welcomed in Philadelphia County, and that's to say it politely. But I will say in the last several years, nationally, statewide and locally, charters have been seen as a viable option of choice within communities across Philadelphia and across this country. And, frankly, I think we're trying to figure out how to do it right, how to support them and improve upon them.

When you look at test scores within this District and when you look at test scores across Pennsylvania, it's no accident that you looked at charter schools as one of the areas that are a beacon of light when it comes to academic excellence and progress. That said, we're clear we have to do more to support them.

This issue that brings me here tonight is that over the years -- and I

speak, in effect, for myself and one other loud voice in this conversation, Representative Dwight Evans. We are constitutionally required as the Commonwealth to provide public education. Even though local citizens are taxed for such, it's our responsibility at the state. And I say that in the context that, frankly, a lot of time is spent at the state level by all public schools, including ours, dealing with the state, and sometimes a Councilmember is scratching their head as to why so much time is spent at the state and not enough time at the local level, especially when the schools are local schools. Simply because of how it's constructed and how we allow it to be constructed.

But the intersection tonight is a wonderful one. We don't speak enough amongst ourselves. Forget the School District, but we as policymakers that have to implement these policies, have them executed and then measure them with

the same measuring stick across several different communities. That's what's happening tonight. It's happening in a narrow band around charter schools, but, frankly, we need to expand that conversation.

Philadelphia this year, this year was on the cutting block for millions of dollars, not only in charter schools but public school funding. But we'll be back at it next year. And I want to assure you and everyone who will testify tonight that have difference of opinion about charter schools, they look at us as Philadelphians. They don't look at us as state officials, local officials, charter school operators, traditional neighborhood operators. They look at us as Philadelphians, and, frankly, whatever the issue is, it's our problem. They expect us to fix it, don't allow it to happen in Harrisburg.

What drove me to this table tonight is a conversation that occurred

about a week and a half ago with Dr. Ackerman and her staff and a number of the charter school operators. When the conversation occurred and the policy that we're talking about tonight was first discussed, what occurred in Harrisburg was, frankly, a rush to judgment. The discussion, frankly, was around whether we were capping public schools and capping charter schools in Philadelphia County.

I sit on the Education Committee with the ranking Chairman, who is a republican from Lancaster -- or Harrisburg County. I want to assure you, as often as we speak and as friendly as we are, we do not want to allow the fate of our charter schools to be implemented, executed, designed, drafted and legislated in that committee. So whatever it is that we decide in an agreeable consideration and compromise, we need to speak with one voice. And by the way, one voice in the political

surroundings -- and our school system is no different than that. One voice will not get everything it wants. It's called a compromise.

So about a week and a half ago when I got an earful of phone calls from a number of the charter school operators in my district and, frankly, beyond my district concerned about whether we were capping charter schools, the first thing I did was get on the phone to the Superintendent. And I didn't get through to her. I got through to some other people and expressed not my diplomatic concern but my outrage that we would be capping those enrollments, especially since the legislation that we currently have or the law we currently have doesn't allow for that to occur. I was quickly educated on the fact that Philadelphia has not capped and is not capping the ability to open charter schools in Philadelphia County. What we are talking about tonight is how do we allow for

enrollments to increase between charter school renewals. And there's a lively debate about how to measure that, which ones to allow to participate, do we do it within one year, two years, three years or at the end of the charter school renewal. Those are legitimate discussions, but out of this I hope that we will come up with some consideration and some frank recommendations to the body in Harrisburg that, frankly, I don't want to be sitting on my committee getting five different opinions in front of me as I have to sit in front of a republican chairman, with all due respect to my dear friend Councilman Rizzo, and they're making a decision about what's going to happen in Philadelphia County and pick the one that is least palatable to all of us and say it came from your county. I don't think that's what we want to do.

So about a week and a half ago, we sat around a table and had a lively

debate. It was framed in this: It was framed around the fact that most of us didn't feel it was fair for anyone to await for the enrollment to occur when the charter was completed, five year being the normal charter review. There's some which are three, but that's for other Act considerations, five year being too long. And, frankly, we came up with a compromise, three year being the number, allowing for to be able to measure the academic growth, performance of the schools, the environment, a litany of considerations. And, by the way, not just the state standardized test, but another consideration in that process.

Myself and Representative Evans -- and I want to tell you this. This was not the school system, and the charter school operators who were there can tell you this. Performance is central to excellence in schools. And with all due respect to everyone who wants to say they don't want to be

measured by that, that is our measuring stick. Our carrot is for charter schools to exist, we expect academic outcomes that show growth towards excellence, not proficiency. Towards excellence.

So we said that in order for the enrollments to increase, before the charter school charter was over, what we would allow for is performance to be measured, fiscal stability to exist and, therefore, enrollment logically to occur.

The other thing that we talked about, frankly -- and this is going to be a very tough one for those of you sitting in front of this room. We have to right-size the District. For everyone who will come here tonight to say we should be allowed to increase enrollment -- and I'm one of those who wants enrollment to increase, wherever a parent wants to increase the enrollment. There's a reality, too. We only have a certain amount of money. The city and the state were faced with that. I saw

some of your hearings. I saw some of your neighborhood meetings. Guess what? They're the same people that I have to go back to to talk about increasing taxes. I didn't see anyone saying, Let's rush to the front to increase taxes for anything, anything in this economy. So that means the Philadelphia school system that currently is having numbers of children go to these charter schools and if enrollment increases, you will have traditional neighborhood schools losing their enrollment.

Philadelphia County was once a large district of about two hundred and, I guess, twenty, forty thousand students. It's down about 160,000 today as we speak. And I'm not saying it's trending down, but it is adjusting. It's adjusting because of charter schools.

That money has to come from someplace. So if we decide to increase enrollment, understand we will be going to a neighborhood near someone in this

room, saying, We're probably going to close your school. And trust me, I've been in neighborhood meetings when it was a bad school. Councilwoman Blackwell and I just recently went through a closing and changing of a neighborhood school that was academically challenged, wasn't particularly safe, and there were parents who still were coming out of the woodwork to say, Don't close my school. Don't close my school.

The reality is that if you want enrollment to increase, you have to cross the bridge of how you allow for enrollment to increase and how you pay for it. Those conversations and many more -- and the final part was, while we happen to be talking about this enrollment issue, Representative Evans and myself, and, frankly, the charter school operators, with Dr. Ackerman, it was the first time in the history of charter schools operating in Philadelphia County sitting at a roundtable

discussion -- by the way, not one on one being picked off, but sitting in a roundtable discussion with the Superintendent making specific commitments.

We asked that the Charter School Office be designed by the charter school providers, that the supports that neighborhood schools currently receive, charter schools do not receive; that the finances that support the existence of a charter school building shouldn't be just about measuring got you and you didn't perform. It should be about best practices, how do you allow for growth to occur in one charter school and not allow for growth to occur in another charter school. We want that information to happen well before we get to charter school renewal to prove that a charter school should exist. Frankly, we need to make it better Day 1. So the Charter School Office has to support that.

Out of that meeting we came up

with some basic considerations - the three-year compromise, the fiscal stability consideration, the measuring stick, and I think there were two measuring sticks, and then redesign the Charter School Office to make it more user friendly. Those are the things that we left that room discussing that night. And subsequent to that, I've talked to a number of other charter school operators who recognize that we have a long way to go in this conversation.

But I want to close with this: If we think this is simply our moment to get off our chest that someone didn't call us back soon enough or a charter school operator was persecuted or we weren't respected politically and that's the way we end this dialogue tonight in this hearing, I want to assure you within a few months when we review the charter school bill -- and we are reviewing the charter school bill, it sunshines this year -- we will not be in control of our

house. I would hope that, frankly between tonight and other such events, that we can come back. I would hope that the Chair would reconvene the state officials to say exactly what it is that we're doing in Harrisburg, exactly what the input and the things that you hear about in your traditional public schools and your neighborhood schools and your charter schools.

When we review this bill, I would love for Philadelphia to be most prepared, to have the most input and the most coordinated and collaborated consideration of any government entity in the Commonwealth of Pennsylvania. That will only happen if state officials and local officials are sitting in the same room having a dialogue. And certainly we're not going to see the problems the same way, but we know at the end of this, there's not a person sitting here tonight, not a person, who doesn't know what I know.

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Philadelphia public schools has a long and distinguished history, but it's a bit rusty. We are graduating children or allowing them to drop out at a rate that will not allow the City of Philadelphia to survive. Philadelphia cannot be a poor city and prosper. It has to graduate students from Overbrook, Simon Gratz, Girls High and the whole list that are not only stars on a poster, but in fact are stars living in the row houses, the semi-twins, the townhouses and Center City and paying revenues that will allow us to have police, firemen, hospitals and a host of other services that currently we're struggling to provide. That's the mission.

I truly believe that Dr. Ackerman gets it. One size does not fit all. Options have to be a part of this discussion, and choice is at the head of it, and charters are truly, truly, truly to be an equal partner.

Thank you.

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COUNCILWOMAN BLACKWELL: Thank you very much, Senator.

(Applause.)

COUNCILWOMAN BLACKWELL: Let me acknowledge that Councilman Bill Green is here and also Joe Dworetzky, with whom many of us work, a member of the SRC.

We'll allow time for a few questions, and certainly we heard your remarks, Senator, and we acknowledge the discussion issues that Dr. Ackerman brought up, but they raise questions. It seems to us that at the core of all of these questions is one of fact, that our charter school providers are people who are visionaries who love public education so much, they were superintendents, professors, leaders across our city, that they wanted to create their schools. So they're not strangers to our city or to education, and these individuals wanted to open their own specific charters because they knew they had something special to bring.

Having said that, the core of the problem seems to be that charter schools are held to a different standard, whether we talk about AYP, whether we talk about -- I'm not sure we understand what this grace period means, Dr. Ackerman, or how this grace period sets into School Improvement 1 or above and even the three-year issue. Instead of doing five years, three years. But if a person gets a grace period and if you deal with a one year, does one year mean one year for your improvements or does one year mean you can put in for improvements that go on for several years but you place it at one time?

So there are a lot of questions, and at the core of it really is parity. Charter school providers tell me that they feel they have to meet standards that public schools don't. And even the tone of it is that we don't have money and so the charter schools that parents love so much and who have

successful models as well as failing models, but that they're being targeted, that whenever there's a cut, they're being targeted, when they still have to come up with 20 percent of their own dollars. That's what I hear and that's what I bring to you.

DR. ACKERMAN: Well, I know that's not true, that charter schools have been cut this year.

COUNCILWOMAN BLACKWELL: I mean, they have to pay part of their money always. They say they can borrow $8, $11 million and not pay what you pay for new schools, but that still they're funded at the 80 percent level. That's fine. They have to raise 20 percent. But that whenever there is talk of the shortfalls in the state and the city, that they're the ones who are targeted, when they're already paying part of their fees.

DR. ACKERMAN: Well, the only thing I can say is that I am committed to

working with charter schools. When the state budget came in, it came in $198 million less for the entire District and we had to make our cuts. So we're all feeling the pain of the last fiscal -- I mean, the last budget.

There is history here that I don't have anything to do with. I'm trying to move forward, and all I can say is, I'm committed to the kinds of changes that we talked about several weeks ago, that I've talked about with charter leaders when they've talked to me, and all I can do is to say, let's work together. I can't change the past.

There are feelings of mistreatment on both sides of this issue, and, you know, I get it from the School District, I get it from the charter schools. I'm trying to say, let's work together. These are all of our children. I can't repair what happened in the past. I can only move forward with all of the schools -- with all of us thinking about

creating this system of great schools for all of our children.

I don't see charter school children, to tell you the truth, and I don't see public school children. I see Philadelphia's children, many of them who have been waiting for a long time to get a quality education, and that's where I guess I want to start.

COUNCILWOMAN BLACKWELL: Thank you. Well, can you specifically explain further what a grace period means and how that affects AYP and this point too, quote, "setting a minimum academic standard of School improvement 1 or above"?

SENATOR WILLIAMS: Madam Chair, before she responds to that, I think that you started right where I hoped we would start. So she's going to explain the grace period, but I want to give comment to that.

The 20 percent -- the difference -- the 80 percent versus 100

percent is one that charter schools such as mine and others are still debating today, but I want to tell you, I would not sit next to any other Superintendent having this conversation. There are going to be honest disagreements about fiscal considerations.

That said, operators were absolutely positively correct with their level of paranoia a few years ago. There's no doubt about that. But as absolute as I was then, it's going to take time for them to get to where I am. I mean, I'm blessed enough to have a two-cent title, so I get to talk to the Superintendent a little bit more than everybody else who may be an operator in this room does.

But I will tell you that the part that we have existed in the past, that people making commitments and not backing them up, not supporting them, cutting the legs out from under people, those days are done. They're done for a

few reasons, and one is, myself and Representative Evans are committed to rebuilding the office.

There is no doubt that operators have felt left out there by themselves, fending for themselves. And there's no doubt that the Superintendent has walked into a school or two where the person said, who is an operator, Get out, we're our own school district, you don't help us anyway, leave.

That said, it is my belief that if we actually get to the business of giving the support to the charter schools, then some of that paranoia, appropriate paranoia, and skepticism will be relieved.

There's never going to be a hundred percent trust, because guess what? And I guess Councilwoman Blackwell, the Chairperson, can understand this better because she was a teacher. When she was a teacher, when the District showed up, there wasn't even

trust when you were part of the District. So there's always going to be a healthy skepticism when a person comes from downtown, but it should be on an equal playing field.

DR. ACKERMAN: The grace period is -- what we did when we were looking at this, we were looking -- the grace period actually covers those schools that applied for either enrollment increases or grade reconfigurations since 2007-2008 school year and moving forward. Those are the schools that are covered in the grace period.

This was a way -- you know, there were all kinds -- I mean to tell you, I've heard there were all kinds of promises that were made, handshakes. We are going on what we have in writing, those schools that submitted in writing requests for either enrollment increases and grade reconfigurations, and those go back to 2007-2008. Those schools we're sort of -- really it's a grandfathering

those schools in.

And then moving forward, we are looking at two different options for looking at growth and achievement. AYP, which is the law, and we're all under that. There is no difference in how charter schools are treated or traditional public schools are treated. AYP, it's part of the law. And we also, though, have another measurement that we look at that we think is broader. It's a School Report Card. Every school has one, and our schools have to make 80 percent of their targets.

So what we tried to do is be fair and transparent here in expanding the option so that it's not just AYP, because we see the flaws with AYP, but a charter school could look at and use the measurement of a School Report Card.

The third option that we haven't completely completed in terms of -- it's a school performance index, where you can actually look at -- rate

charter schools, as we would rate District schools, and then look at them by similar school measurements.

So that's what -- I hope that's helpful in answering this question about why. I mean, we have to, to me, hold all of our schools accountable. There are some schools that we're closing. There are some schools that will become renaissance schools in the next year because -- in the next few years because they aren't achieving. And so having some measure of accountability and then some choice in what that measurement looks like is one of those compromises that I think was absolutely fair.

COUNCILWOMAN BLACKWELL: Thank you, Dr. Ackerman.

I will call on Councilwoman Quinones and then Councilwoman Blondell Reynolds Brown. Okay. Councilwoman Blondell Reynolds Brown and then Councilman Quinones and then Councilman Jones and Councilman Green. Okay? Thank

you.

COUNCILWOMAN BROWN: Thank you, Madam Chair.

Good evening, everyone. The brief editorial comment I will make is that at the end of the day, the lowest common denominator is what is discussed in great detail in your report, Dr. Ackerman, and, that is, quality choices, which equals Senator Anthony Hardy Williams' statement, performance is central. Not progress towards excellence, but -- not progress or towards proficiency, but moving towards excellence. Is that the correct quote?

SENATOR WILLIAMS: Yes.

COUNCILWOMAN BROWN: So we can talk about choices, but that means nothing to me if we're not saying quality choices. That's the only way we're going to ever move this needle, if all of our children are going to represent us in a way that we feel okay about 10, 15, 20 years from now.

The one factor we always hang over our students' heads is what are their grades, and the U.S. Department of Education stated that Pennsylvania received a grade of B for policies around charter schools. Could you speak to -- and further stated that 14 out of 41 states received that positive mark.

So, Dr. Ackerman, could you speak to that?

And before you do, Senator, you mentioned that this year this bill sunshines?

SENATOR WILLIAMS: Yes.

COUNCILWOMAN BROWN: So with that in mind, is there going to be some type of assessment, evaluation where the information is captured and really becomes a blueprint and informs what happens going forward?

SENATOR WILLIAMS: You'd like to think that politics is a logical process, but given who we are -- it took us 101 days to pass a budget, which

didn't look much different than the one that was in June. So I can't guarantee you that, but what I can guarantee you is this: If Philadelphia County has its house in order, its indexes and all the measurements in order, we're going to get what we want in terms of that process. That means the design of what charter schools look like, how the Charter School Office is laid out, the measurements. All those kinds of things will happen. We just have to have our program type.

But the specifics behind those hearings will be quite extensive statewide. They're going to have a variety of -- we're going to run out of data and statistics in terms of that process.

So rest assured, that will occur, but it is some wage stuff we're getting ready to face.

COUNCILWOMAN BROWN: And so the sunshine law window is for charter schools statewide. It does not speak to

specific districts having the option --

SENATOR WILLIAMS: Exactly.

COUNCILWOMAN BROWN: -- to close or not?

SENATOR WILLIAMS: Right. Exactly.

COUNCILWOMAN BROWN: All right, then.

Dr. Ackerman, could you speak to the grade that the Philadelphia charter schools received, the grade being B?

DR. ACKERMAN: I'm going to let Ben Rayer speak to that.

MR. RAYER: Good evening, Councilwoman. I believe what you're referring to is the Department of Education's grading of state laws regarding charter school receptivity and openness to having charter schools, and in that case, Pennsylvania received a grade of B. So in comparison to the other 41 states that have charter school laws, opening charter schools, our law in

Pennsylvania was graded as better than average. So that I think is done around sort of the receptiveness to charter schools, the way charter schools are supported in the law. And I think one of the primary issues is whether or not states have caps around charter schools.

