

# 5

## Charter Schools

*Will They Improve or Hurt Public Education?*

Charles S. Clark



Capital City Public Charter School/Dave Pflthower

Field trips to Rock Creek Park and the National Zoo are fundamental to the program at Capital City Public Charter School, in Washington, D.C. Nearly 680,000 pre-K–12 students attend charter schools in 39 states and the District — slightly more than 1 percent of the 47 million students in traditional public schools. Educators disagree over whether charters — launched 10 years ago in Minnesota — are a promising innovation or a damaging and costly distraction.

From *CQ Researcher*,  
December 20, 2002.

Forget your preconceived notions of dilapidated inner-city public schools. At the Capital City Public Charter School, occupying rented quarters above a CVS drugstore on once-infamous 14th Street in Washington, D.C., the brick building is new, the school well-lighted and clean.

Every morning at 8, when the 180 pre-K through seventh-grade students step off the elevator, abuzz with enthusiasm, they are greeted by Principal Karen Dresden, the city's charter school Principal of the Year last year. Dresden's charges represent 17 zip codes around the city and diverse racial groups. Four hundred children are on the school's waiting list.

As a charter school, Capital City is a nonprofit, publicly funded experimental school governed by a board, mostly parent volunteers, including many of the school's founders. It is one of 2,696 charter schools established nationwide since the first one opened its doors 10 years ago in St. Paul, Minn. Charter schools are given freedom from most regulations in return for a promise to meet performance goals or lose their charters, usually granted for five-year intervals.

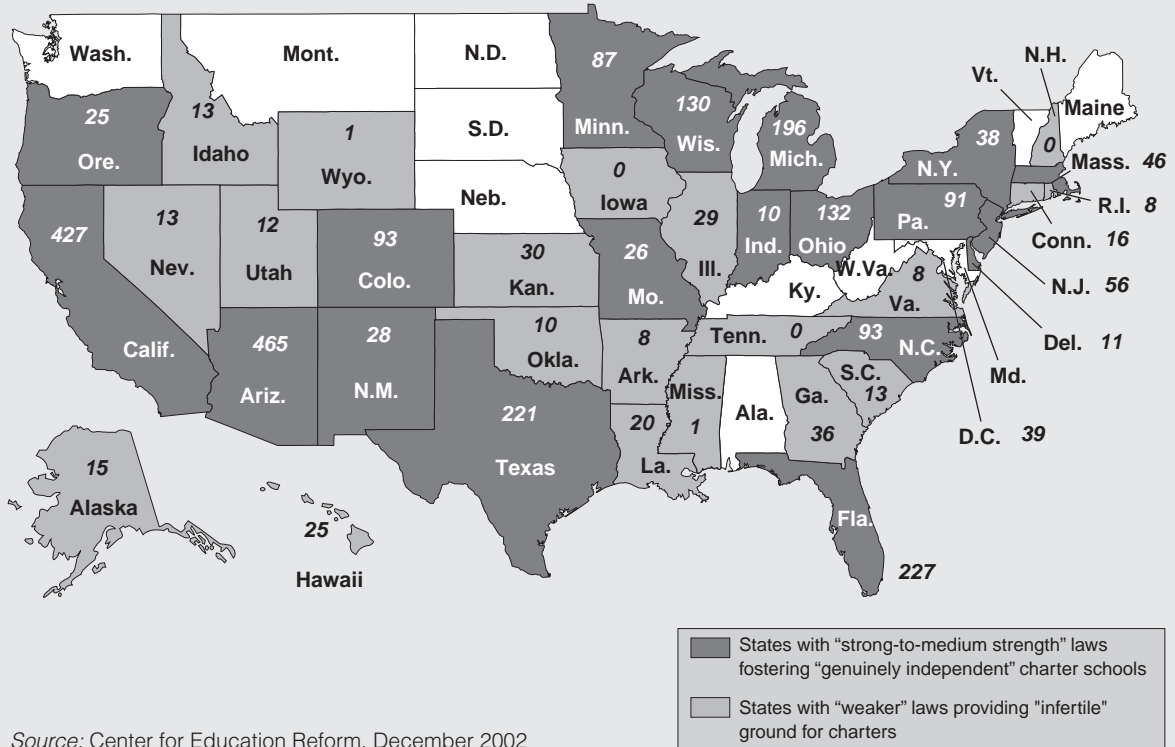
One of Capital City's founders is Anne Herr, a State Department analyst who heads the Board of Trustees. She says starting the school was a "leap of faith" motivated only in part by some parents' dissatisfaction with the traditional public schools their children attended. "The overall motivation was the excitement of starting something new," Herr recalls, though she admits that they might never have started "if we had known all the issues we were going to encounter."

### Most States Permit Charter Schools

Since the early 1990s, 39 states and the District of Columbia have passed laws allowing the creation of charter schools, according to the Center for Education Reform, a pro-charter school group that rates state charter laws according to their strengths. Three states — New Hampshire, Tennessee and Iowa — have enabling laws but no charter schools.

#### States with Laws Authorizing Charter Schools

(and the number of schools in each state)



Capital City built its instructional regime around two increasingly popular programs: Outward Bound’s field-trip-heavy Expeditionary Learning, and a pupil-management approach called the Responsive Classroom, which emphasizes developing social skills and a positive attitude toward selves, school and others.

“It’s a real opportunity for teachers to exercise leadership and build the school,” Dresden says, adding that their pay and benefits are comparable or better than those in traditional D.C. public schools, even though, she admits, “they do work a little harder.” All the teachers boast strong

elementary-education experience, but were not required to jump through all the “hoops and paperwork” of getting locally certified, she says.

Tuition is free at Capital City, which receives public funds based on the normal student-weighted formula — a per-pupil amount, enhanced for special-education students and those with limited English.

Unlike regular public schools, however, charters must find alternative facilities. Financing the lease on the current building — and purchasing a larger one to move into next year — required negotiating loans and revenue

bonds from area banks, personally backed by a board member. “Our board has the ideal membership for a startup,” Dresden says. “They have backgrounds in banking, facilities, grant-writing, law and architecture. You might think it would be good for board members to know education, but we need their expertise in lots of areas that I’m not as strong in.”

Across the country, nearly 680,000 pre-K–12 students attend charter schools in 39 states and the District of Columbia — slightly more than 1 percent of the 47 million students attending traditional public schools. Depending on each state’s enabling law, charter schools can be authorized by local school districts, state governments or special chartering boards. Their sponsors include universities, social-service agencies, YMCAs, Boys and Girls Clubs and, increasingly, private, for-profit corporations. Instructional themes range from agriculture to the Montessori method to online learning.

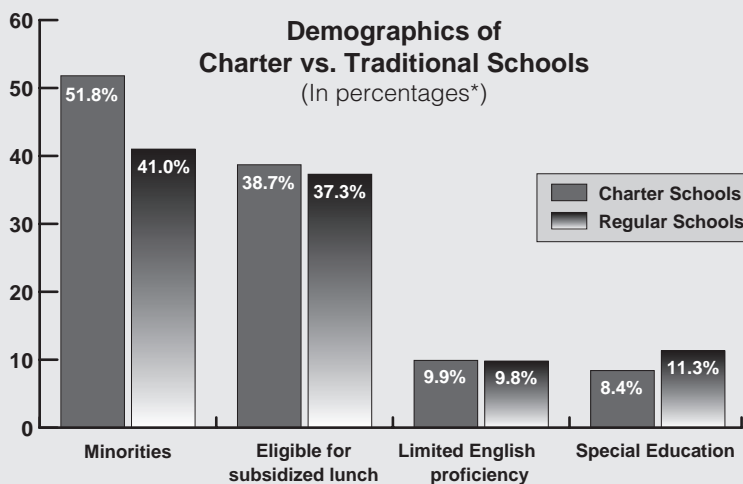
Surveys show that families who choose charter schools want small, effective schools that are responsive to special needs, offer a structured environment and operate flexibly.<sup>1</sup> Yet the charter school movement is bipartisan and philosophically broad. Educational liberals value charters for the freedom to experiment, while conservatives stress the freedom for families to move out of failing schools.

Some enthusiasts see charter schools as opportunities to create laboratories of innovation whose potential has yet to be tapped. “This is a revolution in public education, like democracy was a revolution in how people are governed,” says Joe Nathan, director of the Center for School Change at the University of Minnesota. “We’re seeing far more sophistication in how charters are set up.”

Ron Wolk, founder of *Education Week*, predicts that as charter schools become more popular, they will attract private-school students back into the public system.

### Charter Schools Do Not ‘Skim’

Contrary to what critics say, charter schools serve a diverse population, according to an Education Department survey. More than half of charter students are minorities. Charter and traditional public schools serve about the same percentage of poor and non-English speakers, but charters serve slightly fewer students with disabilities.



\* Data for charter schools from 1998–1999; for regular public schools, 1997–1998.

