



## **Public Policy Forum**

### **Charter Schools: Issues and Outlooks**

**Presented by  
Judy Doesschate and  
William Lake**

*March 28, 2007*

*Tom Gais:*

Welcome on this beautiful spring day. My name is Tom Gais, and welcome again to another one of our Public Policy Forums here at the Rockefeller Institute of Government. Our subject today is Charter Schools in New York, and we have two wonderful speakers to discuss the subject. Charter schools usually elicit a lot of passion for and against. Sometimes it doesn't seem easy to be neutral about charter schools as it is to be neutral between the Mets and the Yankees, or where to get the best bagel in New York City. But maybe there are good reasons for that.

Charter schools pose a lot of hard questions for communities, as well as the state, and they often elicit different ways of thinking about our education problems. There are questions about what is an accountable school system. Should we have an accountability based on parental choice and markets, or should we have an accountability based on elected school boards? There are questions about how we get high-performance schools. By creating incentives for schools to compete with one another for students, based on their performance on tests? Or by creating stable, well-funded schools with good working conditions and predictable futures in order to attract and retain good teachers?

There are questions about local and state control, and there are always questions about money. In any event, these and the other questions about charter schools will surely be with us for quite a while.

There was a recent study put out by the National Charter School Research Project, which estimated that the number of charter schools grew by 10 percent between fiscal years 2005 and 2006, to over 3,000 charter schools in the country, or about 3.7 percent of all public schools.

Our two speakers today will, however, focus not on the national experience, but the New York State experience. William J. Lake is vice president for school fiscal accountability of the Charter Schools Institute of the State University of New York. Mr. Lake has direct contact with many of the charter schools in this state. He leads the Institute's monitoring of the fiscal soundness of charter schools authorized by SUNY, and he oversees the administration of two grant programs targeting charter schools.

Before he joined the Charter Schools Institute in 2003, Mr. Lake was an auditor with New York State agencies for 15 years, including 13 years with the State Education Department. He's a graduate of Siena College and a certified government financial manager and, in the last five years, Mr. Lake has served as state representative of the Public School Committee of the New York State Society of Certified Public Accountants.

Judy Doesschate is a lawyer and was elected to the Albany City School District Board of Education in 2005, so she has had a close view of charter schools in a district where charter schools have been around for some time.

She knows Albany schools well in other ways too. She's been a resident of the city for over 30 years and her two sons were educated in the city schools, and she has been involved as an officer in the PTA. Her interest in education issues, in fact, dates back to 1973 when she began advocating for making high-quality public education accessible to all as a representative of a student association in the state of New York.

Judy has also worked with community organizations and political campaigns over the years. She is employed by the New York State Department of Health and has served as legal counsel to the New York State Transplant Council since its creation in 1991.

First, we're going to have Bill speak and then Judy, you please join with me in welcoming both of our speakers.

*William Lake:*

Thanks, Tom. I'd like to thank the Rockefeller Institute for inviting me here today to talk about this important and certainly timely issue, charter schools in New York. My goal this afternoon is to give you some background and facts about charter schools, and then discuss a particularly hot button issue, the fiscal impact of charter schools on school districts. Then, finally I'm going to talk a bit about the outlook for charter schools.

Charter schools are partly in response to a dissatisfaction with public education, particularly in urban areas. Too many kids have been — and continue to be — ill-served by poor performing schools. The first state in the nation to have charter school legislation was Minnesota. One of the principal drafters of that bill, Joe Nathan, director of The Center for School Change, University of Minnesota, said it well when he said, “The charter school idea is about the creation of more accountable public schools and the removal of the ‘exclusive franchise’ that local school boards have.” In other words, introducing the concept of choice; ensuring that all parents have high-quality, tuition-free choices about where to send their children to school.

**New York Charter Schools Act of 1998**

Creating **public schools** that would operate independently of local school districts and **improve student achievement for all students, particularly those at-risk of academic failure.**

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exclusive franchise’ that local school boards have.” In other words, introducing the concept of choice; ensuring that all parents have high-quality, tuition-free choices about where to send their children to school.

The legislation that started it all in New York was the Charter Schools Act of 1998. The Act called for creating independent schools that were committed to improving student learning and achievement for all students, particularly those at-risk of academic failure.

**How are Charter Schools Created?**

- **The Act gives parents, teachers and community members the opportunity to apply**
  - Application review process is rigorous
- **There are three chartering entities, or authorizers:**
  - The Board of Trustees of the State University of New York
  - The New York State Board of Regents
  - Local boards of education (the Chancellor in NYC)
- **Traditional district-operated schools can also seek to convert to charter schools**

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How were these schools created? The Act gives parents, teachers, and community members the opportunity to apply for a charter. The application process is ex-

tremely rigorous. We often tell applicants that the only thing harder than getting your application approved is actually running a school.

There are three types of charter authorizers in New York: The State University Board of Trustees, the New York State Board of Regents, and local school districts. In New York City, it's the chancellor of the Department of the Education. Traditional public schools can also convert to charter schools through their local boards of education.

**Key Elements of a Charter**

- A charter is a contract between a school's board of trustees and its authorizer
- An initial charter is awarded for a period of five years only
- Charter schools are given certain freedoms
- In exchange, they must demonstrate that they have raised student achievement within the charter period
- All charter schools must apply to renew their charters

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Now I'm going to talk a little bit about key elements of what a charter is. A charter is simply a contract between the school board of trustees and its authorizer. It talks about what the school will do and defines how it will be accountable for meeting its goals.

Charters are only awarded for five years. They are given the freedom to develop their own curriculum, choose staff, set the length of the school day and school year, and establish their own standards for student behavior. Charter schools, in exchange for these freedoms, must demonstrate that they will raise student achievement during their charter cycle.

Charters are not automatically renewed. Every school must apply for renewal at the end of their charter period. Unlike district schools, charter schools must continually prove that they have earned the privilege of educating this state's children.

**Key Elements of a Charter**

- SUNY applications for charter renewal focus on four key questions:
  - Is the school an academic success?
  - Is it an effective and viable organization?
  - Is it fiscally sound?
  - Are its plans for the future reasonable, feasible and achievable?
- These questions align with the requirements of the Charter Schools Act

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At SUNY, we use four basic questions to inform our decisions about renewal. Is this school an academic success? Is it an effective, viable organization? Is it fiscally sound? Are its plans for the future reasonable, feasible, and achievable? These questions align with the requirements of the Charter Schools Act: that the application for renewal meets requirements of the law

that the school can demonstrate that it can operate in an educationally and fiscally sound manner; and that it's likely to improve student learning and achievement. These are the same legal findings that are required for approval of a charter application.

When you consider the critical fact that a charter is granted for no more than five years, and that its authorizer can opt not to renew or close down a school for failing to meet rigorous academic outcomes, or legal and fiscal requirements, it becomes clear that accountability is more than a goal for charter schools, it is a nonnegotiable requirement.