COUNCILWOMAN BROWN:

Dr. Ackerman, given the, some might call it, concern, others will say interest around charter schools, speak to how you engage the community about the decision that the School Reform Commission ultimately rendered around charter schools.

DR. ACKERMAN: Well, in terms of this policy, we engaged the community in the same way we've engaged the community in any new initiative or big policy. We took it to the community. We had community meetings. They were interrupted last week by -- or two weeks ago by the SEPTA strike, and so there is a meeting being held tonight, because we

wanted people who didn't get a chance to come out to those hearings because they didn't have transportation. And there's another meeting on Thursday, I believe -- Wednesday, tomorrow night, at Ben Franklin. So we've scheduled two additional meetings, because we were concerned that community members didn't get a chance to get out or were hampered because of the transportation issue.

The way we approach any initiative in this District since I've been Superintendent is to take it to the community, whether it is the -- was the strategic plan where more than 3,000 people gave input or whether it's the Charter School Policy, the budget. We do community hearings. We invite the community to give us their input. We take it back for consideration, which is what we did here, and then we try to find a win-win. And a win-win, as the Senator just said, it doesn't mean that everybody gets what they want, but we want people

to feel that we've heard them and that we've considered their input and that it's reflected in the final version of whatever policy we're taking forward. I think that's what we've done here.

COUNCILWOMAN BROWN: My only follow-up -- and I'll let this be my final question on this matter so that other members of the Committee can speak -- when you say you report back to the community, what does that look like? Is there a report that is sent to all those persons who signed in at the door? Just tell us what that looks like so that we know what was at the end of the road.

DR. ACKERMAN: There are a couple of things that happen. I'll let Ben talk about what happened specifically here, but all of the -- there are minutes kept. They're put on the website. They're available to anybody that wants them. We send them out if you want them. But they're always put on the website, the responses and the concerns and the

input. I mean, the suggestions for how to strengthen whatever the initiative is that we're putting in front of the community before we take back a final draft to the SRC, who ultimately has responsibility then for voting on initiatives, a policy up or down.

COUNCILWOMAN BROWN: Madam Chair, I'll rest for this round. Thank you.

COUNCILWOMAN BLACKWELL: Thank you very much.

Councilwoman Quinones-Sanchez.

COUNCILWOMAN SANCHEZ: Thank you.

I wanted to publicly thank Senator Williams for your leadership in Harrisburg as it relates to this. I remember getting a call from Dwight Evans before the legislation passed challenging me to start a charter school. So I'm in this mess partly because of your leadership up there. But through him, we were able to do what we were doing at

ASPIRA and at Hostos. So I have to publicly thank both of you for opening those opportunities for us.

One of the biggest contentions around any policy is the current law and the way it is stipulated, and what I'd like to know both from the Senator and from Dr. Ackerman is, do we have a legal opinion about whether the SRC has the authority to implement such a policy in its restrictions, and, if so, can that be shared with us?

SENATOR WILLIAMS: Are you speaking about charter schools specifically?

COUNCILWOMAN SANCHEZ: Around capping enrollments or the reconfiguration.

SENATOR WILLIAMS: Well, the law speaks specifically to capping charter schools.

COUNCILWOMAN SANCHEZ: The current law?

SENATOR WILLIAMS: The current

law. It does not speak to the issue of how enrollment -- the increasing enrollment is to be managed, and that is one we have spent a lot of time discussing in Harrisburg and why I initially got involved in this. Of course, I ran to all of our lawyers, and people ran down here to all their lawyers. The great thing about having a lawyer is -- I have a bunch of them in my family and --

COUNCILWOMAN SANCHEZ: You can get ten opinions.

SENATOR WILLIAMS: There you go. Exactly right. Ten opinions with eight lawyers.

So there is no clarity, which is part of the reason why tonight is a good thing, because what we want to have is clarity when we actually have to -- not just so much of this policy, but when we have to close loopholes as we proceed in terms of this legislation. So, frankly, there is a void in terms of

understanding. That's why we are having this dialogue tonight, I guess.

DR. ACKERMAN: That's exactly what we were told, that there is clarity on the capping part. It's silent on this issue, but it does -- so we are trying to move forward again, because we believe that planning is important with the District and with charter schools, and we're hoping that those plans can come together strategically to benefit our children.

COUNCILMAN GREEN: Point of information.

COUNCILWOMAN BLACKWELL: Yes, Councilman Green.

COUNCILMAN GREEN: Thank you.

Could somebody please explain the distinction between capping and increasing enrollment, because I don't see the distinction there.

DR. ACKERMAN: There is one.

SENATOR WILLIAMS: There's a major distinction. When you open a

charter school, it's a whole other level of consideration. I mean, it's a much more extensive review. I'm speaking not as a legislator. I'm speaking as a charter school operator.

Adding ten students to enrollment in my building is a lot different than the day when I decided to say -- and Councilman Quinones can speak to this. It's a lot different than when you get reviewed for certificational teachers, credentials, background checks, et cetera. All that is already done. The question is whether your building and your school can handle the capacity for additional students, either academically or physically.

And then the other part of this conversation obviously means what does your school district -- how does it affect your school district in terms of bringing in new students from other buildings in the surrounding community, how does it affect them physically.

COUNCILMAN GREEN: I'm sorry. I still don't understand the distinction. I mean, you're talking about -- really what we're talking about, are you allowed to limit charter schools?

SENATOR WILLIAMS: You are -- again, no, you're not allowed to cap the consideration of opening a charter school.

COUNCILMAN GREEN: Right. So how are you allowed to cap the expansion of a charter school or the creation of additional charter schools?

SENATOR WILLIAMS: It's not necessarily a cap. The question is how much are you allowed to increase enrollment.

COUNCILMAN GREEN: Well, okay. But, I mean, as a practical matter, aren't you saying that a charter school could submit through a different entity a new application to open a charter school every year even if those entities were affiliated, but you can't expand an

existing charter school? So really all you're doing is creating a policy where if someone wants to open a new charter school, they'll form a new entity, file a new application and do it rather than doing it through an existing, working, performing organization. I mean, this is silliness.

SENATOR WILLIAMS: Well, let me suggest to you that one who has sort of been involved in this for a long time --

COUNCILMAN GREEN: Frankly, I would like Dr. Ackerman to answer that question.

DR. ACKERMAN: I don't want to argue with you about this. I've said to you our lawyers say --

SENATOR WILLIAMS: Well, I'm still going to finish my sentence.

DR. ACKERMAN: Okay. Sorry.

SENATOR WILLIAMS: Dr. Ackerman can speak for herself, but I'm speaking from the standpoint of an operator and a state legislator who knows what the law

is. She's going to speak from the District perspective. I'm speaking from you asked a question, and I'm going to answer your question. And, frankly, it's not silly. It's very serious, and you and I will make decisions based upon finances in your School District.

This year I saw public hearings specifically around not raising taxes and not raising property taxes in Philadelphia County. If you decide to say, We willy-nilly open and increase enrollment, guess what you're going to be doing? Paying more money. So if you don't understand anything else, then understand --

COUNCILMAN GREEN: Senator, what you're really saying is this is a monetary issue, not an issue of whether or not charter schools are performing or should be expanded and whether or not charter schools are keeping people in the City of Philadelphia who pay those taxes.

SENATOR WILLIAMS: Actually,

that's not what I'm saying. What I'm saying to you is that when you said it was silly, I was just trying to draw you to understand the significance of what you would be left with the responsibility of. Trust me, I can leave and go back to Harrisburg tomorrow. Now --

COUNCILMAN GREEN: The distinction is silly, is what I said.

SENATOR WILLIAMS: Okay. So the second part of this is the difference --

COUNCILMAN JONES: Point of information on Bill's point of information.

COUNCILWOMAN BLACKWELL: Yes, Councilman Jones.

COUNCILWOMAN SANCHEZ: My colleagues here, excuse me. I was in the middle of a question. I can be polite too, but...

Go ahead.

COUNCILWOMAN BLACKWELL: Point of information on the point of

information. Councilman Jones.

COUNCILMAN JONES: Thank you, Madam Chair.

I've heard enough of the Merrill debate of 2016, but I'd like to ask a relevant question today, which is, on the issue of charter schools, are there different sizes and different strokes when it comes to that? There is, as I understand -- and help me if I'm saying this incorrectly. There's a corporate brand of charter school that is more, I would say, analogous to franchises versus the mom-and-pop type of schools, and is there a different result based on that or are they pretty much the same?

DR. ACKERMAN: No. There are at least a couple of our charter schools that are sort of larger franchises under a franchise name, but we've seen great charter school results with a diverse -- all types of charter schools.

COUNCILMAN JONES: So it

ranges?

DR. ACKERMAN: It ranges, absolutely. In fact, two-thirds of our charter schools, I believe, consistently make AYP and they are -- I don't know. I've heard people say mop-and-pop. I don't know. They're schools to me.

COUNCILMAN JONES: Neighborhood based.

COUNCILWOMAN SANCHEZ: Neighborhood based, community schools.

DR. ACKERMAN: But they are successful. That's what we're looking for.

COUNCILMAN JONES: All right. And finally, Madam, and I'm going to yield --

COUNCILWOMAN SANCHEZ: No.

COUNCILMAN JONES: I'm going to yield. I'm going to yield.

COUNCILWOMAN BLACKWELL: This is your point of information on a point of information.

COUNCILMAN JONES: Yeah. This

is my real point of information, and this is a declarative statement of a point of information.

COUNCILWOMAN BLACKWELL: You guys were next, but we won't have to call on you next. We won't have to call on you next. We can finish Maria and then go to the next panel.

COUNCILMAN JONES: Yes, we can.

COUNCILWOMAN BLACKWELL: Thank you.

COUNCILMAN JONES: My point here is, out of all of the schools that I've been asked to help get students in, it is the charter schools that I have the highest demand for. Whether you talk about Global Discovery, Harambee, I'm getting more requests -- that's my litmus test -- about can I get my child in a charter school that even -- and I'm an alumnus of Overbrook. I wasn't on the chart, but I am an alumnus.

DR. ACKERMAN: We got more coming. You're on the next one.

COUNCILMAN JONES: I sent all my children to public school. But I get more requests about the charter schools than any other, and that tells me all I need to know.

COUNCILWOMAN SANCHEZ: Bill --

COUNCILMAN JONES: Thank you, Madam Chair.

COUNCILWOMAN BLACKWELL: Thank you.

Your point of information has been met, Councilman?

COUNCILMAN GREEN: I'll wait for my questioning to get the rest.

COUNCILWOMAN BLACKWELL: Thank you.

Then we are back to Councilwoman Maria Quinones-Sanchez.

COUNCILWOMAN SANCHEZ: I apologize for my freshmen colleagues over here. We still haven't learned protocol in Council sometimes.

I do want to go to Bill's point, which is the SRC has to authorize

a charter, and therein lies the capping, because they make a decision around which new charters are going to open. The spirit of the law and the law specifically says they can't cap enrollment, and therein lies some of the tension that currently exists. There are over a thousand students at charter schools that charter schools don't get reimbursed for because of this tension between what the District will authorize and what the charters. And that's why this policy is so important, and as Senator Williams noted to, any change in the state law has to look at that, because that has created some of the tension that we will hear about this evening.

So that's where you cap. You can cap the number of schools that can start, because ultimately if the SRC doesn't approve it, but technically the law says they can't cap their enrollment. But they have, because they've made a

choice. If I've chartered you for 120 students, you get reimbursed for 120 students even if you enroll 150. Okay?

Is that clearer for my colleagues here?

Okay. Thank you very much.

I will let my colleagues continue to ask. I don't know if President Verna and -- Madam Chair.

COUNCILWOMAN BLACKWELL: Thank you.

I think, Councilman Bill Green, you had a question, and Councilman Curtis Jones is okay. Then after this, we hope you can remain at least for a panel or two. Next after Councilman Green is finished, then we'll begin our first panel, and I will announce them after his questions.

Councilman.

COUNCILMAN GREEN: Thank you, Madam Chairwoman.

Dr. Ackerman, you said during your testimony or a comment in response

to a question that there are bad feelings both between the School District and the charter schools and the charter schools and the School District. Could you describe how a charter school causes bad feelings in the District?

DR. ACKERMAN: I didn't say that charter schools caused bad feelings. I hear bad feelings on both sides.

COUNCILMAN GREEN: Why do you hear bad feelings in the School District, so we don't play semantic games?

DR. ACKERMAN: There's history here. I wasn't here. I'm telling you what I hear in the present, not what happened in the past.

COUNCILMAN GREEN: What do you hear? What are the bad feelings?

DR. ACKERMAN: I hear some of the things that I heard today, that they weren't treated fairly, that there are differences made.

COUNCILMAN GREEN: No, no, no. My question is not about how the charter

schools feel. My question is, you said that there were bad feelings both ways, you hear. What do you hear are the bad feelings coming from the School District towards the charter schools?

DR. ACKERMAN: That in some instances, they get preferential treatment. I'm not saying it's true. I'm saying it's what I heard. I want to be really clear about how --

COUNCILMAN GREEN: How do they get preferential treatment?

DR. ACKERMAN: I didn't say that it was true. You asked me --

COUNCILMAN GREEN: How do you hear that they get preferential treatment?

DR. ACKERMAN: You know, I don't know how -- I told you that that's what some people have said. I'm not here to get in the heads of somebody else.

COUNCILMAN GREEN: People in the School District say it?

DR. ACKERMAN: Yes. There are

people in the School District who say --

COUNCILMAN GREEN: Who are they?

DR. ACKERMAN: I don't think that this is appropriate and --

COUNCILMAN GREEN: I'm sorry.

DR. ACKERMAN: I'm here answering your questions --

COUNCILMAN GREEN: We have oversight authority. We provide $700 million to the School District. I'm asking you who said it.

DR. ACKERMAN: I don't remember who said it.

COUNCILMAN GREEN: You don't remember?

DR. ACKERMAN: I don't remember, no.

COUNCILMAN GREEN: That's credible.

In your Charter School District proposed policies, you say that one of the proposals is that the charter demonstrates a unique or innovative idea

that the District is not currently providing or not providing well. Examples here could include second language immersion programs, a high school for foster care students, et cetera.

Is that required by state law?

DR. ACKERMAN: Is what required by state law?

COUNCILMAN GREEN: That a charter has to demonstrate a unique or innovative idea other than actually teaching students well.

DR. ACKERMAN: I'm told that is one of the criteria.

But excuse me. I understand that you have oversight, but I would like to be talked to in a civil way, because I am trying to answer your question. You know, you said something was silly. You said I'm not credible. I am answering the questions to the best that I can, and I would like the respect.

COUNCILMAN GREEN: I would like

the respect to get answers to the questions that are serious questions.

DR. ACKERMAN: I answered it the best way I can. So please give me the respect. We're trying to teach young people how to be respectful. I'd like you to be respectful to me, sir.

COUNCILMAN GREEN: Superintendent, I will say that if my tone in any way offended you, I apologize.

DR. ACKERMAN: It did.

COUNCILMAN GREEN: However, I still want the respect of a real answer to real questions.

DR. ACKERMAN: I gave you the best answer that I can.

COUNCILMAN GREEN: You do not recall who at the School District tells you that charters are receiving preferential treatment; is that your testimony?

DR. ACKERMAN: I don't recall which charter providers have specifically

told me that, but I can tell you that it was stated here by other people.

COUNCILMAN GREEN: I'm not talking about the charter providers. I'm talking about the School District.

DR. ACKERMAN: But I'm talking about both.

COUNCILMAN GREEN: Right, and my question, though, is, which people in the School District are complaining about the charter schools and what are they saying?

DR. ACKERMAN: I gave you an example and I told you --

COUNCILMAN GREEN: But your answer was you can't remember who told you that or any other example. Is that correct? That's your answer?

DR. ACKERMAN: No. I told you from the beginning that I have heard. I don't know how many times we have to go through this. I don't remember specifically on either side, sir.

COUNCILMAN GREEN: I want to be

clear for the record that you don't remember any person in the School District who told you what the problem was, and other than the fact that they get preferential treatment, you don't remember any specific other item that caused bad feelings in the School District?

DR. ACKERMAN: I don't remember, no. I can tell you that there are families, there are students who withdraw from charter schools who have come to SRC meetings. We'd be happy to give you some of the transcripts from that. Now, I don't remember their names. I don't remember exactly what their issues were, but there have been parents, students, teachers who have come back who have said -- you know, had something to say.

That's not my issue, sir. My issue is to create a system of great schools, whether they're charter -- see, you want to make this for me a charter

versus traditional schools. For me, it's about all of our children.

COUNCILMAN GREEN: I do not want to make that the issue.

DR. ACKERMAN: So then I would ask you to listen to my testimony, because I said that's where I'm going. I am not in an adversarial relationship with charters. My job is to make sure that all families feel that they get a quality education.

COUNCILMAN GREEN: I am listening to your testimony. I am waiting for you to say something.

DR. ACKERMAN: There we go again.

COUNCILMAN GREEN: Well, with respect, we have --

DR. ACKERMAN: No. This is not respect.

COUNCILMAN GREEN: We have a right to get answers to our questions in this body.

COUNCILWOMAN BLACKWELL: We

would like to spend only five minutes more. Councilwoman Quinones-Sanchez wants to make one request. Councilwoman Blondell Reynolds Brown wants to ask a few questions. And, please, we have got to move forward to our next panel, please. Five minutes.

COUNCILMAN GREEN: Madam Chair, I will respect that. I hope that we'll have more hearings on this issue. I think this is one of the most -- this is the most important issue facing the City of Philadelphia today. We cannot fix this city, we cannot grow this city, we cannot do anything to improve our job base, our workforce without a quality, free, public education for our citizens. That includes School District children and charter school children and everything else that the public pays for with respect to public education. And it is my view that tinkering with tax rates and everything else only makes a difference at the margins, and in the

long run, what we're talking about tonight is the only thing that will matter for our future.

