The Charter School Movement

25 YEARS IN THE MAKING

E D U C A T I O N  W E E K

AMERICAN EDUCATION’S NEWSPAPER OF RECORD
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On the cover: Students in the Primary 2 Class at City Garden Montessori School in St. Louis work on lessons during class at the school. According to Dr. Nicole Evans, City Garden principal, the class includes students who in a traditional school would be in preschool. Photo by Sid Hastings for Education Week.
Support for the production of this book has been provided by The Walton Family Foundation, which underwrites coverage in Education Week and on edweek.org of issues related to creating opportunities for all American students and their families to choose a quality school. The foundation promotes initiatives to expand parental choice and equal opportunity in education to help spur the bold transformation of the national K-12 system of public education. www.waltonk12.org
Twenty-five years ago this month, tucked in a voluminous education funding bill headed to the Minnesota governor’s desk, was a quirky and contentious idea to allow teachers and parents to create a new kind of public school—chartered schools.

With a stroke of his pen, then-Gov. Arne Carlson signed into existence a movement that has grown over the last quarter-century into a national juggernaut: a charter school sector with thousands of schools, millions of students, a cadre of deep-pocketed benefactors, dozens of advocacy groups, and sophisticated networks of schools that in some cases dwarf the nation’s average-size school district.

Although charter school students only make up about 5 percent of the 50 million K-12 public school students in the country, charters have posed the only credible competition to the traditional system of public schooling. While the growth of charters has mostly been in large urban districts, in 14 of those cities, such as San Antonio, Detroit, and Philadelphia, charters now enroll at least 30 percent of children in public schools.

But as charters have expanded their reach, some observers inside and outside the sector contend they have wandered far from their original purpose: to be schools of innovation and serve as a research and development sector for traditional K-12 schools.

One of the most searing criticisms of the charter sector is that the schools are accelerating the resegregation of American public education and whether there is harmful lack of diversity in the publicly funded, but independently run schools of choice.

Another enduring debate over charter schools is whether they are doing a better job of educating students than traditional public schools. The research results that seek to answer that question has been mixed, in part due to the complexities of comparison and wide performance differences among charter schools.

This e-book is a collection of articles published in Education Week over the past 25 years, marking some of the more notable moments in charter school history.

Arianna Prothero
START OF THE CHARTER SCHOOL MOVEMENT
Nation’s First ‘Charter’ School Clears a Key Hurdle

A private Montessori school in rural Minnesota last week cleared a key hurdle on its way to becoming the nation’s first “charter” school, able under state law to receive public funds while remaining free from most outside control.

By a 5-to-2 vote, the Winona school board approved the request of the Bluffview Montessori School to become a charter school. That decision must now be approved by the state board of education and made official in a three-year contract with the school district.

State approval could come as early as next month, enabling the elementary school to go public by next fall.

Under the charter-schools measure passed by the legislature last May, school boards can authorize one or more licensed teachers to create new public schools that would be free from most current rules and regulations. The law also enables existing private or public schools to become charter schools.

Such schools must meet state standards for what students should know, and may not screen students, charge tuition, or have a religious affiliation. The law allows up to eight such schools statewide.

But the charter schools are to be educationally, financially, and legally independent: able to hire and fire their employees, devise their budgets, and develop their curriculum. Each school must be run by a board of directors, a majority of whose members are licensed teachers.

Breaking the Mold

Backers of the law believe it will spur innovations in education, free from existing strictures.

“I just think this is the beginning of one of the most mold-breaking... changes in education that’s come up—this concept that we’re going to have [public] schools run directly by faculty and parents, separate from an overseeing local school board,” said Michael J. Dorer, the principal of the Bluffview school.

But Joliene W. Olson, one of two board members who opposed Bluffview’s request, warned that the charter legislation was a “backdoor into the voucher system.”

And Robert McInire, the superintendent of the Winona public schools, predicted that the proposal would be a “financial drain to our district that’s already financially strapped.”

The state will provide charter schools with about $3,050 per student. If the Bluffview school accepts 40 to 50 new students next year, as it now plans, and all of those students transfer from the local public schools, that could mean a loss of up to $150,000 in state aid to the district.

But Stuart Miller, the president of the board, said if the district no longer has to serve those students, the loss of state revenues is “a wash.”

Charter schools represent a way to bring “true choice into the public school domain” and to break down the status quo, Mr. Miller contended.
‘Supply Side’ Reform or Voucher?
Charter-School Concept Takes Hold

BY LYNN OLSON

Advocates bill it as a way to introduce diversity and autonomy into public education. Critics call it a subsidy for private schools.

But one thing is clear: Few people are neutral about a new Minnesota law that encourages licensed teachers to start and run their own independent public schools under contract or “charter” with a local school board.

The first such charter school was approved by the state board of education last month and could open as early as this fall. More than a dozen other proposals are under discussion as well.

Sponsors argue that, by breaking school boards’ monopoly on starting up and running public schools, the new law will be a “supply side” reform that will expand educational choices for students and free teachers from oppressive rules and regulations.

But the concept has been adamantly opposed by members of Minnesota’s education establishment, who view it as a back-door attempt to introduce private-school vouchers.

“It’s generating more discussion sooner than I had expected,” said State Representative Becky Kelso, one of the law’s sponsors. “And it’s every bit as controversial as I had feared.”

While it continues to spur debate in Minnesota, the charter-schools idea also is spreading to other parts of the nation. Lawmakers in at least six states and a handful of school districts are either exploring or plan to introduce charter proposals this year. U.S. Senator Dave Durenberger of Minnesota, meanwhile, is seeking federal funding for such schools as part of a pending education bill.

Redefining Public Education

Under the Minnesota law, any licensed teacher can ask a local school board to authorize a charter, subject to approval by the state board of education.

The law requires such schools to meet certain basic principles that characterize public education. For example, they cannot screen students, have a religious affiliation, charge tuition, or discriminate on the basis of race, religion, or disability.

Once the state board approves a proposal, the local school board must devise a contract that spells out the outcomes pupils in the school are to achieve.

Each school must have a board of directors, a majority of whose members are licensed teachers at the school. All staff members at the school and all parents of children enrolled there must be able to participate in the board’s election.

In addition, lawmakers limited the number of charter schools to eight statewide and to no more than two per district.

But beyond those requirements, the law leaves charter schools essentially free from most rules and regulations that apply to public schools. Parents and students would be able to choose such schools instead of those operated by the district.
For each student, charter schools would receive a payment from the state equal to the average per-pupil expenditure statewide.

Proponents say the notion reflects a rethinking of the way in which Americans traditionally have defined and managed public education.

“Public education shouldn’t be defined by who owns the building or who hires the teachers,” argued Senator Durenberger in an opinion piece in The Washington Post. “It should be defined by outcomes, by the Constitution, by who must be accepted, by who can’t be excluded, and by who pays the bills.”

‘Incentive To Improve’

As the result of a compromise in the legislature, the Minnesota law makes local school boards the only agency that can authorize charter schools. But, in its purest rendition, the charter concept would allow any public agency—from a state board of education to a hospital—to sponsor a charter school.

The idea first gained currency during the late 1980’s, when Ray Budde, an education consultant in Massachusetts, published a slim volume entitled “Education by Charter.”

In a 1988 speech at the National Press Club, Albert Shanker, president of the American Federation of Teachers, picked up on the idea.

Mr. Shanker argued that education reform was not moving “fast enough” and that groups of teachers should be granted charters to set up “totally autonomous” schools of choice, within existing school buildings, as a way to jump-start the reform movement.

“When you try to change everybody at the same time, you get tremendous amounts of resistance,” he stated. “So we need to provide a policy mechanism to allow smaller groups of people to be able to do these things.”

More recently, the idea has caught hold among proponents of school choice who want to increase the range of public-school options available to parents.

It also meshes with current educational thinking that emphasizes creating new “break the mold” schools and holding schools accountable for outcomes, not process.

“The point is not to cripple the public schools,” explained Stephen C. Tracy, superintendent of the New Milford, Conn., school system and chairman of a task force that is scheduled to present a charter-schools proposal to the Connecticut legislature next month. “If anything, it’s to provide an incentive for them to improve.”

‘A Bit of a Thorn’

So far, the Minnesota law has generated a surprising amount of grassroots activity from an unlikely array of interested parties.

They range from a private Montessori school in Winona to citizens in Meadowlands who are hoping to save a small rural elementary school, to a maverick teacher in Princeton, and to the St. Paul branch of the National Association for the Advancement of Colored People, which is considering applying for a charter to create a program that would provide educational and social services to entire families.

The fact that the law offers no money for start-up costs has discouraged some potential contenders,
however, and is the primary reason for Senator Durenberger’s proposal to provide federal funding.

But many of those launching charter-school plans said the real appeal lies in breaking free from a system that chokes creativity.

“Right now, for many reasons, change within the system is real difficult,” said Cynthia R. Stevens, an educational consultant who is putting together a proposal in the New Ulm school district, a community of some 15,000 people. “I think what this will allow is for some ideas to surface from outside the system and to get a strong hold.”

“I don’t see charter schools as the ultimate destroyer of public education,” she added, “but maybe as a little bit of a thorn.”

Similarly, Joan Riedl, a teacher at North Elementary School in Princeton who has created a multi-age alternative program within her district, said, “I’ve gone as far as I can with real change in the system.”

“This charter-school idea is for teachers,” added Ms. Riedl, who is currently working on a proposal. “Many teachers have a resigned attitude to the system.”

In Northfield, plans to launch a chartered middle school are being devised by a group of parents who rounded a private elementary school eight years ago, when the district refused to consider their proposal for an alternative public school.

“We were sort of pained when we did it, because we were all sort of believers in public education,” recalled Griff J. Wigley, one of the parents. “Here’s a real opportunity for creating a school where we’d be assured of autonomy and yet it would be a public school.”

Mr. Wigley and others contend that site-based management has failed to produce significant change in public schools, because the autonomy that schools gain is whittled away over time.

Because charter schools have independent legal standing from the beginning, he said, that is less likely to occur.

“It’s the most sweeping exemption from the whole book of rules that has ever been put into law,” agreed Ted Kolderie, a senior associate with the Center for Policy Studies in Minneapolis and a leading proponent of the concept.

‘Proceeding Cautiously’

But while some superintendents and school-board members said they are intrigued by the law, many are worried about the potential loss of dollars from their districts as students shift to charter schools.

Several also complained about requests to sponsor murky proposals that they do not believe can be implemented by next fall.

“We’re not against the concept,” said Ron M. Jandura, superintendent of the St. Cloud Public Schools, where Ms. Riedl has presented her plans. “It’s just that we’re proceeding very cautiously.”

“I’m still idealistic enough to believe that we should be able to make things happen within the organization,” he added. “You shouldn’t have to leave the system to do something good for kids.”

According to Representative Kelso, there’s “no question” that local school systems stand to lose both pupils and the state allowance that goes with them under the new law.

“I think that’s probably perceived by many people within the establishment as a lose-lose situation”
she said. “Obviously, I don’t agree with that assessment.”

“It’s good to see the educational establishment challenged,” she added. “Plus, I believe that the opportunities being produced for students are good ones.”

‘A Political Compromise’

But the hostility of some board members toward the concept already has advocates worried.

There is an inherent conflict in asking school boards, which stand to lose from such proposals, to authorize charter schools, proponents suggest.

“That’s sort of like putting the fox in charge of the chickens,” noted Peggy O. Hunter, enrollment-options coordinator for the state department of education. The original Minnesota bill would have enabled the state board of education to grant charters directly to schools, circumventing school districts. But strong opposition from the two state teachers’ unions and the Minnesota State School Boards Association killed that provision.

“It was a totally political compromise at the end,” said Jon Sehroeder, an education assistant to Senator Durenberger. “It was what put it over the top.”

Ironically, the Minnesota Federation of Teachers, Mr. Shanker’s state affiliate, remains the most vocal critic of the new law.

Rose A. Hermodson, the union’s lobbyist, said that while Mr. Shanker “used the term” charter schools, “it may not be the same concept.”

The union claims the law lacks sufficient collective-bargaining guarantees for teachers, puts existing public schools at a disadvantage by not extending deregulation to all schools, and fails to ensure adequate accountability.

According to Mr. Traey of Connecticut, however, charter schools would actually be more accountable than traditional public schools.

“Because they exist on a charter,” he said, “they stand to lose that charter if they violate its terms and conditions, whereas a state department of education is very reluctant to shut down a local school system or take it over.”

The more immediate accountability is to parents, he added, who can choose not to send their children to the school.

But the bigger debate surrounding charter schools continues to be the question of what makes a public school public.

In Minnesota, the state board’s decision last month to permit the first charter to go to the private Montessori school in Winona has thrown fuel on the fire.

Advocates argue that by agreeing to abide by the basic requirements for a charter school—including open admissions, no tuition, nondiscrimination, and the use of licensed teachers—the Bluffview Montessori School will essentially be reconfigured as a legitimate public school.

“It is, in fact, a new kind of public school,” said Senator Ember D. Reichgott, “a new kind of delivery of public-education services.”

But opponents portray the Winona example as a “modified voucher plan,” and proof that the legislation will open the door to further privatization of education.

In an interview, Mr. Shanker said he was not familiar with the specifics of the Minnesota law. But
he added, “I would be concerned if the charter-schools notion became ... a substitute for dealing with the issue of vouchers.”

“This is not, in fact, the nose in the tent to the voucher system,” retorted Ms. Reichgott. “Indeed, I see it as the alternative... that provides expansion of public-school choice without diverting dollars to private sectarian schools.”

She said the difficulty of creating charter schools would result in relatively few of them over time, but that it would provide the spur to encourage existing public schools to change. She also predicted that many of the concerns now being raised about charter schools would fail to materialize.

The next request to create a charter school is scheduled to be considered by the state board this month.

**A ‘Natural Evolution’**

Meanwhile, lawmakers in California, Connecticut, Florida, Massachusetts, Michigan, and Tennessee are either exploring or plan to introduce similar charter-schools proposals this year.

In Detroit, moreover, policymakers are continuing to explore the option of creating a charter-schools provision that would allow some private schools in the city to become public, according to David Olmstead, a member of the board of education.

The Detroit board is also pursuing a plan to enable 12 existing public schools to sign a contract with the school board that would enable them to take control of their own budgets, programs, and governance structure.

In Milwaukee, charter-schools proponents suffered a setback last month when school-board members voted 4 to 4 to reject a request from Superintendent Howard L. Fuller to include a charter-schools provision in a package of proposals to the state legislature. But observers said Wisconsin lawmakers may still consider a charter-schools measure this year.

Charter schools are “a very natural evolution in the choice movement,” said Mr. Schroeder. “Every important corollary to the choice movement is the allowance of more choices. But we are not going to get more choices—substantially more—until we make it possible for new public schools to be created in ways that currently aren’t possible in most states.”
A Dissenting Voice: Are Charter Schools Such a Boon?

BY ROBERT E. ASTRUP

Charter schools, currently being sold by some as the cure-all for an education system they think is sorely in need of reform, may turn out to be the biggest boondoggle since New Coke.

