



**Testimony of**

**Maurice “Reese” Flurie, III, Ed.D.  
President and CEO  
Commonwealth Charter Academy Charter School**

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House Education Committee  
Hearing on House Bill 1897**

Good morning, Chairman Sonney, Chairman Roebuck and members of the House Education Committee.

Thank you for inviting me to testify at today’s hearing on House Bill 1897.

My name is Dr. Maurice “Reese” Flurie, III, and I am the president and chief executive officer of Commonwealth Charter Academy Charter School (CCA).

During my 35-year career in public education – 25 of which have been in traditional public schools and the last 10 at CCA – I have served in multiple roles, including a classroom teacher, assistant principal, principal, assistant to the superintendent and assistant to the CEO.

I’d like to begin by stating that CCA joins with the public cyber charter school community in opposing House Bill 1897; specifically, for the following reasons:

1. It forces families to return to the very school districts in which they fled in search of quality educational programs and services, and educators and administrators who listen to and respect them;
2. It would deny students and families the choice in deciding the public school that best serves their needs; and
3. It would eliminate public school choice for students in nearly 90 percent of the school districts across Pennsylvania, while at the same time eliminating an alternative public school choice option to students in the remaining 10 percent;

### **Opposition to House Bill 1897**

This legislation, as drafted, would have a significant negative impact on students and families by forcing them to return to the same school districts in which they fled in search of high-quality public school options.

Families flee their local school district and choose public cyber charter schools for a variety of reasons, including safety, bullying, medical issues, a broken relationship with the district, lack of communication from and with the district, and districts failing to adhere to or implement special education programs as well as the families’ input and feedback not being considered or taken seriously.

While the chairman’s September 20, 2019, co-sponsorship memorandum notes that this legislation would eliminate the “constant tension between school districts and cyber charter schools”<sup>1</sup> by having cyber charter schools “serve as third-party vendors and work with school districts to offer full-time cyber programs,”<sup>2</sup> the bill, as introduced, would have the opposite effect.

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<sup>1</sup> Representative Curtis G. Sonney, September 20, 2019, House Co-Sponsorship Memorandum: <https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=H&SPick=20190&cosponId=30385>

<sup>2</sup> *Id.*

Specifically, lines 4 to 7 on page 13 state, “A cyber charter school...in operation on the effective date of this section may continue to operate through the 2020-2021 school year.”<sup>3</sup>

Furthermore, lines 9 to 16 on page 13 state:

“A cyber charter school must cease operation and dissolve at the conclusion of the 2020-2021 school year. After the disposition of any liabilities and obligations of the cyber charter school, any remaining assets of the cyber charter school, both real and personal, shall be distributed on a proportional basis to the school district with students enrolled in the cyber charter school.”<sup>4</sup>

Comparing the chairman’s co-sponsorship memorandum to the legislation and communications sent to families, it’s difficult to determine the true intent of the bill. Although it provides for cyber charter schools to serve as a third-party vendor to school districts, in practice this would be impossible since the legislation specifically calls for all cyber charter schools to cease operations, dissolve and distribute their assets.

Under House Bill 1897, the quality and accessibility of a district’s cyber program are not on par with the services and programs public cyber charter school students and families are currently receiving.

While public cyber charter schools provide a comprehensive program to students, school districts do not come close to what a public cyber charter school offers.

For example, many school districts do not offer their cyber program to elementary and middle school students; many districts only permit students above a specific grade point average to participate; many districts don’t offer a true cyber-based program because students who participate must do so from a district-run building; and many districts’ cyber programs are not compliant with the federal Individuals with Disabilities Education Act (IDEA) for students with disabilities.

Furthermore, many districts with cyber programs don’t provide students with the necessary technology to access their education from home or another remote location.

Public cyber charter schools are required by the Charter School Law to provide the technology (computer, printer, scanner, reimbursement for internet service), curriculum materials and support regardless of where in Pennsylvania the student resides or his or her disability status.<sup>5</sup>

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<sup>3</sup> Session of 2019: House Bill 1897 Printer’s Number 2636

<sup>4</sup> *Id.*

<sup>5</sup> 24 P.S. § 17-1743-A

Unlike school districts, which are not required to make their cyber programs accessible to students with disabilities, public cyber charter schools are mandated to do so.

Regardless of the disability, a public cyber charter school must enroll special education students and provide them with the necessary accommodations to access the online program.

Nearly 25 percent of CCA’s enrollment consists of students with disabilities, including students with severe medical issues as well as students who are blind and/or deaf.

Contrary to popular belief, as a public school, CCA must enroll any school-age child as long as he or she is a Pennsylvania resident.