COUNCILWOMAN BLACKWELL: Thank you, Councilman.

COUNCILMAN GREEN: So I will just basically make this point rather than ask questions, because questions aren't being answered tonight, and, that is, in my view, requiring specific standards for a charter school to expand that makes sense - performance, are they being successful in educating children, are they meeting AYP, et cetera - that's a real standard that should be followed. However, arbitrary restrictions on the expansion of charter schools that is actually meeting AYP, that is actually performing make absolutely no sense. The whole purpose of charter schools was to create alternatives within the educational system. And so if we have someone successful, why we have an arbitrary restriction on them starting a

new school or they're expanding their current school, I don't understand that. They're successful. They're meeting performance criteria. This three year, five year compromise makes absolutely no sense.

And I will say that in the end, Senator Williams and I ultimately agree, because what Senator Williams said is as charter school people leave the School District, we're not shrinking the School District and its cost base soon enough. That is where the School District should focus, eliminating the 40,000 to 60,000 extra seats in the School District, depending who tells you the number, rather than stopping the growth of successful -- not unsuccessful, successful -- charter schools. Because successful charter schools are keeping families in this city, keeping our tax base from moving away and providing an opportunity for this city to move forward.

Thank you, Madam Chair.

COUNCILWOMAN BLACKWELL: Thank you very much.

(Applause.)

COUNCILWOMAN BLACKWELL: Councilwoman.

COUNCILWOMAN SANCHEZ: Before we close out this panel, I would like to request the legal opinion around my question if it's available, if the School District got it. And I would kindly request that the Chair -- that we also request that from our City Solicitor, because I think it's important that we put that to rest around the legality of this, and I think that will help us bring this to some sort of agreeable resolution.

Thank you.

COUNCILWOMAN BLACKWELL: Thank you very much.

Council President Verna.

COUNCIL PRESIDENT VERNA: Thank you.

Senator Williams, I could not help but recall several years back when you and I had gone to a community meeting for a proposed charter school and I thought there would almost be a riot that evening. That has been the most wonderful, wonderful success stories. That school has been absolutely the anchor for that community, and it is my understanding, because I am led to believe that they presently have a waiting list of 600 students, they would love to expand. However, I guess they are now on hold because they don't know what they're going to be able to do.

But, as I said, I sat here this evening just thinking of that one evening that we spent together with that community. That is really a success story.

Thank you, Madam Chair.

COUNCILWOMAN BLACKWELL: Thank you. Thank you, Madam President.

Councilwoman Blondell Reynolds

Brown, and this will be the last --

COUNCILWOMAN BROWN: Round.

COUNCILWOMAN BLACKWELL: -- round for her on this issue.

COUNCILWOMAN BROWN: There are a couple --

COUNCILWOMAN BLACKWELL: For this panel, not on the issue. But then we'll call the next panel, who will be Dr. Walt Palmer, Leadership Learning Academy or Partners Charter School; Dr. June Brown, Laboratory Charter School; Angela Villani, Mariani Bracetti Academy; Reverend Danny Cortes, Nueva Esperanza Charter; Dr. Martin Ryder, World Communications Charter. That will be our Panel 1. We only have a few. Okay? So after this panel, then will you all come forward? Thank you.

Councilwoman Blondell Reynolds Brown.

COUNCILWOMAN BROWN: Thank you.

Two more questions I'd like to get on the record. Mayor Nutter made it

very, very clear in his inaugural address January 2000 that he had two principal goals around education. One was to, of course, lower the dropout rate and increase the graduation rate.

Please just share with us how you believe the expansion of charter schools have aided the City in reversing or improving these numbers.

DR. ACKERMAN: Is this for me?

COUNCILWOMAN BROWN: Please, Dr. Ackerman.

DR. ACKERMAN: Of course, the charter schools have provided families with quality choices, and many of our charter schools have a higher graduation rate than the District schools; therefore, preventing dropouts.

So I believe in concert, working with us, the School District -- we have some of our traditional high schools that also do a great job. It's working together, I think, by making sure again that we're expanding the choices

for families. But our charter schools have certainly helped in preventing young people from dropping out and increasing the opportunities for young people to graduate from our schools, from Philadelphia schools.

COUNCILWOMAN BROWN: And I would imagine there have been opportunities where you've had a chance to share the big picture with the broader community on the value of charter schools with regards to those two particular goals.

DR. ACKERMAN: Quality choices is the second goal of the Imagine 2014. It was very clear. It is clear, even as we looked at renaissance schools, that we are looking at charter partners in turning around our failing schools.

The options are unlimited for me. I'm looking for people who want to come in and work with us to increase opportunities for young people in terms of quality educational programs.

COUNCILWOMAN BROWN: And then, lastly, if you would, speak to your thoughts on the value or not of single-sex charter schools.

DR. ACKERMAN: I like whatever works. I'd love to see more single-sex schools within the School District, to tell you the truth. So it works. I think we should be doing it. That's what -- that's the goal for me, making sure that we have a system of great schools.

COUNCILWOMAN BROWN: Thank you all for your testimony.

DR. ACKERMAN: Can I ask you, did I answer your questions?

COUNCILWOMAN BROWN: Yes, you did. Absolutely.

DR. ACKERMAN: Thank you.

COUNCILWOMAN BROWN: Thank you very much.

SENATOR WILLIAMS: Madam, I don't know who -- is there a Vice-Chair?

COUNCILWOMAN SANCHEZ: That

would be Blondell Reynolds Brown.

COUNCILWOMAN BROWN: Me.

SENATOR WILLIAMS: So if you don't mind, I do want to provide some parting context.

COUNCILWOMAN BROWN: Please.

SENATOR WILLIAMS: I want to start with my colleague's, Councilwoman Quinones', suggestion that we get some legal opinion from your Solicitor. I encourage that. I also think that you need to request from us a legal opinion from the Department of Education, of which I'm not necessarily a great fan, but nonetheless, and also from potentially the Attorney General as an arbiter in this conversation. And I would draw your attention to this: Act 22, Section 1701 and 1716-A. Both of those outline what the General Assembly was intending to do with regard to allowing for charter schools. Specifically, it says that "the intent of the General Assembly, in enacting this

article, to provide pupils and community members to establish and maintain schools that operate independently from the existing school district structure." Not the District. District structure. And trust me, as you all know, I've been outside carrying the banner and waving the flag and being at community meetings.

"Trustees of a charter school shall be public officials." This is Section 1716-A. "Powers of Board of Trustees. The Board of Trustees of a charter school shall have the authority to decide matters related to the operation of the school, including, but not limited to, budgeting, curriculum and operating procedures, subject to the school's charter. The Board shall have the authority to employ, discharge and contract with necessary professional and non-professional employees subject to the school's charter and the provisions of this article."

This is where the rubber meets

the road. There are some who think that this means that the charter school is a district in and of itself, allowing it to do whatever it is. There are those who basically say it allows it to operate, but because it is subject to just -- with all due respect, and I know this is a bad analogy, but I will -- just as when we try to do gun legislation in a local consideration, the state comes in and trumps us. The body that is the entity that allows for the charter to come into existence, thus far the courts have said this is the body which is determining the conditions. That's why you want to get to a table where you negotiate fair consideration of conversation. Otherwise -- and, frankly, this is Tiddlywinks to contract negotiations, which potentially are in front of us, because it basically says the SRC has the right to make major, major changes in contract considerations without the allowance of what we would want in terms

of fair negotiations.

So there's some who look at this provision differently, and you'll hear that. Myself, I'm guided by a cautious consideration when it comes to that. And I would suggest this, and I got to say this: This is not, with all due respect to my dear friend Councilman Curtis Jones and my dear friend Councilman Green, this is not a contest of any political conversation. The meetings that Councilwoman Verna has seen me attend, those are moments that, frankly, no public official wants to be in, because they're going to run you out of office. When I voted for this legislation, I didn't do it in the vacuum of having all these people out here applaud me, because they weren't there. And all the ribbon cuttings that people go to now, all the public officials who stand up and say, It's a great thing, they weren't there. I was there.

I'm a friend, and so when I

come here tonight, I don't come here anti anybody. I come here because I know what's coming.

And so we can battle the Superintendent all night if we choose to. Get another one. Because there are not many wanting to run major school districts across this country. Ask the one in Washington, DC. Ask the one in New York City. Ask the one in Chicago. There are not many. And there are not many competent ones. There are a lot of dealmakers. And with all due respect to the last one we had, he was a dealmaker. If you ask me who was saying negative things about public schools -- I mean charter schools while he was saying good things about charter schools -- she won't say it. I'll say it -- he was one of those kind of guys.

This is not that moment. This is truly a moment of where you inquire, get facts straight, get the furniture straightened up in the house, we'll clean

up the rugs and go about the business of getting to where we want to get, and that is educating our children. And I want to tell you, there's no major moment than this. This is not a popularity contest. I have friends who sit behind me, a lot of them, who have called upon me in difficult times when the District was beating the heck out of them trying to put them out of business. I'm trying to implore upon them and the District, this is a narrow band of intersection. Seize this moment and move forward. I cannot tell you how sincere I am in that plea. But debate tonight is a nice thing to do, but it will fall upon deaf ears about four months from now if we don't have our act together.

Madam Chair, I appreciate you having this hearing. There were some who didn't look forward to it. I do.

To my dear colleague, and I specifically speak to you, who walked the plank along with me along this charter

school movement, I'm glad you're here, and I look forward to working, along with all of you all, to not only resolve issues here tonight, this is small, but to work forward to a much more prosperous, productive, aggressive charter school community.

Thank you.

COUNCILWOMAN BLACKWELL: Thank you all. Thank you very much. We hope you can stay a little while to hear some of the tone of the remarks. We thank you.

(Applause.)

DR. ACKERMAN: I actually have another meeting. I was supposed to be there at 7:00. I'll stay for a little bit. When I leave, though, I want you to know it's not out of disrespect.

COUNCILWOMAN BLACKWELL: I'm sure.

DR. ACKERMAN: I at least have to show up.

COUNCILWOMAN SANCHEZ:

Mr. Rayer will be here, though, right?

DR. ACKERMAN: Yes. Everybody else is going to be here. I just need to go to the next meeting.

So I also want to thank you, and I hope I answered your questions. To the best of my ability, I tried. So if you have others, please let us know and we'll get those answers back to you, including our opinion, the legal opinion that we got.

SENATOR WILLIAMS: And I'm going to the 18th Police District, which is ours. We have a community meeting.

COUNCILWOMAN BLACKWELL: Thank you.

Dr. Palmer, Dr. June Brown, Ms. Villani, Reverend Cortes, Dr. Ryder.

(Witnesses approached witness table.)

COUNCILWOMAN BLACKWELL: Thank you all for your patience.

Our next panel, just so you get ready, David Hardy with this wonderful

Boys' Latin Charter School, you're next. We love your school. Marc Mannella, KIPP; Joe Proietta, Community Academy of Philadelphia, you are next. Okay?

Thank you very much. Thank you for your patience. I'm sorry to have held you so long. We welcome you and thank you for being here. Feel free to proceed.

DR. PALMER: Thank you, Madam President and Chairwoman Blackwell. I think this is a very, very important meeting we're having tonight, and I hope that the Council and this Committee continues this every 90 days or more. The City of Philadelphia should weigh in. You put money in. You have a public interest. And I think that you are an ideal check and balance between the SRC, the District and the charter world, as well as other educational opportunities.

I'd like to also say -- you mentioned Dr. Brown. She was here. June Brown was here, my dear friend Brown, and

she wanted to participate in this, but she had gotten a call of a child being left at one of her schools. And I want to note the fact that her school, the Laboratory School, won a Blue Ribbon again. She has historically been winning these Blue Ribbons, which is the top schools in the State of Pennsylvania.

I'd like to say this to you too, that about this time 42 years ago I was at the Roundhouse being arrested and arraigned for conspiracy for riot and mayhem. I was being charged with having created and organized the school shutdown of November 17th, 1967 when 100,000 children marched out of the schools of Philadelphia and some 20,000 marched on the City of Philadelphia Board of Education. This really is the pivotal point in terms of education reform in the City of Philadelphia.

During that time, there was police action, which saw many of the people being abused. A young Dave

Richardson, an older Ed Robinson, Judge -- I mean, Reverend Kirkland, a number of people, these young men and women who really protested and wanted education reform.

I want to give you just a little bit of a glance in terms of some of that history, and I continue to do this every time I get a chance to speak, because at the same time we ask our children to be mindful of history, we have a tendency of forgetting what the history is that brought us to where we are.

Charter schools didn't just drop out of the sky. Philadelphia is a major player and has been historically in this city and around the country bringing about education reform. In 1950 to the present time, the goal of Black People's University of Philadelphia, a school which we created back in the '50s, and the Palmer Foundation has been to serve the underclass and to recruit and train

the underserved populations of poor black and Hispanic communities, using the Foundation's world-class curriculum of leadership, self-development, character and social justice to force the critical thinking using reading, writing, math and science, dance, art, music and drama as ways of being able to find the sensitivity, motion, creativity, and inspiration of the children.

From '87 to '97 under the Foundation, we organized the Philadelphia Citywide African American Grassroots Community for Education Reform and School Choice and the Statewide Coalition of Education Reform and School Choice, and we generated over 100,000 signatures in Philadelphia alone in support of education reform and school choice and 500,000 across the state, which was what brought Governor Ridge to begin to ask for his third time to try to bring about the legislation for vouchers in charter schools in Pennsylvania. In 1997, he got

that opportunity.

We did not in fact offer to apply for a charter until the year 1999. We were granted one in the year 2000. That is, Leadership Learning Partners Charter School. And during that period of time, we started a K-5. We had our goals set out to 750 children. We were able to have 500 or more people show up for 300 seats every year that we have 75 more seats to make available.

In 2005, we went up for our renewal and we were capped and were not able to produce the 750 goal we had set, had a disparate impact on our ability to grow and to develop our goals for expanding the schools. And as you said earlier, Councilwoman Quinones, this has had a disparate impact on our ability to really function fully at our schools, because we carry 100 to 150 children who we do not get paid for. What that means is, we still had to pay salaries for the teachers to teach the children. And the

parents are what drives our school and most charter schools. And so many charter schools, not just ours, make these kinds of decisions.

Now, what happened in 2005 or so, we were able to borrow $11 million, and with that $11 million, we built the first new construction in 50 years in the City of Philadelphia by taking $8.5 million and building the Leadership Learning Partners Charter School at 6th and Poplar on 1.5 acres of land. This then allowed us to then move towards creating our Pre-School Leadership program, where we now serve 165 children who are 3 and 4 and 5-year-olds, and these children are Blue Ribbons kids for the past two years. We then created our high school because of some things that Superintendent Ackerman talked about, because the prior Superintendent had made promises to us, as well as many other people, and had offered us to be able to set up a high school. What happened is,

Paul Vallas left before in fact he was able to ratify it. But notwithstanding that, Sandra Dungee Glenn as the Chairman of SRC, she herself supported that notion and unfortunately was not able to realize that until this past year when in fact there was in fact, as Mr. Rayer said, a decision made in order to try to allow some of the folks who were made these promises an opportunity to fulfill those promises.

By 2009 -- I'm sorry. In 2008, we were able to purchase a building. It was on the market for $2 million. We bought it for 700,000, on 8th street, in an effort to try to expand and have our middle school and high school children be offered more room. We were able to get at the City to zone it for 200 children. We were in for one year, but had to in fact pull out because we weren't able to do all the renovations that were necessary to bring it up to full compliance. We temporarily moved our

middle school and our high schools into Leon Sullivan OIC Foundation building on North Broad Street. Today, we serve those pre-school children and the middle school and the high school, and they are 75 percent African American, 25 percent Hispanic and Latino, with 50 percent at basic and below basic in reading and math. These students are 100 percent free and reduced lunch, 65 to 75 percent have single parents, and ten percent have been identified as special education. Many are exposed to drugs, alcohol, homelessness, parent incarceration, mental illness, crime, violence, obesity, diabetes, asthma, communicable diseases, sexually transmitted diseases, HIV, AIDS, child abuse, spousal abuse, elder abuse, rape, incest and more. Many of these social and environmental indices make these children resilient, and many of them and many times are hurt, wounded, angry, non-listic and sometimes with little or no self-esteem, self-respect or

self-regulation. Many of these behaviors have been modified with leadership skills in peer teaching, peer grouping, peer facilitating, peer monitoring, peer mentoring, manners, discipline and accountability, cut with self-development skills of education, communication, negotiation, arbitration, mediation and meditation, conflict resolution, anger management, as well as personal care through hygiene, sanitation and nutrition.

And in '07, we completed the first new school and then offered the various programs. We really bolstered the programs. And these are just some of the few things that take place in my school, but I would say to you that most charter schools could say the same thing.

Our schools have a high safety and security in our school; no graffiti on the buildings; improved grounds with grass, shrubs and trees; access to public parking for our families, staff and

others; greater security and safety because of personal ties with the community; no window bars; no metal detectors; no police presence in the schools; no vandalism or crime; built-in camera surveillance outdoors and inside the building; no expulsions; low suspensions; more social workers than social services than almost any school in the City; parent classroom ambassadors; increased parent-teacher meetings; increased parent-teacher leadership nights; high parent satisfaction and retention; high parental choice; and over 1,500 students on the waiting list. And we never advertise. High teacher retention; high teacher certification and professional development; high student enrollment and retention; high daily student attendance; some student service learning; more technology; greater student participation in physical education; increased teacher staff and administration; providing ongoing

professional development; some parent training and informal sessions; high parent, teacher and student morale.

We have at our schools an average of about 95 percent daily attendance from the pre-school. To the high school we have 98 percent daily attendance. We have full implementation of our leadership, character, self-development and social justice curriculum; intense daily training exercises; full teacher assistance program under the federal program called TAPS; daily measuring of skills and weekly testing; full daily breakfast and lunch program; before and after school services; administration, teacher and staff dress code; student uniform and dress code; increased individual yearly growth in reading, math under the PVAAS; and a higher expectation of our staff, parents and students.

