

**April 17, 2017**

Florida State Senators,

I implore you to not accept House Bill (HB) 5105 during budget conference negotiations. The bill seemingly attempts to address the authentic need to improve educational outcomes in schools serving students facing higher concentration of poverty but does so without a research-based, data driven, realistic, or sustainable solution. Although this bill has created a visceral reaction among those of us who have dedicated our lives to improving the outcomes in the most struggling of schools through traditional public education, this letter avoids emotionalism and rests on logic and facts to persuade you to reject HB 5105.

This is not a letter written by a supporter of the status quo or a protectionist for lower standards, expectations, or failing schools. This is not a political critique. Please do not deflect the arguments below with rhetoric or accusations. I write and send this letter as someone who has done the real work of improving urban schools, someone who has the scars of reform as a teacher, principal, state administrator, principal supervisor, and superintendent. The work has not only been done—but it has been successful and recognized across the state and country.

Below are the several flaws to the premise that HB 5105 will improve outcomes for students in struggling schools:

#### Supply and Demand

Through the identification of low performance defined by a single “F” or “D” and the acceleration of the process to demonstrate improvement or closure-like options, Florida will witness a proliferation of failing schools whose children will need to be served in other educational settings outside of traditional public education. Demand will be enormous. So called “turnaround” charters will not be able to fill this demand consistently with supply.

Turnaround charters have not, and will not, be interested in coming to Florida for three main reasons. One, per pupil funding in Florida is too low. Two, the risk of failure due to Florida’s more rigorous accountability system as compared to other states’ brings too much risk (failure) for the reward (revenue or profit through per pupil funding). Failure hurts the turnaround brand of the operator or network and prevents the opportunity to scale in other states throughout the country. Third, the very few and limited national turnaround charter operators or networks with a track record of success are not interested in “turnaround” work as defined in HB 5105 because their model relies on years of slowly establishing schools one grade level at a time.

The disequilibrium between supply and demand will create chaos in the lives of our most fragile children and their communities. Closed schools will be concentrated in zip codes where options will be limited, thus forcing students to travel long distances to access other schools. This will mean students will be unable to access schools in their own neighborhoods. The bill will decimate the already fragile state of historic neighborhood schools in urban cores throughout Florida with no real alternative. This will accelerate the depopulation of urban core neighborhoods, lower property values, business disinvestment, unemployment, and crime. To attempt to improve lower performing schools under the weight and stress of the proposed HB 5105 accountability system, scarce resources will be shifted and concentrated in the lowest performing schools, which will divert resources from other fragile schools serving working class families outside of the urban core that will be the next set of schools facing closure but cannot be supported at the level required to avoid declines in performance.

#### Current Title I Charter Schools do not Outperform Traditional Title I Public Schools

This bill attempts to scale a model that is not outperforming the current model. There is a greater percentage of “D” and “F” Title I charter schools in Jacksonville and across the state than there are for traditional Title I public schools in Jacksonville, even though many in the Legislature commonly point to lower performing schools in the district. In most large urban school districts throughout Florida this is also the case—charter Title I schools do not outperform traditional public school Title I schools. Even “Schools of Hope” such as Jacksonville’s KIPP have faced “D” and “F” school grades. More importantly, KIPP is not outperforming the district’s Title I average for reading and math proficiency.

There is no evidence that scaling charter schools as turnaround options will lead to greater academic success for lower performing students. In fact, we have enough evidence now to conclude that such a strategy will reduce overall performance considering that Title I charter schools have not been more successful than traditional Title I charter schools at scale. Even the few isolated Title I charter schools have not successfully scaled success. Any district with “D” and “F” schools have improved individual and small groups of “D” and “F” schools. The challenge is scaling and sustaining that improvement. Charters face the same challenge and typically fail at higher rates because they lack the pool of talented

principals and teachers to replicate success that is isolated to one or two of their schools. The fact is that districts are more likely to scale improvement and provide sustainability than charter schools in urban areas. Hence, investment should be in districts, not charters.

#### Ignoring Previous Mistakes and Usurping Local Control

As is common for new leaders who are interested in creating a legacy, history is often ignored, dismissed, disrespected, or simply not reviewed. The previous Differentiated Accountability (DA) statute called for four Intervene turnaround models for the lowest performing schools: district managed turnaround, closure, operation through a private management company, or conversion to a charter school. In 2011-12, the Legislature expanded these options with the recommendation of the Florida Department of Education and State Board of Education to include two additional strategies: partnering with an outside educational expert and a hybrid option, which combined two of the other options. This was done because as schools did not reach the exit criterion of a “C” letter grade under the previous DA model, it was clear that the original four options were insufficient.