In 1991, Minnesota became the first state to enact legislation allowing for charter schools—public schools that proponents said would be creative because they would be free from most of the statutes and rules that apply to regular public school districts. In theory, this “freedom” would permit teachers to use different teaching methods and gauge learning using different forms of measurement. In fact, experience shows another outcome entirely.

A charter school approved in Minnesota’s St. Louis County will keep a small rural school open even though it was slated for closing. District officials determined that its size makes it economically impossible to offer a broad, high-quality curriculum to students. Another charter school was proposed in Winona, Minn., to turn a private Montessori school into a public school, siphoning public money to a previously nonpublic institution. Parents in other districts are considering applying for charters for some of these same reasons.

These examples are a far cry from the predictions of charter-school supporters that the new schools would be “innovative” and “reach out to groups not now being served” by public schools. They do not propose any method of teaching that is new and different from those already used in public school classrooms throughout Minnesota. And the chance that these schools will drain students and state aid from local public school districts is very real.

The Minnesota Department of Education says each charter school “is in charge of its own destiny.” State funds, including general student aid, special-education funds, capital-expenditure funds, and other grants and revenue will go directly from the state to the charter school. Yet, once it is approved, a charter school can exist for up to three years merely by submitting an annual report that demonstrates that it satisfies the mission set forth in the contract between the school board sponsor and the charter board.

St. Louis County’s Toivola-Meadowlands school will be purchased by the township. Is the town now liable for injuries sustained on school premises? Who is held accountable if student test scores drop? Winona’s Bluffview Montessori School has operated as a private school for 24 years. When a state lawmaker called this “a new kind of public school,” did she really believe that public education would be provided, or is this creating an elite academy with public funds?

The charter-school concept ignores one of the most basic facts about Minnesota public schools: They already permit—even encourage—innovations. In fact, Minnesota’s public schools are known for their innovation. Teachers and parents in Cyrus, Minn., created a math, science, and technology magnet school in 1989, two years before charter-school legislation was even proposed. Educators, parents, and community members in Thief River Falls, Minn., are using a grant from the Minnesota
Education Association to explore ways to increase the effectiveness of their schools. Money from the National Education Association is funding initiatives to restructure schools and develop and deliver research-based instruction in Chaska, Minn. And the Rochester, Minn., school district was given a waiver from state regulations to develop programs leading to licensure for the district’s middle-school teachers.

Site-based decisionmaking, a collaborative process for problem-solving and decisionmaking, is becoming a part of the Minnesota public school landscape, emphasizing positive, creative changes in teaching and learning practices and in school administration.

It may be too early to reach conclusions about what effects charter schools will have on Minnesota’s public school system. But the pattern of supporting private schools and sustaining schools that are too small to thrive on their own does not bode well for the majority of students in our state.

We continue to believe that charter schools drain state resources and attempt to duplicate the efforts that are currently under way in many existing districts. Using the charter-school concept to do an end-run around public schools creates unnecessary bureaucracy and expends vast amounts of energy in an educational experiment that has no proven track record.

In the end, one thing is clear: Charter schools are just plain bad public policy.

Robert E. Astrup is president of the Minnesota Education Association.
Published June 5, 1996, in Education Week

COMMENTARY

Charter Schools: Escape or Reform?

BY MARC DEAN MILLOT, PAUL T. HILL, AND ROBIN LAKE

The charter school movement, started as a means of escape for small numbers of dissidents, is evolving into an engine of broader reform for public education. The movement is still small, with fewer than 300 of the nation’s 85,000 public schools operating under charters that allow public funding and freedom of action in return for accountability for results, but it might soon be strong enough to transform the definition of public education and the ways school districts operate.

Perhaps the most important sign that the charter school movement is maturing from escape to reform is the effort in many states to raise or eliminate the ridiculously low caps on the numbers of charter schools (25 in Massachusetts and Colorado; 100 in all of California). Without arbitrary caps, the numbers of charter schools in any locality would be limited only by the supply of qualified applicants. In some communities, all public schools might eventually be operated by independent groups of teachers, parents, social-service agencies, teachers’ unions, or independent nonprofits.

This possibility is a long way from the original dreams of the few teachers and parents who just wanted to remove their own schools from the burdens of regulation and school board oversight. Early charter school supporters saw local boards as major impediments to educational innovation. They wanted to make it easy, almost automatic, for private groups to get charters. The law in Michigan, for example, makes it possible for school sponsors to bypass local boards entirely, by requesting charters from other public agencies, including state colleges and universities.

The possibility of unlimited numbers of charter schools puts a different light on the desirability of automatic approval and multiple routes of authorization. If charters are to become widespread or universal, some mechanism of community oversight is necessary. Charter schools will not be isolated exceptions—they will be the way that the community educates many or all of its children. Some community forum or agent must ensure that there is a school for every student, that parents get help validating schools’ claims, and that there is some connection between what students are taught at one level of education (for example, elementary school) and what the next higher level of education requires. If they are seen as normal ways of delivering public education, charter schools are not about total autonomy. They are about educational diversity, innovation, responsiveness to community needs, and ultimately, improved performance.

Those who, like the present authors, see charter schools as a route to comprehensive reform of public education are critical of local school boards as they now operate. But they think boards need to be reformed into the kinds of community agencies described above, not bypassed entirely. They want charter school laws to transform local boards from operators of a highly regulated bureaucracy into managers of a system of individual schools, each with its own mission, clientele, and basis of accountability.

Supporters of reform-oriented charter school laws do not want to go back to the system of bureaucratic control that led to the charter movement in the first place. They want to create a system of charter schools that takes account of both the public and the private interests in schooling.
bills now being drafted in several states would change the powers of local school boards so they can and must authorize charter schools. They would constrain local boards’ discretion so that a charter must be granted to any group that can meet established criteria. Once a charter is granted, a school’s survival would depend on whether the parents and teachers who run it deliver the kinds of instruction promised and whether, on objective measures, students are learning. Private interests, as represented by parent choice, would count, too. Parents could choose among schools, and no school could survive without students. But, again representing a balance of the public and private interests in education, a charter school where students were not learning could be shut down whether or not not parents were happy.

No one entirely trusts today’s local school boards to give charter applicants a fair chance. Both the “escape” and the “reform” theories of charter schools call for charter applicants to have recourse to appeal if a local board turns down an application. The difference is that the escape-oriented statutes try to set up appeal venues that have biases toward approval of all charter applications, letting a potential school provider shop for an authorizer that is sympathetic with its proposal. Reform-oriented statutes now being drafted would constrain a local board’s discretion so that a charter must be granted to any group that can meet established criteria—and cannot be granted to any applicant that fails to meet them.

A move toward objective criteria protects qualified applicants from local boards that would deny charters merely to avoid competition, even while it protects the public from unqualified charter providers. Charter schools could therefore be trusted to claim increasingly large shares of public school students and funding. Some local boards might eventually oversee all-charter systems. Then, local boards would no longer operate schools themselves. They would be more like the Federal Communications and Securities and Exchange commissions, which promote fair competition and protect consumers, than like an armed service or police department, which runs everything directly.

In their haste to be free of school districts and to establish their own schools, followers of the “escape” theory of charter schools give up an important source of financial and administrative support. Without some external support, charter schools must provide for themselves all the protections once provided by the district, including start-up capital, liability insurance and teacher retirement, legal advice, and other professional services. As some charter school operators have already found, skimping on assistance and advice puts the whole enterprise at risk, including children’s educational opportunities, the founders’ own time and money, and the public’s funds. Total autonomy is an illusion. Even well-established independent schools join associations to provide access to teacher labor markets, staff development, performance assessment, and help with self-evaluation.

If they are to become central to a whole community’s effort to educate its children, charter schools must have clear and reliable relationships with community agencies that can authorize charters, guarantee funding, and hold school operators to their promises. Those community agencies—which for the want of a better term we call local school boards—are as essential to a charter-based reform of public education as are the groups of teachers, parents, and others who agree to accept charters to operate individual schools. If the local mix of schools depends entirely on individual initiative, no one is responsible for the overall quality and appropriateness of a community’s schools. This consequence is scarcely different from the results of a voucher scheme, under which schools are provided only by
private entrepreneurs.

All charter school supporters agree that charter schools should be run by their own founders and staff, and freed from most of the process requirements that limit how current public schools hire and teach. But it matters whether charter schooling is about escape or reform. If charter schools are for escape, charter laws should make it easy for new schools to form without prior community scrutiny of school plans or operators’ qualifications, enroll students, and claim public funds. Charter schools’ survival should depend almost exclusively on parent satisfaction; no elected board or appointed superintendent should have any discretion about the establishment, continuation, or closing of a charter school.

But if charter schools are for reform, we must devise a system of public education that combines the educational advantages of school independence with the economic advantages of school districts. Today, local school boards are a problem for all charter school applicants. But in the long run, local boards with new missions and limitations can be integral parts of the charter school movement.

Marc Dean Millot is a lawyer and a senior social scientist with the RAND Corp. in Washington. Paul T. Hill is a research professor in the graduate school of public affairs at the University of Washington in Seattle. Robin Lake is the associate director of the University of Washington’s Program on Reinventing Public Education.
Good history teachers relate historical matters to their students not merely as facts to be memorized but as important lessons that provide unique insights into today’s changing world. Now, in an era when choice and competition in education are gaining acceptance among both parents and policymakers, it is the educational community itself that may need to heed a lesson from the past.

In 1955, the domestic auto industry produced 98 percent of all cars sold in the United States. No one even noticed that it was not 100 percent. The 2 percent produced by foreign automakers was not enough to get on the industry radar screen, even though it foreshadowed a market revolution. In 1965, the import share had grown to 6 percent. The view of the industry’s leadership had scarcely changed. No one in their right mind would want to buy one of those little things from Japan or Germany. Not enough chrome, not enough power.

Move ahead 10 more years. Imports account for over 18 percent of car sales, and the industry is looking at a major economic disaster. But what was the response of American carmakers to abandonment by many of its once-captive customers? Poorly built products like the Pinto and Gremlin.

It took another decade and greater slippage in the market share held by American companies before a serious response was launched. They began to learn about quality and customer expectations—lessons the Japanese had internalized from the American W. Edwards Deming. By 1985, imports had over 25 percent of the market, and tens of billions of dollars in sales were dropping off the income statements of the Big Three.

Since then, the American auto companies have competed fairly effectively against foreign competition. They have dramatically improved their products and, with a bit of help from international currency trends, have recaptured some market share. Imports have declined to only 19 percent of domestic car sales.

But, as the $200 billion auto industry stabilizes after its worst jolt since the Great Depression, another similarly-sized segment of the economy faces the beginning of a major market realignment: the K-12 education industry. The encroaching competitors are called charter schools.

As charter schools emerge across the nation, public education is facing something completely alien: real markets. This year, the scale of charter schools has made competition for customers very real for many school districts. This is business as usual for company presidents and CEOs, but, for educators, it is foreign territory.

According to the Center for Education Reform, there were in 1995 more than 270 charter schools with at least 60,000 students nationwide. Although comprehensive data are not yet available for the 1996-97 school year, the numbers are undoubtedly higher. In states such as Michigan, every student who leaves a district to go to a charter school takes up to $5,800 along. In the Lansing district alone, two charter schools launched this fall already have over 1,100 students. Had they all gone to the
public schools, the district would have had $6.3 million in additional revenue. In addition to taking kids from the Lansing schools, these two charter schools attracted students from parochial schools and from outside the Lansing district as well. Why were they able to do so when the public schools could not? The simple answer is that they responded to a market segment more effectively than did the public schools.

From the start of this movement, the proponents of charter schools have intended two consequences. The charter schools were expected to provide facile and innovative alternatives to what they viewed as ponderous and unresponsive public school bureaucracies. If they were to continue their trajectory, the public schools would simply be superseded by the charter schools. If, on the other hand, the public schools were to respond aggressively, the result would be a transformation of the public education system. In either case, went the argument, education would become more responsive to the need for change. Opponents of charter schools feared that they would divert educational resources from already-strapped central city schools and leave many high-risk children behind. The fact is that in many states the debate is over. The rules have been changed, and the new game has begun.

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The charter school movement is helping solve some of the nation’s toughest education problems. Despite powerful, intense opposition, President Clinton and U.S. Secretary of Education Richard W. Riley support the charter movement because it is creating more effective, accountable public schools and stimulating the larger system to improve. Charter advocates have learned several lessons from previous school reform successes and shortcomings.

1. Public schools can make a strong positive impact on students, including youngsters from troubled backgrounds. Prominent reformers like Robert Slavin, James P. Comer, Deborah Meier, and Henry Levin, among others, have demonstrated how public schools can have a major, measurable, positive impact on all kinds of students. Unfortunately, districts often ignore their success.

   Poverty, racism, and violence must be reduced. But like Bob Slavin, charter advocates know that problems outside schools should not excuse failures inside schools. Schools can do a better job.

   Charter schools around the nation are improving student achievement. California, Colorado, and Minnesota charter schools have had contracts renewed because of their success.

2. One of public education’s central problems is the system itself. After studying about 1,000 classrooms, John I. Goodlad concluded: “The cards are stacked against innovation.” American Federation of Teachers President Albert Shanker described the plight of educators trying to create new, more effective public school options. Such educators, he said, often are “treated like traitors or outlaws for daring to move out of the lock-step and do something different...often they could look forward to insecurity, obscurity, or outright hostility.”

   Henry Levin “loves the charter movement,” partly because he’s seen so much district interference with schools. “Many districts regularly move principals. Or they hire new superintendents, or elect new school board members,” he says. “Schools making progress often encounter higher-level decisions disrupting, even terminating, their programs.”

3. Public education can be offered without relying exclusively on school districts. Several legislatures have created public schools which report directly to the state. These schools serve, for example, students with disabilities or special interests in art, mathematics, or science. Schools can be public without being district-controlled.

   Effective charter laws build on this tradition, but to serve all kinds of students, prohibit admissions tests. Strong laws stimulate district improvement by authorizing local boards and the state to sponsor charters, and allow charter schools to completely control budget and personnel. The Massachusetts charter law, allowing applications directly to the state, helped convince Boston to create a new “pilot school” program. Colorado’s law persuaded the Jefferson County, Colo., board to respond to parents who pleaded for replication of successful programs. The Rochester, Minn., board created a Montessori public school after a private Montessori program requested a charter. Strong charter laws
stimulate system change as they create new, more accountable public schools.

However, a 1996 Humphrey Institute survey of 77 legislators, aides, and policy leaders in nine states with charter laws found that most statewide teachers’ unions vigorously opposed strong laws. Unions generally favor permitting only local boards to approve schools and/or allowing local boards and unions to rule on contract changes. States following these recommendations either have no charters or very few. And weak laws provide no stimulus for local districts and unions. Having failed to block the charter idea, opponents are trying to stifle it by retaining district and union control over schools.

4. School choice plans vary in their impact. The nation’s largest (informal) school choice plan is the most inequitable: the school district system allowing affluent families to move to exclusive suburbs, where they deduct high property taxes from taxable income. The real policy debate is whether low- and moderate-income families will have choices, too, and if so, what kind.