Our challenges are, all charter schools start off with a deficit by

receiving only 75 percent of the total state allotment for each student, which you heard earlier today. Charter schools do not receive capital funding for construction and have to borrow money through a non-profit conduit in order to capitalize their programs. Charters experience late payments, deferred payments, partial payments and sometimes non-payment from city, state, federal funding sources. Charters have to find or create funding mechanisms in order to help students overcome educational deficiencies and disadvantages; after school, summer school, pre-school tutorials without further funding. We experienced a loss of revenues by requiring all of our children who had basic and below basic to be in mandatory reading and math to attend summer school. And we lost money again when we required that they have to go to after school.

We're constantly in a fight in the battle trying hard to make the case

for charter schools. And as Dr. Ackerman noted, she was not here, but, in fact, the Charter Schools Office and the District of Philadelphia School Board has been an adversarial partner, to call it a partner at all. We're constantly fighting with one thing or another, and often times not really partners who come together and help to make decisions.

Now we're at this fight. We're talking about enrollment increases or decreases or caps requested, and our parents continue to request more of a release on the caps so we can provide more services for our children. There seems to be attempts to dismantle some of the independent charter schools, as charter school operators say, and they think that the Boards are trying to be replaced with select or preferred individuals that meet certain profiles, while also playing one charter school another against.

There's a great reduction in

the number of independent charter schools being approved each year or a significant slowdown of education reform in Philadelphia as we experienced in the past ten years.

Some of the challenges we have, we understand. We have to raise money. Our goal at our school is to try to raise $2 million or more in the next four or five years, create more diversified funding partners and funding mechanisms specifically designed to support our after school, Saturday schools and summer school programs; work with the Board of Education, that's the commitment we've always had; work with the City Council; work with the State Legislature and the Pennsylvania Department of Education to create an independent unitary office that will give full support to charter schools; work with the community organizations, parents groups, community activists and education advocates across the City to demand more parental choice

and assist these groups to apply for the building of charter schools and a proliferation of charter schools across the City by 2015.

I would like to respectfully recommend to the SRC: One, double and triple the number of independent neighborhood and community-based charter schools distinguished from the School District reconstituted schools.

Two, reverse the cap on all charter schools to be consistent with the law of the State Legislature.

Three, support the use of the PVAAS academic growth model as a measure of academic growth.

Four, support the legislative initiative for a ten-year charter renewal and independent unitary system to support charters.

Five, avoid the educational management companies, EMO, and corporate educational groups' attempt to wholesale takeover of public schools and charters.

Six, to not allow any charter school to take over or manage more than one or two of the schools, preventing continued expansion of the independent neighborhood and community-based schools run by parents, education advocates and community.

And I'd like to note, I think that, for instance, KIPP schools and Mastery schools do some good things, but I think it is disingenuous and I think it is an insult to somehow promote them as being the only successful schools, the only model schools or a national model. That flies in the face of other schools, like Imhotep, like Laboratory schools, like World Communication schools, and the list goes on and on.

To have Philadelphia School District Charter Office become corporate and supportive of charter schools and less punitive. It's refreshing to hear that being discussed at this table.

Consider turning all the

lowest-performing public schools into independent neighborhood and community-based charter schools to be run and operated by parents, neighborhood and community leaders. There would begin a possibility of reducing the budget, somehow decentralizing that large megalopolis we have downtown.

The creation of a communication and information system in conjunction with the City Council Education Committee, community education advocates and parents to help educate Philadelphia residents to the need for complete education reform and how they can help.

Let us be very clear, finally. When we talk about the need for education reform, who are we really talking about and why? There are many white students who their parents have taken them outside the District and outside the City. We are talking about black and Hispanic children that face the greatest environmental and social barriers to

their growth and development. They face the highest rates of morbidity, mortality, premature death, communicable diseases, prison, STD, AIDS, child abuse, drugs, alcohol, violence, asthma, diabetes, obesity, racial discrimination, single parent, poverty and school dropout. It is the responsibility of the black and Hispanic communities to lead the fight to transform their communities, to view these disparities from a strengths perspective and build themes in all schools that address these life-threatening causes.

While going to college may be important to some people, sanitation, safety, security and survival are imperative for all people, and it is a precursor to creating a true learning environment.

Independent neighborhood and community-based charter schools provide the greatest opportunity that create the ties to the environmental and social

imperatives that the black and Hispanic children and their families face on a daily basis and must be considered as an essential part of all learning in Philadelphia.

Thank you.

(Applause.)

COUNCILWOMAN BLACKWELL: Thank you very much, Dr. Palmer.

So all of you know, he's a doctor, a lawyer and an educator, and teaches the "black bottom" at the University of Pennsylvania.

Thank you, Doc.

DR. PALMER: Thank you.

COUNCILWOMAN BLACKWELL: Dr. Ryder, Dr. Martin Ryder, World Communications Charter School.

DR. RYDER: Thank you, Madam Chairman, and thank you, Education Council, for allowing us to come and speak.

I'm the CEO of the World Communications Charter School, and we

were one of the first charter schools to start. There's one other charter school -- Joe Proietta is here with us, and we started together.

We've consistently made AYP since our beginning, but where we are today in terms of looking across the board is to determine how charter schools are going to be run and what influence the SRC has on charter schools and what influence -- and what the Office of Charter Schools is going to play with all charter schools together, and those are very interesting aspects.

Sitting back here earlier, I was really fired up when I came in here, and I said, Oh, well, you know, I'm going to go in and tell them that all this is illegal, you know. And so I'm going to tell you -- I'm going to start out by saying absolutely everything I've heard is illegal, and you can go back to Act 22 and you can go back to the Pileggi bill, and you will see that the Pileggi bill in

fact says that you can't cap the enrollment in charter schools, which was already said. And you can go to Act 22 and find that the Boards of Trustees of these charter schools are the ones who make decisions in terms of curriculum, in terms of construction of grade, et cetera.

However, in all of that, one thing that I heard that influenced me was that Senator Williams was talking about putting together a collaborative. Although I don't agree with everything Senator Williams says, I think a collaborative is extremely important if we are going to work on the problems we have here in Philadelphia.

Philadelphia in fact out of the top 100 cities, our workforce is 92. That means we're eight from the bottom. And if we look at several studies done by the Philadelphia Workforce Investment Board, we find that across the board when they did studies on the City, the workers

themselves in terms of literacy and in terms of math literacy scored below basic. So that means that we can't bring in decent industries and we're having a serious problem with our entire workforce. And when we look at the studies that were done by Governor Rendell -- and Mayor Nutter sat on that Board -- looking at what we needed for the State of Pennsylvania in terms of career output and college readiness, we find that one of the things they did together was to say that we had to change the entire way we delivered education in Philadelphia, and this is the place to start.

It has been encouraging to me to have -- that I was able to come and speak, but even more encouraging, I was able to come and listen to people who were on the hot seat. Some of them I saw squirm. But the bottom line here is that we need to have a strong education system if we're going to be a world-class city,

which is what we claim. And where we are with that is that charter schools, those Boards of Trustees and all these guys who were in here who were behind and who I work with continuously, have to come together with the School District in some fashion and make a plan.

Now, I'm saying that -- I didn't say that we're dictated to. They have to come and make a collaborative plan in terms of what quality education is going to look like in Philadelphia, and they have to deliver it. And this is extremely important, because it affects everything across the board. It affects your tax base. It affects your employment. It affects the quality education that you can deliver, and it affects how we work with Superintendent Ackerman and Ben Rayer. And I think we need to come with a planning board that looks at it from the economics perspective and from an education outcomes perspective to plan how we're

going to deliver education, how we're going to train teachers, how we're going to deal with our kids, and to supply some resources.

One of the things we have available to us in the School District is the Intermediate Unit, and I think what the City Council might want to take a hard look at is, what is the Intermediate Unit, how does it provide technical assistance.

Now, I heard Ben say that he provides technical assistance and he comes down. Now, I have yet to have Ben come down and ask me what I needed, but he has come down to visit me, so I can't say that's negative. But what has to happen is, these charter schools need a backup. They need a place where they can come together and plan. And so does the School District. And the School District is a 2.8 billion-dollar-a-year industry and it has no research and development design. And now we're looking at where

we are without that and where we are with charter schools. We have to come together to come out with one plan that answers all these questions, or else we are going to continue to be in deficit. And I mean municipal deficit, experiencing the fact of job loss and the fact that we do not have and will not have a quality educational system, even though you will hear charter schools, 73 percent of them have made AYP. And that sounds real good, but the bottom line is, does that mean you're going to have a competitive global workforce? And I'm telling you, there is a gap, and we need to solve that issue.

Thank you for listening.

(Applause.)

COUNCILWOMAN BLACKWELL: Thank you, Dr. Ryder, and thank you for your excellent charter school and your model that works with universities as well, and we appreciate your comments and your statement that all of this is illegal.

It gives the panel something to look at. Thank you very much.

Dr. Cortes -- Reverend Cortes.

REVEREND CORTES: I'll take the promotion.

COUNCILWOMAN BLACKWELL: Reverend Doctor, how's that?

REVEREND CORTES: That's fine.

I want to limit my comments to the statement I wrote, which I focused on the proposed policy on the question of expansion. Though I have a lot I'd like to say about a lot of the other things that have been raised today should these committees -- if the Committee continues, I'd like to come back at some point and speak to a lot of the other issues which are not in my comments, but for the sake of time and for those behind me, I'm going to focus on what I wrote.

I said good afternoon, but I should say good evening. My name is Reverend Danny Cortes and I am the Chairperson of the Esperanza Academy

Charter High School and Executive Vice-President of Esperanza Community Development Corporation located in the Hunting Park section of Philadelphia. I want to thank Councilwoman Blackwell for hosting these meetings and the Education Committee, and I want to give a special recognition to our Councilwoman Quinones for her long-term commitment to the quality education of our children. I am grateful for the opportunity to raise my voice among those already raised.

Esperanza Academy is a comprehensive academic high school focused on helping young Latino men and women move from high school into college. By so doing, we ensure opportunities that have historically been denied our Hispanic children by historic dysfunction that is known as the public school system in the City of Philadelphia.

Failure and no college have become normative in our communities, and high school graduation has unfortunately

been seen as the standard that must be met, which for us is an unacceptable standard. At Esperanza, fortunately that is not normative. High school graduation and college acceptance and attendance are understood to be the way it has to be. The attainment of that goal is not some impossible or unimaginable dream. It is, and should be, a reality, and in our school, that is the case.

I am proud to say that for the students who come to our school, the dream is a reality for 87 percent of our school students who graduate, and our dropout rate last year was an incredible 0.004. I look back there. David Rossi is back there, who is the head of our school.

In Hispanic North Philadelphia, a community that had -- in Hispanic North Philadelphia, we are able to do what many across the country cannot do, provide opportunity for Latino children. Several weeks ago, Superintendent Ackerman and

her staff visited our school. As many that had come before her, she was impressed with the quality of our work, the quality of our administration, the quality of our facilities and, most importantly, the quality of our students. Had Dr. Ackerman tried our cafeteria food, she would have been impressed with the quality of our food. I look to my friend over there who runs ASPIRA, because they have great food over there as well. I had some once. And I paid, just for the record.

Anyway, in the short years we've been in existence, the students have also conformed to the expectation, and the fruits of our efforts are demonstrated in our statistics. Our students understand that excellence is normative, excellence is the way it has to be, and they have responded to that, and it's demonstrated in our statistics, in our success, in parental satisfaction, in community pride.

I could go on and on, and I think the statistics that were read earlier by my colleague to the right are also in place in our own school. And I could continue with a lot of passion for a long time about what our school has to offer, but instead I would invite you to come and visit. If you want to see how public dollars are put to good use in public education, just come visit a few of our charters.

But instead of talking about our school, I want to talk about opportunities and how opportunity would not be afforded if the policy that was originally recommended by the CSO and the School District had in fact gone forward. If policy that had been in place with the nine goals that needed it the most, Hispanic students, who are the lowest achieving students in the District, the right to a better free education -- and you notice that I did not say or add the word "equal" free education, because in

reality, it is not an equal and free education. Our school education is in fact better. And the policy that had been put in place would have denied our students the opportunity to a better education, because better is defined by graduation rates, attendance rates, satisfaction rates and even test scores. In comparisons to charters and others, we would be doing well.

My colleague was telling me that not one community-based or neighborhood-based high school has made AYP. And no high school ever in the history of Philadelphia with a Hispanic group has ever made AYP, except for ours.

No policy should limit the black and Hispanic students that would make up the students of our proposed middle school, because they deserve a chance for a better educational experience that affords them the opportunity to pursue their dream of higher education. To deny this

educational opportunity would be to deny them the benefits of a college education, because unfortunately for them not to go to a charter high school in our community means they probably will not get into college, if they even can complete high school and there's a question about the quality of the academic credential. To not allow that would be a disservice to our community and to the Council Districts that feed our school.

While I came here this afternoon or this evening ready to speak aggressively against the original policy, which I think you kind of got a sense of that already, I am somewhat encouraged by what has happened since the original policy was put forth, and many of the concerns raised by the charter community in our conversations with the administration and Dr. Ackerman have been heard. Alarm for those of us who have sought expansions going back to the days of Paul Vallas is important and an

important modification, as is the modification to the definition of academic excellence. A definition as narrow as the one originally presented would only support certain communities and exclude others, and that would be discriminatory. This policy, as now stated, affords the latitude needed to respond to legitimate community concerns to the particularities of different types of schools serving very different types of populations in our city. We are not all the same, as the Senator said, and one rule does not fit us all. An expanded definition that allows and affords both the administration and the SRC the opportunity to respond to the unique needs and the educational realities of distinct communities is essential. Anything less would force schools dealing with the hardest and the harshest populations would force them to compete against schools that may pull for stronger feeders. For us, our feeders

are Clemente, Central East, Stetson and Julia de Burgos. And if any of you do any work with what's happening with middle schools in your city, you know that unfortunately those are not the strongest academic institutions in our middle school community.

To compare the students I receive and assume I can do it the same what everyone else does with an un-nuanced definition of excellence is a misunderstanding of the concept of excellence and a disservice to our community. This new definition affords some flexibility.

While I have yet to see the full articulation of this revised policy, it is better than the original. There are still questions. It's reverting to a title definition of excellence still in the best interests of all communities. Again, one definition does not fit all.

Does an all or nothing scoring process afford discretion? Are caps

legal? Is funding equitable? What is the appropriate balance between autonomous and independent and oversight? At what point does oversight move from oversight to impending -- or to impeding independence?

So there are a lot of questions, relevant questions, that still need to be asked, but we have progressed and we are affording opportunities to kids with the policy that would allow for the expansion of our middle school. And that is desperately needed, and the 400 or 500 kids we would bring and their parents would be grateful.

My final concern speaks not to the role of the administration, but to how the final decision of all of this will be made. In the end, Dr. Ackerman makes a recommendation to the authorizers that are five members of the SRC. If this policy -- and I put the word "if" in quotes. If this policy reflects the collective wisdom of advocates, charter

operators, parents, students, appointed and elected officials and then somehow after all of that collective wisdom says this is something that merits pursuing, what happens if the SRC decides to say no?

We can all agree the question is, will they say yes. And if they don't, they usurp our collective wisdom, and that is also a concern for me, because who ultimately decides what's in the best interest of all our children. And I'm a strong believer that many voices speak to that issue.

So I want to thank you for the opportunity to speak, and in the end, as we've all said, it's what's in the best interest of our children that brings us to the table.

Thank you very much.

COUNCILWOMAN BLACKWELL: Thank you, Reverend Cortes.

(Applause.)

COUNCILWOMAN BLACKWELL:

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Ms. Angela Villani, Mariani Bracetti Academy.

MS. VILLANI: Good evening, Madam Chair and members of City Council. Mariani Bracetti has been ready to make a change for two years now. In 2007, after spending years watching incoming sixth-grade students struggle to reach grade level, the Board of Trustees approved a decision to reconfigure our grades from 6 through 12 to K through 12 with no increase in enrollment. This decision reflected a trend.

Since opening in 2000, our weakest students have been incoming sixth graders, who choose MBA after years of inadequate schooling. Each year, our instructional staff has only seven months to bring new students up to grade level in time for the PSSA test. This past September, out of 143 sixth-grade students, 27 students scored proficient on their baseline for site reading benchmark tests, while only two students

out of 143 scored proficient on their baseline for site math benchmark tests. This has been a consistent trend at Mariani Bracetti with our sixth grade. Yet, data has shown us that the longer we have the students, the better they perform. For example, the 2008 sixth grade PSSA cohort moved 12.9 percent in reading and 20 percent in math over a one-year period.

Before deciding to reconfigure, MBA discussed the possibility with the Charter School Office as early as September of '07. After those discussions in December of '07, MBA solicited and received support from both our community and Councilpersons on becoming a K through 12 school. And then in February of '08, we submitted a formal request for grade reconfiguration to the Charter School Office, with a litany of items we were instructed to provide, such as a multi-year strategic plan outlining the proposed K through 12 growth,

achievement data since 2005, a detailed analysis of how we compare to neighborhood schools' achievement, letters of support from Councilpersons as well as prominent community organizations.

We were told that a request would be placed on the March '08 agenda, and it was not. We were told then that a request would be placed on the April 2008 agenda, and it was not. In September 2008 as we underwent charter renewal, we were assured by the Charter Office that the K through 12 request would be included in our charter renewal, and again it was not. Now the District's proposed policy makes achieving adequate yearly progress one of the criteria for grade configuration.

We requested our reconfiguration two years ago as a path to making AYP. We recognized we had a problem. We studied it and proposed a solution for fixing it. And now after

two years, we are told by the District we can't implement our solution until after we fix our problem.

