



Testimony Submitted to the Education Committee:

In Opposition of S.B. No. 1096: An Act Concerning Charter Schools

Submitted By: Patrick Johnson, Interim Executive Director, Connecticut Association of Nonprofits (CT Nonprofits)

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Senator Slossberg, Representative Fleischmann, Senator Boucher, Representative Lavielle and distinguished members of the Education Committee, my name is Patrick Johnson and I am the Interim Executive Director of the CT Association of Nonprofits Inc (CT Nonprofits). I am representing our almost 500 member organizations who are very concerned about the unintended consequences in regards to SB 1096, An Act Concerning Charter Schools. We believe that making the diverse nonprofit organizations that provide management services (CMO's) to charter schools subject to the Freedom of Information Act (FOIA) would be a serious mistake with some significant unintended consequences.

Our members who currently provide CMO services for charter schools are vital and diverse community-based nonprofit organizations that deliver a wide array of services that benefit all of us. Nonprofit organizations like these are among the few remaining mediating institutions at the local level where volunteer board members of all professions, faiths, races, and political beliefs gather to address issues of common concern and to pursue the common good. These organizations are the modern manifestation of democracy in action in the community based initiatives lauded by Alexis DeTocqueville in the 19th century. These are the threads of cooperation that help hold the quilt of community together at a time when the emphasis is on what divides us rather than what unites us.

To turn these centers of good will and creativity into quasi public institutions will have a chilling effect on volunteerism and good will so necessary to the success of grassroots organizations. Our volunteers have indicated that "this is not what we signed up for" with every meeting turned into a public forum for media, organizers, gadflies, and opposition leaders and potential endless demands for data and information adding additional management costs.

Private nonprofit organizations should not be automatically subject to FOIA. They are already scrutinized thoroughly by licensing and regulatory bodies at the local, state, and federal level and are accountable to the diverse unpaid volunteers who set their policies as well as the many funding sources that provide their revenue. In addition, all nonprofit organizations annually file 990-forms, perform financial audits, publicize annual reports, and other operational information. The nonprofit sector prides itself on transparency, accountability and results.

This bill would create an arthritis that would cripple the nimbleness of nonprofit organizations, particularly when added to the twenty years of chronic underfunding. Would the state ever consider subjecting profit making entities, that you do business with, to the FOIA requirements; or the for-profit

organizations that charter schools do business with? This is a targeted discriminatory act that we perceive as a slippery slope threatening the most fundamental governance structures of nonprofit organizations in general.

Human nature being what it is will result in individuals who violate the trust of their community; but only they should be punished, not the entire organization. This bill has sent a chill across all nonprofit organizations who respect accountability, transparency and strict adherence to the rule of law and regulatory requirements. We strongly recommend that SB 1096 not go forward.

Thank you for your time and consideration of this important issue. As always, please do not hesitate to contact me at any time, with questions or for additional information.

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