**Number of NYS Charter Schools**

Number of Charters Issued by Year, by Location

Year Issued	Capital District	Central & Western NY	NYC	Long Island	Total
1999	1	0	2	0	3
2000	3	8	14	3	28
2001	2	5	6	1	14
2002	0	3	6	0	9
2003	0	4	5	0	9
2004	2	3	9	0	14
2005	3	2	18	0	23
2006	1	1	7	0	9
Total	12	26	67	4	109
Closed	1	4	6	1	12
Open/Opening	11	22	61	3	97

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Let's look next at the number of charter schools in the state. For the current year there are 92 charter schools operating in New York. There are five more slated to open either in the fall of this year or the fall of 2008 for a total of 97 schools. The statutory limit of 100 new charter schools has been reached, and so far nine converted schools have also been issued.

Statewide, there are about 25,000 students attending charter schools; 11,000 of these are attending SUNY-authorized charter schools and at those schools, there are more than 8,000 students on waiting lists.

There are several key elements of charter schools that often times get misconstrued and I'd like to discuss the top ten.

Charter schools are public schools. They cannot teach religion; they can't charge tuition; they can't base admissions decisions on ability. Charter schools are nonprofit organizations; they are governed by their own board of trustees; and they must comply with laws regarding health, safety, civil rights, and special education. The Open Meetings Law and Freedom of Information Act specifically apply to charter schools. That means their board meetings are open to the public and the public has access to records at charter schools, just like they have access to records at district schools.

Charter schools must comply with the federal No Child Left Behind Act. They have to administer the same state tests that district schools do, and they have to meet the state’s performance requirements.

**Key Features of NYS Charter Schools**

- **High Standards for Student Achievement**
  - Required Accountability Plans
    - Similar to Governor Spitzer’s Contracts for Excellence
    - Defining specific student achievement goals and the measures that define what constitutes meeting those goals
    - SUNY has set particularly high standards for performance on state exams in math and English language arts

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Now, let’s look at some of the key features of charter schools. Charter schools are focused on establishing a safe and secure environment. They allow communities to form around shared visions of what a good school can be, of what sort of an education is best for a student. There’s no question that high student achievement is a goal of every school in the state.

Unlike district schools, charter schools are required to create an accountability plan that lays out the specific student achievement goals and associated measures that increase the means. These plans, in fact, are similar in many ways to the governor’s newly proposed Contracts for Excellence.

SUNY has set particularly high standards for the performance on state exams in math and English-language arts; those standards are the cornerstones of the accountability plans for each SUNY-authorized charter school.

**Key Features of NYS Charter Schools**

- **High Standards for Student Achievement**

Sampling of SUNY authorized charter schools with large % of students at levels 3 and 4 as compared to their local districts

	Grades Tested	Charter School	Local District
<b>English language arts</b>			
Tapestry (Buffalo):	3-8	78%	30%
Carl C. Icahn (Bronx):	3-6	82%	40%
KIPP S.T.A.R. (Manhattan):	5-7	63%	38%
Brooklyn Excelsior (Brooklyn):	3-6	60%	41%
<b>Mathematics</b>			
Carl C. Icahn (Bronx):	3-6	97%	46%
Harlem Village (Manhattan):	5-7	82%	39%
Tapestry (Buffalo):	3-8	69%	29%
KIPP S.T.A.R. (Manhattan):	5-7	77%	39%

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The next slide shows some high-performing, SUNY-authorized charter schools as compared to the local districts. The goals should be to get all public schools performing at these levels. The analysis compares the results in the grades tested by each charter school with the corresponding results in those grades in the respective local district.

An analysis of the 2006 state tests by the Institute reveals that 69 percent of SUNY-authorized charter schools outperformed their local district on the state exams in math and English-language arts. When the Institute looks at whether the charter school is an academic success, we look closely, in addition to the comparative information, at absolute

## Key Features of NYS Charter Schools

- High Standards for Student Achievement
  - Comparing charter performance to the local district

**Results: SUNY Authorized Charter Schools**

69% of SUNY Authorized Charter Schools Outperformed their Local District on the NYS Mathematics and ELA exams

■ Outperformed the local district  
■ Underperformed the local district

Source: Institute analysis of 2005-06 SED test data

- The Institute also looks at the “value” gained by a student over time

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numbers, as well as value-added evidence, which measures the improvement over time of the value gained by the student.

The fact is that while the results are strong for some schools, it is not so for all schools. Again, remember the difference between a poor-performing charter school and a poor-performing district school is one of consequences and accountability. SUNY

schools that don’t meet or come close to meeting their accountability plan goals know they have a limited time to do so. If they are not turned around, they will be closed down.

The SUNY trustees have not renewed five schools for failure to adequately improve student achievement. I should note that these schools were not the worst schools in their districts, but they did not come close to meeting their accountability plan goals. One of the foundations of charter schools is, and must continue to be, that there are consequences for poor performance.

So, I hope you are beginning to see that despite what you might have heard on the radio, charter schools are highly accountable. They are subject to rigorous oversight by their own board of trustees, by their authorizer, and by the State Education Department (SED). The law requires oversight to be sufficient to ensure compliance with laws and regulations. Charter provisions include multiple site visits by the school’s authorizer and the SED; these occur annually. It is a much higher degree of scrutiny for charter schools than you typically find at a district school.

I would also like to note, in addition, that the school district in which the charter is located, also has the right to visit and inspect the charter school.

Competition can promote reforms that help more students and parents find schools that meet their needs. If competition is stifled then the status quo prevails. Research on the competitive impact of charter schools on school districts is mixed. It is indisputable, however, that many school districts have launched attempts to replicate practices typically seen in charter schools: wearing uniforms, a longer school day, longer school year, more time on core subjects, smaller class sizes, and smaller schools.

Leaders in Buffalo and New York City have spoken out positively about charter schools. Shortly after taking office in Buffalo, Superintendent James Williams stood before the local business and charitable leaders and said, “I’m not afraid of charter schools. I want to learn from them.... Our school day is too short and our school year is too short. Charter schools got out in front of something I always thought was necessary.”

In New York City, Joel Klein said, “From the day I arrived as Chancellor, I made [it] clear that charters are a critical leveraging force in public school reform.”

High levels of parent and student satisfaction are critical to a charter school’s ability to attract and retain enough students to remain viable; in fact, evidence of student and parent satisfaction are required as part of a school’s renewal application.

Now I am going to talk about one of the most heated aspects of the charter school debate, the fiscal impact of charter schools on school districts. I think it’s fair to say that there would be no local controversy about funding charter schools if the state paid 100 percent of public education. But, as we all know, that’s not the case. Funding comes from a combination of state and local sources supplemented with federal aid. Since that’s how we pay for education in New York, that’s how we pay for charter schools. So, the school district makes a payment to the charter school with a combination of state and local funds.

The key principle of many charter school laws is that funding, both state and local, follows the student. There is no reasonable case that funding should not follow the student; however, there is an important question about how much that funding should be.