Source: RPP International study, “The State of Charter Schools 2000: Fourth-Year Report,” U.S. Department of Education, January 2000, pp. 30–38.

Others see them as an alternative to the public-school status quo. “The current system rewards good teaching by promoting teachers out of the classroom, which promotes mediocrity,” says M.S. “Mike” Kayes, project director of the Phoenix-based National Charter School Clearinghouse, a Department of Education-funded group that supplies information on charter schools. “Public education’s failures are systemic and institutionalized, so it’s not enough to find a new manager. You have to throw off the yoke of how teachers are hired and rewarded.”

But critics point out that a disproportionate number of charter schools are set up in ailing urban districts, making many low-income families with at-risk children the guinea pigs for sketchily funded experimentation. Joan Devlin, associate director of educational issues at the American Federation of Teachers (AFT), says even with some successes, charter schools are “a distraction” from reforming mainstream public schools.

## Freedom and Headaches: An Educator's Plunge

Taking the plunge into charter schools brings veteran educators freedom — and new headaches. “There was a shocking realization when I went from being in the instructional arena to the business arena in one fell swoop,” says Linda Proctor Downing, a former magnet high-school director who started four unique charter schools in Phoenix. “Though I had been an educator for 20 years, I really hadn’t understood how hard people in the district bureaucracy have to work to keep instructional programs running day to day.”

Downing is now in her sixth year running the nonprofit operation — Arizona Agribusiness and Equine Center (AAEC) — where nearly 300 high school students ride horses and do ranching chores while studying anatomy, physiology, genetics and mathematics.

The Arizona Department of Education funds the schools, housed on community college campuses, but fundraising is always a necessity. Downing is currently in the throes of planning new fundraising to expand the equestrian programs at the two newest centers, started six months ago. “It was an eye-opener that the business aspect meant being on call 24 hours a day, seven days week,” she says.

The flexibility Downing has in running the school is reflected in her approach to paying teachers. “We have no

salary scale, and we pay what the market demands, with no two similar salaries,” she explains. “We hire the best person we can find from an industry, often people whom the school system wouldn’t hire because they lack secondary certification.”

“We recently stole a biochemist from the local neurological institute,” Downing adds. “In my previous school, I had no say in hiring, firing or discipline. Now I can collaborate with staff members and set up an interview team.” She can offer job candidates smaller class loads than traditional schools.

The downside to the operation’s small size and flexibility is that outside auditors “are a lot harder on us than they are on traditional schools,” Downing says. “We’re so small that they can spend more time looking at us.” The auditors have been impressed both with her students’ scores on standardized tests and with the high number of college-level credits they earn from the community colleges — the average student graduates with a 3.43 grade point average and 46 college credits. “Some students have actually received their community college degrees before they get their diploma from us,” Downing says.

The program’s intimate size also means “we know every kid and parent in the school,” Downing says. Parents and children sign an agreement promising to strive for good grades and good attendance; the school promises zero tolerance for

“Charter schools can be good tools if they’re carefully done,” Devlin says, noting they must be accountable and that their pupils must be required to perform well on the same achievement tests traditional schools are required to give. “And they must be open to all.”

Unionized teachers claim that charter schools are a thinly veiled effort to eliminate teachers’ unions. Most charter schools do not offer prevailing wages and hours, points out Deanna Duby, a senior policy analyst at the National Education Association (NEA). “They’re trying to get rid of union contracts,” she says. “They’re saying, ‘Give us some money and leave us alone, and we’ll take care of things.’”

“The majority of our 2.7 million members would just as soon have charter schools go away,” Duby says. “They’re a sign that we’re not doing our job, but many feel that the competition is not fair because if you took

away all the regulations [mainstream teachers] work under, we could be creative like charters, too.”

In fact, Devlin argues, the tendency of many charters to employ teachers “at will” — without tenure or long-term contracts — is why teacher turnover at the schools is so high: about 60-80 percent. “I’m not saying bureaucracy isn’t burdensome, but it is not generally what impedes change and progress,” she adds. “It’s no longer true that unions prevent school principals from hiring who they want or firing incompetent teachers. You just have to show ‘just cause’ rather than being capricious.”

Many administrators and teachers’-union members worry that charter schools are difficult to govern, organize and regulate, like the Los Angeles charter school that reportedly bought its director a sports car.<sup>2</sup> And authorities revoked the license of Gateway Academy — a chain of California charter schools — after it was discovered

misbehavior. “Parents have immediate access to me by phone.”

Managerial flexibility stands as a key attraction for entrepreneurial educators. As a Massachusetts charter principal told a researcher for the Thomas B. Fordham Foundation, “When we get a résumé, we call the number, and we can hire the person on the spot if we like them.” Another principal explained that his school “expected more of teachers and paid them less, a guarantee that those who took the job really were imbued with the mission of the school.”<sup>1</sup>

Some principals boasted of being able to fire a lunch caterer for late deliveries or take students on a field trip with just two days’ notice. Others exulted at being freed from the budget syndrome common in traditional schools, in which funds not specifically earmarked are spent haphazardly at the end of the year merely to avoid “losing” them — having them withheld the following year.

Teachers also like the opportunities charter schools offer for in-depth lessons. Dave Philhower, a fourth-grade teacher at the Capital City Public Charter School in Washington, D.C., has taken his students to the National Zoo more than 30 times to study animals and help write children’s-level exhibit labels. At his previous teaching job in the suburbs, “I would never have had the release time or an administration so supportive,” he says.

The risks of experimentation, however, are high for charter schools, because they have such high profiles, and the financing is often dicey. “In the charter arena, we don’t get a



Arizona Agriculture and Equine Center/Robert Simmt

AAEC students Aaron Fontes and Tiana Orberson display their biotech project, “Screening Desert Plants as Potential Antibiotics,” at the Future Farmers of America annual competition in Louisville, Ky.

second chance,” Downing says. “If you don’t get it right the first time, you’re likely to end up in the newspaper.”

<sup>1</sup> Quoted in Bill Triant, “Autonomy and Innovation: How Do Massachusetts Charter School Principals Use Their Freedom?” Thomas B. Fordham Foundation, December 2001.

that some of its 14 schools were teaching Islam, charging parents tuition and hiring convicted felons.<sup>3</sup> The irregularities at Gateway were discovered when a reporter found students praying with their Muslim teachers at a school in Sunnyvale.<sup>4</sup>

Moreover, some studies of student achievement have shown that charter-school test-score gains have been minimal. “If the schools are not effective, they should be curtailed or abandoned,” say two Western Michigan University professors.<sup>5</sup>

So far, the Capital City Public Charter School is passing with flying colors. Each year, auditors from the D.C. Public Charter School Board evaluate the school based on students’ performance on the Stanford 9 and other standardized tests, as well as non-academic measures like attendance and fulfillment of the school’s management plan. During its first year, Capital City reported the

highest reading scores of the district’s 33 charter schools.

Far less fortunate were the students, staff and parents of three other charter schools closed by the D.C. Board of Education last June. The World Public Charter School was cited for problems ranging from failing to provide individualized education plans for special-education students and not verifying students’ residency to failing to conduct employee background and health checks or supply textbooks.

Nonetheless, charter schools nationwide are on the upswing. President Bush’s landmark No Child Left Behind Act proposes new funding and organizational help for charter schools.

“The Clinton administration supported charters as a policy option, but our approach is more entrepreneurial advocacy,” says Undersecretary of Education Eugene W. Hickok.



“Charter schools are not just an important part of public education, they are an essential part.”

As the charter school movement enters its second decade, here are some of the key issues being debated:

### **Are charter schools harming the traditional public school system?**

In suburban Long Island, N.Y., a group of parents have formed the Coalition to Oppose Charter Schools in Glen Cove. “We want to keep our community desirable,” said spokeswoman Gloria Wagner. “The connotation of a charter school is, ‘The [traditional public] schools are lousy and are not meeting the needs of our children.’ [If charter schools are allowed here], our property values will go down, our taxes will increase to keep the standards up.”<sup>6</sup>

In Worcester, Mass., Mark Brophy, president of the local teachers’ union, blasted charter schools as “a conspiracy to implode public education” by siphoning away funds needed by traditional schools.<sup>7</sup>

In Indianapolis, officials this fall complained that when four new charter schools opened, the school district lost \$1.5 million, mostly because the charters attracted many private-school students.<sup>8</sup> And a recent survey of 49 school districts with charter schools, commissioned by the U.S. Education Department, found that at least half of the districts reported negative budgetary impact.<sup>9</sup>

The financial impact on mainstream schools varies by state, says Paul Houston, executive director of the American Association of School Administrators, in Arlington, Va. “It depends on how closely tethered the charters are to district funds,” he says. “In some states, the laws burden districts with oversight and monitoring responsibilities without providing new funds. And superintendents gripe that when charters go belly up, the districts have to sweep up the pieces of a problem they had no role in creating.”

