



**STATEMENT OF MASSACHUSETTS BUSINESS ALLIANCE FOR EDUCATION
BEFORE SENATE CHAIR SONIA CHANG-DIAZ, HOUSE CHAIR ALICE PEISCH,
AND MEMBERS OF THE JOINT COMMITTEE ON EDUCATION, May 7, 2013**

In support of provisions of S. 235, H. 425, H. 529 and other bills pertaining to lifting the cap on charter public schools and extending authorities and flexibility to leaders of Level 3 and Level 4 turnaround schools

MBAE is committed to a high quality public education system that will prepare all students to engage successfully in a global economy and society. Although Massachusetts has led the nation on many measures of student performance, our Education Reform Act is now twenty years old, and our socio-economic and racial achievement gaps remain as wide as ever. In addition, we have a growing skills gap with too many students leaving school without the competencies to succeed in postsecondary education or to qualify for jobs employers struggle to fill.

MBAE therefore supports the important initiatives proposed by several of the bills before you today to increase educational opportunities for all children, and particularly for those without access to high performing schools. Raising the cap on charter schools and extending management flexibility to leaders of all schools in the lowest 20% across the Commonwealth will not only address this inequity but also will strengthen our communities.

Charter Cap - We support provisions expanding access to charter schools and encourage this Committee to eliminate the cap for public charter schools in at least the lowest 10% of districts. These schools should not be counted against the existing statewide school cap. To meet the urgent need for seats in districts that are at or near their cap, final legislation should provide for expedited review of proven provider applications for expansion and also allow unlimited Horace Mann Charter Schools to be established in these districts.

In addition, access to municipal facilities for charter schools should be provided by requiring cities and towns with excess public building capacity to make space and facilities available to charter schools with lease terms that do not exceed the charter school's facilities stipend from the state. Per pupil allocations for charter school facilities should likewise reflect the statewide district average for debt service and facility maintenance.

We also support changes in the enrollment lottery process by allowing preferences for neighborhood schools to be established voluntarily or in exchange for municipal facility leases. Furthermore, operators of multiple charter schools within the same municipality should be given the authority to establish a common enrollment lottery.

Turnaround Authorities: The management flexibility the Achievement Gap Act of 2010 gave principals of Level 4 Schools has been instrumental in the gains that have

been realized over the past two years. Based on this positive experience, MBAE believes that these authorities – to hire staff based on performance rather than seniority; to expeditiously dismiss or replace poor performing teachers or administrators; to extend the school day; and to utilize an expedited process for amending collective bargaining agreements to accelerate improvements – should be extended to all schools at Level 3 or below until these reach Level 2. As of last December, there were 288 schools in Massachusetts classified as Level 3, falling in the lowest 20% statewide. Of these, only 4% were classified as Level 4 because the state does not have the capacity to provide the funds or technical assistance to more than those 34 schools. In Boston, over 50% of the 98 Boston schools categorized by the state fell in Level 3 or below. Ideally, these authorities that have proven so critical should be permanently available to all schools. At the very least, however, the Legislature should extend this flexibility to the schools struggling most, and any expiration of these authorities should be related to performance benchmarks, rather than an arbitrary timeline.

We do not believe that access to these tools should require authorization by the Commissioner of the Department of Elementary and Secondary Education, although we would support giving the Commissioner the right to extend these authorities to any school struggling to improve (including Level 2) where these management rights would promote better performance.

Massachusetts cannot be complacent and assume our standing in the nation is secure. MBAE urges this Committee to take the actions necessary to maintain our position of leadership by combining the best provisions of the bills before you into legislation that both chambers can pass this year. We know that you share MBAE's priority of access to a high quality education for every child. We therefore urge you to support raising the Charter Cap while accelerating the turnaround of the Commonwealth's lowest performing district schools as steps to reach this goal.

For more information, please contact:
Linda M. Noonan, Executive Director
Massachusetts Business Alliance for Education
617-737-3122
lnoonan@mbae.org