#### **Fiscal Impact of Charter Schools on Districts**

- **District payments are based on student enrollment**
- **Per-pupil amount is set by SED**
  - Deducts certain revenues and expenses
  - Enrollment includes additional weightings for secondary students and those with disabilities
  - Inflation factor applied (based on the avg. increase in operating expenses statewide)
- **Revenue a district receives, divided by its enrollment, will always be significantly greater than the per student payment it is required to make**

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Looking at the current law, the foundation of charter school funding is a per-pupil set of payments the charter school receives from the district of residence of the students that attend their school. The payment is based on student enrollment; so that means that if a student only attends a charter school for half a year, the district only has to make half the payment with the State Ed-

ucation Department, setting the per-pupil amount for each school district based on its expenses and enrollment.

The formula deducts certain revenues and strips out expenses, such as those for transportation, debt service on school construction, and other expenses. Enrollment includes additional weightings for high-cost secondary and special education students. An inflation factor is then applied so historical data can be used prospectively. Because of the deductions from operating expenses and the additional ratings to enrollment, the per-pupil amount is significantly smaller than if you simply took the district's revenue and divided it by its enrollment.

In keeping with that, it has been the position of the Charter Schools Institute that this gap that exists between the revenue per student the district receives and the reduced amount of per-student payments made to the charter schools, combined with the marginal cost savings of having less students to educate will over time, benefit the district and that there is no material, negative fiscal impact on a district. Arguably, the more students enrolled in charter schools, the more opportunities the district has to realize cost savings, thereby mitigating the fiscal impact.

Rather than continue to talk in the abstract, let's look at some specifics relative to the Albany City School District, which is a good district to use as an example, since we are in Albany today. Also, the Albany City School District has had a charter school in the district since 1999; two more were opened in 2002, three more opened in 2005, and one more opened this year.

Before we do that, let's remember that the percentage of students enrolled in charter schools is always greater than the budgetary impact; for example, in 2005-06, charter school enrollment was about 10 percent in Albany, but the actual budgetary impact was about 6 percent.

School districts must, to the extent possible, plan for changes in student enrollment from year to year. Charter schools add to this planning challenge, particularly if the district does not have sufficient warning about a school's opening or closing. This slide (see next page) shows the dates the charter schools were chartered and the opening dates here in Albany.

## Planning

### Charter Issue and Opening Dates

School Name	Issue Date	Opening
New Covenant Charter School	9/17/1999	Fall 1999
Brighter Choice CS for Boys	12/15/2000	Fall 2002
Brighter Choice CS for Girls	12/15/2000	Fall 2002
KIPP Tech Valley Charter School	3/23/2004	Fall 2005
Achievement Academy CS	12/4/2004	Fall 2005
Albany Prep Charter School	4/9/2005	Fall 2005
Henry Johnson Charter School	10/27/2005	Fall 2007
Albany Community Charter School	12/11/2005	Fall 2006
Green Tech High Charter School	7/31/2006	Fall 2008

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## Planning

### Comparison of Budgeted to Actual Payments to Charter Schools: Albany City School District

	Budget	Actual	Difference
99-00	\$ -	\$ 3,212,237	\$(3,212,237)
00-01	3,303,160	2,730,364	572,796
01-02	4,423,000	5,157,058	(734,038)
02-03	7,521,000	6,671,078	849,922
03-04	7,724,000	7,793,249	(69,249)
04-05	7,979,300	7,296,636	682,664
05-06	10,152,260	9,386,743	765,517
06-07 (estimated)	16,551,776	13,912,111	2,639,665

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## Program Impact

### Staff Increases: Albany City School District

	1998-99	2004-05
District Enrollment	10,129	9,237
Charter School FTE Enrollment	-	820.27
Total District Teachers	783	808
District Other Professional Staff	119	121
District Paraprofessionals	234	271

Source: NYS school report cards

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## Program Impact

### Average Class Size: Albany CSD

Grade	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05
Kindergarten	20	19	18	17	18	19	17
Common Branch	21	21	20	19	19	19	19
English	8	21	22	22	19	20	19
Mathematics	8	21	22	23	17	16	20
Science	8	21	23	23	19	21	22
Social Studies	8	22	22	23	19	19	20
English	10	22	23	23	23	21	20
Mathematics	10	21	25	22	22	23	21
Science	10	21	25	22	18	21	18
Social Studies	10	23	24	22	22	24	21
Charter School Enrollment	0	424	318	669.4	842.66	919.03	820.27

Source: NYSED School Report Cards <http://www.emsc.nysed.gov/irts/reportcard/>

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As you can see, except for the first year, the district generally had ample time to anticipate the school's opening. We see further evidence of this by looking at the district's budgeted and actual charter school payments.

This slide shows that the district has, for the most part, done a good job after the first year in estimating the remaining amount of a charter's school payments it would make. The fact that it generally over-estimates the amount of those payments is understandable, because by law they have to keep spending within the amount appropriated.

Next, let's look at the latest publicly available information from the school report card issued by the State Education Department concerning teaching staff and class size. We see here that despite a significant decrease in enrollment, the district has more teachers, more other professionals, and more paraprofessionals after the establishment of charter schools in the city than it did before a single student attended a charter school.

In the next slide, we can see the average class size in the Albany City School District is again slightly smaller, something I think generally we can all agree is a good thing.

## Financial Condition

- Bond Rating = A3 (Moody's)
- Picture at fund level is stable
- No precipitous increase in spending

	Total Long-term Debt	Unrestricted Net Assets	Total Net Assets	Change in Net Assets
02-03	36,144,466	(1,342,554)	34,762,796	n/a
03-04	33,454,454	(4,450,086)	46,505,292	933,804
04-05	34,796,627	(1,653,754)	56,319,170	9,813,878
05-06	31,916,683	2,946,787	60,451,202	4,132,032

Source: District-wide Financial Statements (02-03 was the first year of this format)

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Next, let's look at the district's bond rating and financial condition. According to its most recent financial report, Moody's have rated their bonds at A3, which means their bonds are high quality. Also, this slide shows the district's financial condition is actually improving and, at the fund level, the picture is stable. The question is: Has maintaining its program, including the impact of charter schools, caused a precipitous increase in school spending? And compared to other school districts, the answer is, "No."

The average increase in district operating expenses has been about 6-3/4 percent per year, which is less than the average statewide increase in operating expenses and it is almost identical to increases at other upstate small city school districts without charter schools, Newburg, for example. This suggests that the rate of spending by the district is within the range that could be expected and marginal cost savings associated with having less students to educate are being realized.

So, after reviewing district planning programs and fiscal issues, there is little evidence of negative impact on the Albany City School District as a result of the influx of charter schools today.

In addition to the indicators I've just outlined, we have this quote from the Albany City School District Financial Report of June 30, 2006, "The district continued to offer all programs, without reducing services, while maintaining fund balances slightly above those allowed by state law."

If we are able to keep the most heated elements of this debate in perspective, we can see that the outlook for charter schools is positive, and clearly hinges on three factors: The ability of every parent in New York to have access to high-quality choices when it comes to where to send their children to school; the replication of successful charter school programs and best practices; and keeping accountability at the forefront, continuing to promote high standards and to make the necessary decisions to close poor performing charter schools when necessary.