Badly designed school choice plans promote inequity. Several Southern states used school choice to maintain segregation. And because more than half of U.S. secondary magnet schools, and about a quarter of elementary magnets, use admissions tests, low-income and low-achieving students often are underrepresented. Many magnet schools receive more funding than nearby neighborhood schools.

Good charter laws prohibit admissions tests. Ironically, some opponents call charters “elitist,” while ignoring explicitly elite (and often higher-spending) magnet schools.

Like charters, many distinguished public alternative schools serve all kinds of students. They anticipated, sometimes by 25 years, research supporting small, more individualized schools. Charters build on excellent nonselective public alternatives, like Walden III in Racine, Wis.; SAIL in Tallahassee, Fla.; and St. Paul, Minn.’s Open School.

But charter proponents—some of them, like me, public-alternative-school veterans—also recall frustrations. Districts regularly assigned teachers to alternative schools via seniority, rather than agreement with the school’s philosophy. It can take months, even years, for supplies to arrive or repairs to be made. Many alternative schools pleaded in vain for control over budget and personnel.

Gaining this control helps charter schools produce higher student achievement, as they are doing around the nation. And a number of charters are doing this with challenging young people.

5. The public wants better schools. The charter concept is spreading because it combines opportunity, choice, and responsibility for higher achievement. Local advocacy groups like the Urban League, the Urban Coalition, the Tejano Center, and ACORN helped start charters. They know better education is possible, now.

Some charter opponents cite a few troubled charters. Most were closed in a few months, rather than taking years to reorganize, which was necessary with deeply troubled districts like Newark, N.J.; Compton, Calif.; and Washington.

Some union leaders are responding. Houston Federation of Teachers President Gayle Fallon helped Houston’s Tejano Center create a charter sponsored by the state of Texas. She believes that it will “help participating students, and encourage districtwide improvements.”

In 1988, Albert Shanker popularized the term “charter.” But little happened until 1991, when Minnesota passed the first charter law, adding accountability, permitting multiple sponsors, and freeing charters from local contracts and most state rules. Mr. Shanker wasn’t pleased. In 1993, he
included charter schools in a list of “quick fixes that won’t fix anything.”

In 1991, the Minnesota Education Association called charters “a cruel hoax.” Two years later, its statewide newspaper featured an MEA member and charter advocate, Milo Cutter, on page-one. Mr. Cutter co-founded and teaches at City Academy, a St. Paul charter school whose students all are former dropouts. Last year, City Academy’s contract was renewed because of its success.

In 1992, the National Education Association opposed federal charter-startup funds. But as support grew for charters, the NEA endorsed weak state laws embracing them. The NEA also allocated $1.5 million and asked several charter veterans, including Milo Cutter, to help other teachers start charters. That’s progress.

The charter movement is producing more-involved families, more-fulfilled educators, and more-successful students. American education needs this combination of hope, stimulation, accountability, and opportunity.

Joe Nathan directs the Center for School Change at the University of Minnesota’s Humphrey Institute of Public Affairs in Minneapolis. This essay is adapted from his book, Charter Schools: Creating Hope and Opportunity in American Education (Jossey-Bass, 1996).
PART 2

HOW THE MOVEMENT PROGRESSED
Charter Closings Come Under Scrutiny

BY DARCIA HARRIS BOWMAN

Few states have more warmly embraced charter schools than Minnesota.

Since the first of the publicly financed but largely independent schools opened in St. Paul nine years ago, light regulation and broad political support have allowed them to multiply at a rapid clip. Governors and legislators have been generous in funding them, and school districts and other organizations have been quick to sponsor them.

That was before two St. Paul schools lost their charters last year because of financial mismanagement and shut down in the space of four months—disruptions that sent families and educators scrambling to find classroom space for 1,000 displaced students. Now, some Minnesota policymakers are questioning how much autonomy charter schools should have, and some districts are putting the brakes on sponsoring new ones.

“Academics in many cases has skyrocketed, and that’s the plus side,” said state Rep. Harry Mares, a Republican, who chairs the House education committee and supports charter schools. “But we need much better oversight so we don’t have schools closing in the middle of the year.”

Of the 2,150 charter schools that have opened across the country since 1992, only 86, or 4 percent, have closed, according to a new report from the Center for Education Reform, a Washington-based organization that backs educational choice.

But whether that figure shows the movement is succeeding or failing is a matter of growing debate. Charter supporters argue that the low number of closings in Minnesota and elsewhere suggests both that most such schools are working and that they’re being held accountable for their performance when they fail—especially when compared with regular public schools, which generally face little threat of being shut down.

Fourteen states have the legal authority to shut down regular K-12 schools that are failing, but only New York, Maryland, Oklahoma, and Texas have taken such a drastic step. While some closures may take place at the district level, closing a school for poor performance remains a relatively rare occurrence.

“Charters are being held to a higher standard than traditional public schools, but it’s a good restraint,” said Katherine K. Merseth, the director of the school leadership program at Harvard University’s graduate school of education and an avid proponent of charter schools. “If we had a situation where none were closing, I’d see that as a sign that there is no accountability, and the whole theory of charter schools rises and falls on being able to hold these schools accountable.”

The number of closures so far “is not a warning sign that the movement is in trouble,” Ms. Merseth added.

 Others, however, maintain that the closure figure is low because weak oversight allows many subpar charter schools to slip by undetected. Only seven of the 86 schools have closed because they failed to meet academic goals, according to the CER report. And many of the others shut down voluntarily, rather than being forced to do so by state officials or another chartering authority.

“If charter schools are tools for improving student achievement, we would expect to see some
schools that aren’t doing that and being closed down,” said Joan A. Buckley, an associate director of the American Federation of Teachers’ education issues department. “That we don’t see that indicates a lack of reasonable accountability, and states need to address that in legislation.”

Financial Management

When charter schools close, money is usually one of the reasons.

A St. Paul-based company called Right Step Inc., for instance, made headlines in three states last year when schools it ran in St. Paul, Greenville, N.C., and Phoenix had their charters revoked amid charges of mismanagement. Success Academy, a St. Paul school run by a local management company, shut down owing $1.4 million to its employees, the state, and the school district.

The CER report, titled “Closures: The Opportunity for Accountability,” blames 33 of the charter school closures to date on mismanagement; those schools are the true “bad apples,” the organization says. Another 32 closed for “involuntary” financial reasons, such as lack of enrollment or funding.

“If money hadn’t been an issue from the very beginning, these schools wouldn’t be closed,” Jeanne Allen, the president of the CER, said of the latter group.

In North Carolina, where state officials have closed six charter schools in addition to Right Step Academy, and roughly a dozen schools have given up their charters before they opened, financial woes are at the heart of most failed efforts.

Many charter school operators “have good motives, but the problem is not knowing how to run a business,” said Kathy A. Taft, a member of state board of education who headed the board’s review of two troubled charter schools that were ultimately closed. “With Right Step, it’s really a shame, because the school was serving some children who probably needed what it offered,” Ms. Taft said.

Thirteen charter schools nationwide have closed because of problems in finding a facility to hold classes, according to the Center for Education Reform. The group argues that burdensome zoning regulations and community opposition are often contributing factors.

The CER left out of its national tally of closures those schools that had received charters but never opened, reasoning that those cases should not be counted as failures.

“It’s not as if they took the money and ran—they’re not out there buying Ferraris,” Ms. Allen said. “If they get to the beginning of the year and it’s not possible for them to open, that’s not so much a flaw in the charter school as a flaw in the [level of] support and training given to them.”

But some critics disagree. The Texas Freedom Network Education Fund argued in a report last fall that thousands of dollars in taxpayer money are lost when a charter school fails to get off the ground.

As one example, the group noted that a charter school in East Texas received monthly start-up payments from the state for nearly a year totaling more than $240,000, but failed to teach a single student. In all, nine proposed schools in the past three years were granted charters in Texas but never opened for business.

A Tough Process

The number of failed charter schools is likely to increase in the coming years.

In several states that began allowing charter schools only in the past couple of years, the schools have not yet gone through the review process that typically determines whether their contracts are
renewed. In time, more states may have to grapple with the difficulties Minnesota is encountering now with its older schools.

“Policymakers will have to decide what is an acceptable level of closures,” said Erik Hirsch, a senior analyst with the National Conference of State Legislatures in Denver. “We’re entering a time when this will become more of a focus now that the charter school population is more mature and, more to the point, now that many are coming up for their first evaluations.”

Officials of the CER and other like-minded advocates say they would welcome more charter school closings when they’re warranted, but they add that regular public schools should be subject to the same scrutiny.

“Policymakers need to start asking the important question: not whether or why a charter school is closed, but why, when other schools fail to show progress and cease serving children, that same level of accountability doesn’t exist and result in their closure,” Ms. Allen said.

How and when charter schools are closed varies widely from state to state, experts say. In some cases, charter sponsors, which can include state agencies, local districts, universities, and other groups, have broad discretion over whether to revoke a school’s charter. Some laws, as in Minnesota and North Carolina, provide an appeals process for schools whose charters are revoked by local sponsors. Still others, like New York, give a state agency the first and final word.

“Because most of the schools have closed because of financial problems and mismanagement, [the closure process has] been pretty clear-cut,” said Amy Berk Anderson, a co-director of the National Association of Charter School Authorizers, based in Louisville, Colo. “But in terms of closing schools for academics, for the most part there aren’t any clear processes in place to be able to judge whether [laws are] fair.”

When a school does unexpectedly close its doors or must be shut down, the educational process is disrupted, and students and their families are often left adrift.

“We’re very concerned about the effect on students and families of charter school students, and the effect on the schools [receiving the displaced charter students],” the AFT’s Ms. Buckley said. “When you have kids coming into a school in the middle of the year who may be behind and you have no records, ... that can cause problems.”

Those on the front lines say closing a school—any school—is painful for everyone involved.

“It’s not a fun process,” said Grova L. Bridgers, the director of the North Carolina education department’s charter school office. “Revocations are tough on students, they’re tough on the community, they’re difficult on our agency in terms of having to hold [school operators’] feet to the fire, and they’re tough on those who dream.”

**Ties That Bind**

As the number of closings increases, greater attention is being paid to the relationship between charter schools and the organizations charged with overseeing them.

“We have not had a lot of practice writing clear and measurable goals for schools and then holding them accountable,” said Joe Nathan, a leading advocate for charter schools and the director of the Center for School Change at the University of Minnesota. “I think one of the expectations a number of us had was that school districts and states would be more than willing to exercise a good deal of
supervision of these schools. But in some states, there’s been less of that than we’d like, and we’re learning from that.”

Without a template or rule book, many charter schools and their sponsors have been feeling their way. The trick, experts say, is deciding where to draw the line between autonomy—which is central to the charter idea—and accountability.

“I think our first-year schools are probably at a greater disadvantage than the newer schools that go through more precharter workshops and have a better idea of what they’re in for,” said Cassandra A. Larsen, the executive director of the Arizona State Board for Charter Schools, which sponsors 158 charters and keeps tabs on 254 school sites. “With the schools that opened in the first two years [of the state charter program], it was basically, ‘Here’s your charter, and good luck.’”

The same was true for the first charter schools in St. Paul, a generation that included Right Step Academy and Success Academy. The 45,000-student district revamped its process and standards for renewing charters last year, just before the two troubled schools came up for review. The problems the district uncovered convinced district officials they would have to dedicate more time and resources to their sponsorship duties.

“To a great extent in St. Paul, it was ‘OK, you’re sponsored, we’ll see you in three years,’” said Kent F. Pekel, the executive assistant to district Superintendent Patricia A. Harvey. “We learned the hard way that causes problems.”

Gov. Jesse Ventura has proposed increasing aid to charter schools by $50 million—more than double the amount allocated for the past two years. But some policymakers and district officials are demanding that more money be dedicated to oversight.

Rep. Matt Entenza, a Democrat who represents St. Paul, recently released a review of 50 charter schools across the state and concluded that most are beset with financial and managerial problems. He introduced a bill last week that would require charter schools to disclose how they’re spending public money and institute proper financial controls.

“Unless states set clearer accountability systems, unscrupulous individuals will use charter schools as a way to make money and divert money away from kids to enrich themselves,” he said. “I think if we don’t pass legislation, we’ll continue to see confidence in the charter schools movement erode.”

Funding for this story was provided in part by the Ford Foundation, which helps underwrite coverage of the changing definition of public schooling.
COMMENTARY

A Charter School Decade

The charter school movement has produced some winning institutional models, weathered tough criticism, and overcome some daunting obstacles to its continuation.

BY JOE NATHAN

The charter public school movement marks its first decade this year. Amid the inevitable stock-taking, what seems clear is this: The drive toward greater innovation and choice in public schools has produced some winning institutional models, weathered tough criticism, and overcome some daunting obstacles to its continuation. To be sure, the movement has attracted charlatans as well as champions. But progress overall has been remarkable. Advocates such as the civil rights pioneer Rosa Parks and organizations such as the YMCA and the National Council of La Raza have lent legitimacy and their active support. And the numbers alone are impressive: We have gone, since 1992, from one state to 38 states with charter laws, from one public charter school to almost 2,500.

Here, from the perspective of one who has spent 30 years as an urban public schoolteacher, administrator, researcher, advocate, parent, and PTA president, is a brief look back and a glimpse of what lies ahead:

First, the winners. Just as outstanding district schools have much to teach educators elsewhere, effective charters have produced innovative, replicable programs in curriculum, governance, family involvement, and shared facilities and staffs. A few of the many lessons that successful charters offer include these:

- The Mesa Arts Academy, a K-8 charter school in Mesa, Ariz., shows how schools can share space and staff members with community groups and social agencies—to benefit the missions of both institutions. Working cooperatively with a Boys & Girls Club in a low-income area of Mesa has helped the charter school lift its students’ academic skills in several areas—showing, in fact, greater improvement than any other public school in Arizona.

- Colorado’s Academy Charter blends Howard Gardner’s ideas about multiple intelligences with E.D. Hirsch Jr.’s Core Curriculum. Academy students study ancient Greek myths and culture, as Mr. Hirsch recommends, but they learn, as Mr. Gardner would suggest, in many different ways, from building models of the Parthenon to presenting summaries of classical Greek plays. The Colorado Department of Education has recognized this program as one of the state’s most effective at improving student achievement.

- In California, Los Angeles’ Vaughn Charter School and Sacramento’s Bowling Green Charter School provide a vivid demonstration of how converting from district to charter status can boost achievement in urban settings. The two charters had greater gains in achievement over five years than did many nearby schools serving similar populations.

- The Boston-based Academy for the Pacific Rim combines Asian and American ideas about learning. The school opens with a daily assembly for students, giving some agambatte award, which
is a Japanese term meaning to “persist, and keep going.” Classes begin with students and teachers standing, bowing, and thanking one another for their efforts. On various measures, the academy ranks above all other Boston secondary schools except the few that, unlike the APR, have admissions tests.