The District is proposing an amendment to the current charter policy that makes reconfiguration similar to a charter application. Charter schools were meant to be innovative, to identify problems, to react with creative solutions, to apply any resources necessary to educate our children. The District rather we engage in a cumbersome bureaucratic process steeped in paperwork and committees, generate tons of paper and then have it reviewed by a Charter School Office that admits it is understaffed. If it fails, the administration of MBA is held accountable, not the Charter Office.

As a dedicated partner in the drive to educate our city's children, Mariani Bracetti Academy is asking only to be given the freedom to do what we know we are capable of - to help students

realize success sooner and create a sense of possibility again in public education.

Thank you.

(Applause.)

COUNCILWOMAN BLACKWELL: Thank you very much.

Are there any questions to any of our panelists?

COUNCILWOMAN BROWN: Yes.

COUNCILWOMAN BLACKWELL: Blondell Reynolds Brown, Councilwoman.

COUNCILWOMAN BROWN: Good evening, everyone. Let me say, first of all, how encouraging it is to see men in leadership positions in our schools. If we could clone all of you across the system, we know what the numbers say and we know what the numbers can be when there are strong men of all stripes in our school system. So that should not go unnoticed.

I did hear that the three of you met AYP. Forgive me if I missed that in your testimony. Did your school meet

AYP?

MS. VILLANI: We did not. However, according to PVAAS, we are growing above the state average.

COUNCILWOMAN BROWN: Forgive me?

MS. VILLANI: According to PVAAS, the Pennsylvania Value Added Assessment System that the state uses to look at growth, we have been in the green, meaning that we are growing above the state average.

COUNCILWOMAN BROWN: How old is your institution?

MS. VILLANI: We are on our tenth year.

COUNCILWOMAN BROWN: And when charter school leaders, educational leaders make the decision to want to climb that mountain in a good way, is it universal across the state that the formula is 80/20?

DR. PALMER: Are you talking about the allotment?

MS. VILLANI: The money that we receive from the state?

COUNCILWOMAN BROWN: Yes.

MS. VILLANI: We receive 80 percent and the District receives 20 percent.

COUNCILWOMAN BROWN: Is that universal across the state; do you know?

REVEREND CORTES: As defined by the law, yes.

COUNCILWOMAN BROWN: How does that stack with other cities that have charter schools; do you know?

DR. PALMER: It varies all across the country, to tell you the truth. I mean, even the ratio of certified to non-certified varies. A lot of us fought for 50 percent certified and 50 percent non-certified. We come up with the final law was 75 percent of your teachers had to be certified and 25 percent did not have to be. And there's a real understanding. Those of us who have been around for a long time

recognize the fact that there are a lot of great teachers who are not certified and who did better in many cases than certified teachers. In simple language, Martin Luther King could not have taught in a public school, nor could Albert Einstein or Albert Schweitzer if they weren't certified. They'd have to go get their certification.

REVEREND CORTES: And I'd like to make a clarification. We did not make AYP last year. We made AYP two out of the last four years.

DR. PALMER: And we didn't make it either. We missed one of the 21 benchmarks. And I think it's important to really get a sense of what AYP is, and I've heard a lot of people mention --

COUNCILWOMAN BROWN: We all know that that formula alone in no way speaks to the performance level of students. I mean, if that be the case -- if I had to rely on my SAT scores only, I would not be sitting here. It takes a

combination of factors for success. So I clearly get that.

DR. PALMER: Right.

COUNCILWOMAN BROWN: The other thing I want to ask about was the Office of Charter, Partnership and New Schools. Please, Mr. Rayer -- help me out, pronounce your name. I don't want to mispronounce it. Rayer. How old is that office?

MR. RAYER: It's brand new. It's about a year.

COUNCILWOMAN BROWN: So it's one year old.

And if the gentleman and professional here could speak to what the involvement has been with that office, what has happened and what do you expect going forward.

DR. RYDER: Councilman Reynolds, it might be true that the reconfiguration is one year old. However, that Office of Charter Schools has been in operation for much longer

than one year. And what we're asking for in terms of looking at -- and it's good that Ben is here. We're asking to have some real involvement there, and the involvement has been that they hold meetings, they do the planning and then they tell us what we're going to do with charter schools. And we're saying that there are Boards of Trustees. If you look at that law, there's a Board of Trustees for every charter school. The gentleman here to my left is a member of the Board of Trustees of his charter school, and they are the ones who are legitimately given the responsibility to run a charter school. And so we're saying to pull those Boards of Trustees together and have them give us some direction for where education should go in this city. And that's a simple mandate, you know, and I think that's what they're going to have to do.

I heard a lot of talk about involvement, but you didn't hear them

say, And we pulled the Boards of Trustees together. And those Boards of Trustees are the real backbones that make charter schools run.

DR. PALMER: I think one of the things that happens is, what I hear from some of the operators -- I'm on the Board at our school. One of the things that happens is that the relationship as described by a lot of operators is that CEOs really are treated like their employees as opposed to being an independent LEA. You have to understand that it all depends on where you are, your world view. Charter schools are created as independent entities, LEAs, which are their own school district. So, in essence, you have 70 school districts, 71 in Philadelphia because the Philadelphia District is one district, but each charter school is its own district.

It makes a lot of sense, because what it does is, it really breaks

down the megalopolis. It just completely distributes it and makes it at ground zero where you really are able to engage the population you serve with the passion and drive that you need to make it a success.

COUNCILWOMAN BROWN: Is this the first opportunity where you've had a chance to put that on the record, the interest of charter school leaderships with the School District?

REVEREND CORTES: No.

COUNCILWOMAN BROWN: Specifically for this office.

REVEREND CORTES: No. There were two Charter School Task Forces that were convened over the years, and the first Charter School Task Force provided a series of recommendations that spoke about what it is that the charter community in that group of individuals that came together to discuss would want in a Charter School Office, and the original recommendation was that the

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Charter School Office would be an autonomous, independent office, external from the District, that would work with charter schools, because there was some concern about the inherent conflicts between authorizer and then technical assistance provider and supporter. There are some inherent intentions in the law between what the authorizers are supposed to do, given the money in order to do that, and then how they relate to charters. So there was some thought on the part of many charters that maybe the best way to do that was to create an external office that the authorizer -- but that has implications relative to budget, et cetera, et cetera, and the idea was to retain that internal to the District through the Philadelphia School District. That's what the SRC decided and that's when they started the CSO Office that now Ben is overseeing.

COUNCILWOMAN BROWN: Thank you for that background.

Thank you all for your testimony.

COUNCILWOMAN BLACKWELL: Thank you very much.

Are there any further questions?

(No response.)

COUNCILWOMAN BLACKWELL: Thank you very much.

Our next panel: Dave Hardy, Boys' Latin of Philadelphia Charter School; Dr. Naomi Johnson-Booker, Global Leadership Academy. And you know her mother is head of Belmont Mansion. Audrey Johnson-Thornton is her mother. Marc Mannella, KIPP Charter School; Joe Proietta, Community Academy of Philadelphia; and Lars Beck, Young Scholars Charter School.

While they are coming forward, Panel 3, Jurate Krokys, Independence Charter School; Dr. Vuong G. Thuy, Multi-Cultural Academy Charter School; Debbie Wei, Principal and CEO of Folk

Arts-Cultural Treasures; and my friend, Kim Fuller, you're next.

(Witnesses approached witness table.

COUNCILWOMAN BLACKWELL: Thank you so much for your patience.

Certainly, Dr. Booker, you didn't mind me giving your mother a plug?

MS. JOHNSON-BOOKER: No.

COUNCILWOMAN BLACKWELL: We do love her. Thank you very much.

MS. JOHNSON-BOOKER: Thank you for giving her that plug.

COUNCILWOMAN BLACKWELL: Yes, yes, yes.

David Hardy, Boys' Latin of Philadelphia Charter School, will you begin? Dr. Booker second, Marc Mannella third, Joe Proietta. I remember when he started, when charter school movement was young. And Lars Beck, Young Scholars Charter School. Thank you.

Thank you for your patience, and your school is beautiful and

wonderful.

MR. HARDY: Thank you very much.

COUNCILWOMAN BLACKWELL: It's in my district too, but that doesn't make it great. It just is.

MR. HARDY: Okay. I've got people from all over town, so...

Councilwoman Blackwell and distinguished members of City Council, good evening. My name is David Hardy. It's my honor to serve as the CEO of Boys' Latin of Philadelphia Charter School. Our school is a special place. It's a place where boys take giant steps on the road to manhood. It's a place where scholarship is expected and personal responsibility is held paramount.

Our students labor tirelessly, endure long school days and work within the disciplined framework of our school community. The young men at our school all take Latin, the language of academia.

Philadelphia Magazine recognized Boys' Latin after-school program as the best in the region in its 2009 "Best of Philly Schools" issue. But the most amazing thing about our school is that it's working. With the cooperation of our students and their families, the dedication of our faculty and staff, the support and commitment of our Board and the constant encouragement we receive throughout our great city, our school has created a miracle in our West Southwest Philadelphia neighborhood.

We come here this evening not to oppose having a charter school expansion policy, but to oppose the policy as it was originally proposed. The original policy was created in a vacuum and did not account for the 12-year history of the charter movement in Philadelphia. The District, to its credit, recognized the error of this approach and offered compromise language that I believe appears to be acceptable

to many in the larger charter community. The compromise language is currently being evaluated by the charter community, with the hope that we can agree on a policy. It is a small step, but a significant one nonetheless.

The relationship between charters and the District has been contentious at times. The need for charters, as the legislation stipulates, to operate -- and I'm going to quote from the legislation -- "independent from the existing school district structure" is an important factor in charter school success. When the Inquirer reported that charter schools outperformed District schools in making state standards, Superintendent Ackerman was quick to point out that charters -- and I'm going to quote her -- "have a longer day, they are able to select their teachers and they stay very true to a curriculum course of action," and she went on to say that "those are things that I want to

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make sure happen in all of our District schools."

However, as public schools funded by public dollars, charter schools understand that we must be held accountable. It is in the spirit of accountability that we have joined together to oppose the originally proposed policy. If we are to be held accountable for the academic performance of our students, our schools should be configured to achieve those results. Those schools who are consistently meeting those goals should be able to replicate their success without waiting five years to do so. These issues have to be addressed -- excuse me. These issues have been addressed in the compromise.

We respectfully request that the esteemed members of City Council encourage the School District to continue its efforts to work collaboratively with charter schools to resolve this issue.

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This represents a new working environment, and this cooperation should be encouraged.

While it does not represent all the areas in which these two entities disagree, it is a sizable one. We hope that this is the first step towards a better working relationship in the future.

The children of our city need us all on the same page in the struggle to reform public education.

Thank you very much for taking an interest and a leadership role in this important matter.

(Applause.)

COUNCILWOMAN BLACKWELL: Thank you very much. And I neglected to say when we visited your school, Councilwoman Bill Greenlee was there and certainly concurs with me on what we saw. Thank you very much.

MR. HARDY: Thank you.

COUNCILWOMAN BLACKWELL:

Dr. Naomi Johnson-Booker. Thank you too for all that you do and thank you for trying to expand and certainly trying to work closely with us. We appreciate all that you do.

MS. JOHNSON-BOOKER: Thank you so much.

Good evening, everyone, and thank you so much for allowing us to talk to you tonight. I am the CEO, Naomi Johnson-Booker, CEO of Global Leadership Academy Charter School. We have a site in West Philadelphia and we have a site in Northeast Philadelphia. And with me tonight is my presidents of my PTOs from both those locations and my parent liaison and my assistant principal, because these folks really care about what's going on in our schools and in our city.

I want to share -- I'm going to try to ad-lib some of my words so we can make up some time. But Global Leadership Academy is a school that I was invited to

restructure in July of 2006, a charter school that was not making it and a charter school that we have since turned around. And in the last three years, we have made AYP, the last two of the three years that we've been in existence. We are fiscally sound and we have a 97 percent retention rate, as well as over 85 percent of our teachers are certified.

You can look at the original stats that I found the school at when we were there and see that in three years, we were able to do that because of what you can do in the charter world, and I believe my colleague next to me quoted the Superintendent as saying that we have the ability to do many different things. So in a three-year span, something that took me almost six, seven years as a principal in the School District of Philadelphia to do, I was able to do it in less than three years, and that is to turn around a school and make it work. And we in the charter world are able to

do that.

What I want to talk about a little bit tonight is school choice, because that's really what this is about, and who has the right to choose for their children and where do they go to school. In the City of Philadelphia, you have to go to your neighborhood school. Whether it's failing or not, whether it's overcrowded, whether it's persistently dangerous, that is the school that you go to. And so our parents don't have the opportunity to make that choice, unless they have the chance to call one of you, call somebody on the SRC and ask them to get them into one of the magnet schools, which we know which ones they are, or by chance try to get into a lottery.

They cannot afford to go to private schools, which cost upwards of $20,000 for a year in kindergarten or first grade. So we charters offer that choice. And so by lowering the cap and/or -- putting a cap in, I'm sorry,

and/or stopping the growth of the charter schools, then we take away choice from a group of people in this city who are supposed to have the choice to be able to choose for their child.

I had that opportunity. I chose schools for my children. My mother chose schools for me. So, therefore, I have a doctorate. My children are doctors and whatever else. I want the same for the children in the School District of Philadelphia and the City of Philadelphia.

I graduated from Girls High School. It is very different today than when I graduated, but we should be able to offer those opportunities to all of the children in the City of Philadelphia, and that's what we're not doing. We're in a city where we have 73 percent of the charter schools are making adequate yearly progress, while 40 percent of the children in the School District of Philadelphia are making adequate yearly

progress.

If you look at the urban high schools, the average high school, the high school that is near Southwest Boys' Latin, the high school that is near Global Leadership Academy, their graduation rate is not 55 percent. It is 30 percent. I was a former cluster leader in the Gratz cluster. I know what it looked like when 900 ninth graders start in ninth grade, but when you go to graduation, it's 150 of them. So I know what that looks like, failing, failing, failing. It's time for change. And we right now have a reform that's working. So we in Philadelphia should be proud of that reform. It is something that is working, and the School District and the politicians and everyone should embrace it and open the doors, allow it to grow more and allow the charter schools that are successful and the operators to allow the system to grow.

In our city, knowing that where

we have also a fiscal responsibility, I understand it's going to cost $66 million to build West Philadelphia High School. If I can get what we're getting, we're going to have a state-of-the-art school in your community for $10 million. We know how to do something right.

In a recent meeting, the Superintendent was quoted -- and I quote you as what they said -- that we have -- there's data that was shown that said that if the School District continues at the present rate, they will not make AYP until 2131. 2131. So I ask you, who is going to sign your Social Security check? Somebody that can spell your name right? Would you want them to come from that system or a system of schools that are working? And that's where we are at this critical time in the School District and in the City of Philadelphia.

So she wants a system of great schools. Here's some stats about our schools, that our high schools have over

a 95 percent graduation rate, our charter high schools, but there's only 12 or 13 of them in the City; that we have on average 95 percent attendance, average daily attendance rates; that our staff come to work on average on a daily basis; that our discipline and our safety, we don't have to turn in the reports that say that we have a lot of suspensions. We don't have any suspensions at Global Leadership Academy. At this point in time, since September, we haven't suspended anyone. And the graduation rates are the things that tell us what's going to help us in the City, and that's what we need to be looking at.

We've got to create this workforce, the workforce that will be able to take care and grow this city. We also have to do something, which is to keep people in the City so they can pay the taxes and that they have the choices that they will need to be able to move forward.

So Dr. Ackerman wants to create a system of great schools. Well, we're here. We're part of those great schools, and we represent many of them right here in this city and we represent the school reform that is needed for it to work. So let's all be proud of that in Philadelphia. Increase the numbers. And by the way, since 1997, there has been a sharp decrease in the number of charter schools that have opened across the state. There was a large increase in '97 and up until marching into 2000, but looking since that time, the data will tell you that there has been a decrease, particularly in the numbers in Philadelphia.

We fight every year. The charters that just opened, I believe they were on the list for over three or four years waiting to open. And in the Northeast school two years ago, we went to a neighborhood school near us where the children were sitting on the

radiators in an overcrowded school, and we were able to open the doors for just 20 children, because we couldn't go over our number and take more children. So the rest had to remain on the radiators.

So here we are in the City. Why the charters, who have continued to improve and the numbers that are opening that are not allowed to open up more. We're continuing to grow and we need to make sure that we do that, and we ask you to have these hearings and listen to us and listen to both sides, and we ask the Charter Office to come together and work in a true collaboration so that we can do this together for the City, but for the children that we have a moral obligation, all of us, to educate.

Thank you.

(Applause.)

COUNCILWOMAN BLACKWELL: Thank you very much. That was excellent.

Any questions?

(No response.)

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COUNCILWOMAN BLACKWELL: Thank you so much.

Mr. Mannella, KIPP.

MR. MANNELLA: Good evening, Chairwoman Blackwell, Vice-Chairwoman Reynolds Brown, members of the Education Committee and members of City Council. First, I wish to thank City Council and Council staff, as well as District leadership and staff for this hearing on this important topic. My name is Marc Mannella and I'm the CEO of KIPP Philadelphia Schools.

KIPP Philadelphia operates two schools here in Philadelphia, KIPP Philadelphia Charter School and KIPP West Philadelphia Preparatory Charter School.

KIPP Philadelphia Charter School was founded in 2003, is located in North Philadelphia and currently serves 360 children in grades five through eight. KIPP West Philadelphia Prep opened in West Philadelphia in 2009, currently serves 90 fifth graders, who

all had a grade of 90 kids per year as our current fifth graders move up until the school is fully constituted with 90 students per grade in grades five through eight.

Well before the proposal to change the District's current policy and longstanding practice, our plan for 2010-'11 has been to seek approval to start a high school in North Philadelphia that will provide continuity for KPCS's current eighth graders and to start a K through four elementary school that will feed into KIPP West Philadelphia Prep.