My conclusion here today is that the so-called charter school “experiment” is over. It has been 15 years since the first charter school opened its doors in Minnesota and eight years since the first three opened here in New York. Today charter schools are educating more than a million students in 40 states and the District of Columbia. In New York State some of the top performing public schools in Buffalo, Rochester, New York City, and even Albany are charter schools. Charter schools are an established component of public education in New York State with a built-in mechanism for true accountability. We should learn from their challenges and build on their successes. Thank you.

*Judy Doesschate:*

I want to thank you for the opportunity to be here. And I want to just say that while I’m a member of the Albany City School Board, my statements here do not represent the official position of the Board nor of the District. A lot of it is very consistent, but certainly my comments are going to be beyond anything that the Board or the District has ever approved. So, I want you to hold me accountable, not the District or the Board for my comments and my statements here today.

I have done a lot of research on this issue well before coming on the Board. I’ve been very supportive of the school district and its improvements over the years, so this has been a concern of mine for many years, as I’ve seen it occur.

My concern is not with charter schools per se. We in the United States are not doing an adequate job of educating every child and my commitment is to educating every child. We’re not doing it; we need to experiment. Experimentation is acceptable to me and if people decide that charter schools are part of that experiment, that’s fine. But there are certain principles that you need to follow when engaged in an experiment. My concern is the implementation and the impact on the City of Albany.

My sons got a great education in the city of Albany, and I know some kids don’t. We do get a lot of bashing and I do want to provide some information about the Albany City School District that I think is important when we talk about how this statute has been implemented.

Albany has never been labeled a district in need of improvement. All of its elementary schools are in good standing. We have received many state and national awards. One of our

magnet schools won the Pathfinder and the National Blue Ribbon School of Excellence. That is one of our magnet schools that I'm very proud of in our district.

There are over 50 districts in the state of New York that have been labeled in need of improvement, and only six, maybe seven at this point, have any charter schools at all. Albany is not one of those, but it has nine charter schools.

When we talk about the money aspect of it, this is one of the reasons why this is a significant issue for Albany taxpayers. State aid only accounts for 33 percent of this year's current budget, even with the increases planned in Spitzer's budget next year. We're looking at maybe 37 percent of our budget being covered by state aid. So any additional costs are definitely being borne by our local tax payers. And people, when I was running, this was their number one issue; they want a say.

I want to talk about district goals. We're not interested in the status quo; I didn't join the Board to maintain the status quo. Our goals are very aggressive. There is not anyone on our district staff or on our Board who is content with where we are. We've established eliminating the achievement gap, a 100 percent graduation rate in recognition of our desire and our absolute mandate to educate every child. And we are interested in making every district school as good as any school in any other community. Our urban children deserve that.

We have, in the last two-and-a-half years, completely renovated or rebuilt nine elementary schools, including the middle schools. We have four remaining elementary schools and a middle school that will all be completely renovated by 2010. We also need to talk about programs in the City of Albany.



**More Improvements**

- Pre-K (65% of 4 year olds)
- Full-day Kindergarten
- Smaller class sizes
- Imbedded professional development
- Improved literacy program/Reading Recovery
- IBO Program
- Dual language program
- 3 Magnet Schools: Montessori; technology and science; arts and humanities

We have a pre-K program. We have a full-day kindergarten program that was implemented many years ago. Yes, as a Board policy before charter schools came into effect, we were looking at and moving towards smaller class sizes. We are moving toward imbedded professional development in recognition of the fact that no mat-

ter how small class size is, you need to have quality teachers in front of the classroom who understand how to reach our kids.

An improved literacy program and the Reading Recovery program is something we're specifically looking at improving. We have an International Baccalaureate Organization (IBO) program at the high school. We have a dual language program in one of our schools that is unparalleled in the region where, starting from kindergarten, one day the classes are taught in Spanish and one day they are taught in English. It's a very popular program in our city. And then of course we have three magnet schools, including a Montessori school, which is unique to the City of Albany.

Facts about charter schools in Albany: I mentioned that 9 percent of all charter schools have been approved to operate in Albany; we are at approximately 12 percent of our enrollment currently. When Mr. Lake talks about the impact it has had on our district, no, it's not anywhere near as substantial as it is going to be after all the charter schools that have been approved are fully phased in if they are successful and fully enrolled. They can enroll up to 35 percent of our district enrollment, 41 percent of our K-8 enrollments. We are talking about our taxpayers losing all say over what is happening fiscally and with regard to our educational planning.

The nine approved charter schools in Albany increase our school district from the current 18 public schools to 27, a 50 percent increase without any local taxpayer say. Again, this is about the way the statute has been implemented and its impact on the city of Albany.

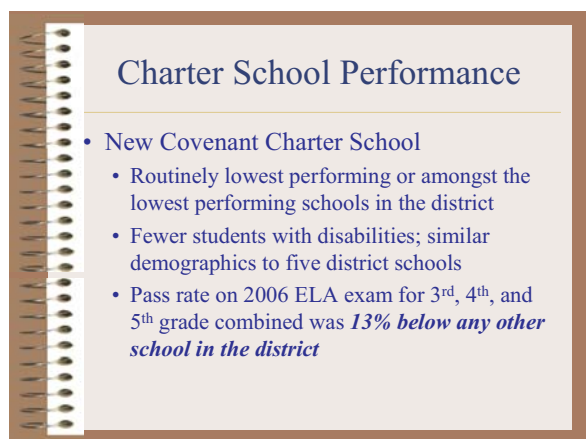
One of the problems that we have with the charter schools, in addition to the cost, is their unreliability. The enrollments have varied from 45 percent to 95 percent of their approved capacity. In December, we were notified by the SUNY Board of Trustees that they had approved New Covenant's requested reduction in its approved charter enrollment to 700 students from 935 for this year. In addition, schools have postponed their openings and we also had one of our middle school charter schools reduce their approved enrollment by 50 percent this past summer for this particular year.

So, we do have a lot of unpredictability, and how do you plan on a long-range basis? If you look at when Bill put up his chart about when the charter was issued, originally this year they were supposed to enroll 1,970 students. But this year they're currently at slightly under 1,250 students in our district. Again, we have a district of 10,000 students. The math is easy.

We've got 12.5 percent of our students currently and we're looking at moving to potentially 35 percent. That 700 difference in students amounts to 7 percent of our district enrollment.

Two years ago we should have been expecting those students potentially to be enrolled in charter schools. Now they are in our schools. And we're glad that they are in our schools, but it's that kind of fluctuation that creates real problems with financial planning, as well as for facilities, hiring, etc. Those 700 students we have moved to smaller schools, so that's really equivalent to the enrollment of two elementary schools that we're talking about.