A school district’s overhead costs are largely fixed, regardless of the number of students, until it reaches “a certain breaking point,” Houston adds. So if charter schools reduce the number of children in the mainstream district from, say, 3,000 to 2,800, the district loses the funds for those 200 children who left — but without reducing its overhead. “[Thus], you indirectly impact the kids left in the system, because you still have to maintain buildings and provide services.”

But Ted Kolderie, a former journalist and Minnesota citizen activist who helped launch the charter movement, dismisses the siphoned-funds complaint. “You have an established industry that sees change occurring, has trouble changing and tries to stop it,” he says. “The complaints are self-interested, though they’re not couched that way.”

Under the charter school concept, “The money moves, and we finance kids,” Kolderie says. “That requires districts to think. All of these assertions come when they think inside the box.”

Undersecretary Hickok acknowledges “more than a scintilla of truth” to the problem of rigid overhead costs. “Having said that, I remind my friends in school systems that the issue is not funding or managing their systems, but educating children,” he says. “Yes, you’ve got management challenges, but if families feel their children are not getting an education,” it is not the district’s job to thwart them.

Critics also complain that the charter movement risks re-segregation and the “Balkanization” of public education, tearing the fabric of communities in ways that have had negative consequences in other countries. For example, after New Zealand abolished its national education department in 1989, the subsequent formation of autonomous schools chosen by parents produced overcrowded, homogenized, re-segregated schools that pick their students rather than vice versa, according to Edward B. Fiske, an education consultant, and Helen F. Ladd, a professor of public policy studies and economics at Duke University.<sup>10</sup>

Charter school proponents say that while the Balkanization charge is logical on the surface, it doesn’t hold up to scrutiny. “Neighborhood schools based on housing patterns made sense years ago, but we’re now in a crisis in the urban schools,” says Jeanne Allen, president of the pro-charter school Center for Education Reform, “and if traditional schools are not serving students, then we must be willing to let them leave.”

In fact, neighborhood schools have been losing appeal in some areas, including wealthy suburbs where students attend a variety of alternatives to the local public schools, ranging from religious institutions to college-prep private schools.

Chester E. Finn Jr., charter supporter and president of the Thomas B. Fordham Foundation, says public-school

choice offers a “dizzying proliferation of hybrid forms — virtual schooling, home schooling in the morning with charter schooling in the afternoon, public schools outsourced to private firms.” Balkanization “implies that having a public school system is our foremost object of concern, but my concern is whether the public is being educated. That can be done in a wide variety of ways.”

Indeed, charter proponents say fears that charter schools contribute to re-segregation were not borne out in a recent Education Department survey. It showed that charter schools had 52 percent minorities, compared with 40 percent in traditional public schools, that both sectors had about 39 percent of students in the federal lunch program, and both had about 10 percent with limited English proficiency. The traditional public schools, however, had slightly more special-education students (about 11 percent vs. about 8 percent in charter schools).<sup>11</sup>

Many strong public-education advocates do not think charter schools threaten the public schools. “Charters exist because many people want to get out of the bureaucratic environment they’re mired in, not because they want to avoid the principles and values of public education,” says Wendy Puriefoy, president of the Public Education Network (PEN), an association of community organizations known as local education funds (LEFs), dedicated to improving public schools.

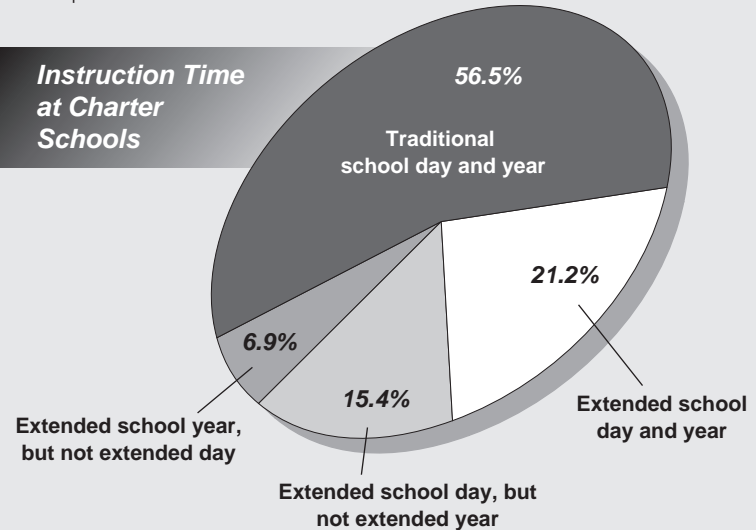
### Do charter schools foster innovation and achievement?

After 10 years of the charter school movement, evaluators must still rely largely on anecdotal evidence of innovations and shifting reports of rising or falling test scores — the same complexities and lack of consensus that frustrate discussions of traditional schools.

Skeptics argue that for all the lofty rhetoric about charters being laboratories of innovation that would

## Many Charter Schools Offer Extended Days

More than 40 percent of all charter schools go beyond the traditional school day or year, according to the Center for Education Reform, a pro-charter school group. Both extended days and years are offered at 21 percent of the schools.



Source: Center for Education Reform, October 2002, based on 481 responses from 2,357 charter schools surveyed in September 2001

inspire mainstream schools, mixed results have forced advocates to lower their sights. “The claim was that the schools would be innovative and educators would roll it out on a larger scale,” says the NEA’s Duby. “We don’t hear that now. Instead, you hear, ‘Charters provide choice.’ That’s fine if the schools are innovative and offer something kids can’t get in mainstream schools. But if it’s just another choice, we’re not supportive.”

Proponents like Undersecretary Hickok point out that charters were the first to bring in dress codes and instructional programs that weave art and music into the teaching of reading and math. Charters pioneered longer school days and school years and have spotlighted “niche curriculums,” such as Core Knowledge and Open Court/Direct Instruction, recently adopted in the Sacramento, Calif., public schools, says the Center for Education Reform’s Allen. “The point is not to take one innovation — because the whole charter approach is innovation — but to start with the premise of what can be done differently.”

Education scholar Paul Teske found that charter schools deliver innovations more than twice as fast as traditional schools. Among their many innovations: before-and-after-school programs, extra tutoring, high-technology in classes, teacher development, teacher participation in policymaking, pre-K programs, parental contracts and gifted-and-talented programs.<sup>12</sup>

In the Education Department's recent 49-district survey, half of the school leaders with charter schools in their districts reported becoming more customer-oriented, increasing their marketing efforts, tracking students who leave and improving communication with parents. Most districts implemented new programs, or even created new schools with programs like those of the charters.<sup>13</sup>

One superintendent reported that after a second charter school opened in his district, he lost \$1 million in state aid. "It's spreading an already-thin budget even thinner," he told researchers, adding that if another charter school opened in his district, he might have to close a school.

The superintendent said he felt competition from the charter schools, even though only 1.3 percent of the district's students had switched to them. He also acknowledged, however, "We're better because of charters. I hate to say it, but we're more aware of the importance of what parents say and have become more customer-service oriented. We're willing to fix anything that parents leave for, like scheduling or busing. The charter schools stole our students; we will steal them back."

As a result of competition from the charter schools, the superintendent implemented several new educational programs, remodeled school buildings, included parents in the hiring process for new principals, encouraged team teaching and directed elementary schools to divide themselves into smaller units, or "families," to increase the sense of community. In addition, he announced that he expected district students to outperform charter school students on future achievement tests and created a new accountability system for district personnel to reinforce that objective.

"There are specialized charter high schools, such as schools for the arts, particularly in urban areas where they're working at reforms," PEN's Puriefoy says. "Urban schools in the standards-based-reform era are like emergency rooms in medicine. They don't work under

antiseptic conditions, and they have people coming in off the streets, but you have the same basic issues of medicine. Urban schools are the real laboratories of learning for public education as a whole."

"In most transitions, the early years are shaky," activist Kolderie says. People complained because "the early automobile was slower than the train, or because the first telephone had a range of only two miles. We never before had a system of autonomous schools. And even when charter schools are using proven learning models, they're still new, in that the organizations created are single-unit operations."

As for student achievement in charter schools, conclusions are complicated because there are no uniform tests or year-to-year data. In the late 1990s, the Phoenix-based Goldwater Institute, a free-market think tank, studied reading scores at Arizona charter and mainstream schools. "Students enrolled in charter schools for two and three consecutive years have an advantage over students staying in [traditional schools] for the same periods of time," the institute said.<sup>14</sup>

But more recent studies are less glowing. In a review released in September by the Brookings Institution's Brown Center on Education Policy, charter school students in four of the 10 states studied scored significantly below those from similar public schools. The study relied on 1999-2001 data from students in grades 4, 8 and 10 in 376 charter schools. Contrary to expectations, students in the urban charter schools scored higher than those in suburban or rural charter schools, and those from larger schools did better than those from small schools.<sup>15</sup>

Similar findings are reflected in an AFT report released in July. It found negative test-score growth in charter schools in six states — North Carolina, Texas, Michigan, Louisiana, Ohio and Pennsylvania — and mixed results elsewhere. Positive results were found only in New Jersey and Connecticut.