Given KIPP's track record of success, its sound and detailed plan for delivered incremental growth and its alignment with all of the District's stated educational objectives, we believe that any change in District policy should keep KIPP's service expansion on track rather than derail it.

At KIPP Philadelphia Schools and the other 82 KIPP schools around the

country, students and our staff prove beyond any shadow of a doubt that demography does not define destiny. We are proving that a child in North Philadelphia or West Philadelphia is just as capable of academic success as a child in any affluent suburb. Although most of our students enter our schools performing two to three grades below grade level and this year only two incoming students scored proficient on a baseline diagnostic in math and zero in reading, on average 78 percent of our eighth graders score proficient and above on the math PSSAs by eighth grade, and 81 percent score proficient and above on eighth grade reading.

Already 100 percent of the three eighth-grade classes that have graduated from KIPP Philadelphia have earned acceptance into college preparatory high school programs, programs like Central, Girls and Carver, private schools like St. Joe's Prep,

Friends Select, the Foxcroft School in Virginia and Phillips Exeter in New Hampshire. The wait list for KIPP continues to swell with hundreds of children and families waiting for an opening to occur. This is why we decided to add our second school, and know that we must do more.

With the support of the National Kipp Foundation and a strong Board, we have a detailed plan by which we can have a K through 12 continuum in both North and West Philadelphia by 2016, increasing KIPP's enrollment to 4,400 children. Remarkably, this alone would increase by 36 percent the number of children from North and West Philadelphia who enroll in college.

While not all the grade challenges of public education in our City has been involved, we should not ignore programs that are known to work. These programs must not only be permitted to grow, they must be encouraged to grow.

We encourage policymakers to do everything in their power to pave the way for schools that have demonstrated success, whether they be charter schools, successful District initiatives, to serve more of our city's children. Conversely, policymakers should limit, close or replace programs, be they charter or District programs, that are not successful rather than perpetuate failure. We believe accountability must be embraced and student achievement must be held up as the most important measure of a school's success.

At KIPP, we have shown we can accomplish the stated goals of most public education reformers. Our students come from the most academically underserved areas of the City, years behind in reading and math, and from school catchment areas that, according to District data, provide very slim odds for success. At KIPP, children not only catch up academically, they go on track

for college confident and prepared. KIPP students have longer days, longer school years and even a longer school week every other week.

For our students, parents, staff and supporters, the issue of the proposed change in policy is as simple as whether the District will use its charter power to enable the substantial impact that KIPP and others like it have shown it can have in the real lives of children in underserved areas of the City.

With respect to the specific policy change that has been proposed by the School District initially, we do not support that draft of the policy, and which we have testified previously. We support the principle of distinguishing between high-performing schools and underperforming schools. We believe fairness requires that before new policy limitations are imposed, schools should be given the opportunity to make requests relating to the balance of their charter

periods, understanding what the new policy would be going forward, and have those requests considered and decided on their merits.

KIPP cannot make up for a delay in even one year by simply starting two or three grades a year later. Our model is that we grow our students, staff and parent cultures in schools by phasing in only one new grade at a time at any of our levels - elementary, middle or high school.

In closing, we believe we're at a critical juncture for education reform in our city and our country. From the reforms proposed by the District's Superintendent, Dr. Ackerman, in her Imagine 2014 plan, to Mayor Nutter's call to cut the dropout rate in half and double the college graduation rate, to U.S. Secretary of Education Arne Duncan's use of the stimulus package to influence states to embrace his reform agenda, this is the most dynamic landscape we have

seen in Philadelphia in many years. It is critically important that issues relating to any proposed policy be resolved in time for charter schools to be able to implement changes for the 2010-'11 school year.

What encourages me, and I hope encourages all of you, is that we are starting to get real agreement on what works for children. While we do not believe we are the only answer to closing our country's achievement gap, we do believe that KIPP is part of the solution. Creating a pipeline of 4,400 additional students from North and West Philadelphia by 2016 who are bound for and prepared for college is a significant contribution in improving public education for all in Philadelphia. We know what we are doing is working and is worth sharing. So thank you for the opportunity to share this good news with everyone here today.

Thank you.

COUNCILWOMAN BLACKWELL: Thank you very much.

Are there any questions?

(No response.)

COUNCILWOMAN BLACKWELL: Thank you.

Mr. Proietta.

MR. PROIETTA: Chairwoman Blackwell and members of the Committee, I'm going to cut short some of my presentation for the sake of time, particularly my introduction of myself, because I'm Joe Proietta and either you know me or you don't know me. If you know me, you have an opinion about me. If you don't know me, you probably don't read the newspaper or watch the news. So I'll move on from there.

I am sort of sad and frustrated and a bit disillusioned to have to be here today testifying and having to repeat the same things I've said from the first days after Act 22 was signed by Governor Ridge on June 19th, 1997. I've

been a part of this process from the beginning and have seen each new School District administration come in and attempt to destroy not just the independence of charter schools, but charter schools themselves.

We have, however, with previous administrations been able to engage in a give and take that has ended with a stalemate, leaving us uncomfortable, but still breathing. However, though this administration is heralded as a new bright morning, and honestly most charters felt the brightness of hope, it has quickly turned into a moonless night.

The charter school law states unequivocally in Section 1702-A the legislative intent. It is the intent of the General Assembly, in enacting this article, to provide opportunities for teachers, parents, peoples and community members to establish and maintain schools that operate independently from existing school district structure. Let me repeat

the last critical part of what the legislation intended, particularly after Senator Williams said that it wasn't what it intended. "To establish and maintain schools that operate independently from existing school district structure." That means the administration.

This is what your constituents want. This is what over 100,000 Philadelphia family members of charter school kids want. This is what thousands of families on waiting lists want. But this is not what the administration of the School District wants.

I've read the memo from Ben Rayer regarding the draft amendment to the Charter School Policy. When I read the first draft amendment, I was stunned, because I didn't know there was a Charter School Policy to be amended. I've been around a long time and it was never shared with me. And now I find it has a Section VII, a Section II, a Section IV.B.3, all to be amended. How far away

from "operate independently from existing school district structure" have we come?

Tom Ferrick of the Inquirer wrote the following about Community Academy and charter schools: "Proietta feels the enemy will come on tiptoes, rules and regulations piled on year after year until charters are smothered or become indistinguishable from public schools. It can happen when those who want you destroyed are put in charge of your fate."

This was written in 1999. And is this what the administration of the School District wants?

This proposed policy mandates aligning charter school activities with initiatives of the District. If charter schools are to be aligned with the District initiatives, then they aren't charter schools anymore. They are District schools. The charter school's law states charter should be aligned with the needs of teachers, parents, pupils

and community leaders, the very people who this Council represents. However, this is not what the administration of the School District wants.

It would be impossible to address all the errors in the policy, so I limited the rest of my remarks to just two. However, I'm going to just limit it to one. I'm going to not talk about AYP. It's been spoken about before. But I'm going to talk about the enrollment caps, which takes two pages out.

The most disingenuous section of the policy is the enrollment caps. Mr. Rayer states that there is uncertainty. What more does the School District need? Isn't the Commonwealth Court decision in the Chester-Upland District or the 2008 revision of the charter school law enough? First, it is not clear that existing enrollment caps are valid or ever were valid. And perhaps it's time that the District were taken to Commonwealth Court to answer for

the millions of dollars denied to charter schools over the past two years and the thousands of Philadelphia children who are denied enrollment in charter schools because of the arrogance of the School District.

Second, Ben Rayer states, "The District must negotiate in good faith with charter schools under renewal if they request increases in enrollment levels." This is backwards. The law states there are no caps. Therefore, charters don't have to request enrollment increases. As usual, the School District confuses their role, believing that charter schools belong to them.

Historically, the question of caps has always been a problem. There is no provision for caps in the charter school law. Never has been. That Chester-Upland decision came months before the 2008 revision of the charter school law.

Let's be honest. I would have

never accepted an enrollment cap without a gun being held to my head. There was no good-faith negotiation. It was take it or leave it.

I have negotiated contracts with the School District for 30 years and I have never been involved in a good-faith negotiation. This administration in fact has been particularly unfaithful and cruel. Just look what happened recently with the Multiple Pathways contracts.

During my time as a charter school CEO, I have gone through four School District CEOs and two interim administrations. I know that it is tempting to my fellow CEOs to look at this policy as something that might benefit them, but what I've seen in that is that School District CEOs come and go, and they each have their favorites. What looks good in this policy may look bad when the next one comes along. There is only one safe road for charter schools

and the charter school movement, and it is the one we fought for in 1997. It is independence, and it is public school choice for the families of Philadelphia. It is to trust the parents of Philadelphia. They know what they want and they know what they don't want.

Independent community-based charter schools are very close to disappearing. We are under attack. City Council is our only hope, because you were the only ones directly elected by the people of Philadelphia who have any authority over the School District and charter schools. We are authorized by our chief competitor for children, money and in philosophy. We are governed by a Board appointed by statewide officials. Legislative majorities who do not understand our unique problems make our laws and regulations. You are the voice of Philadelphia. You are the voice of our parents and our children. Every day I have parents coming to me to get their

children into my school and I have no room. I'm sure that's the experience of all the charter schools here today.

In Philadelphia, there is school choice for those who can afford it. Parochial schools and private schools are part of our city's long tradition, but until 1997, there was no school choice for those who could not afford tuition. The families of Philadelphia have been blessed since then with many choices - neighborhood charters, unique mission charters, safe charters for at risk, charters at all age ranges, whatever a family values. We meet the needs of your constituents. Help us save independent public school choice in Philadelphia.

Thank you.

(Applause.)

COUNCILWOMAN BLACKWELL: Thank you very much. We do appreciate your statements.

Mr. Lars Beck, Young Scholars

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Charter School.

MR. BECK: Hi, Councilwoman Blackwell, members of the Council. Good evening. My name is Lars Beck. I'm the CEO of Young Scholars Charter School, which is a middle school serving grades six to eight in North Philadelphia. Quite simply, Young Scholars exists to close the achievement gap in Philadelphia and to reframe student expectations to include college. Fortunately, we've had significant success doing so. We use a very targeted, rigorous school model that is specifically designed to drive student achievement. The results achieved by last year's graduates are a testament to this model. Ninety-eight percent of them went to what we consider college prep high schools, 71 percent of them were accepted to a selective public school of some sort, 20 percent of them were accepted to private independent schools, including Haverford School, Friends Select, Sacred Heart, St. Joe's Prep, to

name a few.

Our students' eighth grade PSSA proficiency results placed them at or near the state average, not the District average, the state average, despite many entering at least one grade level, if not more, many two to three grade levels behind, and the rate of growth in the number of students proficient or above from sixth grade to eighth grade is nearly triple that of District middle schools.

What Young Scholars is doing is working at outrageous levels and significantly outperforming District schools serving similar student populations. Because of that, our leadership team and Board have crafted an expansion plan which in the short term calls for Young Scholars to serve 1,200 students by adding a minimum of two schools in the next three years. Importantly, a significant piece of the Young Scholars expansion plan was

designed to align with the unprecedented national focus on school turnaround. Just yesterday, Young Scholars is one of two Philadelphia area schools that participated in a highly selective full-day school turnaround gathering in Washington, DC where we heard United States Secretary of Education Arne Duncan urge everybody to get in the game of turning around our country's lower-performing schools. Then we participated in conversations with states, districts and the federal Department of Education on how to successfully do this work. Of course, representatives from the School District of Philadelphia were present as well, because their Imagine 2014 strategic plan, just like the Young Scholars expansion plan, aligns with the national focus.

A recent comprehensive national study performed by Stanford University's Center for Research on Education looked

at more than 70 percent of the nation's charter schools and showed that only 17 percent of them were outperforming traditional school counterparts, with an additional 46 percent showing no significant statistical difference. Analysts seem to agree -- and I quote -- "that a large number of charter schools are far exceeding their expectations, becoming some of the best schools in the country."

Results here in Philadelphia suggest that our charter schools may be performing at a higher level than around the country, and we're lucky for that, but I'm not here tonight to argue that point. I am here tonight to urge anyone with a voice in the future of our city's education system to demand great accountability for charter schools and all schools so that charter authorizers in Philadelphia's case, which is the School District, as you know, can create a system that provides for the growth of

the highest-performing charter schools. Those are the ones that I think are in that 17 percent I mentioned earlier. Note that I didn't say growth of all charters. I said the highest-performing charters. I think Young Scholars falls into that group, but where I differ a bit from some of my fellow operators here is that if it doesn't, I don't think we deserve to grow. I think we need to focus on growing the highest-performing schools and only those.

To that end, I would add that I believe that the conversations that were had yesterday in Washington, DC are the ones that need to be happening amongst educators here in Philadelphia. Those conversations center around creating and growing schools where students achieve at high, high levels regardless of their ethnicity or their socioeconomic background. The kinds of levels we're talking about there are levels where they are performing at levels that are

comparable -- not just outperforming the District schools, but at levels comparable to suburban student counterparts and more wealthy students. It doesn't happen all that often here in Philadelphia or around the country, unfortunately, but it's possible, and in my view, that's what we need to be shooting for.

Finally, I'd be remiss if I didn't comment on the School District's draft amendment to the charter policy, which many of my fellow operators are commenting on tonight. I have attached the testimony I gave to the School Reform Commission on October 20th and would add that while I too didn't support the initial policy, I currently do support the quick approval -- and I think it's important that it's moved quickly, and hopefully you can help with that -- of the compromise policy which Superintendent Ackerman recently submitted and described tonight as part

of a meeting with State Representative Evans and State Senator Williams.

Thank you very much for your commitment to our city's public education and to making sure that all of our kids have the opportunity to go to college.

COUNCILWOMAN BLACKWELL: Thank you very much. I believe that Councilwoman Reynolds Brown had a question.

COUNCILWOMAN BROWN: Yes. Let me thank all of you for your testimony. I am learning a lot while I sit here.

I do want to go on the record to say that I too have been to Latin Charter School. I'm a product of single-sex education, so I have a special proclivity to those institutions that are single sex.

So let me be sure I heard the testimony correctly, Mr. Hardy. Clarify for me the first sentence of your second paragraph, "We come here this evening not to oppose having a charter expansion

policy, but to oppose the policy as it was originally proposed." Does that mean there's an issue with process, or what? Help me out. Clarify.

MR. HARDY: Well, like I said a little further down, I think that the original policy was created in a vacuum. There are a lot of charter operators that are willing and have always been willing to work with the District to try and craft these types of things. They didn't use that option.

I think what happened is with the hue and cry against the way the policy was proposed, they came back to the table and there was a compromise. Like any compromise, it wasn't perfect, didn't serve everybody, but I think it can serve the large majority of schools, and I think that the District should be willing to kind of work with the schools who got caught in the middle of one regime to the next. Because what happened was, like you've heard earlier,

people made promises to people and then they left, and then the new people sitting in the chair act like they never heard of the promises, and the people who made the promises were acting as officials of the School District. So if you have a conversation with somebody who is an official in the School District and you think you've got some kind of understanding and that person leaves, that doesn't mean that you didn't have that understanding with the District. That means that somebody new is in the seat. But now the new people act like they didn't know what happened. And that goes -- that's gone on every time they changed leadership.

So I think this is a time to kind of fix that. We've got a policy. We tried to agreed on a policy for growth, because there needs to be policy. We just can't have haphazard growth. But on the other hand, we have to be able to address the needs of people who are

already in place, who opened up a school with a certain understanding and then find out later that they didn't have an understanding.

COUNCILWOMAN BROWN: Surely. Thank you for the clarity.

Thank you, Councilwoman.

COUNCILWOMAN BLACKWELL: You're welcome.

Councilwoman Quinones-Sanchez.

COUNCILWOMAN SANCHEZ: To that point, I guess my question is again -- and I say this in the hat of a former founder -- do you think this policy is legal, and if in fact we got legal opinions to say otherwise, would you still feel that way?

MR. HARDY: The policy that I would most want to see is, let us do it. I mean, I think what happens is, the scary thing about charter schools, charter schools are market driven, and nobody wants to deal with that point. The point is, you want to open up a

school, you're free to, but if nobody goes to that school, you're not going to get paid. That's the market making the decision. I'm very comfortable with that, and I think some of my colleagues are very comfortable with that, but I don't think the District is comfortable with that, because imagine what it would be like if you had your choices between one of their failing schools and a whole lot of high-performing charter schools. They'd be out of business. So the whole thing about being market driven is not our issue. That's their issue.

But to answer your question directly, if they didn't have -- if this was illegal and we could go to a market-driven kind of situation, I'd be more than comfortable with that. In fact, that's what I prefer, but I don't think that's going to happen.

COUNCILWOMAN SANCHEZ: You don't believe?

MR. HARDY: Yeah. I'm --

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COUNCILWOMAN SANCHEZ: Well, I'm a freshman, so I still believe.

I guess my question becomes a concern. I don't think that the concern from the operators around this independence -- when they submit a charter application, it's based on a premise. You're given some overarching kind of parameters around you're an independent and you should be allowed to create your unique curriculum to serve these children. My concern is that when you start talking about caps and even some of the restrictions around performance -- and we're all for some standards, but when you want -- when you're saying you're okay with losing the ability for -- since No Child Left Behind, we've gone from Corrective Action Schools 1, 2 and 3 and we've gone to empowerment schools, now we've gone to renaissance schools, and the School District has this freedom to do what it needs to do to serve children. So that's

what operators are saying. They want to be able to have the freedom to do what they signed up for.

MR. HARDY: I don't disagree with that. Where I might disagree with some of my colleagues on is, I don't want to participate in a study with the School District of Philadelphia. I mean, that could go on forever. I mean, we've seen these studies, and they always end up with a whole bunch of paper and nothing gets done. So for us to go study this for six months, eight months, it's going to turn into two years or three years. That's more like handcuffing us, and nothing will get done in that time.

Here's an agreement that we can make that will kind of get us off the dime. Is it going to take care of all of our problems? No, and I think there should be continuing dialogue.