Now on to charter school inequities. On average, Albany charter schools average 6 percent of students with disabilities versus about 17 percent for district schools. It ranges from 15 to 18 percent generally in our district schools. Over 600 students have returned to Albany district schools from charters over the years. I just got updated figures. Since about November 1st to March 1st, we've had a reduction of about 45 students coming back to our district schools. So, there's this constant fluctuation in students coming back into our schools, and it's disruptive to those students. It's also disruptive to our classrooms. Students are repeating grades in charter schools and the district is paying double in some cases, and that point can't be missed.



**Charter School Performance**

- **New Covenant Charter School**
  - Routinely lowest performing or amongst the lowest performing schools in the district
  - Fewer students with disabilities; similar demographics to five district schools
  - Pass rate on 2006 ELA exam for 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> grade combined was **13% below any other school in the district**

Regarding charter school performance, the New Covenant Charter School is routinely one of the lowest performing schools in our district, although it has fewer students with disabilities. They have similar demographics with regard to students on the free and reduced lunch program as at least five of our district schools, yet they consistently score in the bottom one, two, or three, with a one-year exception where

they were a little bit higher than that.

On last year's ELA exam for the third, fourth, and fifth grades combined, their pass rate was 13 percent below any other school in our district, not below the district average, below *any* other school in our district. And if you are looking at where I got these figures from, I spent a lot of time on the SED web site with their report cards.

Charter School Performance

- Brighter Choice School for Girls
  - only 2006 results available
  - 16 girls took the 4<sup>th</sup> grade ELA exam— 56% passed
  - But prior year 26 girls were in 3<sup>rd</sup> grade
  - **40% of students held back or left**

Everybody assumes Brighter Choice looks great. They had a great campaign going on, but as I went online, I noticed that on the most recent ELA exam, 16 girls took the test. I know that they are pretty much fully enrolled, plus there are 25 students in each classroom. Why only 16 students and 56 percent passed? I did take a look at the prior year. There were 26 girls in the third grade the prior year. We had 10 students

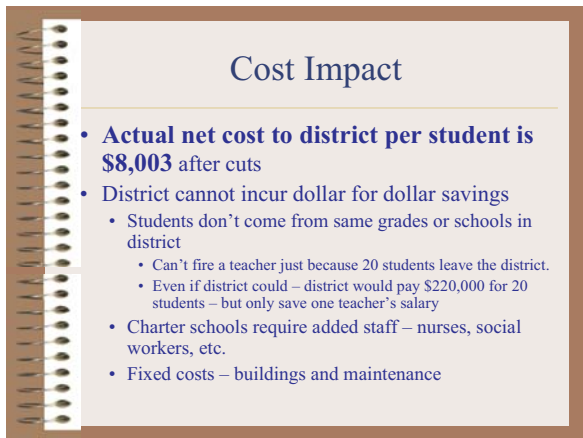
leave that school or be held back, which amounts to 40 percent of the students. When you are looking at the test results in those schools, you need to be looking at some of the data behind it. What are the demographics of the students? For students with disabilities, what is happening to the students?

Charter school costs: We have over \$15 million in the budget this year, \$21 million expected for next year. In 2010-2011, when all charters are fully phased in, the cost could be \$62 million. The potential impact is four times as much, in terms of the overall cost to our taxpayers, and again, in terms of state aid only picking up a third of that.

Now on to the problems caused by charters. There are potential fluctuations in enrollments in excess of 10 percent of district student population. We do not know, and we have been expecting for many years, that New Covenant would be closed because of its poor performance. We are ready to take those students back any time, but it is a moving target. How many charter schools will be open in five years? I don't know. I don't think it's going to be nine. How many it's going to be, I don't know.

What happens now is the district is forced to gamble. We don't know, so we need to gamble, and we're gambling with the future of our children and their education, in terms of what we are planning for.

The same thing for annual planning issues; we don't know how many students, this year in particular. We expected that there would be 350 fewer students in our schools and the most recent updated figures that we were talking about last night, there were only 200 fewer students in our schools this year. How many teachers do you hire?



Now to the actual net cost to the district per student: Well, we're paying over \$10,000 per student. We can incur some cost savings. We cannot do a dollar-for-dollar cost savings, that's clear. Students do not go to charter schools from one school. They come from all across the city and we do have students from every school in our district who have chosen to go to a charter school. And there are some schools

that are more impacted than others. Some grades within a school are more impacted than others.

In predicting that, I was asking our superintendent of elementary education, "What is the class size going to be in some of our highest needs schools next year?" And basically I was asking him an impossible question, because we don't know where those students are coming from. I provided some figures with regard to that — even if you lose 20 students in one classroom, you can save one teacher's salary, but you wind up paying next year \$220,000.

There also are added costs. We pay a fixed cost per student, and then we also have to add costs for nurses we provide at charter schools. We also have transportation costs. Sometimes we're provided with special education services; sometimes we're paying the charter school to provide education services at their choice and their convenience. And then, of course, there are the fixed building costs that we can't recoup.

There is a substantial impact in Albany: Last year we increased taxes by 7 percent. That is \$500 under a contingency budget and it was a 7 percent tax increase. We increased class sizes last year. We've eliminated over 100 teaching, administrative, and support positions, and there is a constant disruption from enrollment changes.

I want to talk about what I understood from reading the legislation, what the original intent of the charter school legislation was. Experimentation to improve academic achievement, competition, parental choice, and accountability were the things that were talked about.

What was not talked about, and I don't think the legislators would have voted to approve that particular statute if they had talked about it: undermining financial stability of the school district; reducing resources for students in district schools; increasing local taxes; usurping a community's authority to control planning and education finance; and facilitating the hostile takeover of a school district.

How does the Albany charter school experiment measure up? Well, actually, I work for the Health Department now. I deal with issues of human experimentation. These are the principles we're required to follow when you're involving human beings in an experiment.

You are supposed to leave no one worse off than they would have been, but for the experiment. The potential benefits must outweigh the risks. It must be limited until proven beneficial. There's not supposed to be a presumption of benefits. Informed consent is essential. Special precautions are taken when involving children. Then the experiments should be structured in a way to produce reliable results.

So, how do we measure up? In my community, everybody is worse off. Students in district schools have fewer resources. Students in some charter schools are dealing with poor results. Taxpayers have higher taxes with no control and the community has reduced ability to plan for its future. I don't think the potential benefits outweigh the risks when you get to the point of saturation that you are dealing with in the City of Albany. If there was some level of predictability with regard to enrollment, some ability to plan, rather than this haphazard way, and if there was real accountability in some of the schools that are poorly performing, then maybe the benefits would outweigh the risks.

How does it measure up? Where is the informed consent for the parents, the taxpayers, and the residents? In the city of Albany, 82 percent of the taxpayers and residents two years ago voted not to spend local money on charter schools. And that was passed with a majority in every single ward in our entire city.

When I was running, it was the number one issue people wanted to talk to me about. They want to support their local schools and they have with the passages of these bond issues to improve their schools, and the passage of budgets.

And the parents? You have to wonder to some extent what kind of information they are receiving. Do the parents at New Covenant Charter School know what the results are at that

particular school? Where is the state study to evaluate this experiment? Is it well-designed? I haven't seen evidence of that.