The Bill & Melinda Gates Foundation has given $4 million to replicate the Minnesota New Country School, a rural charter serving 125 students in grades 7-12. This charter starts each school year with family–student-teacher conferences for all its students. These culminate in an individualized program for every student. The school has no grades, bells, or formal classes. Faculty members have formed a co-op, through which they pay themselves—often more than nearby district teachers.

Gates Foundation officials also have convened charter and district educators at forums through which they share and learn from one another, a terrific idea. Other foundations, universities, and state departments of education could—and should—do the same thing.

It is through these successful school models that the charter movement is influencing and helping to improve some school districts. Both federal and university-based research give glimpses of this catalytic role in encouraging broader changes. We need to hasten the process of exchange, so that folks are learning more and faster from each other.

Not everything has been rosy for charter schools, however. The movement has taken hard criticism and suffered many setbacks in its first decade. Some of its troubles were self-produced; some were generated by steadfast opponents. Let’s start with self-inflicted wounds.

Charters have attracted some greedy people who put making money before student needs. School boards and states have not always adequately checked out the people proposing charters. Some of these people have run poorly designed, ineffective schools. And some companies haven’t managed charters well, and have charged large fees.

Charters also have a mixed record when it comes to students with disabilities. Some don’t understand their legal responsibilities. But former U.S. Secretary of Education Richard W. Riley has praised charters such as New Visions in Minneapolis, which is helping both districts and charter schools replicate its creative, effective approaches to educating special-needs students. Labeling youngsters as learning-disabled or as suffering from attention deficit hyperactivity disorder doesn’t necessarily help them. Some of these students may thrive simply by being in a smaller, more flexible, individualized program. So the fact that some charters may have fewer “special ed.” students can be a good sign, rather than a problem.

A few critics allege that charter school accountability is nonexistent. Yet, while assessment practices can and should be improved, many schools and sponsors are developing explicit goals and are using standardized tests and performance assessments to measure progress toward meeting those goals. The state of Colorado and the city of Chicago have among the strongest charter-accountability systems in the nation and could serve as models for others.

Moreover, some charters have been criticized for low test scores in their first few years, a time when what was really being measured was what the students had learned (or failed to learn) in their previous schools. The key question should be: Are charters improving achievement, using various measures, over a three- to five-year period? If not, they should be closed.

Charter challengers sometimes quote the movement’s own self-criticism to discredit it. But any effective reform effort learns from its mistakes, while celebrating its successes. And charter schools
are no different. Opponents also inaccurately equate charters and vouchers. The charter idea rejects admissions tests for public schools, stresses nonsectarian education, and insists on accountability for improved student achievement.

Finally, some criticism of charter schools seems hypocritical. After inaccurately predicting that charters would enroll predominantly affluent white students, for example, some naysayers now criticize charters for enrolling too many low-income, minority students.

The work of “researchers” who can’t find innovation in charters reminds me of what the African-American writer Ralph Ellison said in his classic, Invisible Man: “I am invisible, not because I don’t exist, but because you refuse to see me.”

Nonetheless, the opposition of many forces within the field, including but not limited to teachers’ unions, school boards, and university-based apologists for the status quo, has built an impressive wall of obstacles for the charter movement to scale. That these forces have not succeeded in blocking or blunting the movement is a testament to the fact that charter schools tap into four of America’s best ideas: that people should have a chance to carry out their dreams; that we all have responsibilities, along with rights; that we support freedom within limits; and that we are weary of monopolies. Charters represent all these ideas.

A further obstacle for charters has been the school building itself—that is to say, finding one, along with a way to pay for it. Several states, among them Florida and Minnesota, provide funding for charter school buildings, since these entities can’t levy taxes themselves, as most school districts can. Most states with charter laws, however, don’t yet provide such aid.

A few states, in fact, have gone overboard in their demands of those seeking to create a charter school—requiring, for example, that a school have a building before its application is approved. Officials should expect applicants to have a tentative commitment about a site. But unless the applicants are millionaires—or large organizations—they aren’t likely to be able to acquire a building before their application is approved. Some charters share space with social service groups, museums, businesses, and others. This is one way that schools are stretching tax dollars and providing better services for students.

Another debate involving charters has to do with expectations. How much should we expect from public schools? Certain charter critics insist that traditional public schools are doing well, given their resources. The major problems schools face, they say, come from troubled families, corporate detractors, and uninformed critics.

The charter movement finds itself on the other side of this philosophical wall. And it scares many critics precisely because it offers support for the notion of schools’ major impact on youngsters, while also advocating that changes be made in the status quo.

Improving society and improving schools go hand in hand, according to this movement. That’s why many African-American and Hispanic activists see charters as a hopeful, encouraging development, not as a threat. It’s why Rosa Parks is trying to start a charter school in Detroit. It’s why some charter schoolteachers moved from district schools: They saw important new opportunities in this movement.

A young man I knew 20 years ago as a bright but troubled student recently helped start an inner-city charter school, where he now teaches. This boy has pulled his life together after flirting with jail
time and other potential disasters. He’s working in a charter, he says, because “this is a way I can make a difference, helping the angry, frustrated people like I used to be.”

If we keep listening to, learning from, and sharing with such committed educators, the charter movement will continue to grow. Despite all the hard, protracted criticism, all the unyielding problems and barriers to scale, the movement’s growth to date remains phenomenal. And because it represents, for the most part, people at the grassroots level moved to experiment and problem-solve to find a better way to educate children, the decade’s accomplishment is also inspiring. It reminds me of Carl Sandburg’s poem “The People, Yes.” As the poet says: “The people will live on. The learning and blundering people will live on.” ■

Joe Nathan, a former urban public school educator, helped write Minnesota’s charter law and directs the Center for School Change at the University of Minnesota’s Humphrey Institute of Public Affairs.
Piecing Together the Charter Puzzle

Simply removing barriers will not ensure quality—and may create problems.

BY GREG RICHMOND

At age 15, charter schools are in their adolescence—kind of awkward and wondering who they will become, standing at a crossroads but not quite sure where either road leads. Like an uncomfortable teenage basketball player, the size is impressive: 4,000 schools in 15 years, with 40 states and the District of Columbia passing charter laws, and with huge demand for the schools, particularly from urban families.

The question, however, is whether this maturing movement has an ability to learn, adapt, and make its mark. Some of the success that networks of charters have shown in motivating minority and low-income learners is astounding and reflects entrepreneurial education at its finest. But there has been enough failure and excess in some charter settings that a degree of humility is called for as well. Are we maturing enough to face ourselves and admit our mistakes? Is it time to tone down the in-your-face challenges to the status quo? Might we study the results and civilly and honestly explain what we have learned? If we do, might districts begin to use chartering strategically to move entire public school systems forward?

When charter schools were first established during the 1990s, advocates believed that the key to success was the removal of barriers. State regulations, union contracts, and district bureaucracies were identified as the barriers to school quality. Charter schools, it was thought, would excel within a free market of competition if only those barriers were removed.

As the American economy boomed, the free market was viewed as so powerful that the most significant barrier of all was the barrier to entry into the marketplace. States that had low barriers to entry—those where it was easy to obtain approval to open a school, and where there were no caps on the number of schools—were described by some charter advocates as having “strong” charter school laws.

The prevailing 1990s philosophy was that the best role for government was to eliminate barriers and get out of the way. As an adolescent sometimes learns the most important lessons the hard way, so we’ve learned that this philosophy was wrong. States like Texas and Ohio followed this philosophy, hastily creating hundreds of charter schools, many of them of low quality. Those states have been rocked by years of low charter test scores, financial scandals, and bad press, obscuring their stellar schools’ success stories. Both are now paying for their excesses. Late last year, proponents of charter schools in the Ohio legislature passed legislation to automatically close any charter school that fails to meet certain performance targets. A similar bill is now advancing in Texas.

If we are to establish high-quality charter schools at scale, it is not sufficient to simply knock down barriers and get out of the way. We must create new systems of support based on innovation and flexibility. These emerging organizations must be anti-bureaucracies that foster informed choice, protect school autonomy, and provide the public real accountability. They replace the old, traditional central
office that attempted to achieve quality through regulation, centralization, standardization, and the
direct operation of schools by government.

Nationally, this new system includes organizations such as New Leaders for New Schools to
develop and support new principals, Teach For America to recruit and train a new generation of
teachers, the Local Initiatives Support Corp. to provide facility-funding solutions, and the NewSchools
Venture Fund to provide investment capital to education entrepreneurs. Charter school management
organizations, such as the Knowledge Is Power Program (KIPP), Lighthouse Academies, Uncommon
Schools, and High Tech High, provide an array of ongoing support services to the schools that
operate under their umbrellas. Within states and cities, there are charter school associations and
resource centers, such as the pivotal New Schools for New Orleans, which is helping attract talent
and resources to rebuild that devastated city. New Orleans currently has 57 percent of its students in
charter.

The New Orleans story is an important example. When all the standard aspects of schooling—the
“taken for granted” parts of public education—were washed away by Hurricane Katrina, a remark-
able consensus formed in Louisiana that chartering was the right way to both rebuild and rethink the
schools. New Orleans now has a greater proportion of students enrolled in charter schools than any
other city in the nation. After Katrina, the state’s leaders recognized that the charter school model
provided the dexterity to reopen schools quickly, and to ensure that the old, dysfunctional school
system of New Orleans was not rebuilt. They moved decisively, taking action to open dozens of
charter schools while holding firm on quality and accountability. My organization has been active in
authorizing Louisiana’s charters for the past year.

The future of public education in New Orleans must be considered in light of the philosophical
evolution that has occurred within the charter movement nationally over the past decade. Schools
need supports—we know that now. In 1995, when Louisiana first passed its charter school law, we
simply did not understand all of these needs, nor conceive of the organizations that would meet them.
To be clear: It is possible to produce a small number of high-quality charter schools without these
supports, but to produce a large number of high-quality schools, we need a new system.

In Louisiana, the state’s Recovery School District (which, amazingly, got its name before the storm)
is at the center of this new system, which must now assume a proactive role in creating a vision, plan-
ning, and establishing predictability and stability. The people who want to create high-quality new
schools need to understand the state’s long-term vision and plan, and how the new system will work.

The supply and demand for public education resources in New Orleans must be managed. What
does that mean? In short, it means that the state can’t simply knock down barriers and get out of the
way. It needs to play an active role in identifying challenges and developing solutions.

This begins with establishing a vision for the number of schools, types of schools, and distribution
of schools the city will need over the next five years. By “type,” I mean the grade levels of each build-
ing, enrollment size, and any desired curricular focus. Do the city and the state want to encourage
small, personal high schools, or large departmental high schools, or a mix? Do they want to establish
special schools in the performing arts? What about schools focused on rebuilding the urban landscape,
or on the environment, or on math and science? How should these schools be distributed throughout
the city? This is an exciting opportunity to engage the community and establish a vision for public
education in New Orleans. And it is fundamentally different from the 1990s version of charter schools, in which planners would simply wait and see who happened to apply.

After establishing a vision, there must be sound processes for making that vision take shape. What’s needed is a five-year action plan that explains how New Orleans is going to get from where it is today to where it wants to be. How many new schools each year? Where? What types?

Each year, the state needs to ask for schools. Leaders should put out a “request for proposals” that solicits applications for the types of schools in the plan. If they want a small math and science high school in the Uptown section, or a 600-student Montessori elementary school in Gentilly, they should release proposal requests that ask for this. They are thus driving public education to achieve an agreed-upon vision, rather than simply reacting to others and creating a hodgepodge.

In New Orleans, the hardest part is ensuring that the city will actually get the schools it needs. This is where it is important to work with external groups, like those I have mentioned, to make sure schools can have strong leaders, talented teachers, and dedicated governing boards. It appears that the national groups are responding.

The state must then hold these schools to high standards and stay out of their day-to-day business. There is a never-ending pressure for the people who work in central offices to tell the people who work in schools how to run them. Louisiana must not make this mistake. Here is where getting out of the way is the right thing to do.

If the state and city follow this recipe, I am confident that New Orleans will become a beacon for the finest educational talent in the country and, in less than five years, will have the best public schools in America.

Districts across the country are unlikely to hit high quality marks in the decade ahead without doing essentially the same: asking for talent to step forward, pushing authority out of the central office, and creating a portfolio of schools, some of which are not under the district’s direct control, but all of which are providing the options that families desire.

As we make the transition from an adolescent movement into a mature segment of the public education landscape, I believe we’re ready to face our missteps. It’s time to admit that in simply getting out of the way, we failed to plan for and support the growth of high-quality charter school communities. Let’s learn from that and improve how we support our charter schools, in New Orleans and around the country. If we do, districts can begin to use chartering strategically to move all of public education forward.

And isn’t that what we wanted in the first place? ■

Greg Richmond is the president of the National Association of Charter School Authorizers, which has headquarters in Chicago.
Help for Charters in Race for Space

Efforts are growing to assist charter schools in finding and affording facilities, challenges that remain big obstacles to the sector’s continued expansion.

BY ERIK W. ROBELEN

When Anser Charter School opened in the fall of 1999, it spent several months in a vacant office building before settling into the facility it has called home ever since: a former athletic club in downtown Boise, Idaho.

The classrooms are converted racquetball courts, with 20-foot ceilings and no closets. The school doesn’t have a lunchroom or a gymnasium, and it shares the boxy building with Bronco Elite Gymnastics.

Educating students alongside a gymnastics school poses some unusual challenges, and school administrators are hoping to move to a better space soon.

“One thing that’s really problematic for us is chalk dust, because gymnasts dust their hands,” said Suzanne Burton, the business manager for the 188-student school. “Our students’ cubbies get covered with the dust.”

Welcome to the sometimes strange world of charter school facilities. Many charter operators have had to show considerable creativity and resourcefulness in finding a place to educate their students, whether it’s a former Kmart or car dealership, a church facility, or space in an office complex.

Obtaining and paying for adequate facilities are often big problems for the independent public schools. Those problems are especially acute for new schools not affiliated with larger management organizations that may have more infrastructure, access to money, and other advantages.

Efforts across the public and private sectors to help charters meet the facilities challenge have increased substantially in recent years, with the federal government, states, philanthropies, and others stepping up. Analysts, though, say the help still falls far short of the need.

Just last month, Mayor Sheila Dixon of Baltimore announced city grants of $1 million to help nine charter schools pay for renovation projects. Ohio lawmakers in late 2006 created an unusual incentive for districts to make room for high-performing charters: They can use the test scores of those schools as part of their district ratings under the state’s academic-accountability system.

In California, debates over charter facilities have proved especially intense, playing out in the legislature, the state board of education, and the courtroom, as charter advocates have repeatedly sued districts to force them to share space.

No Bonding Authority

Todd M. Ziebarth, a senior policy analyst at the National Alliance for Public Charter Schools, in Washington, said that despite all the activity to help charters, he believes the facilities challenge has expanded along with the charter sector itself. The number of charters has grown from about 2,700 schools serving 670,000 students in the 2002-03 academic year, he estimates, to more than 4,000 schools serving 1.2 million in 2007-08.

“It remains one of the big obstacles for the charter school movement, and if anything, it’s intensi-
fied over the last five to seven years,” Mr. Ziebarth said. “Access [to facilities] is a huge issue, but once you find a building, the question is: How do you pay for it?”