Local school boards, superintendents, and especially communities were not interested in closing schools, and private management companies and charter schools were also not interested in the turnaround work in Florida. This scenario will simply repeat itself as schools do not reach the “C” grade in three years despite improvement. Ultimately, only local school boards have the authority to open and close schools, not the Legislature. This will inevitably lead to distracting but necessary legal battles across local school districts with the State. Threats of withholding funding will be made for non-compliance, thus limiting resources to those students who need it most. Courts will be the new arena where it will be demonstrated that Title I charters are not keeping pace with Title I traditional public schools and for every one of the few and isolated successful Title I charter schools, we will provide dozens of successful traditional Title I public schools.

#### Choice Already Exists

Students are not stuck in lower performing schools as is popularly stated by supporters of HB 5105. The state of Florida has one of the most robust choice systems in the country from Opportunity Scholarships, charter schools, McKay Scholarships, and controlled open enrollment. In addition, most districts allow students to internally transfer among schools. In fact, once Florida started to issue school grades to schools and initiated the Opportunity Scholarship process, which requires districts and schools to allow students to transfer to “C” or higher performing schools with transportation, parents who are unsatisfied with their child’s school have already left for other schools.

#### Real Solutions for Lower Performing Schools

So what is the solution then if we recognize that we cannot accept lower performing schools? To answer that question let us rely on actual research, data, and practitioners to properly see a return on investment for a \$200 million dollar initiative. For starters, the Legislature must recognize that per pupil funding needs to be weighted to address poverty. Poverty should never be an excuse for low expectations but it is a real and legitimate obstacle to academic success. Obstacles can be overcome with the implementation of the proper wraparound systems, such as access to full service schools, early learning, quality afterschool services or extended learning opportunities, the arts, athletics, and mental health and wellness support.

More importantly, poverty can be overcome through education if students have access to the best principals and leaders. This is, again, the challenge of scale. The Legislature must invest in the development of current and future leaders and teachers, namely in high poverty areas. The investment is obviously associated with the need to increase current teacher salaries and sustainable incentives for leaders and teachers to stay or relocate in struggling schools. Just as important is support for universities to recruit, incentivize, and develop the strongest undergraduates to enter the teaching profession and be properly trained how to teach through residency programs where future teachers are under the tutelage of master teachers in actual classrooms. Leaders need to be instructionally sound so they can develop safe, trusting, and collaborative cultures in schools to support and hold teachers accountable to the highest levels of instruction and student engagement.

At the same time, the Legislature needs to hold districts and schools accountable to improving lower performing schools. No credible board member, superintendent, principal, or teacher dismisses that challenge. However, it is questionable when the accountability system changes over forty times in a short span of time so performance cannot be fairly measured and declines are not actually linked to performance but changes to how performance is calculated. These changes always tend to have the greatest impact on schools serving students in the highest concentrations of poverty. What frustrates practitioners is when the criteria associated with state sanctions changes after schools demonstrate improvement, as is the case with HB 5105, and adjust the rules to favor the competitor, in this case charter schools. In other words, do not change the rules of the game at halftime in order to favor the opponent! This is demonstrated with a longer timeline for lower performance for turnaround charter schools or less stringent criteria that does not tie charter school enrollment to actual neighborhood boundaries, as is the case for many of the lowest performing schools in Florida.

In the end, the current accountability system for Priority schools is fair. The change in 2011-12 was supported by superintendents whose districts have always worked through challenging environments. It accurately identified the lowest performing schools and provides a reasonable criteria and timeframe for improvement. Districts, such as ours in Duval County, have taken ownership of our lower performing schools. This administration assumed responsibility for a large number of fragile schools that weakened due to changes in the accountability system and faulty districtwide systems for school improvement. We have made hard decisions regarding personnel, curriculum, programs, and even converted historically lower performing schools to new school models. The district has negotiated MOUs with the teacher's union to overcome challenges within the collective bargaining agreement and locally raised millions of dollars to incentivize our best leaders and teachers to stay or relocate to our most struggling schools. Although there are some schools that still require a final push to exit the lowest performing criteria, we have led districts statewide in the percentage of the lowest performing schools improving their letter grade and exiting the lowest performing category.

In conclusion, HB 5105 is ideological and myopic. Please review the history of Detroit Public Schools. It provides a case study of what Legislatures and Governors should avoid when attempting to improve lower performance in urban districts. The story is one of local resistance to state usurpation on decisions that should rest with local communities and school boards. It is a story of a political and blinded policy that distrusts traditional public education for private-like solutions that have no track record of success at scale.

Please reflect on the fact that this bill once used the term "Schools of Success" and not "Schools of Hope." This is telling and indicative of why it needs to be rejected. The term success could not be used because the suggested turnaround charter schools do not have a record of success—at scale—anywhere. This is a multi-million dollar strategy of marketed hope. When did "hope" become a strategy? This is not even about hope, though. We have no research or data to be hopeful that this strategy will work—it will not. The research and data already tell us this.

Please use logic and reject HB 5105.

Sincerely,

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Superintendent of Schools