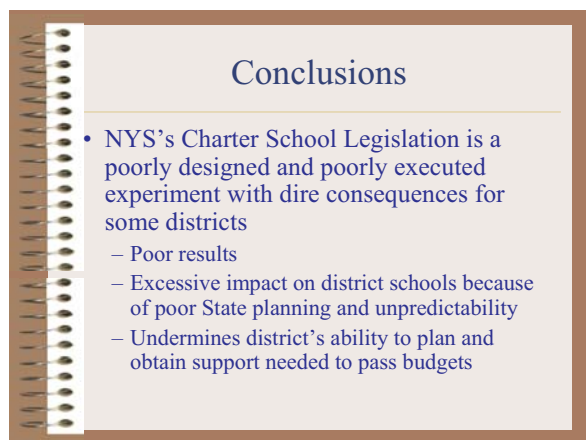
Competition requires fundamental fairness, a level playing field, and requires people to accept full responsibility for all of its students. The district accepts responsibility for every single student. We need to improve our performance, but when a charter school is not happy for some reason, there's many times when they are encouraging children to leave the charter schools.

With regard to parental choice, it's important that there be an informed choice and I'll get to what I think needs to be done there.

Who is accountable to whom and for what? Charter school operators and board members are protected from liability for all acts and omissions, and no one is liable for the debts or fiscal obligations of a charter school. If a charter school is built, as one is currently planned for, on park land, and if it winds up not being successful, there sits an abandoned building. I don't know who is carrying the debt on it, but it's not the school district, luckily. But there's really no accountability in that regard.

Who is accountable to the local taxpayers? Charter school operators are not accountable at all to the local taxpayers; they have no control over that whatsoever.

When the experiment fails, who winds up bearing the responsibilities? It's not SUNY, it's not the State Education Department, it's not the governor or the Legislature, it's not the charter school operators or the proponents — it is the local school board. Ultimately, we are responsible for educating every single student in our district. And there's the frustration:

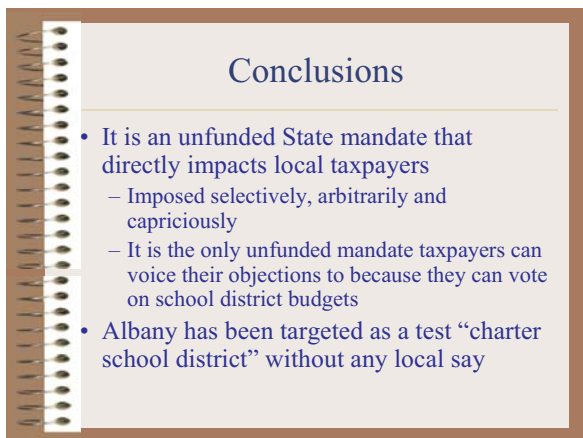


**Conclusions**

- NYS's Charter School Legislation is a poorly designed and poorly executed experiment with dire consequences for some districts
  - Poor results
  - Excessive impact on district schools because of poor State planning and unpredictability
  - Undermines district's ability to plan and obtain support needed to pass budgets

We are responsible without having a say in this incredible situation that we find ourselves in.

Conclusions: The New York Charter School Legislation is a poorly designed and poorly executed experiment with dire consequences for some districts: poor results, excessive impact on some district schools;



and it undermines the district's ability to plan and obtain the support needed to pass budgets.

It is an unfunded state mandate that directly impacts local taxpayers. And worse than being an unfunded state mandate, it is being imposed selectively, arbitrarily, and capriciously. It is the only unfunded mandate, too, that taxpayers here and in host

school districts can voice their objections to because school budgets are the only budgets that people have the ability to vote on.

Albany clearly has been targeted as a test charter school district without any local say.

Where do we go from here? I think we need to go back and rather than having a piece of eleventh-hour legislation designed by charter school proponents, rewrite the legislation and provide the necessary balance that meets the original legislative intent, and provides the necessary and appropriate protections for this state experiment.

Reasonable limitations on the experiment must include limiting enrollment approved in any one district, unless expressly approved by the local school board or taxpayers, and stop the impending impact of additional charters in overly impacted districts. I work in the Department of Health; we're closing hospitals because the public dollar cannot support excess capacity. We have two charter schools that have yet to open in the city of Albany. Both of them have postponed their openings. And I suggest that it would be appropriate to prevent them from opening until this experiment gets under control and somebody really has determined that the benefits outweigh the risks.

Changes must include fixing and preventing adverse consequences to students in district schools and to local taxpayers and fully compensate districts that have been adversely impacted. There is no district saying that the impact to the local taxpayers is anything less than two-thirds of what's being paid to the charter schools. Buffalo has used that as a figure, but they are a much larger district, so they can absorb some of the additional costs, and they are also going to be maxed out at about 16 percent of total district enrollment.

Transition aid is not sufficient because the impact is ongoing and substantial.

If this experiment is a good idea, then the state should pick up the tab. Why should the local taxpayers, who had no say in this experiment, pick up the tab for the excess costs?

Changes must include informed parental choice and full disclosure. I suggest that the State Education Department have a standard template with information regarding the number of students who have left the charter school, the number who have stayed back, comparisons of information regarding pass rates, and overall performance. The form should be mandated to be provided to parents before students are enrolled in charter schools, so parents are fully informed. There should be standards for promotional materials.

Changes also must include increased accountability of charter schools for all students enrolled. I suggest financial disincentives for charter schools that have students returning to district schools. If you are not successful in educating those students, or you don't want to retain them, then have a financial disincentive for that.

*Tom Gais:*

This is actually reminding me less of the Yankees and Mets and more of the old Dodgers and Giants. I would like to give Bill an opportunity to respond if he would like to, and then I will open up the discussion to questions from the audience. But before I do that, I have a question for both of our speakers.

Bill, I was wondering if you could say whether there's anything about the implementation of charter schools that you think that SUNY really needs to work on, something that may be a problem from your point of view? And, Judy, I was wondering if you could say whether charter schools in Albany have made any positive contribution? Are they meeting any needs that you think that district schools were not meeting previously? So, is there any common ground or agreement here?

*William Lake:*

Well, I was looking closely for some common ground. I did think we could agree on some kind of a report card mechanism. Transparency is great and we would support that. I guess, we wouldn't want the charter schools to be required to report things that the school district

didn't, but I certainly think there's common ground there to get more information available for parents.

Over the years, I think SUNY would say, "We've learned quite a bit about the process." And there are some things that we've changed our process on. In the early years, there were quite a number of larger schools opening and we found that unwieldy. You'll see that at several of the schools we closed, it could be pointed out that, in part, they opened too big and then couldn't handle it.

Another thing is opening too quickly. When you get a charter in March and you want to open up the school in September, there are all sorts of staffing, facility, and planning issues. We really have encouraged schools to take a planning year and I think that works out better, certainly, for the charter schools, and it also gives additional time to the district.