In general, charters face a much tougher time than regular public schools in financing facilities, analysts say. For one, they typically lack access to the most common source of funding school districts use to pay for renovation and construction projects: taxpayer-financed bonds. Also, a majority of states provide no funding to charters for making loan or lease payments.

As a result, most charters must dip into operating dollars to pay facilities costs.

Such expenses typically claim 10 percent to 15 percent of a charter’s operating budget, estimates Bryan C. Hassel, a co-director of Public Impact, a Chapel Hill, N.C.-based educational consulting firm. But no reliable national data are available, he said.

Those costs take a big bite for the Anser Charter School in Boise. With no state aid for facilities, the school spends about $180,000 each year out of its $1.2 million operating budget for capital expenses, said Ms. Burton, the business manager.

That figure includes both rent and paying loans for improvements made to the building. For instance, it installed acoustic tiles for the otherwise boomy classrooms with their lofty ceilings.

Sixteen states and the District of Columbia provide some form of direct facilities aid to charters, with 11 offering a per-pupil funding source, according to the Educational Facilities Financing Center at the New York City-based Local Initiatives Support Corp. Four states and the District of Columbia have their own publicly funded loan programs for charters.

Typically, analysts say, the state aid programs don’t offer enough to cover all costs. Most states with a per-pupil allotment for charters provide less than $1,000 per child, in many cases well below that.

Charters face other obstacles, too. Mr. Hassel says that landlords, lenders, and investors often view charters as high-risk ventures, for several reasons. One is the widespread lack of a dedicated funding source for facilities. Another is that charters receive a limited-term license to operate, typically five years, so lenders see a risk that the schools may close.

An increasingly popular way to help charters—and a method that’s much cheaper than direct aid—is creating credit-enhancement programs that provide some form of full or partial guarantee for charter schools’ debts, easing the risk for lenders. Those programs help charters get loans, and at more favorable rates.

Such efforts have received support from the U.S. Department of Education, states, philanthropies and others, such as a broad-based initiative in Indianapolis formed in partnership with the mayor’s office.

Private lenders, meanwhile, are gradually becoming more comfortable with making loans to charters, experts in the charter world say. In the early days of the charter movement, “nobody felt comfortable with charter schools because they were new,” said Thomas A. Nida, the chairman of the District of Columbia Public Charter School Board and the executive vice president of United Bank, based in Washington. “There was the confusion: What is a charter school? Will they be around for a while?”

**Battles in California**

In California, debates over charter school facilities have been especially heated.

Charter advocates have sometimes turned to the courts to try to compel districts to share available space. The lawsuits generally hinge on Proposition 39, a statewide ballot initiative approved in 2000...
that says public school facilities should be “shared fairly and equally among all public schools, including those in charter schools.”

“With the large school districts, there are only two ways to get their attention: the lawsuits and the press,” said Caprice Young, the executive director of the California Charter Schools Association. “We’ve had major battles in Oakland, Los Angeles, and San Diego.”

She says the situation has become harder for charters as their numbers steadily increase. “There is not a church or temple in Los Angeles that hasn’t already leased space out to a charter school,” she said.

A superior court judge last summer ordered the 708,000-student Los Angeles school district and charter representatives to enter dispute resolution for a case brought by two charters and Ms. Young’s group. The plaintiffs contend that the district has repeatedly failed to make “reasonable offers of facilities.” An arbitration process was continuing this month.

In a 2005 case, a charter school objected to plans by the 5,700-student Sierra Sands Unified School District to place the school’s 223 students in 9½ classrooms at five different sites separated by a total of 65 miles. A state appeals court unanimously ruled in favor of the charter’s effort to seek “reasonably equivalent” facilities from the district.

Last year, charter advocates settled a suit with the San Diego Unified district. The plaintiffs agreed not to appeal a lower-court ruling after they saw the 133,000-student district start to dole out much more space to charters. The space is not free, but costs far less than it would on the open market, said Ms. Young.

Stephanie M. Farland, a senior policy consultant with the California School Boards Association, says she sympathizes with charters’ facilities challenges, but that they “shouldn’t be the districts’ responsibility.”

“If this state is really wanting to push charter schools and have them proliferate, then they should provide for them,” she said.

“We’re all fighting for the same space, the same kids, so it just adds to that contentiousness and competition,” said Kyo Yamashiro, the director of the San Diego district’s school choice office. “It doesn’t necessarily have to be that way, if we had some relief from the state or some outside entity.”

She added, “It’s a really tricky position that districts and charters are put in, pitted against each other even though they don’t want to be.”

But Ms. Young from the California charter schools’ group says it’s only fair for districts to share space. “School districts have to understand that charter schools are public schools,” she said. “If the charters didn’t exist, the kids would be going to noncharter public schools.”

Meanwhile, the state board of education last month, by a 9-2 vote, approved revised regulations on charter facilities that are earning praise from charter advocates but condemnation from some other quarters. The state school boards’ group has warned that it may file a lawsuit to block the regulations, which are under review by the state’s Office of Administrative Law.

One objection concerns the timeline set for processing charter schools’ facilities requests. The school boards’ association charges that the “limited timeline” will pose a hardship for districts. Another concern focuses on limits on districts’ ability to move schools that convert to charters from one facility to another.

In New York City, a recently established nonprofit organization, Civic Builders, is taking another
approach to helping charters. Backed by money from philanthropies, it assumes responsibility for building acquisition, design, and construction of charter schools.

“Charter schools shouldn’t be distracted by real estate, because it’s hard enough to run a school,” said David M. Umansky, the chief executive officer.

Ice Cream Factory

Since its launch in 2002, Civic Builders has developed facilities for six schools in the city, and is in the process of developing another, he said. In most cases, it leases the facilities to tenant charters.

“We’ve bought an ice cream factory, a parking facility,” Mr. Umansky added.

Other recently formed nonprofit organizations doing similar work include Pacific Charter School Development, based in Huntington Park, Calif., and EdBuild, based in Washington.

Mr. Umansky says the New York City school system has been helpful in sharing space in district-owned facilities. And as part of its $13 billion capital-outlay budget for fiscal 2005-09, the 1.1 million-student district allocated $250 million for the support and development of new charter school facilities. Such aid from districts is still rare, though.

In Colorado, a broad-based commission convened last summer by the Colorado League of Charter Schools is working to identify shortcomings of the charter-facilities landscape in that state and to draw up a blueprint of public-policy and private-sector assistance.

“We’re looking at everything,” said Jim Griffin, the charter league’s executive director. “We want to improve accessibility to facilities, as far as barriers to the market, barriers to land, improving the financing arrangements. … And then we want to improve or generate new revenue sources.”

Mr. Griffin argues that facilities remain the biggest “limiter” to expanding individual charter schools and the charter sector as a whole. Too many charters lack high-quality facilities, he says.

“It impacts learning; it impacts conditions for kids,” Mr. Griffin said of the inadequacy of many charter facilities. “Just because a charter can thrive in a strip mall doesn’t make that too aspirational. You don’t want to have to settle for that.”

Coverage of new schooling arrangements and classroom improvement efforts is supported by a grant from the Annenberg Foundation.
Study Casts Doubt on Charter School Results

BY LESLI A. MAXWELL

A recently released national study casts doubt on whether the academic performance of students in charter schools is any better than that of their peers in regular public schools.

Looking at 2,403 charter schools in 15 states and the District of Columbia, researchers at Stanford University found that students in more than 80 percent of charter schools either performed the same as—or worse than—students in traditional public schools on mathematics tests.

Specifically, researchers at the Center for Research on Education Outcomes at Stanford found that:

- Thirty-seven percent of the taxpayer-funded but largely independent schools posted gains that were “significantly below” what their students would have realized if they had enrolled in their local traditional public schools instead.

- Forty-six percent of charters produced learning gains that were indistinguishable from their local public schools.

- Seventeen percent of charters posted growth that exceeded that of their regular public school equivalents by a “significant amount.”

“If this study shows anything, it shows that we’ve got a two-to-one margin of bad charters to good charters,” said Margaret E. Raymond, the director of the center and the study’s lead author. “That’s a red flag.”

To produce the study, “Multiple Choice: Charter School Performance in 16 States,” researchers used student-level longitudinal data from each of the participating states and the District of Columbia. They created a “virtual twin” from local public schools that matched each charter school student’s profile according to race and ethnicity, eligibility for the federal subsidized-meals program, participation in special education programs, English-language proficiency, and starting test scores.

The researchers also did a state-by-state analysis of charter school results and a nationwide analysis of the impact of charter schools on students in various subgroups.

The national analysis showed that, in general, charter schools have different effects on students based on their family backgrounds. African-American and Hispanic students were found to do worse in charter schools, while students from low-income families and English-language learners performed better.

Ms. Raymond and her team found wide variation in charter school performance, depending on the states the schools operated in. Charter schools in Arkansas, Denver, Chicago, Louisiana, and Missouri produced learning gains that greatly outstripped local public schools. Charters in Arizona, Florida, Minnesota, New Mexico, Ohio, and Texas produced slower learning gains, while those in California, the District of Columbia, Georgia, and North Carolina showed gains that varied little from those of their regular public school counterparts.

Such disparities in performance, Ms. Raymond said, depended on each state’s charter school law and policies, including whether the state imposes caps on the number of charters and whether it allows multiple entities to authorize the schools. States with multiple authorizers produced slower academic growth, the study found, while charter school students in states with caps performed worse.
than pupils in states without caps.

“It’s like when you were a kid, you always wanted the most lenient baby sitter, the one who would let you get away with murder,” Ms. Raymond said. “That’s what these results demonstrate.”

Right Question?

Robin Lake, a nationally known charter school researcher who is not connected with the Stanford study, said the differences between states reinforce what earlier studies have found.

“It’s almost meaningless to try and assess the average national performance of charter schools,” Ms. Lake, the executive director of the National Charter School Research Project at the University of Washington, wrote in an e-mail. “That kind of variation is to be expected in a reform that is supposed to produce experimentation and innovations. But over time, states should be asked to show that they are closing schools that don’t work and replicating successful practices.”

The findings come amid rising prominence for the nation’s 4,600 charter schools, as President Barack Obama and U.S. Secretary of Education Arne Duncan are calling for the expansion and replication of charters as one pillar of their strategy to improve student achievement in poor communities.

That pro-charter rhetoric is being bolstered by financial leverage, as Mr. Duncan has pledged to favor states with charter-friendly policies in awarding grants from the $4.35 billion Race to the Top fund, part of the aid slated for education under the American Recovery and Reinvestment Act.

The study also comes as charter school leaders and advocates prepare to gather for a national conference next week in Washington, and will no doubt spark fierce debate within and outside the charter school movement.

“For those who argue that charter schools hold the key to raising academic performance and closing achievement gaps, the findings overall have to be considered as negative,” Jeffrey R. Henig, an education professor at Teachers College, Columbia University, wrote in an e-mail.

Mr. Henig said the Stanford report, along with others that have similarly compared charter school and traditional public school performance, is more evidence that asking which of the two types of schools is better “may be the wrong question.”

“So despite partisan and ideological debates that continue to invest in trying to show one or the other to be the clear ‘winner,’ ” Mr. Henig wrote, “the tougher questions that we still need to answer relate to why some teachers and some schools in both sectors do better than others in the same sector.”

The study was supported in part by funding from pro-charter groups such as the Walton Family Foundation and the Michael and Susan Dell Foundation, which Mr. Henig said would make it less likely for the results to be dismissed by charter school proponents.
Debate Over Charters Continues
As Research Finds Gains in N.Y.C.

BY DEBRA VIADERO

Students in New York City’s charter elementary and middle schools make bigger learning gains than their regular public school counterparts in math and reading, according to the second report in five months to find good results for the independently run public schools in the nation’s largest school system.

The findings are attracting a lot of attention because they come from a Stanford University research group that issued a critical national study of charter schools last June. In that study, which looked at 2,403 charter schools in 15 states and the District of Columbia, the Center for Research on Education Outcomes, or CREDO, found that students in more than 80 percent of those schools performed the same as—or worse than—students in regular public schools on mathematics tests.

In contrast, CREDO’s new study, released Jan. 5, found that:

■ On a student level, the academic advantage for charter school students amounts to an average of 2 points in reading and 5 points in math on a scale in which students’ scores across the state range, at the 4th grade level, from 430 to 775 points.

■ On a school-by-school basis, 51 percent of New York City charter schools are producing academic gains in math for students that are statistically larger than students would have achieved in regular public schools. In reading, however, 30 percent of charters perform better on average than their local public alternatives.

■ Black and Hispanic students, as well as struggling learners, do better on average in charter schools than they would have in their regular public schools, but charter schools do not appear to boost learning significantly for English-language learners, special education students, or students who have been held back a grade.

“I don’t think the two studies are inconsistent,” said Margaret E. Raymond, CREDO’s director. “Remember that in looking at the distribution of quality [in the previous study], we found hundreds of charter schools doing really well. What New York City provides us with is an opportunity to step back and say, how is it possible that one market can have as robust a quality sector, where in other markets they’re not able to get that kind of performance?”

Unlikely Consensus

The earlier study did not include data from any schools in New York state. Ms. Raymond said the center decided to apply the same research methodology to New York City schools in response to a request from district officials, although the New York analysis was unfunded. The researchers said they hope to integrate the data from New York, as well as from other states, into the larger study later on.

The results are being closely watched, because charter schools—which are public schools allowed to operate largely independent of many traditional school district rules—are a major focus of the
Obama administration’s education plans. Federal education officials, in fact, give some points to states with charter-friendly environments in the competition for economic-stimulus funds from the $4 billion Race to the Top program.

The new findings out of New York City echo those from a study released in September by Caroline M. Hoxby, another Stanford University researcher. Using a different research strategy, Ms. Hoxby found that charter school students on average outperformed students who applied to the same schools but failed to win seats in them. She also concluded that the gains helped narrow achievement gaps between the inner-city students and their better-off counterparts in suburban Scarsdale, N.Y.

At the same time that Ms. Hoxby issued those findings, she also challenged the earlier CREDO study, saying that it suffered from a “serious mathematical mistake” that skewed the findings—a charge that the CREDO researchers later rebutted.

“Now you have two different studies using two different methods and finding consistent results,” said Robin Lake, the associate director of the Center on Reinventing Public Education at the University of Washington. “That’s pretty strong evidence that something is going on in New York City.”

But Sean F. Reardon, an associate professor of education and sociology at Stanford, said both the CREDO and Hoxby studies may be statistically flawed in the same way, although Ms. Raymond disagrees.

“While I’m not convinced that either the CREDO or the Hoxby study is definitive regarding the magnitudes of the effect,” he added in an e-mail, “the direction is likely positive.”

What’s harder to tell, he wrote, is “if the larger effect of charter schooling in New York City is because N.Y.C. charter schools are better than charter schools elsewhere, or if it’s because N.Y.C.’s traditional public schools are worse than traditional public schools elsewhere.”

