

## **Testimony of Brian Hayden, CEO of The Pennsylvania Cyber Charter School**

Public Hearing on Pennsylvania Safely Reopening Schools due to COVID-19

House Education Committee

August 4, 2020

Good morning. Let me start by saying “thank you” to Chairman Sonney, Minority Chairman Roebuck, and Members of the House Education Committee for today’s hearing and the opportunity to testify about the impacts caused by the COVID-19 pandemic on the upcoming school year.

My name is Brian Hayden, and I am the CEO of The Pennsylvania Cyber Charter School. I am here today on behalf of our 780 full-time employees and— most importantly— on behalf of our 11,500 students and their families. I am also here on behalf of the Pennsylvania Coalition of Public Charter Schools, of which I serve as a member of the Board of Trustees, and the 11 cyber charter schools they represent.

From my perspective, COVID-19 did what millions of parents, students, policymakers, and taxpayers could not. The shutdown, caused by the pandemic, forced traditional education to finally embrace the digital tools they have resisted for the past 20 years.

Consequently, school districts and their lesson plans, technology budgets, course offerings, and online platforms are finally being updated to meet the demands and expectations of families. In many ways, all schools are becoming cyber schools; this means policymakers and education leaders should stop trying to legislate cyber charter schools out of existence.

One major question that has yet to be answered is, “How long will it take school districts to catch-up?” As of today, many superintendents and education leaders remain uncertain about what next month will look like for their district, let alone what it will look like 10 years from now.

However, I am confident in what the future holds for PA Cyber and our students. When the school year resumes for us this month it will look strikingly similar to the past 19 years. As we begin our 20th school year, we continue to demonstrate that the learning has never stopped at PA Cyber.

“The learning never stops” has been our motto for quite some time, but it became noticeably apparent to thousands of families, the media, and many of you over the past few months.

But we are not immune to the challenges of COVID-19. I know that the House Education Committee has already held a hearing on the challenges facing brick-and-mortar schools in the upcoming school year, but this is an ever-changing situation and I wanted to share some barriers that both cyber and brick-and-mortar charter schools are confronted with and the tools we need to be successful.

We need flexibility for the 180-day or 990/900-hour instructional time requirement, and we need assurances that charter schools will not be penalized during the renewal process for utilizing an alternative education model. Pennsylvania's charter schools were grateful for the waiver of Section 1501 of the Public School Code last school year so that we could adjust our schedules to meet the needs of our students and staff. While this was much more crucial for brick-and-mortar schools adjusting to virtual learning, cyber charter educators also found themselves juggling teaching schedules and the needs of their own children at home.

We need teacher certification flexibility. There are many private and religious K-12 schools that have announced they are closing and we would love to hire those educators, but they don't necessarily have the certifications that the Public School Code requires. Flexibility in certification grade-spans and subjects would also be helpful as teachers may need to be reassigned to meet the needs of ever-changing schedules. Certification flexibilities for substitute teachers or retired teachers, who may have let their certifications lapse, would be very helpful as well.

Our schools may need waivers in standardized testing requirements. While we know these tests are tied to federal funding, they also have repercussions at the state-level including the charter renewal process. We also have concerns with our ability to meet certain graduation requirements outlined in Act 158 of 2018, including the graduation pathways.

Our brick-and-mortar charter schools will need a way to access transportation funding if their local school districts refuse to bus their students to and from school. Unfortunately, some of my brick-and-mortar colleagues are already hearing that there will be no room for their students on district buses this school year. A streamlined process to obtain transportation funding from school districts or the PA Department of Education would ensure charter students are not treated like second-class citizens.

Additionally, there is a fear from schools across the Commonwealth that they will be liable if any of their staff, students or their family members contract COVID-19 on school grounds. The General Assembly and Governor Wolf have acted to protect business owners and medical professionals from lawsuits, and Pennsylvania schools need that same protection. I know that school leaders and school personnel have spent the summer working on plans and procedures to

ensure their schools are safe and healthy learning environments, and they deserve to be shielded from legal liability.