*Judy Doesschate:*

Well, I've had conversations with many parents who have had or have their children in charter schools. I do tend to hear a little bit more, and maybe that's because of who I am, from people who have had their children in charter schools and have been very happy with some of that.

I think a couple of things that charter schools provide are very appealing and that I'm actually an advocate for. A longer day, specifically, especially at the middle school level, where I think a lot of children resist going to any kind of fixed setting after school, yet are not old enough to really be fully responsible for themselves. I think that's when a lot of students get into trouble.

It's also clear from the results across the state with regard to standardized test exams that virtually every district is having problems having middle school students reach state standards. So, I think increasing time on tasks in that area would be excellent.

Certainly, there has been an aspect of us having to compete with charter schools that I think is beneficial. I think that in some cases, people are recognizing what we have to offer and we are more determined than ever to educate every single child.

School uniforms is another issue that we took a look at. We also looked around the state at what people are doing on school uniform issues. I understand that they have a lot of appeal, and I understand the reasons why they do. In the public school setting, in the district school setting, we have limited ability to enforce that. There are free speech rights and some school districts basically have done something like that with regard to uniforms, but there has been declining compliance with that over time, and has been a continued problem. To some extent, that provides a certain level of commonality and I think an air of discipline in the classroom.

*Joel Margolis:*

I'm a private citizen. This is addressed to the second speaker. You were making the point about accountability and responsibility. You put up these two goals that the board is in general agreement with, such as 100-percent graduation rate and continued elimination of the achievement gap. So, I want to know what's going to happen if you don't reach them. Are you going to fire any principals, demote any teachers, reduce their salaries, or what? Or is it just some goals that, you know, you're putting up there and everybody will be impressed?

*Judy Doesschate:*

The goal is not to impress anybody; the goal is to constantly remind ourselves that we have an obligation to educate every single child. We cannot lose track of that. We have special issues as an urban school district that we need to address. I think this country has a moral imperative to figure out how to educate every single child. We can solve a lot of our ills in our county and make us more competitive if we are committed to doing that. Will we fall short? Absolutely, we will fall short. How short we will fall? I'm not ready to say how far short we will fall of that. When we're looking at things, we are looking specifically at issues that are aimed at closing the achievement gap and increasing the graduation rate. And actually, in the last three or four years, our graduation rate at our high schools has increased by about 20 percent.

We have brought in the National Urban Alliance to do professional development for our teachers regarding reaching our children, especially children of color. And there is something about making materials as you teach them relevant to the children that you are teaching, just as when I'm talking to each one of you, you are relating it to something in

your life for the most part. When you are having difficulty understanding a new concept, you're relating it to something that you know, and using those kinds of examples can be incredible in how quickly a child is going to adapt and learn.

I would like our whole community to be on board with that and one of the reasons why I support those goals is because I do think we have a lot of people in the city who are willing to volunteer, and we do have a lot of people currently volunteering in our schools to help individual students. Given an elementary school that has 95 percent of the children on the free and reduced lunch program, we had almost a 70 percent pass rate on the ELA exam two years ago. Part of that is because there's a two-together program where there are adult volunteers reading to children.

So, there are examples across the country of where schools have beaten the odds. We need to figure what they are doing and we have an obligation to develop that and implement some of those things in our schools, and actually be successful.

*William Lake:*

Judy mentioned an eleventh hour passing of the Charter School Act. The fact is the Charter Schools Act was discussed in the state for a year and a half. The Senate had passed the Bill a month before it was finally passed. So, there was plenty of discussion about the Charter Schools Act, it wasn't just an eleventh hour issue.

The notion that student mobility in an urban school district is only caused by charter schools, I think isn't really fair. There's a lot of mobility of students in urban school district, in all school districts, and it is hard to plan for, and I grant the district that issue.

The proposal for the district to approve any charter schools in the district, I think the example I would give you is: Would McDonald's want Burger King to say whether they could open up next door? There's a bit of a conflict inherent in that relationship.

In terms of New Covenant, I noted that Judy didn't mention the sixth graders, the kids who have been in the school the longest, scored about what the district average was, 42 percent. The district average was, I think, 43 percent in ELA for sixth grade. I think if you ask the Board members at New Covenant, that number is unacceptable to them and they will tell you that. And I'll say, "Well, what are you doing about it?" What they have done

is they got rid of their management company; they brought a new management company on. They understand they have two years to turn their school around or else they will be closed.

And just one last point, and I think that it is another area we may have some common ground on the issue of excess capacity. I know that facilities have been a big issue for charter schools opening everywhere. If the district has excess capacity than the charter schools opening, I think there's an opportunity there for the district to lease space to new charter schools. That way the building will be used for the public purpose intended, the district will have revenues from leasing the space, and the charter schools won't be building a building that would eventually be abandoned, which is a legitimate concern. I won't touch on the rest right now.

On the whole issue of there's no local taxpayer say, those parents who are sending their kids to a charter schools in Albany are taxpayers. They have a 100 percent say of where those funds go. It's disingenuous to say that there's no local say over what happens to these funds. If no kids went to charter schools in Albany, the district wouldn't have to pay anything for charter schools.

*Judy Doesschate:*

I think Bill missed my point on excess capacity. The excess capacity is in the charter schools. Seven hundred fewer students are enrolled in charter schools this year from Albany than they were originally approved to enroll. There are 700 other school districts in the state of New York, so if this about improving academic performance and you agree that you're creating planning problems in the city of Albany with regard to the number that have been approved, then why not stop approving charter schools in Albany, and then go ahead and approve them in Troy, Schenectady, Newburg, and Hudson schools, which are districts that have been labeled districts in need of improvement.

The other thing is, yes, the sixth graders are now down to 30, I believe was the number that took the exam this year. New Covenant starts with over 100 students generally by kindergarten and first grade, and each year they wind up losing students. So, eventually for that grade in particular they are down to essentially 30 percent of the number of students that they might have started with — and if those are all students they started with originally. I would love to know how you would think that we would even consider turning over facili-

ties to charter schools when the poorest performing public school in our district is New Covenant. Why not turn that charter school over to some of the charter schools that are looking to build new buildings?

*Michael Benjamin:*

I'm Assemblyman Michael Benjamin from the Bronx. My assembly district has opened five charter schools, including the Carl C. Icahn Charter School. I'm extremely sympathetic to the situation in the Albany City School District. If New York City had the same rate of enrollment that you've had, 400 of our schools would be charter schools and it would kind of unwieldy. I didn't know the effect it's having in your school district. It's easier in New York City because with 1,100 schools, almost a million school children, it's a little bit different. I think some of your points were very well taken. You're right, I was in the Assembly when the Bill was passed; this is now my fifth year. It was not a good process. It was not open, there was not a lot of discussion that I understood, and it was an exchange for the Assembly's pay raise. So, there wasn't a lot of attention, I think, being paid to how it was done. And they should all apologize for that.

But for me, in my district, the charters have been successful. The students they enroll are the same students from the surrounding public housing projects who had not been doing very well, either in elementary or middle school. So, I can see the impact has been positive, and none of these students come from outside the district.