The city’s 4th graders scored at about the national average, for both states and for a smaller number

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For the remaining groups in the analysis, no discernible differences appeared between charter and traditional public school performance.

SOURCE: Center for Research on Education Outcomes
of urban school districts, on the latest National Assessment of Educational Progress tests in math.

For their latest study, the CREDO researchers drew on six years of citywide data, beginning with the 2003-04 school year and ending with 2008-09, for students in grades 3-8. The study included 20,640 charter school students from 49 of the 52 charter schools in the city serving that particular age group. For each charter student, researchers created a “virtual twin” matched by race and ethnicity, family income level, special education participation, English-language status, and starting test scores.

Ms. Raymond said the math gains for charter students show up the first year a student enrolls, but reading gains take longer to materialize. Compared with their regular school “virtual twins,” students tend to lose ground in reading when they move to a charter school, but make more progress in the second and third years.

**Reasons Why**

If charter schools are doing a better job in New York than they are in other places, Ms. Raymond said, it may be because the schools are more mature in that city, get more political support, undergo a stronger authorizing process, and get more backing from charter-support organizations.

“That is not something you see nationwide,” she added.

Experts said the study, in fact, points up the need for research to probe more deeply the reasons why charter schools succeed or fail.

“For national policymakers, this combination of findings suggests that there should be less attention to the question of whether charters in general are superior to traditional public schools,” Jeffrey Henig, a professor of political science and education at Teachers College, Columbia University, wrote in an e-mail, “and much more recognition of the fact that charter schools may or may not succeed, depending on state and local policy designs; authorizer practices; localized foundation support; and other state and local contextual factors that we don’t yet fully understand.”
PART 3

PRESENT AND FUTURE LOOK AT CHARTER SCHOOLS
When First Place Scholars opens in Seattle this school year, it will not only be the first charter school in the state, it will also be chartered and overseen by Washington’s new independent statewide authorizing board.

To win the Washington State Charter School Commission’s approval—and the right to operate—the school, which will serve homeless students, had to undergo a rigorous process, including submitting an application of several hundred pages, sketching out a five-year budget plan, and passing the scrutiny of charter school experts assembled from across the country to advise the authorizing board.

Yet this kind of gantlet is one that’s getting more popular. Washington is among a small but growing group of states that have created independent charter boards to ostensibly add a layer of rigor to the systems that approve, oversee, and close charter schools. Such boards go by different names but are generally authorizing bodies separate from other state and local agencies whose sole purpose is to authorize charter schools statewide. The press for quality—a recurring theme in the charter school debate—has pushed authorizing to the center of the discussion because, many argue, charter schools ultimately reflect the caliber of their authorizer.

“We never considered not having one,” said Lisa D. Macfarlane, who directs Democrats for Education Reform’s Washington state branch in Seattle and sits on the board of the Washington State Charter Schools Association. She helped draft the state’s charter school law.

“It was pretty clear from looking around the country, if you’re going to get good public charter schools, it’s all about the authorizing experience,” she said. “I think during the first years of the movement there wasn’t enough attention paid to authorizers.”

**Best Practices**

Nationally, authorizing agencies and practices are far from uniform, and the number and types of authorizers, which can include local school districts, nonprofits, and universities, vary greatly from state to state. Out of the pack, independent chartering boards are emerging as a best practice that is being pushed to a great extent by the Chicago-based National Association of Charter School Authorizers, or NACSA, in a campaign to improve school quality and establish some standardization in the authorizing space.
The strength of an independent statewide board, according to proponents, comes from two defining qualities: focus and scope. Its only job is to charter and oversee schools, and, because of that narrow focus and its statewide scope, the board can develop the best, most-equitable way to do that job quickly.

“When you think of a normal-size school district, maybe they’ll have one charter school in their area; they will never have enough of them to develop charting expertise,” said NACSA President Greg A. Richmond. “All the other entities that authorize exist to do something else. School boards, universities do other things, and charting is just stuck onto it.”

Furthermore, Mr. Richmond said independent charter boards help meet the demands of an evolving charter movement that will likely include more multistate charter school networks, like San Jose, Calif.-based Rocketship, which has 10 schools across the country. Currently, networks that expand beyond their home base face a smorgasbord of agencies and systems across states or even within a single state. Retrofitting a school model to such diverse regulations can drain resources.

“That has a dramatic impact on us,” said Katy Venskus, the vice president of policy at Rocketship, which recently decided to scale back its expansion into more states in part due to this issue. “If you look where we’re active in, we have a slightly different authorizing structure in every one of [those areas].”

So far, 14 states have created independent charter boards, and, according to data from NACSA, the number has increased substantially in the last five years. In addition to Washington state, Mississippi updated its 2010 law this year to include an independent statewide authorizing board, which approved that state’s first charter this summer. Maine, also a relative newcomer to the charter school movement, created a statewide board when it enacted its charter school law in 2011.

### Lenient Versus Restrictive

In many ways, the growth of independent authorizing boards reflects the movement’s growing pains, and is a reaction to both overly liberal and overly restrictive authorizing practices.

As policymakers and charter school advocates looked for footholds in the U.S. education system in the early 1990s, some focused on creating an unrestricted environment where legions of charter schools could open and flourish—a philosophy often described as “let a thousand flowers bloom.” Ohio exemplifies this idea. According to data compiled by NACSA, Ohio has four different kinds of authorizing bodies for its 365 charter schools, none of which is an independent board, and nearly 70 active authorizers overall—more than nearly every other state.

But, an environment flush with chartering agencies can be vulnerable to “authorizer shopping,” a strategy on the part of weak charter school operators to simply sidestep authorizers with high standards.

“They’ll look for an authorizer that has more mediocre practices,” said Thomas J. Lasley, an education professor and a former dean at the University of Dayton in Ohio.

This practice, in turn, can lead to a proliferation of poorly performing schools that, in some cases, end up generating headlines over academic or ethics complaints. Along with Ohio, Michigan has dozens of authorizers of multiple kinds and no independent charter board, and both states have been the subject of less-than-flattering news stories over the summer stemming from state- and press-led...
investigations into some of their charters. Following the recent Detroit Free Press investigation of Michigan’s charters, the state schools superintendent said earlier this month that 11 of the state’s authorizers may have their power to approve schools revoked.

This issue has fueled the argument among a segment of charter school supporters for greater oversight policies, including independent authorizing boards.

“If parents were really good critical shoppers, you would drive out the weaker-performing schools, but that’s not the way it works,” said Mr. Lasley. “It’s not that those parents don’t care about their children; they’re just often driven by other problems, like transportation.” Ultimately, he said, school choice doesn’t help families if they don’t have good schools from which to choose.

Bypassing Locals

Although stories of charter schools run wild may have inspired some states to adopt independent charter boards, others see the boards as a means to bypass authorizers that are approving too few schools. Generally, the culprit in this scenario is a traditional school district or local education agency, the most common kind of authorizer in the country, which may be reluctant to grant charters to potential competitors.

Such was the case in Georgia, according to Bonnie S. Holliday, the executive director of the state’s Charter Schools Commission.

“School boards weren’t approving schools and people were complaining to their legislators,” said Ms. Holliday. “Georgia—it’s no secret—is a state that has a strong preference for local control, so there was a real value placed on local boards, but local boards were reluctant to relinquish that control.”

Georgia created its independent statewide authorizing board in 2010. It was subsequently challenged in court, deemed unconstitutional, and then resurrected through a ballot referendum in 2012, nearly two decades after the state first passed its charter school law. Today, the Georgia State Charter Schools Commission essentially operates like an appellate court, reviewing applications denied at the school district level.

“I don’t want to make it sound this simplistic, but it’s like if you go to your mom to get one answer and then you turn around and try to go to your dad to get a different answer,” said Jocelyn Marz, an elementary school teacher in Santa Clara County, Calif., and the president of the local National Education Association affiliate. Although California does not have an independent statewide board, charter school operators can appeal districts’ decisions to a county office of education and then to the state school board.

“It seems that if you take away that local control, or oversight, you’re going to have people making decisions who aren’t familiar with the needs of that particular [area],” said Ms. Marz.

Long-Term Viability

Finally, there’s the question of whether independent statewide boards fly in the face of the original intent of the charter movement.

“Are you just adding another layer of bureaucracy?” asked Rebecca J. Jacobson, an associate professor in the college of education at Michigan State University in East Lansing. She wonders whether the two elements of the charter school compact—namely, greater autonomy for greater accountabil-
ity—would be knocked out of balance if states added another kind of authorizer to the mix. “We’re already seeing, because of the accountability pressures, charter schools are starting to look more like public schools,” she said.

However, underpinning the push for more rigorous authorizing practices is the realization that the charter movement’s long-term viability rests in large part on whether it’s really churning out schools that perform better than their more-typical counterparts in public school systems. Although charter schools often enjoy a rare status as a bipartisan issue, Mr. Richmond of NACSA said the movement cannot afford to rest on its laurels.

“If parents keep seeing negative stories in the media, attitudes could change,” he said. “If authorizers don’t do their jobs well, we’ll have more problems and the public will lose confidence in these schools.”

Coverage of parent-empowerment issues is supported by a grant from the Walton Family Foundation. Education Week retains sole editorial control over the content of this coverage.
By ARIANNA PROTHERO

Parents go to great lengths to meet the special and often demanding needs of children with disabilities. In Diana Diaz-Harrison’s case, that meant opening a charter school in Phoenix for her son, who has autism—and for other students like him—when she felt his needs weren’t being met in regular district-run schools.

“For my typical daughter, we chose a charter school that specializes in the arts … that meets her needs,” said Ms. Diaz-Harrison. “So for my little boy with autism, what can meet his needs? A school that can help him with his communication, ease his anxieties, help him move forward and make academic progress. We didn’t have a school like that—now we do.”

The school that Ms. Diaz-Harrison opened this year—the 90-student Arizona Autism Charter School—is among dozens of charters nationwide that focus on serving students with disabilities. Such schools help counter the long-running criticism that charters don’t serve enough of those students.

But they also renew questions about the best educational environment for students with disabilities: Is it a specialized school or a more mainstream setting with general education students?

While parents of students with disabilities often push for special charter schools, some experts call those efforts misguided. They point to federal law and related research that prescribe that such students be integrated as much as possible with typically developing peers.

“Within the special education community, there’s a concern about these schools—a worry that they’re concentrating kids with learning disabilities into one school, and they’re not interacting enough with other kids,” said Paul T. O’Neill, the co-founder of the National Center for Special Education in Charter Schools, in New York.

There are few data on exactly how many of these special education-focused charter schools exist. A tally by the Center for Education Reform, a Washington-based research and advocacy group, counted around 100 such charters in the 2012 school year. Some of those independently operated public schools, like the Arizona Autism Charter School, are disability-specific; others, like the Washington-based Bridges Public Charter School, serve children with a range of disabilities as well as their typically developing peers.

Benefits Fuel Demand

Although the number of special-needs charters is small compared to the more than 6,000 charter schools operating nationally, several experts in the charter and special education sectors predict such schools will gain in popularity because they offer a tuition-free option for parents seeking specialized programs.

The Arizona Autism Charter School filled almost immediately, said Ms. Diaz-Harrison, with some families choosing to move to Arizona from out of state so their children could enroll.

“We have a board-certified behavior analyst on staff. Our whole school is based on ABA strategies,” she said, referring to applied behavioral analysis, an awards-based approach to teaching that is considered helpful for students with autism.
“It’s an expertise in autism rarely found in other schools unless they’re private,” Ms. Diaz-Harrison added.

Other examples of the kind of intensive, specialized services offered by special-needs-focused charters include the Potentials Charter School in Palm Beach County, Fla., which specializes in serving students with cerebral palsy and offers speech and occupational therapy for students who are unable to walk or talk. The Albuquerque Sign Language Academy in New Mexico offers a bilingual program in English and American Sign Language aimed at students with hearing impairments.

Choice vs. Inclusion

In many ways, such schools embody what the school choice movement is about: Charters open up in response to parental demand and gaps in the education marketplace. But there can be a conflict between the ideals of school choice at the heart of state charter laws and the inclusion principle in which federal law is rooted.

“Disabilities-rights advocates envision and work toward a society where people with disabilities are included everywhere: in the workplace, in transportation, and in education,” said Lindsay E. Jones, the director of public policy and advocacy at the National Center for Learning Disabilities in Washington.

“The worry is that we will move back into a separate environment, and there’s a fear that separate is not equal,” Ms. Jones said. “It’s a complicated discussion because parents are choosing it [the special charter school] where it exists.”

The federal Individuals with Disabilities Education Act, or IDEA, requires that students with disabilities be taught in the “least restrictive environment” that’s appropriate for their needs. Generally, that means alongside their typically developing peers at least some of the time, depending upon the severity of their disabilities.

Charters try to meet the least restrictive environment requirement in different ways. Some recruit a mix of general education and special education students; others promote interactions with nondisabled peers through special programs or clubs.

“I think they’re in uncharted territory [legally],” said Ms. Jones of NCLD.

Although many disability-rights advocates embrace the concept of inclusion, it is not without its critics.

“A majority of kids with disabilities are performing very poorly—very, very poorly—where they receive all or most of their instruction in the mainstream classroom,” said Doug Fuchs, a special education professor at Vanderbilt University in Nashville. “Inclusion must account for whether or not students are profiting educationally from the mainstream setting.”

Special Education Gap

In the case of Arizona Autism Charter School, Ms. Diaz-Harrison said families came to her school because their children were struggling in mainstream programs.

“It’s a huge battle to get some of those supports in place, so it’s understandable that people would opt for a school that already has all of that built in,” she said. “One argument against our model is that the kids don’t have as much access to typical peers. Most of our families selected our school because the benefits outweigh the risks.”

Conversely, some charter models, such as Bridges, focus on inclusion. The school works to main-
tain a 30-70 split between special and general education students. But Bridges’ director Olivia A. Smith also said maintaining that mix can be difficult due to the unpredictability of parental choice and admissions lotteries.

Whether charters are serving enough general education students is not the most debated issue concerning special education in the charter sector. Some studies have shown that fewer students with disabilities attend charters nationally, compared with their regular district counterparts—findings that fuel debate over whether students with disabilities are getting fair access to the schools.

Often cited in this debate is a 2012 report from the U.S. Government Accountability Office, which found that nationally 8 percent of students who are enrolled in charter schools had a disability, compared with 11 percent in district-run schools. But a national survey by the CER found that 13.6 percent of charter students are in special education, which is comparable to the 12.9 percent of special needs students in regular district-run schools.

Critics charge that charter schools turn away or weed out students with special needs in order to improve the overall academic outcomes of their schools—a tactic called “counseling out.” Some charter advocates point to other factors that might lead to disparities in the numbers of students with disabilities served in regular and charter schools. For instance, better instruction could lead to fewer students’ being classified with certain disorders such as dyslexia, or fewer parents might choose to send their children to charters.

But the issue could be more nuanced, rooted in subtle messaging that dissuades parents of students with disabilities from applying to charters, starting with the school’s stated mission and available services.