The AFT evaluators also concluded that charter teachers feel less empowered to make changes in their workplaces than those in traditional buildings and hold mixed feelings about administrators and governance structures. They said charters encourage innovation but are less effective at changing instruction; that charters help isolate students by race and class; are not accountable financially and neglect special-needs students.<sup>16</sup>



The proliferation of charter schools in Michigan prompted studies by Western Michigan University's Center for Evaluation. "Some districts may be encouraged to improve, but others are launched on a terminal cycle of decline," wrote researchers Michael Mintrom and David N. Plank. "When assessing students' standardized-test scores, no evidence suggests that charter schools are doing better than their traditional counterparts in the same districts."<sup>17</sup>

The North Carolina Center for Public Policy Research and scholars writing for the National School Boards Association both gave thumbs-down reviews of charters.<sup>18</sup>

Not surprisingly, charter advocates question the methodology of some of these studies, calling them biased. "Charter schools are all different," says the Center for Education Reform's Allen. "You have to look at how often the state tests, when the schools opened and whom they serve.

"If you look at individual students' scores, not masked by averages, performance is better at 80 percent of the schools," Allen continues. "With oversight boards and audit groups dropping by more frequently than with traditional schools, charter schools are the most scrutinized movement since desegregation. Yet you find a very optimistic picture, succeeding against all odds."

She points out that more than 50 years of longitudinal trends show that Philadelphia's public schools are failing. "We know more about traditional schools," she notes. "Charters know they are under the gun, but tests are expensive. Many of the schools are serving non-traditional, special-ed, at-risk kids, so they struggle to demonstrate progress. But most are, in fact, doing well by any other measures."

For instance, Allen says, charter school mobility rates are stable (charter kids tend to stay put), high-school graduation rates are at 95-99 percent and 63 percent have waiting lists.

Surveys show rates of student, teacher and parental satisfaction in charter schools triple those of traditional public schools. Finn and his colleagues say parents rate charter schools better on class size, individual attention, school size, teaching quality, parent involvement, curriculum, extra help, enforcing standards, accessibility, discipline, basic skills and safety. Traditional schools rated the same or better only on facilities.<sup>19</sup>

"We have a whole menagerie of charter schools," the Fordham Foundation's Finn says. "Many are fabulous, but there are too many bad and mediocre ones. Some get better, others don't."

The University of Minnesota's Nathan, who notes Minnesota has many prized and influential charter schools, says, "The generic thing called 'charter school' is like the word 'business.' Some are effective, some are not. Some shouldn't have been approved.

"But the key is whether the ineffective ones are closed," he continues. "A lot more charter schools have closed than district schools. More close for business reasons than academic ones, and the ones that do poorly in business also do poorly academically."

Kayes of the National Charter School Clearinghouse argues that the low socioeconomic status of many charter-school students makes it imperative that charters be examined with "more-sophisticated value-added" assessments. "If you're getting high-school kids who come in reading at the sixth-grade level, and if, at the end of one year, they're at the seventh- or eighth-grade level, that's phenomenal," he says.

Parents who choose charter schools for their children tend to be more involved with their kids' educations, Kayes says, and charters tend to be two-thirds to three-fourths smaller than traditional schools. "But improving student performance is absolutely what's needed. If these schools only do as well as their traditional counterparts, then why bother?"

### **Should private companies be allowed to run charter schools?**

In Florida, three-fourths of all new charter school seats are being created by private corporations. Companies like Chancellor-Beacon Academies, based in Coconut Grove, work with developers to build new facilities with small classes. By contracting with counties to receive \$2,000 less per student than a traditional school district, they pay teachers less than traditional schools, but they offer them stock options, and, in theory, save taxpayers money.<sup>20</sup>

According to the Center for Education Reform, 19 such companies or their nonprofit subsidiaries — called "educational management organizations" (EMOs) — are operating some 350 schools around the nation, many of them charters. They include nationwide companies like

## C H R O N O L O G Y

**1970s** *Lawmakers and educators experiment with public-school choice programs.*

**1971** St. Paul and Minneapolis, Minn., offer the first public choice program in alternative “open” and “free” schools, followed by similar schools in Scarsdale, N.Y., Philadelphia, Pa., and Arlington, Va.

**1980s** *Nation decides U.S. schools need reform.*

**1983** National Commission on Excellence in Education publishes dire warnings about declining quality of U.S. education in “A Nation at Risk” report.

**1988** National labor, education and civic leaders hatch idea for charter schools — a concept scribbled on a napkin at Minneapolis foundation conference.

**1990s** *Charter school movement expands to 36 states and the District of Columbia.*

**1991** Minnesota enacts first charter school law.

**1992** First charter school opens in St. Paul, Minn. California enacts second charter law.

**1993** Charter school laws are enacted in Colorado, Georgia, Michigan, New Mexico and Wisconsin.

**1994** Federal government backs charter schools in reauthorization of the 1965 Elementary and Secondary Education Act (ESEA). . . . Arizona enacts one of the nation’s most far-reaching charter school laws.

**1995** Abandoning earlier opposition, National Education Association (NEA) launches five-year effort that results in four NEA charter schools.

**1996** Congress passes District of Columbia School Reform Act granting chartering authority to the D.C. Board of Education and D.C. Public Charter School Board.

**1998** ESEA amended with Charter School Expansion Act, which increases federal funding and support.

**2000s** *Charter school movement continues to expand.*

**2000** In presidential campaign, both Republican George W. Bush and Democrat Al Gore promise huge expansion of charter schools; Bush talks of \$3 billion in loan guarantees, Gore vows to triple number of schools by 2010.

**August 2000** Harvard University’s John F. Kennedy School of Government and Ford Foundation award \$100,000 to Minnesota for its charter school law, to be used for nationwide advocacy.

**Oct. 26, 2000** National Council of La Raza, a nationwide advocacy group for Hispanics, announces it has raised \$6.7 million to develop a network of Latino-oriented charter schools.

**Nov. 14, 2000** Bill & Melinda Gates Foundation gives nonprofit Aspire Public Schools \$3 million to create network of small charter schools, part of larger efforts to create smaller schools.

**Jan. 8, 2002** President Bush signs No Child Left Behind Act, requesting \$300 million in funding for charter schools and guaranteeing that charters can continue to report their yearly progress to their sponsors, rather than the local school board.

**April 29-May 3, 2002** President Bush proclaims National Charter Schools Week. “Charter schools embody the principles of President Bush’s No Child Left Behind plan — marrying strict accountability for results, greater options for parents and families, and more freedom and flexibility than traditional public schools,” Education Secretary Rod Paige says.

**June 19-22, 2002** Education Department convenes fourth national charter school conference in Milwaukee.

**June 27, 2002** U.S. Supreme Court rules in favor of Ohio’s school voucher program, which allows public-school kids to attend parochial schools in Cleveland, using public education funds for their tuition; some charter school advocates are pleased.

**Nov. 5, 2002** GOP election gains boost advocates for voucher programs in Texas, South Carolina and Colorado, in addition to those in effect in Florida, Ohio and Wisconsin.

Edison Schools and National Heritage Academies. In Ohio, White Hat Ventures LLC, founded by a millionaire industrialist and private-voucher advocate, runs a sixth of the state's 91 charter schools. In New York state, companies run half the charter schools, and in Michigan, two-thirds.<sup>21</sup>

To some public-school purists, such public-private partnerships represent a disturbing trend. "It's based on deception," says the NEA's Doby. "The law says a public school can't be for-profit, so they set up a nonprofit foundation. The big corporate guys believe there is money to be made, so some are diving in to take over the charter movement. It will be interesting to see how many mom-and-pop charters will survive and to what degree the movement will become for-profit."

Critics also scoff at the notion that a "cookie-cutter" design from a large corporation can meet the individual needs of kids and families in diverse neighborhoods. "Education is hard," Doby says. "Learning occurs through day-to-day interaction. Corporations can't come in and say, 'We've got magic.' Which kids? Which environment? On what day? Too often they make decisions based on a test score here, a number there. But it's more complex than you think."

Paul Hill, a University of Washington professor and longtime researcher on public schools, warns that schools may not develop a strong sense of "internal accountability" if they do not control such crucial items as their own budget and curriculum. Authorizers who have a positive opinion of an EMO "may be less likely to look critically at each school affiliated with that EMO during both the application and oversight processes."<sup>22</sup>

The companies deny any deception. "We're not in the business of dummy organizations," says Vickie Frazier-Williams, vice president of community and board relations for Chancellor-Beacon Academies. "Every state law is different. Some allow a for-profit to own, run and operate a public school; others require a nonprofit. It's difficult to keep up with changes. But friendly school boards look to us, research us and invite us in."

As for actually earning a profit, Frazier-Williams points out that her company receives a fixed 10-12 percent of a district's payments, so proceeds from any efficiencies are channeled back into the schools. "The profit comes from growing in many different places," she says. "Charters are the toughest model

because the parents vote with their feet. We have to please them."