As a comprehensive public cyber charter school, CCA provides students and families with more than just a high-quality public education. CCA provides new families with mentors, who are veteran CCA families who assist new CCA families in adjusting to the public cyber charter school environment; learning coaches; and curricular and non-curricular support.

To complement and reinforce what is learned through coursework, live lessons and the overall educational program, CCA offers students the opportunity to participate in more than 500 field trips throughout the school year to provide them with hands-on learning experiences as well as the ability to explore various career pathways.

CCA is focused on what is in the best interest of students and works closely with them and their families to ensure they are receiving a high-quality education that is tailored to them and meets their needs.

House Bill 1897 does not require school districts to satisfy the needs or expectations of what CCA students and families have become accustomed.

### **Correcting the Record**

The attack on public cyber charter schools is fundamentally flawed and misleading.

For the record, a cyber charter school, like CCA, is defined by the Public School Code as an “independent public school...which uses technology in order to provide a significant portion of its curriculum and...instruction to its students through the Internet or other electronic means. A cyber charter school must be organized as a public, nonprofit corporation...[and] a charter may not be granted to a for-profit entity.”<sup>6</sup>

While some public cyber charter schools contract with management companies, each school is a nonprofit, public organization that is subject to the same federal and state laws and regulations as traditional public schools. In fact, as nonprofit entities, public cyber charter schools are required to file additional reports and financial statements with both federal and state authorities,

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<sup>6</sup> 24 P.S. § 17-1703-A

including the IRS 990 Form and an annual charter school report to the state Department of Education

Four years ago, CCA ended its relationship with its management company and is now an independently run public cyber charter school. CCA’s Board of Trustees chose this path because it believed it was in the best interest of CCA’s students and families.

Like public brick-and-mortar charter schools, public cyber charter schools have a unique role in Pennsylvania’s public education system by being the only public school of choice to the majority of Pennsylvania, and they must remain an option for families who desire alternatives to traditional public schools.

As a public school, CCA is bringing innovation to public education in Pennsylvania. Through the CCAWorks initiative, CCA is providing students with hands-on learning in Pennsylvania’s top career sectors: agriculture, technology and medicine.

AgWorks at CCA, located at CCA’s Capital Campus, which is just minutes from the state Capitol, at 6,100-square-feet, is the largest, state-of-the-art public educational aquaponics facility in the United States. In addition to learning about and working in a soilless growing facility, students also can gain training and knowledge in a variety of areas, such as hydroponics, aeroponics, electrical, plumbing, HVAC, supply chain management, business, STEM, and art and design.

Next school year, CCA’s TechWorks facility, which will be located on the waterfront in Pittsburgh, will open and will provide students with hands-on learning in several areas, including information technology, computer programming, drones, STEM and robotics.

Within the next few years, CCA’s MedWorks facility, which will be located in southeast Pennsylvania, will be up and running and will provide students with training in various medical-based careers, including research and development, medical laboratories, and medical technology.

It’s critically important for public education to provide today’s students with the necessary skills and knowledge for the careers and jobs of tomorrow. CCA is laser focused on this goal and is committed to preparing students for post-high school success, whether they choose to enter the workforce, pursue higher education or join the military.

Another often promoted but inaccurate claim is that public cyber charter schools are a financial burden to school districts. Based on how charter schools are funded, in reality, public cyber charter schools provide a savings to taxpayers.

In fact, as of the 2017-18 school year (most recent year that expenditure data is publicly available), spending by all public schools totaled more than \$32.7 billion<sup>7</sup>; however, public cyber charter schools only accounted for 1.5 percent of this amount but educated 2 percent<sup>8</sup> of all public school students.

Pursuant to the funding formula in the Public School Code<sup>9</sup> and elimination of state reimbursement for PSERS and Social Security, public cyber charter school students, on average, receive 25 percent to 30 percent – and in some cases 40 percent – less funding than their peers in traditional public schools. This amount retained by the district was intended to pay for fixed costs, such as financing, facilities and debt service.

There’s a popular misconception that a cyber education costs significantly less than an education at a traditional brick-and-mortar school. While there are some expenses that are similar for both public cyber charter schools and school districts, public cyber charter schools have unique expenses that do not exist for districts

For example, as a public school that serves students across Pennsylvania, CCA must cover costs related to: securing more than 60 sites to administer state testing; technical support; internet reimbursement to families; computers for students; family services; learning management system; and enrollment services.

### **Accountability**

It’s also become a popular refrain for many to highlight that public cyber charter school students don’t perform well on the state-mandated exams or that the schools are not accountable.