“I get to define a particular interest and set my educational table and say to folks: This is how I set my table, do you want to come?” said Julie F. Mead, a professor of educational leadership and policy analysis at the University of Wisconsin-Madison. She has studied both the special education gap in general charters and the issues raised by specialized charters.

“If you set up a system based on market principles that are designed to allow schools to serve particular interests, then we’re going to get pockets of interest,” Ms. Mead said. “If we’re not OK with that, then how are we going to engineer our policies to produce an equitable result we’re comfortable with?”

Coverage of parent-empowerment issues is supported by a grant from the Walton Family Foundation, at www.waltonfamilyfoundation.org. Education Week retains sole editorial control over the content of this coverage.
Some Districts, Charters Forge New Partnerships

BY ARIANNA PROTHERO

Florida is wading into largely uncharted waters with an initiative to fuel collaboration between two sectors often cast as foes in the debate over how to improve K-12 education: regular public schools and charters.

Nationwide, districts from Los Angeles to Denver to Baltimore have sought to forge such ties, but Florida’s effort is unusual in being led by the state.

Florida leaders are aiming to entice high-performing national charter school networks into the state’s largest urban districts, in what some experts say would be one of the most far-reaching efforts to nurture mutually beneficial relationships between the two sectors. The state’s department of education is offering financial incentives, through a new grant program, to help some of its highest-need districts attract charter franchises with solid track records for serving low-income schoolchildren.

The lure—for both sectors—is the promise of sharing resources and best practices.

“I think the most important benefit would be an increase in [overall] achievement,” said Adam M. Miller, the director of the Florida education department’s school choice office. “We think that can happen through these collaborations.”

Although the fraught and even acrimonious relationships between regular public schools and their public, but independently run, charter counterparts often dominate, there are a few places where district-run schools and charters appear not only to peacefully coexist, but also to have developed synergistic relationships. Most of those partnerships are happening at the district and citywide levels.

Proponents of such initiatives say those collaborations have the potential to provide charters with resources to tackle some of the most persistent challenges for the sector, including finding facilities and providing special education services. In return, districts can tap into resources like charters’ teacher and administrator professional-development programs.

Collaboration Roots

The idea for Florida’s new program grew out of a 2013 summit held to examine why the state wasn’t reeling in more of the large, nationally high-profile charter franchises such as YES Prep Public Schools, Uncommon Schools, and the Knowledge Is Power Program, or KIPP. The meeting included superintendents, state leaders, and representatives from some of those charter school networks. With limited resources and demand from other states, the large national networks have shied away from Florida because there are better opportunities in other states. KIPP is in the state, but operates a single school in Jacksonville.

“One of the takeaways was [that] one of the things lacking in Florida was this systemic collaborative approach between charters and districts,” said Mr. Miller. “And there was a desire from both operators and districts on how we could build upon some of the collaborations that were taking place across the country.”

To help foster those relationships, state education officials created the grant program this past summer and initially offered districts $10,000 to research and explore collaboration ideas and potential
partners. So far, the program has amassed about $2.5 million for the grants. Pooling money from the Bill & Melinda Gates Foundation, repurposed federal Race to the Top funds, and yet-to-be-obtained philanthropic dollars, the state plans to invest $10 million to sustain all of its district-charter collaborations over a four-year period. (The Gates Foundation also helps support *Education Week*'s coverage of college and career-ready standards.)

Several eligible districts have expressed interest in alliances with charters, including the 345,000-student Miami-Dade County schools.

“In my opinion, the original intent of charter schools was to create innovative and effective pilot programs to improve student performance to be shared and perhaps replicated within the traditional public school sector,” said Tiffanie A. Pauline, a Miami-Dade County assistant superintendent, in a statement to *Education Week*. “Somewhere along the charter movement, the original intent of the legislation appears to have been lost.”

Ms. Pauline said that while there are some examples of district-charter collaboration in Miami-Dade, specifically with four schools that contract with the district to provide management-related services, she said too few charters are in high-needs areas. And many charters are using practices and curriculum typical of district schools.

Ms. Pauline said the district is still “in an exploratory phase,” although it sent staff members to Texas to visit some YES Prep and KIPP schools, and to Chicago to see Youth Connection Charter Schools, which specialize in serving recovered dropouts or students at risk of dropping out.

**Local Initiatives**

While state-led efforts to encourage collaboration between the regular and charter school sectors have been rare, local initiatives have cropped up in several cities and districts.

About 20 cities from Baltimore to Los Angeles have signed collaboration “compacts” with local charter schools as part of a larger initiative, also backed with Gates Foundation funding. The substance of those partnerships and their degree of success vary, but generally they aim to formalize the sharing of resources and best practices between the two sectors.

Among the first cities to sign a compact was Denver, in 2010, but by then the district was already working collaboratively with its local charter schools on an issue that has long plagued the charter movement: special education. With the offer of funding and other supports on par with their district school counterparts, several Denver charters agreed to host special education centers for some of the city’s highest-need students.

“We’re in the process of opening over a dozen specialized programs for students with severe disabilities in charters,” said Denver Superintendent Tom Boasberg. “Within three years, our charters will have the exact same proportion of students with severe disabilities as our district-run schools.”

**Exchange of Assets**

But collaboration initiatives are not confined to those 20 cities, nor are they limited to special education services. They take many forms, from sharing extracurricular programs, to a more quid-pro-quo agreement in which a district might provide facilities for charters in exchange for access to their professional-development programs for teachers and principals. Such is the case with the St. Louis public schools and KIPP.
St. Louis is not among the compact cities, but district and charter school leaders there have entered into a partnership whereby the district provides KIPP with rent-free access to its unused buildings, while KIPP opens up its leadership-development program to the district’s administrators. KIPP has two schools in the St. Louis district.

“The big one is obviously the building,” said Steve Mancini, a KIPP spokesman, about giving charters access to school facilities, an ongoing challenge for the sector. “Every traditional school has inherited wealth—the building and the ability to issue bonds that a charter school does not have.”

Also part of the agreement in St. Louis: KIPP’s state test scores will be counted toward the district’s overall achievement, starting this year.

The St. Louis partnership marks a huge turnaround for a district and charter sector that, unlike in Denver, does not have a long history of good relations.

Although district-charter collaboration holds promise, data backing up its value are sparse.

“We’re still pretty early in this idea,” said Sarah K. Yatsko, a senior policy analyst with the Seattle-based Center on Reinventing Public Education at the University of Washington. She co-authored a 2013 report on the 20 compact cities—work that has also received some Gates Foundation funding—that found, in part, that turnover in leadership and other implementation woes can slow the momentum of a collaboration.

But, Ms. Yatsko said, there could be benefits to Florida and other states pushing for collaboration compacts.

“If there were legislative fixes that needed to happen, and the state is driving this work, … presumably that would be more likely to happen,” she said. “I do consider the Florida piece to be potentially the next evolution in that way.”

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Coverage of trends in K-12 innovation and efforts to put these new ideas and approaches into practice in schools, districts, and classrooms is supported in part by a grant from the Carnegie Corporation of New York at www.carnegie.org. Education Week retains sole editorial control over the content of this coverage.
Not long after Maryland passed its comprehensive charter school law in 2003, parent and educator Bobbi Macdonald began holding monthly meetings in her northeast Baltimore home. She and others tackled the question, If we could have the best school we can imagine, what would it be? Their answer was City Neighbors Charter School, a Baltimore K-8 school founded by 17 families in 2005.

Chartering gave City Neighbors’ founders the flexibility to do things that are fairly unusual among charter schools. The charter school model has allowed them to pioneer a collaborative governance structure that includes teacher representation on the governing board and provides large blocks of shared planning time—while remaining part of the city school district’s collective bargaining agreement.

Chartering also allowed those founders to choose a socioeconomically and racially diverse neighborhood in which to locate the school. Today, the student enrollment of 217 is roughly 53 percent black and 42 percent white; 41 percent of the students come from low-income families, and 27 percent receive special education services. Every year, the school hosts a Progressive Ed Summit that brings together educators from district, charter, and private schools to share best practices and participate in joint professional development.

City Neighbors is part of a small but growing number of innovative charter schools leading the way in creating environments where good teachers want to teach and stay teaching.

For example, the Avalon School in St. Paul, Minn., has implemented a teacher co-op model, while the unionized Amber Charter School in New York City has a so-called “thin contract” that gives management greater flexibility, but preserves the most important employee protections for teachers.

Some charters, like Brooklyn’s Community Roots Charter School in New York and DSST Public Schools in Denver, are succeeding in educating students drawn together from diverse racial and socioeconomic backgrounds using weighted admissions lotteries.

Still others prioritize engagement and dialogue with traditional district schools, such as E.L. Haynes Public Charter School in Washington, which has led professional development on the Common Core State Standards for charter and district teachers across the nation’s capital.

These schools are aligned with the earliest vision for charter schools from American Federation of Teachers leader Albert Shanker. In 1988, Shanker proposed starting teacher-led laboratories for educational innovation that would enroll students of all backgrounds.

But today, charter schools that empower teachers, integrate students, or collaborate with other public schools are rare.

Rather than giving teachers greater say in school decisions, most charter schools have focused on empowering management. Chester E. Finn Jr. of the conservative-leaning Thomas B. Fordham Institute expressed in 1996 what is now a common idea among policymakers: “The single most important form of freedom for charter schools is to hire and fire employees as they like and pay them as they see fit.” Only 7 percent of charter schools are unionized, and teacher turnover in charter
schools is higher than in traditional public schools. On average, nearly one in five charter teachers leave their schools each year.

Despite the fact that charter schools are in many ways well suited to facilitate socioeconomic and racial integration, they are on average more segregated than traditional public schools, according to research from the Civil Rights Project at the University of California, Los Angeles.

In some cases, this is the result of conscious decisions by policymakers, philanthropic foundations, and charter school leaders to seek the greatest bang for the buck by targeting the most disadvantaged students. As Frederick M. Hess of the American Enterprise Institute (a conservative think tank) notes, charter schools are under pressure to serve “the highest-octane mix of poor and minority kids,” making it difficult to encourage integrated schools, “even though just about every observer thinks that more [integrated] schools would be good for kids, communities, and the country.”

Further, many policymakers see the role of charter schools as competing rather than collaborating with traditional public schools.

Former New York City Schools Chancellor Joel Klein wrote in The Wall Street Journal in 2011 about his work overseeing the creation of more than 100 new charter schools in the city: “Traditional schools and the unions have been screaming bloody murder, which is a good sign: It means that the monopolists are beginning to feel the effects of competition.”

This narrow focus on managerial control, concentrating at-risk students, and competing with district schools might be satisfactory if charter schools as a whole were showing record achievement. But while some high-profile charter schools have posted strong test scores, many others have floundered. According to the most comprehensive research to date, a 2013 study from the Center for Research on Education Outcomes at Stanford University, charter schools on average perform about the same as traditional public schools.

By contrast, research suggests that student outcomes improve when teachers have influence in school decisions and schools bring together students of different backgrounds.

One of the best ways to curb excessive teacher turnover, which has been shown to have negative effects on student learning, is to give teachers more control.

The University of Pennsylvania’s Richard Ingersoll finds that in schools where teachers have greater influence, just one in 20 leaves each year, compared with one in five at schools where teachers have little or no voice in school decisions.

Likewise, a large body of research spanning six decades confirms the educational harms of concentrated poverty and the benefits of diverse learning environments.

Dozens of studies provide, as a meta-analysis by University of North Carolina at Charlotte researchers found, “consistent and unambiguous evidence” that socioeconomic and racial integration improves student academic outcomes. To take one particularly powerful example, Montgomery County, Md., students in public housing randomly assigned to more integrated schools outperformed those assigned to schools with concentrated poverty, even though the latter received more funding per pupil. Integrated schools also promote tolerance, reduce stereotypes, and prepare students to thrive in our increasingly diverse society and economy.

Studies of teacher voice and student integration, and the underwhelming outcomes of much of the charter sector so far, should be a call to action.
The tired and poorly framed debates over whether charter schools are good or bad must give way to a consideration of how to design charter schools that can consistently deliver.

Charter schools like City Neighbors may hold the best chance of finding new ways to meet the educational demands of 21st-century society. In these schools, students work together with a diverse group of peers, and teachers are treated as professionals who model collaboration, critical thinking, and problem-solving.

Charter schools can give teachers room to experiment and develop more productive models for union-management collaboration that can in turn provide a model for districts. Charter schools can use their enrollment flexibility to fight school segregation.

Charter schools can commit to improving outcomes for kids in all public schools, charter or district. But policymakers must take notice of the innovative schools already leading the way and shift priorities away from today’s adversarial model.

When Choice Doesn’t Feel Like a Choice

Parents struggle to navigate the city’s school-choice process

BY ARIANNA PROTHERO

New Orleans

After a tumultuous start to his sons’ education, Harold Bailey thought he’d finally found a great match for 8-year-old Harold Jr. and 6-year-old Hakeem.

The boys landed spots in Lagniappe Academies, an elementary charter school housed in pastel yellow, orange, and pink trailers perched on a parking lot in New Orleans’ Treme neighborhood—just outside the French Quarter.

Bailey and the boys’ mother had made Lagniappe their first choice—mostly for its small class sizes that a doctor said would be best for Hakeem, who is autistic. But last March, the state shut down the school after uncovering serious violations of the federal law that guarantees students with disabilities an equal education.

It was a major blow to the family. It meant the boys would be switching schools for the third time before either had even reached 3rd grade. And it meant going through the arduous school choice and application process yet another time and navigating a school system nothing like the one Bailey himself had been in as a student 10 years earlier.

“I don’t want to do this again,” Bailey recalls thinking when he first heard rumors that the school was going to get shut down. “I was in denial. … We just came from a failing school.”

Bailey, 27, juggles two full-time driving jobs and rarely gets a day off. But his sons are always on his mind. “I have to make sure I have time with my boys,” he says. “Somebody needs to tickle them, be the tickle monster.”

Bailey was a 17-year-old freshman at the University of New Orleans when Hurricane Katrina struck the Gulf Coast. He’d graduated just months earlier from John F. Kennedy High, part of the last class to earn diplomas from the school. He grew up in the city’s 7th Ward, where many of the homes in his childhood neighborhood remain boarded up from the storm, and attended an elementary school that he describes as one of the city’s worst.

He wants much better for his sons. But he’s skeptical that this new system of wide-open choice can fulfill that hope.

He’s been struggling to get his sons enrolled in a new school—a task that’s more complex in New Orleans than anywhere else in the country, especially for parents with children who have disabilities.

Lagniappe Academies, the school that Bailey believed best met his sons’ needs, had not been providing critical special education services to some of its students. The state said administrators lied when questioned by officials, who later moved to close the school.

Violating special education laws is one of the most egregious failures of any school, but it’s especially sensitive in a city that has been repeatedly rebuked for leaving behind students with disabilities as educators and policymakers have overhauled public schooling.

The golden rule in the charter sector is if a school fails to perform—academically, financially, or
legally—it gets shut down. But at Lagniappe, some families believe that rule was haphazardly applied. Bailey felt Hakeem was getting the personalized attention and services that he needed.