She also dismisses the common charge that companies try to create cookie-cutter, or "McCharter" schools. "Maybe that happens in the early days, but every child, school and community is different, and each principal sets a different tone," Frazier-Williams says. Chancellor-Beacon partners with land developers to build new schools in overcrowded districts. The school boards consist of parents who all live in the same development, as opposed to traditional school boards, which usually are elected from all parts of a school district.

Marc Egan, director of the Voucher Strategy Center at the Alexandria, Va.-based National School Boards Association, says a local school board — which normally is elected — should be the agency that grants charters. A publicly accountable board must decide whether a school meets the public's needs — not a university or a nonprofit that may be a dummy front, he says.

"What is their motivation? To please some financiers 2,000 miles away?" Egan asks. "You can't eliminate public accountability from how the taxpayer education dollar is being spent."

Undersecretary Hickok disagrees. "School boards, as originally structured, are democratic. But what could be more democratic than parents voting with their feet?"

Finn points out that, technically, under most state constitutions, state governments are charged with educating children — not just local school boards.

"Schools we have now are gypping so many kids and have no prospect of turning around," Finn says. "It's unjust to say we must keep these kids trapped in schools that are not doing what they say they are."

Finn also calls the fear of profit-taking a "red herring." Regular schools contract with private companies to provide lunch and bus services, computers, textbooks, building maintenance and tutoring, he points out. "So a non-trivial part of the budget flows into the coffers of for-profits," he says. "Does that make [those companies] a front? People who don't like choice or charters are trying to get people agitated into thinking EMOs are evil."

Allen also defends the companies. "Anyone who wants to make a quick buck doesn't go into education," she says. "And there is a philanthropic edge to even the most for-profit companies, though there are exceptions. The key is what the company is doing for kids. You can't

## Are Charter Schools Failing Special Education?

When Patricia Chittams removed her learning-disabled son from the World Public Charter School, in Washington, D.C., she said he wasn't receiving the extra help he needed.

"They provided no special-education services, no matter how much we wrote and begged," said Chittams. "They did nothing."<sup>1</sup>

Ultimately, the city school board closed World Public and another local charter school, charging — among other problems — that they had failed to provide adequate special-education services.

Some parents and educators fear that the nation's 2,700 charter schools, because of their experimental, regulation-exempted structure, may be neglecting children with disabilities.<sup>2</sup> "It's hard to say that the charter school movement has been beneficial to special-education students," says National School Boards Association (NSBA) spokesman Marc Egan.

Others argue that the charter school model allows schools to better serve children with disabilities. "If you're a charter school that serves the deaf or the blind, then you get an economy of specialization, and you can really concentrate on serving those kids' needs," says Herbert J. Walberg, a scholar at the Hoover Institution and charter school board member.

Government assessments of the prevalence of special-education programs at charter schools have produced seemingly contradictory results. A Department of Education study completed in 1999 found that special-education students made up 8.3 percent of the charter school student population, compared to 11.2 percent at regular public schools. However, the same report also cited findings indicating that charter schools enroll special-education students at a slightly higher rate than their regular counterparts.<sup>3</sup> In

conclusion, the Education Department researchers say in most areas data on charter schools and special education "are scant."<sup>4</sup>

And since charter schools are authorized by 39 different state laws, it's difficult to broadly assess their impact. "The federal government is not collecting data on charter schools and special education because the states are responsible for monitoring [them]," says Eileen Ahearn, program director at the National Association of State Directors of Special Education.

While charter schools do not have to comply with many federal and state regulations, they are not exempt from federal laws prohibiting discrimination against the disabled or handicapped. "The laws say [public] schools must provide special-education services to students with disabilities," says Lynda Van Kuren, spokeswoman for the Council for Exceptional Children. "Therefore, it is incumbent on charter schools to provide those services."

A 1975 federal law — now called the Individuals with Disabilities Education Act (IDEA) — says no student can be denied admission or participation in any school program receiving federal financial assistance.<sup>5</sup> Federal funds make up about 7 percent of overall public school monies. "Charter schools are public schools, they're receiving tax dollars and they cannot deny admission to any student," says Egan of the NSBA.<sup>6</sup>

Yet some charter school programs have logged a disproportionate number of special-education-related complaints. For instance, Arizona — which with 465 charter schools has more than any other state — recently revealed that its charter schools accumulate special-education complaints at a rate six times higher than traditional public schools.<sup>7</sup>

"Recently there seems to be an increasing number of hearings requested [under IDEA] regarding charter schools," Ahearn says. Charter schools must accept every

fire the Miami-Dade County teachers' union, but you can fire Edison."

Houston, of the school administrators' group, says he is "more open" to giving EMOs a shot than are many of his colleagues. "Some do a better job than critics say, but they're not the ultimate solution. They're not a cash cow, and some of them may exclude high-cost, special-education kids."

In October, the General Accounting Office, the investigative arm of Congress, released a report saying there is no evidence to prove or disprove EMOs' claims of raising student achievement, because none of the data provided had scientific rigor. Rep. Chaka Fattah, D-Pa., who requested the study, warned Congress to "be leery" of private education companies.

student that applies or hold a lottery if there are more applicants than the school can accommodate.<sup>8</sup>

However, Ahearn is not aware of any federal lawsuits challenging charter schools' treatment of special-ed students. She attributes the lack of complaints to the availability of official avenues of complaint under IDEA.

Advocates for the disabled say some charter schools are "weeding out" the harder-to-educate special-education students. They might be avoiding special-ed students because they score more poorly on standardized tests, and educators are under increasing pressure to show improvement on test scores.<sup>9</sup> Egan admits that he has no hard statistics on how widespread the practice is. "We have some concerns that charter schools may only be admitting children with less-severe disabilities, because they are less costly to educate and provide for," he says.

Charter advocates argue that federally mandating special-education services at charter schools only makes them less effective. "The whole idea of charter schools is to get away from bureaucratic regulation from the federal and state governments," Walberg says. "Special education — because of these bureaucratic and burdensome categories like IDEA — causes a real burden for charter schools. The federal regulations should be loosened."

Because most charter schools are smaller than their traditional public-school counterparts, they may lack the facilities and staff to meet every child's special needs. "You have this huge inefficiency of these federal and state programs. It's a way that the forces of the status quo can prevent charter schools from thriving," Walberg adds.

For some, charter schools offer a middle ground between federally mandated inclusion and non-traditional public schooling. At the CHIME charter school in Los Angeles, Principal Julie Fabrocini and her colleagues integrate children with special needs into mainstream classrooms, a process required by IDEA. "Being a charter school affords us

more opportunities to more thoroughly integrate kids with disabilities, because we start from the ground up and bring in staff and faculty who are of like mind," she says. "We want schools to [reflect] an accurate representation of the community, and we want to stop an institutionalized perspective for people with disabilities."

In the end, until more legitimate research is done, the jury is still out on whether the disabled are being adequately served by charter schools. "The data collection is still being done to see what exactly the charter school movement has given to special education," adds Egan.

Walberg agrees: "It's nearly impossible to answer the question of how well charter schools are serving special-education students because charters are very heterogeneous. What we have right now are arguments rather than evidence."

— *Benton Ives-Halperin*

<sup>1</sup> Justin Blum, "Revoked Charter Schools Still Open; Facilities Appealing D.C. Board's Order," *The Washington Post*, May 6, 2002, p. B1.

<sup>2</sup> Center for Education Reform, [www.edreform.com/pubs/chg glance.htm](http://www.edreform.com/pubs/chg glance.htm).

<sup>3</sup> See Thomas A. Fiore and Lessley M. Harwell, "Integration of Other Research Findings with Charter Schools and Students With Disabilities: A National Study," U.S. Department of Education, 2000.

<sup>4</sup> *Ibid.*

<sup>5</sup> From the "Twenty-Third Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act," Office of Special Education Programs, Department of Education, May 14, 2002.

<sup>6</sup> For background, see Kathy Koch, "Special Education," *The CQ Researcher*, Nov. 10, 2000, pp. 905-928.

<sup>7</sup> Pat Kosan, "Charter Schools Exceed in Special Ed Complaints," *The Arizona Republic*, Dec. 10, 2002.

<sup>8</sup> Eileen Ahearn, "Public Charter Schools and Students With Disabilities," Educational Resources Information Center, June 2001.

<sup>9</sup> Maria L. La Ganga, "Charter School's Scores Up, So Why Is Board Unhappy?" *Los Angeles Times*, March 18, 2001, p. A1.

## BACKGROUND

### Born on a Napkin

The roots of the charter school movement date to the early 1970s, when the "hippie" movement was trickling down to the high-school level. Reformers in St. Paul, Scarsdale, N.Y., Philadelphia and Arlington, Va., began setting up experimental "free schools" within public schools.

