

NSEA SEEKING AMENDMENT ON AB78

Date: February 28, 2019
To: Assembly Committee on Education
Re: AB78 – Seeking Amendment

The Nevada State Education Association represents teachers and education support professionals across the state. We believe that every Nevada student deserves a high-quality public education.

NSEA has serious policy concerns regarding the State Public Charter School Authority and asks for AB78 to be strengthened to ensure appropriate controls and accountability of charter schools.

NSEA has attached our February 26th memo to the Senate Education Committee outlining policy concerns with the lack of accountability and proliferation of charter schools over the past 22 years. We want to emphasize that the expansion of out of control charter schools has undermined local public schools and communities, without producing any overall increase in student learning and growth. Our public schools serve every student, including those with special needs and students from diverse populations, who are not served by charter schools.

We have learned the controls governing Nevada's state public charter schools have not been followed with fidelity. We appreciate AB78 is an attempt to reign in Nevada's charter schools and are supportive of many provisions including annual reporting requirements; inclusion of policies for English learners; clarifying the process when charters are unable to serve students with disabilities; requiring charters to comply with public record laws; and authorizing sponsors to deny new charter applications, especially when the applicant is a charter management organization that has had a charter contract which has been terminated in this or another state.

However, we believe that AB78 is a half-measure, and that these additional controls are not nearly enough to hold the State Public Charter School Authority or district-sponsored charter schools accountable. That is why NSEA is asking for AB78 to be amended to **join 21 other states in capping charter school expansion**. The National Conference of State Legislatures issued a policy brief on caps on charter schools in 2011. While the report is dated, it contains guidance for state legislatures considering implementing caps on charter school expansion. The brief states—

“The decisions states make about caps (whether to cap and at what number) is one of the most fundamental questions in state charter school policy. It reflects the general approach each state has to charter schools—whether to limit them or allow for expansion... Proponents contend that caps do control the overall quality of charter schools. Caps encourage authorizers to be more rigorous in closure and approval decisions, since caps allow only a limited number of schools. Caps can manage both charter school growth and expenditures on charter schools.”

There is a menu of approaches that can be taken when instituting caps on charter school expansion. NSEA prefers a strong cap limiting the total number of charter schools as well as a cap on the total number of students enrolled in said schools. We look forward to participating in a robust charter school policy discussion.