What naysayers fail to explain is that the majority of students who previously attended a traditional public school and then enroll in a public cyber charter schools are two, three or four or more years behind academically.

While CCA immediately puts into place programs and services to help these students, it can take a few years to undo the academic failures of a student’s previous school. Many students come to CCA for the first time so academically deficient, it raises the question of how did a district fail this child for so long.

To ensure its academic programs are rigorous and provide students with a high-quality education, CCA administers the i-Ready Diagnostic Assessment, which is a nationally recognized adaptive assessment that identifies students’ strengths and weaknesses, measures

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<sup>7</sup> Pennsylvania Department of Education: Expenditure Data 2017-18:  
<https://www.education.pa.gov/Documents/Teachers-Administrators/School%20Finances/Finances/Summary%20of%20AFR%20Data/AFR%20Data%20Summary%20Level/Finances%20AFR%20Expenditures%202017-2018.xlsx>

<sup>8</sup> Pennsylvania Department of Education, Public School Enrollments 2017-2018:  
<https://www.education.pa.gov/Documents/Data%20and%20Statistics/Enrollment/Public%20School/Enrollment%20Public%20Schools%202017-18.xlsx>

<sup>9</sup> 24 P.S. § 17-1725-A (2) and (3)

growth, and supports data-driven differentiated instruction, to determine each students’ academic performance. This assessment is administered three times during the school year: fall, winter and spring.

As noted earlier, as public schools, all cyber charter schools are subject to the same federal and state education laws and regulations. Public cyber charter schools also are required to be audited on an annual basis and are subject to audit by the state auditor general.

Although not required of school districts, public cyber charter schools must annually file an IRS 990 Form (Return of Organization Exempt from Income Tax) and submit a detailed report each year to the state Department of Education.

Most importantly, public cyber charter schools are held to a higher standard and are more accountable than school districts because if a family is unhappy with the performance of the public cyber charter school, they can remove their child at any time and don’t have to consider relocating to another school district.

Perhaps this is the underlying reason why leaders of many school districts are opposed to public cyber charter schools. Unlike a brick-and-mortar charter school that is geographically bound, public cyber charter schools allow the family of any school-age child in the commonwealth to tell the school or district we don’t like what you are offering and are choosing a different public school. Are traditional public schools afraid of true accountability?

### **Background on CCA and Public Cyber Charter Schools**

Authorized by the Pennsylvania Department of Education, CCA is a public cyber charter school that offers year-round enrollment to all Pennsylvania school-age students in kindergarten through twelfth grade.

Since its opening in the 2003-04 school year, CCA’s enrollment has increased from nearly 380 students to now more than 10,000 students.

Since their authorization by Act 88 of 2002, Pennsylvania’s public cyber charter schools collectively have seen their enrollment grow to more than 37,000 students<sup>10</sup>, which accounts for 2.2 percent of students enrolled in all public schools.

There is one recurring myth that must be dispelled: families do not choose a public cyber charter school because of an online education; they choose a public cyber charter school because the relationship with their local school district is broken for the reasons previously mentioned. Forcing a family and a student back into that relationship will not benefit the child.

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<sup>10</sup> Pennsylvania Department of Education, Public School Enrollments 2018-2019:  
<https://www.education.pa.gov/Documents/Data%20and%20Statistics/Enrollment/Public%20School/Enrollment%20Public%20Schools%202018-19.xlsx>

As we enter the third decade of the 21<sup>st</sup> century, society has become accustomed to and expects choice in virtually every aspect of life. As we near the 23<sup>rd</sup> anniversary of the original enactment of the Charter School Law, the public education system must break from its old ways and do what is in the best interest of students and families. Taking away public school choice is not the answer, and that is exactly what House Bill 1897 would do.

### **Closing**

It’s important to restate that CCA and the public cyber charter school community strongly oppose House Bill 1897.

While I believe that revisions to Pennsylvania’s Charter School Law are necessary, I do not support any measure that would set aside a students’ and families’ right to choose the public school that best serves them.

As individuals, we are afforded choice in where we buy groceries, what car we drive and where we worship. When we are talking about one of the most important aspects of child development – education – why shouldn’t a family be afforded the same ability to choose?

Chairman Sonney, Chairman Roebuck and members of the House Education Committee, I want to again thank you for the opportunity to testify today on House Bill 1897.

I also want to thank the committee for visiting CCA’s Capital Campus in March 2019, and extend an open invitation to the committee for future visits and open discussion on public charter school reform.

I’m happy to make myself available to the committee to answer any questions you may have regarding public education.

I recognize this is a hot-button topic and I look forward to answering any questions that you may have.

Thank you.