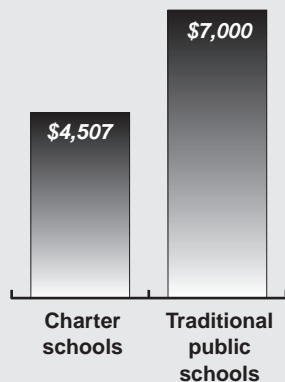
Later, as the national pendulum swung toward a "back to basics" educational approach, the Reagan administration in 1983 released its landmark "A Nation at Risk" report, warning of a rising tide of "mediocrity" in America's public schools. Though educators of all leanings took the harsh report seriously, many felt it was an effort to pave the way for a "school choice" movement that might include taxpayer-supported private-school vouchers.



### Making Do With Less

Charter schools spend about \$2,500 less per pupil annually than the average traditional public school. About 4 percent of the average charter school budget must be provided by private donors.

#### Average cost per pupil



Source: Center for Education Reform, October 2002, based on 481 responses from 2,357 charter schools surveyed in September 2001

By the late '80s, California had considered legislation that would have required school districts to offer alternative programs if at least 20 parents expressed an interest. Minnesota, at the behest of then-Gov. Rudy Perpich, enacted two laws that permitted public-school transfers across district lines. And Philadelphia began experimenting with “chartering” new educational structures within districts. Meanwhile, overseas, the British Parliament enacted the 1988 Education Reform Act, which allowed schools to opt out of their local district to join a national network.<sup>23</sup>

But many say the official birth of American charter schools occurred at a 1988 Minneapolis Foundation education conference, where the charter-school concept was scribbled on a napkin by a group of seven education and civic leaders: then-AFT President Albert Shanker; Sy Fiegel,

a veteran of the East Harlem school-choice plan; Barbara Zohn, president of the Minnesota Parent Teacher Student Association; Elaine Salinas, the Twin Cities education program officer for the Urban Coalition; Kolderie, of the Citizens League in Minneapolis; Ember Reichgott, a Democratic state senator from Minneapolis; and the University of Minnesota’s Nathan.<sup>24</sup>

The advocates, Nathan says, shared a worldview as ambitious as that of early women’s-suffrage activist Susan B. Anthony. Shanker dubbed the schools as “charter” institutions, borrowing the name from a book by New England educator Ray Budde, who drew on the idea of Renaissance kings giving charters to explorers to find new worlds.<sup>25</sup> Former Education Secretary Lamar Alexander, then-chairman of the National Governors’ Association, first proposed allowing charter schools to trade exemptions from regulations for improved results.

### States Climb Aboard

Minnesota passed the nation’s first charter school law in 1991. Initially, it was opposed by Gov. Arne Carlson and the Minnesota teachers’ unions, whose members called the idea “insulting.” The NEA told Congress it was “unalterably opposed” to charters; later it would launch its own charter schools.

The Minnesota program began modestly by authorizing eight charter schools, but a year later only one — the City Academy in St. Paul — had opened its doors.

In 1992, California became the second state to authorize charter schools. Republican Gov. Pete Wilson signed charter-school legislation after a competing voucher initiative was defeated at the ballot box. Five more states followed suit in 1993, and in 1994 Arizona enacted one of the country’s most activist, free-market-oriented charter-school laws. Arizona’s campaign was led by then-state legislator Lisa Graham Keegan, who later became the state’s superintendent of education. The same year, Congress authorized experiments with charter schools when it reauthorized the Elementary and Secondary Education Act.<sup>26</sup>

The charter school movement has now spread to 39 states and the District of Columbia, stressing all or parts of four basic theories, according to University of Washington researcher Hill. Some states, like Georgia, pursued innovation/experimentation strategies. Others — California and Colorado — pursued a more traditional,

standards-based reform approach. Michigan and Massachusetts adopted a “new supply of schools” strategy, emphasizing broadening the array of operators. The state with the most charter schools, Arizona, used a “competition/market strategy,” which gives parents the widest choices possible.<sup>27</sup>

Charter bills were more likely to pass in Republican-controlled states, according to researcher Bryan C. Hassel.<sup>28</sup> In Georgia and Colorado, the governors wanted to keep school boards in charge of charter schools, while governors in Massachusetts and Michigan saw them as a way to bypass the school boards and teachers’ unions.

In some states, strange political bedfellows pushed the legislation through. The charter school bill in New York, for example, was stalled due to opposition from teachers’ unions and the state education commissioner. To get the law enacted during a December 1998 lame-duck session, Republican Gov. George Pataki formed an alliance with black leaders from the Urban League, the Rev. Floyd Flake (a former Democratic congressman), Edison Schools and some business leaders.

Most charter schools are in urban areas, “where it’s easier to make the argument that you need to do this,” says the AFT’s Devlin. There is less pressure for such schools in wealthy suburbs, she says, where the public schools are performing relatively well. Some charter laws included specific provisions designed to prevent racial resegregation.

However, charter schools are popular in the suburbs in Colorado, New Jersey and Connecticut, “where proponents have overcome fear of ‘unwanted competition’ among mainstream educators,” one researcher says.<sup>29</sup>

The resulting mosaic of charter schools and related laws is notable for its variations. Minnesota’s charter schools, for example, have 43 different sponsoring organizations. In California, 75 percent of charter schools require contracts for parental involvement. And in Indianapolis, the mayor has most of the authority to authorize new charters.

Union opposition, for the most part, has evolved from efforts to block legislation to proposals for charter reforms, such as requirements that the schools hire certified teachers, allow collective bargaining, obtain school board approval, ban contracts with for-profit companies and impose uniform student testing.<sup>30</sup>

But Wolk, of *Education Week*, says unions seeking to reform charters must not remain enamored with “a

bureaucracy that can’t tolerate deviation or inconsistency.” “The Boston teachers’ contract alone is six-inches deep with rules that have accreted over the years,” he says. “It’s OK to have regulations to ban racial and ethnic discrimination, but most of the regulations are just more paperwork.”

### Creative Resources

The biggest challenge facing budding charter schools has been the shortage of facilities. In Massachusetts, five of the 14 schools set to open in 1994 still had no buildings lined up, five months before the school year was to start. One charter school temporarily used a motel; recess was held in the parking lot.<sup>31</sup>

Charter schools have found homes in office buildings, warehouses, old parochial schools, strip malls and storefronts, says Jon Schroeder, director of the St. Paul-based National Charter Friends Network. Even so, he points out, they must abide by local building codes, since health and safety regulations cannot be waived. Some states provide “transition impact aid” to help charter founders locate appropriate facilities, while other states offer unused public school buildings. The federal government now supplies some funds for charter facilities.

A variety of organizations have sprung up around the country dedicated to helping charter schools secure buildings and other necessities. “We sponsor job fairs for recruiting teachers and help bring in experts on internal systems,” says Shirley Monastra, executive director of the District of Columbia Public Charter School Resource Center. The group also meets informally with representatives of other resource centers in several states. Plus, California State University has launched a Charter School Development Center, while the Walton Family Foundation circulates accountability methods in several states.

Outsourcing is a common practice. According to the Education Department, 54 percent of charter schools obtain legal services from a non-district provider, 59 percent do so for insurance, 46 percent for payroll and 42 percent for social services.<sup>32</sup>

Funding levels for charter schools differ by state, and some argue that they are underfunded. In Washington, D.C., the per-pupil funding rate is 100 percent, which means that charter schools receive 100 percent of what traditional schools receive. But New Jersey charter schools only receive 90 percent of that, Monastra says.

A recent survey by the Center for Education Reform found that the average per-pupil cost in charter schools is \$4,507 — significantly less than the \$7,000 average in traditional public schools.

However, a study of charter school funding conducted by the AFT found that in some cities, like Boston, charters were actually receiving \$1,800-\$2,000 more than mainstream schools, Devlin says.<sup>33</sup> She notes that there are more elementary-level charter schools than high schools because high schools have many higher fixed expenses, such as biology labs.

But the University of Minnesota's Nathan insists the AFT is wrong. "There is substantially less money in virtually every charter school," he says. And, many states and cities provide a financial cushion to shield districts from the impact of per-pupil funds lost to charter schools.

"The unions want to keep the competition starving," the Thomas B. Fordham Foundation's Finn says. "The public systems are abysmally awful at handling contraction. If they lose 25 kids, they should get rid of a teacher or close a classroom or building instead of insisting that costs are rising."

Some union locals have challenged the constitutionality of charter schools in court, but such lawsuits have been rejected in California, Colorado, Michigan, Minnesota and New Jersey, according to Schroeder of the National Charter Friends Network. A suit by the Ohio Federation of Teachers challenging the diversion of public funds to charter schools is still pending. In California, the affluent Sequoia Union District sued the state to avoid paying \$1 million for facilities required by a state-sponsored local charter school because the district never approved the school. A judge ruled in late August that Sequoia must provide the facilities.<sup>34</sup>

"Charter schools are facing challenges and need capital," says Puriefoy of the Public Education Network. "It's as if General Motors announced a new line of cars but would not provide new capital."