And, most importantly, Pennsylvania's public charter schools deserve to be funded for EVERY student we educate in the 2020-21 school year and we should be free from the fear that Governor Wolf or the PA Department of Education will search out a loophole to cut our funding. While we understood why the General Assembly froze funding levels after March 13, 2020, we don't believe cyber charter schools should continue to be punished for the attributes that make us so desirable to students and families.

For instance, while COVID-19 disrupted every one of our lives in many ways, it did not disrupt our students from having a safe, productive, and meaningful education environment. All of our students, families, teachers, and administrators were incredibly thankful that Governor Wolf, Secretary Rivera and the General Assembly granted us the ability to continue teaching our students throughout the pandemic. Many of our parents told us how much they appreciated that we were able to maintain full-day planned instruction for the remainder of the year; they said that consistency and normalcy was so important when so many other aspects of their lives were suddenly changed.

Unfortunately, this was not the experience for the majority of students who were enrolled in a school district on March 13, 2020. While school district leaders and their special interest groups have long asserted that they can provide students with a superior and more cost-effective virtual education model, the days following March 13<sup>th</sup> proved just how false these claims are. There should no longer be any doubt that Pennsylvania's public cyber charter schools are offering students a robust and comprehensive virtual education, and how vital they are to our Commonwealth's public school landscape.

In January, you provided me with an opportunity to testify about the stark disparities between the comprehensive offerings of Pennsylvania's public cyber charter schools, and what school districts and intermediate units (IU) are providing. Again, I sat before you listening to district and IU leaders call for funding cuts to cyber charter schools, making the claim they could educate a student for \$4,500 in their virtual programs.

Fast forward to the spring of 2020. Those same school district leaders and their special interest groups were begging Washington D.C. and Harrisburg to give them billions of dollars to subsidize the high costs associated with providing students with the necessary curriculum and technology for a virtual education model. This is what cyber charter schools do every day.

Pennsylvania's 14 public cyber charter schools have seen a record number of inquiries this summer from families seeking an alternative to their assigned school district. At PA Cyber we

have been getting more than 1,000 calls a week asking about our course offerings and enrollment procedures. While we are pleased with our recent spike in popularity and are prepared to welcome new students this fall, we all are being mindful of our capacity and logistical restraints.

On August 31, PA Cyber will start its school year. Today, all of our students know what their school environment and experience will be. There will be no concerns about health and safety, no need to wear masks, and no changes in their school day for the next nine months. They are the lucky Pennsylvanians and we are proud that they have chosen our school. At the same time, we know that we cannot accommodate every student who wants to attend a cyber charter school this year. Because of this, all of Pennsylvania's cyber charter schools stand ready to share our expertise and experience with others.

Despite the constant attacks, Pennsylvania's 14 public cyber charter schools have been assisting brick-and-mortar schools (districts, charters and private) with their virtual education plans even before the governor closed schools on March 13, 2020. Over the past 20 years, our cyber charter teachers have perfected ways to create online lesson plans, and engage, assist and mentor students. Public cyber charter schools provide online advising, counseling and tutoring. We have outstanding technical assistance that ensures all students, regardless of where they are learning, have access to state-of-the-art technology. We provide online clubs and camps, including during the summer...and we are sharing our collective knowledge and expertise with our colleagues (at no cost) because we care about EVERY STUDENT, not just the ones who enroll in our schools.

While PDE does recognize our value and we have had great communication with them throughout the pandemic, the major education advocacy organizations have taken a different, more contrary position - - one that has created unnecessary challenges for the charter school community. School district superintendents continue to make false statements about cyber charter schools (like we charge families for tuition or their participation in a cyber charter will bankrupt their home school district). Regardless, students and their families, by the tens of thousands, know better. What those critics fail to realize is that cyber schools are here to stay because the students and their families want them to.

The COVID-19 pandemic continues to be a global catastrophe and the devastation will be felt for many years. While we hope for a return to normalcy in the very near future, we are proud to serve the students in Pennsylvania and their families seeking a safe and stable learning environment in the 2020-21 school year.