In the decade since the storm, New Orleans has seen an unparalleled amount of school turnover. New schools open. They get handed off to new charter operators. They close down. This shifting landscape has produced bizarre situations where storied city schools are still being run out of trailers far from the neighborhoods they anchored for decades—passed between operators while remaining under the legacy name. Take the example of George Washington Carver High School.

The storm’s aftereffects led to a $1.8 billion payout from the Federal Emergency Management Agency to help build new campuses and upgrade existing schools—a desperately needed investment in a city where many public school facilities had been deteriorating in part from white flight for years, then left in ruins after Katrina. But the typically slow pace of large-scale public works construction projects means several schools are still waiting for permanent buildings.

Making Choice Manageable

In the case of Lagniappe, state officials chose not to seek a new operator, partly because they didn’t think they could recruit one on such short notice and partly because the school was still in trailers with no permanent space on the horizon. But that decision punted families like the Baileys back into the fray of choosing a school among the city’s 50-plus elementary campuses late in the enrollment period—a process, Bailey says, complicated by the fact that no students are automatically guaranteed a slot in the school closest to their home. Instead, families request a list of schools in order of preference. A centralized computer system designed to bring order to the patchwork of independent schools makes the matches.

The computer system—known as OneApp—illustrates how education leaders are still struggling to make all the choices feel manageable.

Selecting a good school requires the time to research and visit campuses—tasks that are arguably easier for families with a two-parent household and flexible work hours. In a city where over 80 percent of students come from low-income families, these are common hurdles.

In some ways this has been a stumbling block for the school choice movement—which has built itself around the mantra that school choice frees families from being condemned to failing schools based simply on their ZIP code.

To tackle the issue, the city’s two school governing entities—the state-run Recovery School District and the locally elected Orleans Parish school board—now have a single enrollment system for most of the city’s charter schools. In the early years of the post-Katrina system, there were countless application processes, deadlines, and school lotteries. OneApp was meant to bring order to the Balkanized landscape.

An algorithm matches students to schools based not only the list of preferences parents submit, but also on other factors such as demand and the number of seats available. Other specific admittance requirements a school may have—say fluency in a foreign language—are also taken into account.

But many parents, especially those with kindergartners entering a system vastly different from any they grew up with, can find this situation confusing at best.

“Nobody likes the idea that an algorithm is making a decision about where their child will go
to school,” says Robin Lake, a well-known researcher on school choice issues at the University of Washington.

Streamlining the application process, however, wasn’t the only reason for creating OneApp; it’s also supposed to make the school matching process more equitable.

“Parents who have been savvy shoppers in the former system and get accepted into six different schools and then make their choice among those six have lost their advantage,” Lake says.

In other words, parents with more resources—be it time or connections—don’t have a leg up over those who don’t.

‘Like a Part-Time Job’

But even with a common enrollment system, and a comprehensive guidebook that lists the vital statistics of every school in the city, the choice process can still be overwhelming.

“It’s kind of like a part-time job almost,” says Kyrstie Schultz-Pellum, a New Orleans parent whose oldest son is entering kindergarten. “Between research and reading, and putting things together, and talking to people, hours. Hours and hours.”

And, Schultz-Pellum explains, there are important holdouts that have hung onto their pre-Katrina selective-admissions processes and don’t currently participate in OneApp. Among them are some of the city’s highest-performing schools, such as Lusher, Audubon, and Benjamin Franklin High School. That, some critics charge, makes those schools as inaccessible now to disadvantaged families as they were in the pre-Katrina system.

Although Schultz-Pellum’s son Sebastian got accepted into Audubon and Lusher, neither school was the family’s top pick. Family members initially had their hearts set on a relatively new charter school committed to having a diverse student body, called Bricolage Academy. Schultz-Pellum is half Latina. Her husband is black. But their son was not matched with Bricolage in two rounds of OneApp, so the family decided to send Sebastian to Lusher.

Seventy-one percent of parents got their first choice in the main round of OneApp for the 2014-15 school year, according to the Louisiana education department. Thirteen percent got their second choice; 6 percent got their third.

Harold Bailey, who held out hope that Lagniappe might remain open under different leadership, was among the few parents to get their last choice. Parents can submit up to eight choices.

Bailey initially knew little about Esperanza Charter, the school his sons have since been assigned to. He threw it on his list at the last minute because the state gave it a B grade last year.

“We’d be better under the direction of a chimpanzee,” he said. “That’s how I feel as a parent seeing this whole system.”

Serving Special Education Students

Plenty of people in New Orleans see the Lagniappe closure as an example of the system working. The redesign of New Orleans’ public schools has been lambasted for failing to plan for how students with disabilities would fit into the system. The hard line the state took with Lagniappe over its failure to provide special education services, and its attempt to cover it up, is a sign to some that education officials are serious about weeding out bad actors. Critics have long charged that some schools
deliberately refused to serve special-needs students, a common criticism of the charter sector at large.

There are incentives to turn away or discourage students with special needs from enrolling. Chief among them: worries that special education students make it more challenging to meet minimum academic benchmarks that could, in theory, shut a school down. Because schools are competing for students, high test scores are a key enticement for parents.

In New Orleans, researchers have found subtle and not-so-subtle ways that charters discourage students from enrolling. The Education Research Alliance at Tulane University interviewed education officials on how competition affected their operations and decisionmaking and found that about one-third of surveyed schools used various tactics to select or exclude students. Those included encouraging transfers, not reporting open spots, or marketing schools through invitation-only events. However, it’s important to note the study was conducted just as OneApp was launched.

A lawsuit filed in 2010 by the Southern Poverty Law Center alleged that the city’s charter schools served fewer students with disabilities than did district-run schools. Students with disabilities in charter schools were less likely to graduate from high school and more likely to be suspended than their peers citywide.

The suit further alleged that several schools either flat-out turned away students with special needs or didn’t have the right teachers and staff to provide them necessary services.

But there were also inherent structural issues with the decentralized system of independent schools, especially early on, that made serving students in special education challenging.

“If you look at how students were getting served after the storm, the story wasn’t good. Kids’ [with learning disabilities] weren’t getting identified, schools were opening and closing all the time, kids were getting shuffled around, there weren’t enough teachers,” says Michael Stone, the co-director of New Schools for New Orleans, an influential nonprofit that supports opening new charters. “And there were some schools that were denying access to students for reasons that were understandable although illegal: They didn’t have the means to meet the needs of a certain child.”

Many charters function like their own mini-districts and are obligated under federal law to provide services to any student who walks through the door. But unlike a regular district, a charter school can’t spread the costs associated with educating that student across multiple schools.

“It’s a terrible financial risk for the school,” says Ms. Lake, the researcher. “It’s a little bit easier if it’s part of a network.”

That’s a problem facing charter schools across the country, but it was compounded in New Orleans, where most of the city’s schools had become charters and there was no large district infrastructure for families of students with special needs to fall back on.

In the past three years, more initiatives and organizations have been trying to solve the problem. New Schools for New Orleans has been aggressively seeking foundation money and awarding grants to charter schools to expand their special education services.

Many of those changes have been driven by the 2010 lawsuit, which was settled, and brings a host of other remedies, including a court-appointed monitor.

The Recovery School District and the Orleans Parish school board have also banded together to set up a citywide risk pool for students whose needs cost more than $22,000 a year.

Even OneApp is another adaptation meant to stop schools from denying admittance to students
with disabilities. It’s much harder for individual schools to game the system when computer-generated algorithms make school assignments.

But that’s not enough for Bailey. For a father of an autistic son, a system where the ultimate accountability rests on school closure is not sustainable for his family. He wants stability: Familiar classmates, teachers who know his sons, and a school that stays open, year in and year out.

“It’s like why do you stay here, but geez,” Bailey claps his hand on his chest over his heart. “Next storm, I’m out.”
BY ARIANNA PROTHERO

While many of the nation’s public schools remain stubbornly segregated by race and income, charter schools are well-positioned to buck that trend: Untethered from neighborhood boundaries, they can draw students from across a city.

But the charter movement—fueled in part by high-profile networks geared strictly toward serving inner-city, low-income students—has mostly fallen short of creating schools that are more integrated than their traditional school counterparts. Even for charters built on a mission of serving a diverse mix of students, it can be hard to balance enrollment, especially in fast-gentrifying urban areas.

To counteract that trend, some charter school leaders and advocates are championing a broader use of weighted lotteries, a mechanism that can give certain groups of students—such as those from low-income families or English-language learners—a better chance of getting into a school. Currently, only a handful of schools use weighted lotteries for this purpose, according to research by The Century Foundation, a progressive think tank.

And although there has been some movement at the federal level recently to encourage the use of weighted lotteries and similar policies among charters, there remain barriers at the state level.

This is the conundrum facing City Garden Montessori School, a charter elementary school in the St. Louis community of Botanical Heights, formerly known for its drug-related violence. To keep a balanced mix of students, City Garden broke with charter tradition and only accepts students from select neighborhoods.

Despite that strategy and its best marketing efforts to attract an array of families, City Garden’s leaders are struggling to keep the school’s diversity as its reputation grows and the neighborhoods it draws from change.

“There’s also a lot of redevelopment happening in the neighborhoods that we’re serving,” said Christie Huck, the school’s executive director. “Also, because of our success, we came more on the radar of white, educated, more-affluent parents [who] are actually choosing our neighborhoods to move into.”

Shifting Demographics

These forces are reshaping the student body. This year’s kindergarten class is about one-third non-white, compared to around 50 percent in previous years and in the upper grades, said Huck. To blunt that trend, City Garden started to consider a weighted lottery, but found Missouri’s charter law unclear on whether such a policy is legal.

“A [state] representative basically said, ‘You could try it, and then you have to decide what your tolerance for risk is because there might be a lawsuit,’ ” said Huck.

The school now wants to bring together other charter leaders to lobby the legislature to tweak the law so it explicitly permits weighted lotteries for diversity purposes.

When there is more demand for seats than there are slots available, charters use a general lottery to
Aspiring to diversity

Some charter networks and single charter schools try to keep racial and socioeconomic balance in student enrollment. Here’s how some are attempting to do it:

BROOKLYN PROSPECT CHARTER SCHOOL
Brooklyn, N.Y. (charter network)
- Offers preference in the school’s admission lottery for students eligible for free and reduced-price meals;
- Gives priority in the waiting list for late admission to transient students who are also English-language learners, who qualify for free or reduced-price meals, or who have a parent who is a member of the U.S. armed forces deployed overseas.

COMMUNITY ROOTS CHARTER SCHOOL
Brooklyn, N.Y. (standalone charter)
- Reserves 40 percent of its seats for students who live in public housing.

BLACKSTONE VALLEY PREP MAYORAL ACADEMY
Cumberland, R.I. (charter network)
- Reserves 50 percent of seats in its admissions lottery for low-income students and balances enrollment from urban and suburban districts.

CITIZENS OF THE WORLD CHARTER SCHOOLS
Los Angeles (charter network)
- Gives a weighted preference in the admissions lottery to students who qualify for free and reduced-price meals at some of their schools.

COMPASS CHARTER SCHOOL
Brooklyn, N.Y. (standalone charter)
- Gives added weight in the school’s admissions lottery to students eligible for free and reduced-price meals.

HIGH TECH HIGH
San Diego (charter network)
- Gives statistical advantage in its lottery to students who receive free and reduced-priced meals;
- Weights the lottery by ZIP code to draw from a balanced cross section of San Diego neighborhoods.

LARCHMONT CHARTER SCHOOL
Los Angeles (charter network)
- Uses an annually updated algorithm in its lottery system to ensure its population of low-income students matches neighborhood census data.

DSST PUBLIC SCHOOLS
Denver (charter network)
- Reserves 40 to 70 percent of its seats in its lottery system for students of low-socioeconomic status.

SOURCE: The Century Foundation
pick which students get admitted. Such lotteries are blind, meaning every student has an equal chance at getting in. A weighted lottery, by contrast, does just what the name suggests: It uses an algorithm to increase the odds of a certain type of student getting in—it’s basically a more high-tech way of putting a student’s name into the hat twice.

Similar strategies include setting aside seats in a school for certain groups. These policies are used in a handful of charter schools to give preference to students from military families, low-income families, as well as English-language learners and students with disabilities.

Charter advocates at the national level have been nudging the federal government to make it easier for schools and networks to use weighted lottery-type policies to increase the numbers of racially mixed schools.

In 2014, the U.S. Department of Education started allowing recipients of competitive grant money to use weighted lotteries to give disadvantaged students a leg up on admission, as long as schools could prove the policies were permitted under their state laws. Congress’ recent overhaul of the main federal K-12 law eased the restrictions even further—at least on paper.

Policy Barriers

But it’s state-level policies that most directly impact how charter schools operate. Schools oftentimes don’t use weighted lotteries, said Halley Potter, a fellow at The Century Foundation, in part because many state charter laws are unclear about whether policies to shape the demographic makeup of schools are allowed.

A 2015 review of state laws by the National Alliance for Public Charter Schools found that no states prohibit using weighted lotteries to encourage diversity, but more than 20 have charter statutes that are either vague or silent on the topic.

Authorizers, the groups that grant charters, can be another barrier, said Potter.

“One of the holdups is charter school authorizers, since that’s a key way that state charter law is interpreted for particular charter schools,” she said.

Authorizers, for their part, are still getting acquainted with the ins and outs of using them to promote diversity, said Karega Rausch, the vice president of research and evaluation at the National Association of Charter School Authorizers.

Rausch said that while authorizers’ attitudes toward weighted lottery policies are generally favorable, many are still wary about the details of how they work. And, Rausch said, there are charter schools making significant academic gains while serving almost exclusively high-poverty, minority students.

But weighted lotteries can only go so far toward truly integrating a school, others caution.

“There’s both this question [of] segregation between schools, and segregation within schools,” said Kent McGuire, the president and chief executive officer at the Southern Education Foundation, an advocacy group for better public schooling, especially for children of color and students in poverty.

“All too frequently we see kids of color underrepresented in the rigorous or high-fiber parts of the curriculum and more concentrated in the tracks that don’t set them up to be as competitive when they transition from high school to college.”

There are other tools school leaders can use for cultivating diversity. They can target marketing materials toward the types of students they want to attract, locate their campuses amid racially diverse communi-
ties, or offer free transportation—a major barrier for poor families when it comes to choosing a school.

But sometimes these tactics aren’t enough, especially in the face of demand for diverse charters, according to Priscilla Wohlstetter, a research professor at Teachers College, Columbia University.

“The more affluent people, the middle class and above, are at these schools at the drop of the hat,” she said. “They are attracted by the educational approach, the anti-bias curriculum, the diversity for democracy’s sake.”

It’s something City Garden can attest to. The school won’t give up its mission of serving a diverse student body. Its leaders are now advocating for more affordable housing in the neighborhood to help with that.

“Affluent people want diversity,” said Huck, “and low-income people want diversity, so we have to figure this out.”

Coverage of issues related to creating opportunities for all American students and their families to choose a quality school is supported by a grant from the Walton Family Foundation, at waltonk12.org. Education Week retains sole editorial control over the content of this coverage.