Funding charter schools, says the NEA's DUBY, should not mean that teachers give up their pension plans. "Yes, the schools are freed from the bureaucracy of the central office, but many are also freed of [the requirement that they provide] support services, such as buses, food and special education. They find themselves spread thin, and many may be more in need of union support."

### Seeking Accreditation

Being free and experimental, most charter schools have forgone the traditional accreditation process, designed to assure officials and the public that a given school meets basic standards in its instructional program and physical plant. Some charters, to reassure parents that their children's charter-school credits will be transferable, apply for accreditation with one of the Education Department's six approved regional accrediting bodies. In the early years, the absence of standardized testing was a major obstacle to accreditation, but the Center for Education Reform reports that 98 percent of charter schools now require at least one standardized test.

Many charter school operators feel they need their own accreditation methods, if only to weed out failing schools to avoid tarring the entire movement. Kayes, of the National Charter School Clearinghouse, says some schools are accredited by the Arizona-based Association for Performance-Based Accreditation, while others are working with the Washington-D.C.-based American Academy for Liberal Education. But some regional bodies exclude charters without certified teachers, which Kayes calls "unreasonable."

This fall, California offered a new accreditation program using team visits, conducted jointly over two years by the California Network of Educational Charters and the Western Association of Schools and Colleges. The program was implemented as Democratic Gov. Gray Davis was imposing new regulations on charter schools after revelations about abuses at some schools, and central district officials complained they lacked the resources to properly monitor charter schools.<sup>35</sup>

Similar complaints last winter about the burden of quality control prompted the Pennsylvania School Boards Association and 100 school districts in the Keystone State to sue a group of "virtual" charter schools that had enrolled some 5,100 K-12 students in an online learning program. The suit claimed the schools drain funds from the public schools and were not sufficiently accountable.<sup>36</sup>

However, some observers fear that the accreditation trend — as well as new demands of the No Child Left Behind Act and the academic-standards movement — could force conformity and standardization on charter schools, says Minnesota activist Kolderie. "Some of the

most interesting charter schools have no courses and no employees; they break convention,” he says.

Others are concerned about the tendency of some charter schools to engage in religious or quasi-religious instruction. In San Bernardino County, Calif., a charter school was recently disciplined for teaching Christianity.<sup>37</sup> And a charter school in Yuba River, Calif., which features the philosophical Waldorf teaching method, was hit with a lawsuit in 2001 accusing it of practicing religion.<sup>38</sup>

The religion question is a difficult one, says the Fordham Foundation’s Finn. “We want to teach character — meaning values, ethics and morals — but not religion,” he says. “Some educational programs look to some like religion — they light candles and have rites and rituals. But it’s not God or theologically based prayers.

“There’s plenty of goofy stuff at charters, even at the progressive schools that practice constructivist nonsense that might work well for some but works badly for others, particularly the disadvantaged.”

## CURRENT SITUATION

### Federal Support

The Bush administration has requested an all-time high of \$300 million for charter schools for fiscal 2003.

In June, Education Secretary Rod Paige presided over a charter school conference in Milwaukee that drew record attendance and energized the movement with plans to form new, national, charter school alliances, according to Undersecretary Hickok.

Charter advocates, for the most part, are pleased by the boost charter schools received in the No Child Left Behind Act. The law’s requirement that all students demonstrate “adequate yearly progress” in proficiencies toward state standards in core subjects may actually be easier for charter schools, says an analysis by the Center for Education Reform, because they have experience with contracts. But unlike the traditional public schools, notes Schroeder of the National Charter Friends Network, new accountability requirements will be overseen by the schools’ authorizers and sponsors, rather than by the school districts. “Time will tell how that will work, and to what extent the existing accountability plans for charters will be incorporated into the overall state plans.”

Kayes of the National Charter School Clearinghouse notes that when the time comes for failed schools to be identified under the No Child Left Behind Act, one option would be to turn them into neighborhood charter schools.

### Vouchers Link

The November elections, in which Republicans routed Democrats in many parts of the country, were seen as a boon to the school-choice movement in general. Among the winners, 52 percent favor school choice and only 35 percent oppose it, says the Center for Education Reform. Moreover, Republican gains in Congress and in the Florida, Ohio and Wisconsin legislatures were seen as a plus for the related school-voucher movement.<sup>39</sup>

Vouchers are considered more radical than charters, in that many voucher proposals permit public funds to be used for education at private schools, including parochial institutions. Republicans are more inclined toward vouchers than Democrats, even though support for charter schools is evident in both parties. “The parties differ in motivation,” the AFT’s Devlin says. “Some advocates on the right view charter schools as the camel’s nose under the tent for vouchers. Liberal Democrats see them as the moat protecting public schools from vouchers.”

Undersecretary Hickok argues that critics create a “false dichotomy” between vouchers and charter schools. “The American public needs to have choice in the broadest sense, and we hope vouchers are part of it,” he says.

With vouchers, public funds can be used for tuition at religious schools, as the Supreme Court ruled in a “straightforward decision” last June, Hickok adds, as long as the purpose of the program is secular education. “This administration has its faith-based initiative in play here. So if a school has a secular instructional purpose, that doesn’t mean religious people can’t be providers.”

Allen of the Center for Education Reform sees a variety of education reforms moving on parallel tracks, all responding to different deficiencies of public education. “The voucher is the more direct, immediate service,” she says. “Most in education reform say the system for too long was impervious to change and has failed to educate most kids to the levels we need it to. So there’s a significant need for choice, but there’s no one-size-fits-all approach.”

## A T I S S U E

## Do charter schools help public education?

**YES****Jeanne Allen**  
*President, Center for Education Reform*Written for the *CQ Researcher*, December 2002

Since their inception, charter schools have been committing to opening their doors to children who would not normally have a chance. Success for charters means success for all of education. Researchers who have studied the effect of charters on public education found:

- In California, charter schools are more effective than traditional public schools at improving academic achievement for low-income and at-risk students; in Chicago, charter schools performed better on 80 percent of student performance measures; in Arizona, a statewide study of 60,000 youngsters found charter pupils outperforming traditional public school students.
- Higher proportions of disadvantaged and special-needs students attend charter schools — the antithesis of “skimming the cream” from the public schools, as critics allege. Charters enrolled a larger percentage of students of color than all public schools in the charter states. In 1998-99, the most recent year for which data are available, charter schools were more likely than all public schools to serve black students (24 percent vs. 17 percent) and Hispanic students (21 percent vs. 18 percent).
- Academic accountability: Performance is intensively reviewed by authorizers and parents who must annually renew their commitment to a school.
- Parent and teacher satisfaction surpasses that of parents and teachers in traditional public schools.

Critics contend charter schools do no better than traditional ones, citing some “bad apple” stories or low-grade research. Seven percent of all charters that ever opened have been shut down for failing to meet their goals. Yet 11 percent of all public schools are failing, and there are no provisions for closure.

Charter schools are improving education by sparking improvements in the traditional system — leading schools and districts to alter behavior or improve offerings.

Charters offer at-risk programs and state-of-the-art education. They provide arts and music education, Core Knowledge, Montessori, Back to Basics or other thematic instruction; double the reading instruction; raise the expectations; set innovative discipline policies and ensure parental buy-in. Teachers get wide latitude, and more time is spent teaching.

They educate but do not over-label special-needs children. With 80 percent of the funds normally allotted for education, they are still expected to perform, and perform better — and they do. Some people ask why this can't be done in the regular public school system. The answer is quite simple: Educational change doesn't happen without pressure.

**NO****Joan Devlin**  
*Associate Director, Educational Issues Department,  
American Federation of Teachers (AFT)*Written for the *CQ Researcher*, December 2002

In 1988, when former AFT President Albert Shanker first embraced the idea of charter schools, he envisioned them as laboratories of innovation that would offer new curricula and teaching strategies, eliminate burdensome red tape and improve student achievement.

But today, good charter schools are few and far between. A recent AFT report found that most charters have not lived up to their promise to raise student achievement and promote innovation. Of current charter schools, more than half:

- Fail to raise student achievement compared to traditional public schools in the same area;
- Fall far short of meeting expectations to bring innovation into the classroom and the public school system at large;
- Tend to sort children by socioeconomic status; and,
- Spend more money on administration and less on instruction than other public schools.

Charter schools' staunchest defenders may try to dismiss the AFT report as an aberration, but recent independent research — in states like California, North Carolina and Texas — confirms AFT's findings that charter schools are not leading to innovation or higher student achievement, and, in fact, too often are failing to keep pace with the public schools.

States bear some of the blame for the failure of charter schools. Few states provide adequate oversight, leading to mismanagement and fraud. In Ohio, the Coalition for Public Education has filed a suit charging that Ohio's charter-school program violates the state constitution. And California newspapers assert that state's charter schools have used taxpayer dollars to hire convicted felons, buy a sports car for a school official and commit other offenses. More than half of the nation's charter schools are in Arizona, California, Florida, Michigan, Ohio and Texas, yet these states have open-ended charter school laws that allow such abuses to continue unchecked.