COUNCILWOMAN SANCHEZ: But can't we make an agreement on the stuff that has nothing to do with the violation

of the law? I think we're all for some policy standards and procedures. The issue is, I think charter schools and those of you who are doing a good job want to be measured and you want to be able to flaunt that, but we can create a policy that allows some predictability. I don't know of a charter school operator that decides in June that in September they want to add 500 kids. That doesn't happen.

MR. HARDY: That's correct.

COUNCILWOMAN SANCHEZ: So if we know that, that there is planning, why can't we come up with a policy that doesn't violate the spirit of the law around that independence?

MR. HARDY: I would agree with that. The only thing that I worry about here is time. I mean, you're sitting in a room full of people --

COUNCILWOMAN SANCHEZ: But you've been doing this for 20 years. Charter schools have been around since

'97. I think that if I said to you, It's going to take us three months or six months more to do something right, I think the kids deserve that. We're talking about multi-million-dollar operations here.

MR. HARDY: I wouldn't disagree with that, but that's if we're going to do it. If the District is involved in it, you know it and I know it, there's no three-month window in the District. It just ain't going to happen.

COUNCILWOMAN SANCHEZ: That's not true. I think the Superintendent was very committed to trying to get this completed in a way with all the stakeholders at the table, which is why she agreed to this process even after they had their charter school process.

So I'm just saying that a charter school policy has to be one where stakeholders feel just as invested, and I agree with you there. I think this is too an important issue for us to say

there's not enough time. I guess that's where I'm disagreeing with you.

MR. HARDY: Okay. Got you.

COUNCILWOMAN BLACKWELL: Thank you very much.

Any further questions?

(No response.)

COUNCILWOMAN BLACKWELL: Thank you very much.

Jurate Krokys, Independence Charter School; Kim Fuller; Dr. Vuong Thuy, Multi-Cultural Academy Charter School; Debbie Wei, Principal and CEO, Folk Arts-Cultural Treasures.

Lawrence Jones will be next, Richard Allen Prep Charter; Kelly Davenport, Doctor of Education, Freire Charter School; Alfredo Calderon, ASPIRA Charter.

After that will be our last group, Barry Cohen, Pennsylvania Coalition of Charter Schools; Shaharazed Ali, parent; Frederick Whiten, Mathematics, Civics and Science Charter

School representing our friend, Veronica Joyner.

(Witnesses approached witness table.)

COUNCILWOMAN BLACKWELL: Thank you very much. Thanks for your patience. Please feel free to begin.

Dr. Thuy, every time I see you, I think of the late Lucien Blackwell. He was a great friend to you and you were a great friend to him. Thank you.

Jurate Krokys, Independence Charter School, you're first.

MS. KROKYS: Good evening. I am the founding Principal and CEO of Independence Charter School, which is now located at 16th and Lombard Street. And I had a prepared speech, but it was more like a sermon and so I'll try to just say a few things since the evening is quite long, and I really appreciate how much time you're spending on this.

I guess I do about four tours a month to parents who are prospective

parents, and they come looking for placement anywhere from K through 8. And probably I see anywhere between 100 to 150 parents a month, and this has been going on for about nine years. And each time I try to give them both a quantitative and qualitative feel for the school, because they're eventually going to be the ones deciding. And some of the quantitative stuff I tell them is that our average attendance this year has been somewhere between 97 percent to 98 percent. This is pretty amazing considering our kids come from 45 zip codes in the City of Philadelphia. And the reason our parents come from 45 zip codes in the City of Philadelphia I think is because back in 2001 when we opened, the sixth day of my principalship 9/11 happened, and I think a lot of parents decided then that they wanted to be not too far from where their kids were. We are located at 7th and Sansom. And they searched for -- so we've drawn parents

who come into the City from outlying zip code areas in Philadelphia as well as who live in Philadelphia. But I think we wouldn't have been able to keep those 45 zip code representative parents if our school wasn't strong and wasn't kind of fulfilling their promises.

Another number I would give them is that our teacher attendance goes anywhere from 97 to 100 percent on a daily basis, that 97.3 percent of our parents stay with us from year to year, and which also explains why our waiting list is this year over 700 for just this existing school year, because very few people leave us. And we also give sibling preference so that once one family member is in, that others can join us. And we think that's important, because we realize that our parents coming from all over the City want to keep their families together.

I also tell them that our AYP scores, we've made AYP for six years in a

row. These are all of the six years that we have taken PSSA tests. We also -- our last year's graduating eighth-grade class, whose poverty rate was over 80 percent, scored 86 percent advanced and proficient in mathematics and 88 percent advanced and proficient in reading, and this is through a blind lottery. Our children come to us from all walks of life. We are 79 percent minority. We are 54 percent poverty rate.

So that's who we are, and when I think about on a daily basis what makes things work in our school, I think about, first and foremost, the fact that we are able to attract teachers who want to work in an urban setting with the kinds of goals that we have for our children, with the achievement levels that we expect of our children, because all children in fact can achieve and achieve in very impressive ways. Because we are a K through 8 school, we also expect that we -- our responsibility is to prepare

children for college and other meaningful occupations. And people look at me strangely when I say that because we are a K through 8 school, but we consider ourselves people who prepare kids as a gateway to great high schools, and this is another way in which we give back to Philadelphia, because 95 percent of our students who are graduating eighth grade are being placed in Philadelphia high schools and magnet schools and great charter schools and in private institutions as well.

So teachers are number one. The second is our ability to make decisions about our own curriculum and also to decide on how we spend our money. And so although we receive approximately 75 percent of the per pupil allotment that a Philadelphia kid gets, we get to manage and decide how we spend that money, and we think that's really, really important.

I think also the kind of

decision-making loop is also a very small kind of loop, in that our parents when they speak to our Board of Trustees -- that's a monthly meeting, and that is not a huge meeting -- I think they feel a kind of commitment and a kind of ability to receive feedback both from the administration and from the Board of Trustees.

When speaking about what I would like to see or what I would suggest that are changes that are necessary, first and foremost I would ask for greater transparency on the part of the School District and the Charter School Office, or at least to develop that transparency. It's really been pretty hit and miss for the last nine years that I've been involved. It's been unclear year to year whether or not there would be applications for new schools. It's been unclear how one asks for, for example, a high school, if Independence Charter wanted to open a high school.

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The latest kind of resolution that has been the new version gives somewhat more clarity and it's more welcomed than what was previously certainly, but, for example, the fact that we are now up for renewal this year, this is our second renewal, our first being in 2005, it's a bit of a surprise to us that it's this year that we need to put in a request if we wanted to expand to a high school or if we wanted to have a second campus. That's kind of pretty short notice.

So I'd like to also just say that -- so it's transparency is one. The second being that the authorizers or the people who oversee the evaluation of charter schools perhaps should be independent authorizers, as the first Task Force suggested, that the Charter School Office be more greatly independent of the School District. These authorizing agencies can be tied to universities, for example.

I would also like to suggest

that the caps be abolished. I certainly think that there needs to be policy and procedure for how schools can grow, because you still have to make some sense. Yet I would argue with the wonderful Senator Hardy Williams, whose work I very much respect, that although this would have a fiscal impact, I would also suggest that if we continue not graduating children from high school, that that would also have a fiscal impact farther down the line in terms of how much it will cost to maintain kids in jail, how much it will cost for ruined families and for people unable to enter the workforce.

And, finally, at this late hour, I would suggest that although fiscal impact is important, it is much more important to give choice to families and to say to a parent of a five-year-old, Wait for five years for reform to happen or wait for a number of years for such-and-such to happen in the

Philadelphia School District, when you have high-performing charter schools working, is a travesty and it cannot be used as an excuse, although it is certainly a very serious piece of the decision-making process.

Thank you.

COUNCILWOMAN BLACKWELL: Thank you very much.

We'll now hear from Dr. Vuong G. Thuy. Always a pleasure, Dr. Thuy.

DR. THUY: It's my pleasure again, too.

I have been asked to prepare a written statement to be distributed to members of Council. Can we do that?

(Testimony distributed.)

DR. THUY: Councilman Blackwell, we have known each other for many years and we've been working together for many, many years, and it's an honor to speak in front of you and the other members of the Philadelphia City Council today.

I'm not here to brag about our successes and our achievements, because I think all of you are getting tired and it's getting late in the evening, but I'm here to address a very sensitive and controversial issue that may severely affect not only the school choice of parents and their children, but also the success of the charter school movement in Philadelphia.

For those who do not know me, for the past 11 years -- as a matter of fact, we are one of the first charter schools that came into existence during the second year of the law in 1998. I have spoken up on various issues related to charter schools at the Philadelphia School District public meetings, particularly at the SRC meeting. Here again, today I appear in front of you, the members of the respected Philadelphia City Council, I have to confess that I am very emotional indeed to address the Philadelphia School District's attempt to

control charter schools and limit school choice.

Permit me to humbly mention some of our achievements to support my argument against any attempt to violate charter school law and court precedent, as well as to control charter schools and to limit parents' choice.

For the past nine years, 100 percent of our seniors have graduated, have been accepted to and have gone to colleges and universities. We are high school from 9 to 12.

Our school achieved AYP five times within the past seven years, despite the fact that on the average more than 75 percent of our freshmen enter our school with reading levels below the fifth grade and with math levels below the fourth grade.

In 2004, our school was the first and the only charter high school in the State of Pennsylvania to receive the Keystone Achievement Award from the

Pennsylvania Secretary of Education. As a matter of fact, two weeks ago I won again to receive the third Keystone Achievement Award from the Secretary of Education.

In 2004, we were the only charter school in the State of Pennsylvania to receive a $50,000 grant from the Pennsylvania Department of Education to share our best practices with public and charter schools in the United States.

In 2007, I had the honor to be invited to Beijing University in China to share our best practices with more than 50 Chinese high school principals.

The above are just a few highlights of some of our many irrefutable achievements and successes of which we are, understandably, very proud.

Mind you, we are not the only charter school in Philadelphia that is considered a successful charter school. The fact is that 73 percent of charter

schools in Philadelphia meet AYP in the last year. That clearly and indisputably indicates that charter schools are highly successful public schools in Philadelphia. In addition, many charter schools certainly outperform Philadelphia public schools not only on the PSSA test, but also on providing a safe environment for teachers and students alike. In fact, charter schools have been providing a much-needed quality education to the children of Philadelphia.

And now, ladies and gentlemen, the School District which has had a long history of failing and for so long has been trying to control and restrict, to their liking, charter school educational services that Philadelphia children and their parents rightly deserve. By doing this, the School District in fact is limiting school choice for students and their parents and they're trying to exercise an unreasonable control over charter schools.

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Ladies and gentlemen, this is not the first time that the School District of Philadelphia has tried to control charter schools. In 2004, the CEO of the School District publicly threatened not only to shut down our very successful charter school, but also to put me in jail simply because I did not obey his order to surrender a cellular phone which was brought to our school illegally. Charter schools are certainly not the School District's subordinates, and like the School District of Philadelphia, we are independent LEAs by law. Our relationship with the School District of Philadelphia should not be employer-employee, but should be that of partners.

Also, despite our many recognized successes and for four years, from 2004 to 2008, while we tried to acquire a dilapidated school building from the School District, we repeatedly ran into one obstacle after another

artificially and intentionally created by this very School District in order not to allow us to have a decent facility for the children we serve. Finally, with pressure from parents, students and community leaders, the School District of Philadelphia gave in by agreeing to sell it to us not at an appraised fair market, but at a profit. Imagine that, the School District of Philadelphia trying to make a profit from a charter school.

Ladies and gentlemen, the School District of Philadelphia wanted to make money from the students that it failed to educate instead of supporting their education. Mind you, without a penny from the School District, we turned an old school building ready for demolition into a state-of-the-art school building for students considered by the School District of Philadelphia as second-class students, despite the fact Councilman Greenlee did come to visit our school. As always, you are cordially

invited to come and visit our school or visit our website, www.macs.k12.pa.us.

The School District of Philadelphia has been trying to manipulate and to misinterpret Act No. 61 that was signed into law by the Governor of Pennsylvania on July the 9th, 2008. This Act forbids a charter school enrollment cap. Also, on January 18th, 2008, the Pennsylvania Commonwealth affirmed a trial court's order that declared illegal and unenforceable the Chester-Upland School District attempt to impose enrollment caps on charter schools in the School District. Despite these two legal actions, the Philadelphia School District has been trying to manipulate and misinterpret the law in clear violation of the law in order to restrict parents' choice and tighten the control of charter schools.

The law and court precedents clearly stipulate that no school district has the authority to impose caps on

charter school enrollment. Why try to manipulate the law?

I believe that any attempt to manipulate or intentionally misinterpret the charter school law in order to control charter schools and limit school choice, for me, is not only illegal and punitive, but also unconscionable and certainly a disservice to the children of Philadelphia and their parents, the taxpayers.

I believe that in order to be fair, workable and acceptable, any policy change must be based on mutual respect, mutual agreement or understanding, and certainly on parents' ultimate wishes.

A forum was hosted by the School District of Philadelphia on October the 20th, 2009 and presided over by four of the five members of the School Reform Commission. The huge auditorium was packed with charter school operators, students, parents, representatives of community and professional organizations,

lawyers and others.

During more than two hours of testimonies from 30 speakers, including 15 charter school operators, students, parents, non-profit and professional organizations' representatives and others, the message is unanimous, clear and loud: The School District of Philadelphia's attempt to manipulate and misinterpret the charter school law and court precedents to unreasonably put tighter control on charter schools and to limit school choice is clearly illegal, self-serving and objectionable.

During this emotional hearing, I did not hear even one single speaker supporting the unpopular and unconscionable amendment to Charter School Policy proposed by the School District of Philadelphia. Ignoring this message is not only politically incorrect, but also is an act of betrayal to the wishes of the parents, students and all of us who really care about the

education of the children of Philadelphia.

From what I heard, it is obvious that although we, supporters of charter school education, have not won this battle yet, we have certainly won the hearts and the minds of parents and their children. This is important.

Ladies and gentlemen, the bottom line is not you or me. The bottom line is the children that we are entrusted to serve.

Finally, please do not forget that if public schools had been successful, there would have been no need for charter schools.

Thank you for listening.

COUNCILWOMAN BLACKWELL: Thank you, Dr. Thuy.

I think we'll go in order. Thank you very much. Kim Fuller, would you go next. Thank you and welcome, and belated happy birthday again.

MS. FULLER: Oh, wow. Thank

you so very much, and thank you for being a part of that celebration that meant so much to me.

Good evening, Madam Chairman and to all of City Council. It is indeed a pleasure to be here today. I tell you, sitting here this evening I've started to rewrite what I had to say about three or four different times, but I'm going to read to you or say to you what I've come here to say.

I'm here today to share my views on the issuing and the oversight of charter schools in Philadelphia. After reading Act 22, the document, it is clear to me that there was no language indicating the number of students that a charter school would be limited to or the number of schools any city in the state would be limited to. So I'm baffled as to why the SRC or the School District of Philadelphia is trying to cap either one.

I'm also baffled why a district that is literally drowning would try to

throw a life jacket to a successful swimming entity. If the School District is drowning, how can they save charter schools, which are not drowning? Only the Philadelphia School District magnet schools are succeeding. But your inner city schools are failing and have been failing for more years than even I want to admit. The reason why charter schools came into existence is to save children and parents that were not succeeding in the School District of Philadelphia.

Charter schools are not drowning, and they have the lifeline to throw. The School District of Philadelphia should be trying to take a look at the very successful charter schools and trying to emulate them rather than bog them down with bureaucracy and red tape. With one hand tied behind the charter schools' backs, they are still doing a better job, with 73 percent of their schools that have made AYP, with only 40 percent of the School District's

schools, of their top-ranking schools, having made AYP, with the fact that the School District of Philadelphia is keeping 20 percent of the charter schools' allotted money per student, with no allocation of where the money is going and how it's being spent. Remember, the Philadelphia charter schools' hands are tied, but yet the Philadelphia charter schools are dancing to the crazy demands, yet keeping the main focus of their students at all times.

Enough is enough. We need a governing body that will not try to hinder the progress of charter school movement. We need a governing body that will not try to change Act 22 just to suit itself. We need a governing body that will not take any part of the school operating budget money. We need a governing body that has the best interest of the charter school movement on the table. We need a governing body that is not our competition, and we need a

governing body that will understand that parents have the right to choose.

We need to -- it is really amazing to me, because I think that a lot of this is just absolute common sense. And that's the one thing I like about our current President, that he uses common sense. I think a lot of what is on the table here is just simple, everyday common sense. The law states that there is no caps on the numbers, and we're spending a lot of time and a lot of money arguing what has already been put in place.

The charter schools are succeeding. Our inner city schools are failing. Our children are dropping out by great numbers. I know because I've had two children go through the Philadelphia public school and I have a child that's going through the charter school, and the difference is remarkable. I ask you to please bring this to a quick resolve.

Thank you.

COUNCILWOMAN BLACKWELL: Thank you very much, Ms. Fuller. Thank you very, very much.

Ms. Debbie Wei.

MS. WEI: I want to thank Council for giving us the opportunity to testify today and I especially want to thank those of you that are still here, my colleagues as well.

(Applause.)

MS. WEI: Give you a shout-out.

My name is Debbie Wei and I am the founding Principal and CEO of the Folk Arts-Cultural Treasures Charter School in Chinatown. I didn't come here to speak today about, and therefore I will not mention, my absolute opposition to the placement of a casino in my community. I am speaking to you as a charter school operator, and I actually want to address something that nobody else has mentioned today, and, that is, something around the role of all of us in

advocacy for children.

As an educator with close to 30 years' experience in education both within the District and in a charter school, I feel there's a lot to learn about what's possible in education by looking at many of the charter schools that have been built in the City over the years. FACTS opened in 2005 with a commitment, among other things, to servicing immigrant communities.