I think your point is correct. First, the goal should be in those school districts where there is a need for children who are underperforming. I don't understand the thinking of the SED or the Regents when it came to the eight charter schools for the Albany area, as to why they thought eight would be good for this particular community. Based on what you're saying and what I believe I know about charter schools, it actually doesn't make any real sense. I don't know how to remedy it for you, but I'll talk to Jack McEneny and others in the Legislature to see what we can do. But in other communities like Albany's school district, it doesn't have the same impact. I don't want to see the positive impact and aspect of the charter schools forced off the table, because of what I think now has been a poor implementation of the law in this particular community.

*Judy Doesschate:*

Like I said, I do agree with some experimentation. One of the reasons why Carl Ichan Charter School is so successful is because he's been pumping extra money into it.

*William Lake:*

Excuse me, I have to stop you there. Carl Ichan spends less money than any charter school in New York State. They have provided them with a building, Carl Ichan did do that, but spending per student is less per child at Carl Ichan than anyone else in the city.

*Michael Benjamin:*

The principal at Carl Ichan is a former public school principal. He taught in the same school district, and he's very well known by the parents, and I've know him for a number of years, and he's very successful at the school. The other charter school, Bronx Prep, built their own building with the desire to expand to 12th grade, so they've made adjustments.

The other charter schools are either housed in a public school building that has excess capacity, which is the proper way to do things; others use space, like a former parochial school where they have empty space, so they use that. They incubate and then move to another facility. I think you're right, if New Covenant does have excess capacity, it would seem to make sense that any new charter school ought to be able to share space with them until that capacity either grows or they have need themselves, when they become more successful and need more space for themselves and then move to their own facility or space.

*Judy Doesschate:*

The other thing I wanted to mention is New York City has less than one percent of its students currently in charter schools. I would be very happy if we had one percent of our students in charter schools. I would be happy if we had 5 percent of our children in charter schools. And that's a real difference. And it's actually the number that one of our former board members worked out. New York City would need 800 charter schools in order to essentially equate to what we're dealing with right now.

Last summer Albany Prep had its charter reduced in half of its approved enrollment. If, in two years from now, they decide to increase their enrollment on some notice to the district, that would essentially be the equivalent of every single charter school in New York City deciding to close down, “No, we decided we don’t want to operate the next two years, and we’ll open up when we feel like it.”

Even for New York City, I think that would create some problems with planning, even with just one percent. So, the impact is very different. And actually when I was going around and lobbying with the big five, their lobbyists and I agreed that the two remaining charter schools that have not yet opened in Albany really should be awarded to New York City.

I noticed a couple of years ago in *The New York Times* there was a big article about one of the districts in New York City that was very concerned about being the guinea pig for the charter school experiment. And I believe it was northern Manhattan or lower Bronx district in which parents were expressing concerns, saying, “We don’t want to be this kind of guinea pig.” At that particular point in time what they were quoted in the newspaper as saying is eight percent of their enrollment was currently in charter schools, and they felt as though that was overwhelming. At that particular point in time, we were already at 10 percent in our schools, and we’re looking at 35 percent.

*William Lake:*

The approval of charter school applications is really a function of where the applications come from. Judy mentioned Hudson. SUNY has received two applications from groups in Hudson to open charter schools and they just didn’t reach the high standards that we have to approve a charter school, so they didn’t get approved. All the applications in Albany were approved on the merit. They all had to document demand. I would suggest that if the state capital was Kingston, there might be more charter schools in Kingston than Albany. Just a hunch.

*Margarita Mayo:*

I’m from the Coalition for Education Reform and Accountability. My question is: What would you like to see happen legislatively? Aside from being part of school legislation that would help the Albany City School District? What would you like to see the Legislature do

in response to the charter school changes? What would give you more flexibility or something that would help?

*Judy Doesschate:*

I think the main thing is that I would like to see additional funding, so we can provide extended programming, especially at the middle school level.

Another issue that we deal with here in Albany that is unique is we get less building aid than most of the surrounding school districts. When it comes to smaller cities, we are in the lowest 20 percent in terms of the percentage of building aid that we get. And then there is also the issue in the city of Albany of PILOTS (Payments in Lieu of Taxes) for all the state-owned tax exempt land that exists in the city of Albany. If it wasn't being used for those purposes, and granted that helps our property values here, it may be used by businesses that would then be contributing more to our taxes.

The city of Albany is now getting over \$15 million a year in recognition of that. What I suggested to our representatives is that we should get a similar amount of money for our district, because our taxpayers are paying a higher rate than almost any other district in the area, except for when you get down into the Long Island area or Westchester County. We are absolutely determined to educate our children.

*Gloria Savino:*

I work for Albany City Schools. I have many roles. You say that charter schools have not impacted our district or our programming, I am director of Magnet School Programs and I supervise art, music, and foreign language for the district. Our programs have not suffered because my teachers are giving more time and energy than probably any other teacher in the state to these departments. This past Saturday we worked for 12 hours doing a music festival in-house, then my teachers came back on Sunday and helped me clean up and do all the paperwork. So please don't look at me and say that nothing has been changed in Albany with programming, because I know my family doesn't know who I am any more.

One of the jobs that I had over the past few years was to look at the proposals that came from the different charters and to read them with other instructional supervisors and provide feedback to the people submitting the charter to make their charter better.

You know, we received one draft proposal where science was not listed as being taught in an elementary school? We found some of these to be so poorly written that we were shocked that they were ever approved. We constantly get, as my magnet school has now, parents coming back and wanting in to magnet schools from charters. I always ask, “Why?”

The promises were not fulfilled. They are not getting the one-on-one instruction they are supposed to. There was a misleading ad on the radio that said, “Your child will get a laptop computer.” The mother came in quite irate because she didn’t get a laptop, and that’s why she was back in Albany.

Your slide saying that all students can apply and are accepted. You’re absolutely right, we can. But we also have parents come back and say, “Our students, our children were kicked out of the charters, we’re back.” Now, we can’t kick kids out. We know about the public education; we have to educate every child. If behavior problems are that severe, they are kicked out and they come back. We know this.

Also, we have several teachers who left charters that we hired, and they are excellent teachers. Perhaps people need to ask them why they left the charters. Thank you.

*William Lake:*

In terms of kicking kids out, it is illegal to do. And, you know, if information on specifics about it were brought to attention, we’d certainly follow up because charter schools can’t just kick kids out. They are not supposed to do that.

*Gloria Savino:*

They “highly recommend” they return to the public school setting. The parents’ interpretation is their child has been kicked out of charter. The kids will tell you, “I got kicked out of charter.”

*William Lake:*

And in terms of, you know, parents making choices for their kids, I’m not here to criticize parents making what they think is a better choice, then sending their kid back to the school district.

And in terms of application quality, I would note that we have external reviewers, not just in-house staff who review these, and who would differ with you on the quality.

*Tom Gais:*

Thank you very much, both of you.