Quality education for English language learners has long been a challenge in this city. To provide quality educational access to this population requires commitment and expertise. After years of advocating for change within the District in order to serve students and families of this population, we decided instead to put our money where our mouth was and build the kind of school we thought was possible for these marginalized communities. And FACTS has done just that. We've become a

model of what is possible for what schools can do effectively in this area. And even though we are only in our fifth year of operation and existence as a school, we've been featured in two national books, nationally released books. We are the site for four post-doctoral research studies, including studies of our ESO program by Dr. Sheree Mishow (ph) at the University of Pennsylvania, a study of our science program by Dr. Sonya Martin at Drexel University, a study of our Chinese language program by Dr. Aubrey Wang from St. Joseph's University and a study of linguistically and culturally competent service provision by Dr. Stacey Lee of the University of Wisconsin.

So why are so many people interested in our school? It's because we've demonstrated excellence in the field of services to immigrant children and families, excellence in an area that has baffled and stymied urban districts

across the country, including Philadelphia.

But what does that mean? It means dedicating resources, lots of them. We translate every document that goes home into four languages - Chinese, Indonesian, Vietnamese and Spanish. We employ five full-time ESO teachers, three part-time ESO tutors. We employ a full-time bilingual community outreach coordinator. We subscribe to telephonic translation services so our teachers can call parents. We employ translators, and we pay for them for every parent meeting, Board meeting and report card conference.

I highlight these services in our school for two reasons. First of all, our school proves that charter schools can serve as demonstration models of best practices from which the District can learn. My second point, however, is that charter schools like ours that serve immigrant students don't get financial support to serve these students. In

other words, what I mean is that a charter school that serves no ESO students receives the exact same amount of funding that we do.

Providing services and doing them well costs money, and advocating for funding formulas which allow schools to meet legal obligations under federal mandates, funding for immigrant children and families never gets the attention it deserves. The District has far more leverage than a small charter school such as ours. Our representatives here in Council and at the state level have far more leverage than a little school like ours.

We're proud of what we accomplish. We believe we have a lot that we can teach the District. We believe that the education we provide the immigrant community in the City is a service not just to the families we serve, but to this city as a whole, to the future of the City. But we need

support in the form of advocacy from people who have a lot more voice and power than we have. If we see our schools as sites of excellence, sites where other districts in the country will look to us as models of how to do things right, and if we see charter schools as part of that formula, those of us who are struggling to define and exemplify best practices need support for what we do. We need more than kind words. We need more than a daunt or a nice visit. We need advocacy from those with power who believe as much in the power of education and the rights of all children in this city, who believe that as much as we do.

Thank you for giving me the opportunity to speak to you tonight. I hope you'll remember the needs of the small charter schools who now make up so much of what is best in public education in Philadelphia.

COUNCILWOMAN BLACKWELL: Thank you very much.

Are there any questions?

(No response.)

COUNCILWOMAN BLACKWELL: Thank you very much. We appreciate your coming.

Next we'll call on Lawrence Jones. Are you here?

MR. JONES: Yes.

COUNCILWOMAN BLACKWELL: Kelly Davenport.

MS. DAVENPORT: I'm here.

COUNCILWOMAN BLACKWELL: Alfredo Calderon. And then our last panel will be Barry Cohen. Is Barry Cohen here?

MR. COHEN: Yes.

COUNCILWOMAN BLACKWELL: Is Shaharazed Ali, a parent, here?

(No response.)

COUNCILWOMAN BLACKWELL: Shaharazed Ali?

(No response.)

COUNCILWOMAN BLACKWELL: Is Frederick L. Whiten or Whiten here?

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(No response.)

COUNCILWOMAN BLACKWELL: Is Mr. Frederick L. Whiten here?

(No response.)

COUNCILWOMAN BLACKWELL: All right. Then, Mr. Cohen, you might as well come up with this panel.

Is there anyone else here to testify?

(No response.)

COUNCILWOMAN BLACKWELL: All right. This will be then our last opportunity.

Are you sure? Is there anyone here to testify whose name has not been called?

(No response.)

COUNCILWOMAN BLACKWELL: Thank you very much. I thank you all for your patience.

Mr. Jones, would you begin.

MR. JONES: Certainly. Thank you very much, Madam Chair, members of Council. Thank you for this opportunity.

I thank you also for your endurance. It means a lot.

COUNCILWOMAN BLACKWELL: Thank you for yours as well.

MR. JONES: There's no place else I'd rather be.

I am going to put aside a lot of what I've written and I'm also going to not be as witty as I would like to be, because I want to just get down to some basic facts.

I am CEO of the Richard Allen Preparatory Charter School, and Madam Chair, thank you for the support that you have always shown our school. I'm very proud to be a founding CEO, but I'm not going to talk about Richard Allen today, because that's not the issue here.

I'm here also as the President of the Pennsylvania Coalition of Charter Schools, and in the past four years in that role, I've had the opportunity to go across the state and to see the battles that have been waged for school choice,

and we're in the midst of a battle right now. So before I go into the three basic tenets that I have that are at issue here, I want to do some clarification.

Clarification No. 1, there was a question about the funding of the law, the 80 percent. It is across the entire state and it's based on each district's expenditure of funds, and there are certain things that a district can take out of the formula. For example, debt service. For example, adult basic education. One thing that many people don't understand or don't know is that a district can be up to five percent inaccurate in their calculations and not have to change the calculation. And sometimes some districts -- and I won't say which one or which ones -- often average around a four percent miscalculation, which if you're always four percent off, maybe it's not a miscalculation. I don't know. So that's where the 80 percent comes into play.

Point No. 2, I've heard a lot of people talking about the Charter School Office, and historically the way the Charter School Office came into play was, there was another policy about two and a half years ago that was sprung on the charter school community. Some 30 charter schools got together and said that we weren't going to go for it, and they identified a group of people to go and speak on their behalf. I was one of those individuals, and from that came the Charter School Task Force.

I served on the Charter School Task Force, and in open, public meetings, parents, School District employees, charter school supporters, charter school parents, even members from the Education Law Center agreed on one thing, that the Charter School Office being part of the administration of the School District of Philadelphia was a conflict of interest. I don't know if Dr. Ackerman would do it, but if I'm the CEO of the School District

and I say I don't like charter schools, you best believe that the expectation is that the Charter School Office is going to carry that out. It's the setup for the Charter School Office.

What the Task Force said is that there should be a direct reporting to the SRC, that the Charter School Office should be taken out of the administrative hierarchy of the School District. So when Dr. Ackerman testifies that the Charter School Office reports directly to her, that to me would appear to be a direct contradiction. I think it put handcuffs on the Charter School Office, and when we talk about accountability, it hampers that and it creates a lot of problems.

So we're here today and we're hearing a lot of people talk about some things, and they boil down to, for me, three things. Number one is charter school growth, and that talks about this proposal. So let's deal with that.

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Number one, enrollment caps. They're illegal. It is very simply put. There shall be no charter school enrollment caps by any school district or any other governing entity, which includes the School District and the SRC. We have asked the Coalition multiple times for an open records to have the School District's legal opinion shared with us so that if we are wrong, we can tell our members and move forward. We were told that it was not going to be shared with us, that they were their work documents. So if you guys get it and get that information, if you want to share it with us, great. If not --

COUNCILWOMAN SANCHEZ: She's on the record saying that that would be made public.

MR. JONES: Fantastic.

So the enrollment caps are something that I don't even think we need to talk about. That's like if you came to my house and said, Hey, let's talk

about how you can kill somebody, well, that's illegal, I'm not going to have that conversation.

The next piece of the proposal is AYP as an academic indicator, and we've heard conversation about that, but let's look at the reality of how that makes out. And I will use my school in this example. My school has made AYP for five of the past six years. However, there are several charter schools that may have higher test scores. So somebody would say if I have higher test scores but didn't make AYP, Larry's school could get a grade configuration, but my school can't. Well, either one of those indicators is flawed, because the one story that I can't tell or that the District won't see is that when my fifth-grade students came into me four years ago, between that time and now, we have reduced the number of below basic students by, I think it's, 48 percent in reading and about 24 percent in math and

increased the number of proficient and advanced students by about the same measures. That's phenomenal, and I can point in every year to the indicators and the interventions that we used to get that, but you won't hear that.

So what I'm saying is that if you want an academic indicator for charter schools, you cannot use a School District Report Card or a School District methodology. It's like when we study African American history and we start with slavery, the best thing you can hope to be is a good slave. So I don't want to be a good School District school because I want to be a great charter school, is something different. And we need to get a group of people, as Dr. Ryder said, together, businesspeople, higher education, and say, Let's come up with a real measure of what makes a good, efficient charter school and then let's hold everybody to that high standard.

And I'll go on, and I mention

that quickly and what happens.

The next piece is accountability. The elephant in the room that we haven't talked about is a lot of the newspaper articles that we've heard about unfortunately some of the things that have happened in charter schools, and we now hear that there's a charter school problem. Well, with 130 charter schools in Pennsylvania, if we had a charter school problem, you'd see fraud and arrest taking place in other parts except for Philadelphia. So maybe there's a Philadelphia oversight problem that needs to be addressed. Maybe part of the problem is that there was a favorite and preferred nation status that has been talked about here that a lot of people won't talk about. And our recommendation with that, again, is if you have a Charter School Office that is politically independent and it's independent from the hierarchy of the School District, they can take care of

accountability without fearing for their jobs or how their office is going to be continued. So our recommendation here is that there be a separate Charter School Office. It can be staffed by the same people, but they need to report directly to the SRC.

And then, finally, fiscal stability and funding. I think this is important to all of us, but I'll just skip to what I think are the poignant parts.

Let's look at what charter schools can do. We've heard people talk about their buildings. You've had over 20 charter schools in the last few years do well over $100 million of construction, buildings that often times sat vacant, buildings that often times were abandoned. Our school is in a former laundry facility. It's a $6 million renovation. It's now a state-of-the-art facility. We have community meetings and other things that

are going on there. This is community redevelopment for the City of Philadelphia, and guess how much it costs the City of Philadelphia? It's being used with state education dollars. So not only are we creating educational entities, but we're creating community redevelopment, and we're doing it in a way that is productive and we're doing it quicker and we're doing it cheaper and we're making sure that every child is able to walk into his or her school.

I used to teach at Sulzberger Middle School, and when President Bill Clinton came to visit us, my kids were smart enough, they said, Man, they never painted the school before he came. We paint our school every year, because my kids deserve that. So when we see some of the funding and equities, no construction or funding reimbursement, the facilities funding is limited to a nominal rental reimbursement. Charter schools don't have access to the state

municipal bond pool. Charter schools are not part of the state's intercept provision law, which would increase our credit rating and automatically reduce our interest payments. Charter schools do not have access to many block grants and accountability grants. We need to move forward collaboratively, as many have said. We are a partner.

Tonight you've heard a lot of things. You have an expertise base that nowhere in the state or, I would say, this country can be found, and when we have policies and other things by the School District, we don't even get asked. It's ridiculous. We've got to do this for our children and we've got to do this for the charter school movement, or five years from now you're not going to have charter schools, and you definitely won't have a world-class city.

Thank you. I apologize for speaking too much.

COUNCILWOMAN BLACKWELL: You

didn't at all. It was invaluable. Thank you very much.

Kelly Davenport.

MS. DAVENPORT: Good evening. It's a pleasure to be here, and let me just say the amount of time I've been waiting to speak I think symbolically represents the amount of time I've been waiting to open a middle school.

I am part of the founding team of the Freire Charter School, ninth through twelfth grade, and I could sing praises. Our kids are brilliant and beautiful. We've made AYP five out of six years.

After all this time, I guess I just have two really big points I want to make. I heard Senator Williams sort of speak with fire under his pants and fear about what we're going to do to balance the budget, how we can't raise taxes in this economic system that we have, but remember, if you look at the per capita amount that kids in the City -- well,

that school districts get, this School District gets to educate its kids, if you include the amount for buildings, facilities, the National Center for Education Statistics in '06-'07 says that we spent $15,000 for Philadelphia students, and yet we spent 7,000 and change in '06 and '07 for our charter school students, and that includes their buildings. And so actually in the economics of things, charter schools are a much cheaper option. And while I want certainly to receive more money, I think that it's important to remember that I think that we can do better with less if we need to, because charter schools are proving that over and over and over again.

The last point that I just want to make is that having sat here and waited for these years for the opportunity to expand our sphere of influence, we're not going to get it perfectly. It's just not going to be

perfect. I've heard the same conversations being rehashed and rehashed year after year, and it's a privilege to get to now have those conversations with you. But while we're making it perfect, can those of us who have been waiting, who have been promising, who have been preparing, who have been wanting to grow, could we find a way to grow? And perhaps the policy that's on the table now, while not perfect, could do that in a pragmatic way and continue us on this path so that we can find better and more ways to include kids at all levels here. But I think some of us are going to just sort of wither on the vine if we don't find a way to continue the momentum that we've built.

Thank you so much.

COUNCILWOMAN BLACKWELL: Thank you very much. That was excellent. Thank you.

Mr. Alfredo Calderon, ASPIRA.

MR. CALDERON: Good evening.

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My name is Alfredo Calderon from ASPIRA, and we work with two charter schools, Eugenio Maria de Hostos and Antonia Pantoja. By the way, Eugenio Maria de Hostos is one of the ones that Councilwoman Quinones is the founder of.

COUNCILWOMAN SANCHEZ: I have an ASPIRA pen, for the record.

MR. CALDERON: And also we have a pre-school. And I guess I'm here to say we're here in part because of a lot of the empty and broken promises of the previous administration. Like many people have here said, they were promised this, they were promised that, and nothing happened, and in turn led to the Board, some of the current SRC members and some of the past SRC members, to say, Well, how do we determine who is successful and who is not and who gets charter and who doesn't. So that's where the idea of a policy came from, was actually from the SRC to in turn be fair, supposedly be fair, to everybody and

approve successful charter operators. And in that process, this policy has come up.

And my point is, while I agree that it may not be perfect, the policy as amended allows us to move forward. It allows us to show some measurement of success and also be able to achieve what we want. Some of us want grade configurations rearranged, some of us want increase in enrollment.

One of the things that I know about the Office of Charter School, I agree with Mr. Lawrence, it should be an independent body and I do agree that it should be staffed with the current staff. I don't -- on behalf -- I want to speak on behalf of Mr. Ben Rayer. Previous administrators at the Office of Charter School to me were terrible, were awful, were totally anti-charter. He comes from a charter school. He understands some of the pain that we're suffering, but he has to deal within the parameters of what he

has. But he has been somebody that when I disagree, I can call his office and let him know I disagree, and we can have a strong disagreement, friendly disagreement, and respect each other. I didn't get that in the past. The Office of Charter School was very anti-charter in previous years. So I have to make that point.

Once again, I say we need to look at a policy, and while the one we have may not be perfect, there's some things that we can work on to move forward.

And the issue of the cap, I guess that's one that the state is dancing around it, in the fact that if they make the law and we say or anybody else says that law -- that the District is doing illegally, because they're violating the law, then the state should intervene. The state should be then saying to the District, This is illegal, you cannot do that. They're not doing

it. So that's something that needs to be addressed directly with the state, and we need to put the pressure on our state legislators so they can address that issue.

I wanted to apologize for not having anything written, but I was in Puerto Rico due to the death of an uncle, so I didn't have -- and just arrived. So that's why I don't have anything in writing for you. So I apologize for that, but I thank you for giving me the opportunity to speak to you.

COUNCILWOMAN BLACKWELL: Thank you. No, we thank you, and we're sorry about your loss. Thank you for coming and for your testimony. Thank you.

Mr. Barry Cohen, Pennsylvania Coalition of Charter Schools. So, shall we say, the last shall be first. I don't know how it applies, but thank you for staying.

MR. COHEN: Thank you very much, and I too want to join my

colleagues in thanking you for listening to us, listening to the many, many speakers, and thank you for your endurance and for being with us on this very important issue.

As the last speaker, I have an opportunity to bring some things together, and what I'd like to do -- and I don't want to make a promise -- I will be very brief. My comments are less than one side of one paper. The hour is late and I think we all have reached the point that we'd like to go home.

What I want to do is just for a moment put the charter school experience in a national context. Charter schools are recent. Before 1991, there were no charter schools. Today, 40 states have charter school legislation. Also, in 1998, there were more than 1,100 charter schools nationally. That grew from zero seven years earlier. Today, 2009, there are close to 4,000 charter schools nationally, serving over one million

students and their families. Approximately 130 of them are here in Pennsylvania, and 67 are in the City of Philadelphia.

Each of the million students nationally has made a voluntary choice with his or her parents to enroll in a charter school. This exponential growth of charter schools on a voluntary basis could not have occurred unless charter schools were meeting basic educational needs. Traditional public schools are one of the few remaining monopolies in the country. Charter schools bring competition, bring best practices and bring choice to the educational marketplace. That is why they have been so successful.

In Philadelphia, as we speak, there are tens of thousands of students on waiting lists for charter schools. Families are voting with their feet to enroll in charter schools which they believe provide the best educational

opportunity for their children. When artificial restrictions such as caps or limits on new schools are imposed, the families' right to choose is taken away. Charter schools which have the capacity or could easily grow the capacity are prevented from serving the very students they're created to serve.

So I want to conclude, there is an explosive demand for charter schools from Philadelphia families. We want to ask you as the City Council, we want to ask you to work collaboratively with the SRC and with us to ensure that charter schools are able to respond to that explosive demand which is here today and which will be growing tomorrow.

Thank you very much.

COUNCILWOMAN BLACKWELL: Thank you very much.

Are there any questions?

(No response.)

COUNCILWOMAN BLACKWELL: Is there anyone else here who would like to

testify?

(No response.)

COUNCILWOMAN BLACKWELL: Again, we thank you all. We thank members of the Committee. We thank Councilwoman Maria Quinones-Sanchez for introducing the resolution, and this hearing will be recessed subject to the call of the Chair.

Thank you all, God bless and good night.

(Committee on Education recessed at 9:15 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on November 17, 2009, and that this is a true and correct transcript of same.

_____

MICHELE L. MURPHY

RPR-Notary Public

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