Ardent charter school supporters focus on the few positives, while ignoring or distorting the main body of research and will certainly continue to push for more charters and less oversight. That would be a mistake. To date, the charter experiment is a disappointment at best. Charter schools serve only as a distraction from effective reforms that are raising achievement in communities around the country: smaller class sizes, better early childhood education and greater emphasis on putting well-qualified teachers into every classroom. Policymakers owe it to the public to examine the existing research before they give charter schools a blank check for expansion.



But the Public Education Network's Puriefoy argues that the goal of charters is to give parents and communities "a point of entry" into improving the public education system.

*Education Week's* Wolk doesn't agree that charters are "a stalking horse for vouchers." Instead, he feels they are "the best defense against vouchers."

Like the early civil rights movement, there is plenty of vigorous disagreement within the school-choice movement, the University of Minnesota's Nathan says. [Former Supreme Court Justice] "Thurgood Marshall didn't agree all the time with Martin Luther King Jr.," he says. "In any major movement, there are major disagreements.

"I don't think vouchers are a good idea," he continues. Just as there are limits on freedom of speech, so there must be limits on school choice. Schools must be open to all kinds of kids, and voucher advocates want to be sectarian and pick and choose kids."

### Steps Forward and Back

Charter schools in the nation's largest school district got a boost this October when newly installed New York City public schools Chancellor Joel Klein announced plans to create additional charter schools. He vowed to create a "more welcome environment" for the experimental schools, of which there are currently only 18. The students who go to charter schools only receive two-thirds of the amount traditional school students receive.<sup>40</sup>

In November in Los Angeles, the second-largest system, a newly reconfigured group of school reform activists and academics announced plans to set up 100 charter schools. Members of the Los Angeles Alliance for Student Achievement want to form a "shadow" public school system, run by a nonprofit corporation, to create a more college-bound school culture.<sup>41</sup>

But in Boston, the Massachusetts Department of Education canceled plans to open six additional charter schools next fall, saying that 11 charter schools in the city is enough, given current budget constraints. Ohio, Texas and California also have introduced new curbs on charters.<sup>42</sup>

## OUTLOOK

### Just a Fad?

No one said the road to a nation of charter schools would be smooth. In Douglas County, Colo., the oldest charter

school went through five principals in eight years.<sup>43</sup> Nearly 7 percent of new charter schools fail, according to a recent Center for Education Reform survey — fewer than the 11 percent of public schools the center claims are failing.

"Yes, the closings are wasteful," Kayes of the Charter School Clearinghouse acknowledges, "but what plan do the mainstream schools have for improving?"

Researcher Hassel says the implementation problems and "political compromises" that some charter advocates have been forced to accept "have severely hampered the ability of charter school programs to live up to their promise."<sup>44</sup> For example, 14 states rewrote their charter laws between 1997 and 1998.

The Fordham Foundation's Finn predicts more charter schools will be established in the coming decade, and more data will be available for evaluating them. But the foundation is shifting its focus from the quantity of charter schools to the quality.

Undersecretary Hickok is concerned about losing the movement's "entrepreneurial spirit" to the institutionalization of charter schools. "It could get co-opted" by bureaucracy, he says.

But he is confident the Education Department will help charter schools reach out to disengaged parents and communities. "We can create interest on the part of parents a generation or two removed, for whom there is the possibility of a different kind of community," he says.

Charter schools have a "mixed track record" that in many ways is a distraction for public education, says Houston of the school administrators' association. "They are neither a huge threat nor a landmark innovation," he says. "But if the laws are structured right, administrators should be able to use them for reforms, to leverage and embrace an array of options for improvement."

The movement is "here to stay, at least in the short term, so we will participate," says the NEA's Duby.

"The vista looks promising in terms of the viability of charter school policy innovation," writes Sandra Vergari, an assistant professor of educational administration and policy studies at the State University of New York at Albany. "Symbolically, politically and substantively, the reform appears to hold more long-term significance than the typical fad in educational policy and administration."<sup>45</sup>

But she also asks whether charters might meet individual interests, while not necessarily meeting collective interests.

Indeed, as Kayes points out, there is a proposal in Arizona to create a same-sex charter school for grades 4-8. “We wouldn’t say it would be best for all communities or parents, but it would be an alternative,” he says.<sup>46</sup>

Puriefoy of the Public Education Network believes charter schools will help create a more varied public education system that uniformly imposes higher expectations, helps students meet standards and gives them choices. There should be “fair and multiple assessments” for both students and adults, she adds, but they will be administered differently in different areas of the country.

“We’re headed toward significant progress” she says, “but when charter schools reach a certain scale, they too will encounter what feels like bureaucratic roadblocks.”

Movement co-founder Kolderie stresses the long-term view. Nearly 20 years after the warnings in “A Nation at Risk,” he says, “No one thinks reform has been done, and there’s not a lot of reasons to believe it will be done, even with the big hammer of accountability” in the No Child Left Behind Act.

“We’re still in the process of creating the schools we need now,” Kolderie says. “To rely exclusively on changing the schools we’ve long had will not work, and it is an unacceptable risk to take with other people’s children.”

The AFT’s Devlin is more wary. “Charters vary in quality, have little impact on the body of knowledge of what children should learn and will have little impact on how 21st-century schools should be organized,” she says. “But they’re not necessarily a bad idea, and we don’t see them going away. Their founders are discovering what we’ve always known — that running a good school is really hard work.”

## NOTES

1. Survey by RPP International, U.S. Department of Education, cited in Paul T. Hill and Robin J. Lake, *Charter Schools and Accountability in Public Education* (2002), p. 37.
2. Joe Mathews, “Charter Schools Embracing Standards to Improve Image,” *Los Angeles Times*, Oct. 14, 2002.
3. “Charter Schools Take Root,” *The San Francisco Chronicle*, Oct. 6, 2002.
4. Jessica Brice, “Assembly sends charter school reform bill to governor,” *The Associated Press*, Aug. 30, 2002.
5. Gary Miron and Christopher Nelson, “What’s Public About Charter Schools?” *Education Week*, May 15, 2002.
6. Kate Zernike, “Suburbs Face Test as Charter Schools Continue to Spread,” *The New York Times*, Dec. 18, 2000.
7. Paul E. Peterson and David E. Campbell (eds.), *Charters, Vouchers & Public Education* (2001), p. 203.
8. Caroline Hendrie, “Accredited Status Taking on Cache in Charter Schools,” *Education Week*, Oct. 23, 2002.
9. RPP International, “Challenge and Opportunity: The Impact of Charter Schools on School Districts,” U.S. Department of Education, June 2001, pp. 41-42.
10. Peterson, *op. cit.*, p. 77.
11. RPP International study, January 2000, “The State of Charter Schools 2000: Fourth-Year Report,” U.S. Department of Education.
12. Peterson, *op. cit.*, p. 205.
13. RPP International, “Challenge and Opportunity,” *op. cit.*, pp. 41-42.
14. See Lewis Solmon, Kern Paark and David Garcia, “Does Charter School Attendance Improve Test Scores?” Goldwater Institute, March 2001, p. 23.
15. See [www.brookings.edu](http://www.brookings.edu), Sept. 3, 2002.
16. “Do Charter Schools Measure Up? The Charter School Experiment After 10 Years,” American Federation of Teachers, July 2002; <http://www.aft.org/edissues/downloads/charterreport02.pdf>
17. Peterson, *op. cit.*, p. 52.
18. Thomas L. Good, *et al.* “Charting a New Course: Fact and Fiction about Charter Schools,” National School Boards Association, October 2000.
19. Chester E. Finn, Jr., Bruno V. Manno and Gregg Vanourek, *Charters Schools in Action: Renewing Public Education* (2000), p. 272.
20. See Kent Fischer, “Public School Inc.,” *The St. Petersburg Times*, Sept. 15, 2002.
21. Sandra Vergari (ed.), *The Charter School Landscape* (2002), p. 266.

22. Hill and Lake, *op. cit.*, p. 75.
23. Bryan C. Hassel, *The Charter School Challenge* (1999), p. 4.
24. Vergari, *op. cit.*, p. 18.
25. Ray Budde, *Education by Charter: Restructuring School Districts* (1988).
26. For background, see Charles S. Clark, "Attack on Public Schools," *The CQ Researcher*, Aug. 2, 1996, pp. 649-672, and Kenneth Jost, "Private Management of Public Schools," *The CQ Researcher*, March 25, 1994, pp. 265-288.
27. Hill, *op. cit.*, p. 17.
28. Hassel, *op. cit.*, p. 27.
29. See Jain Pushpam, "The Approval Barrier to Suburban Charter Schools," Thomas B. Fordham Foundation, September 2002.
30. See "AFT On the Issues," [www.aft.org/issues/charterschools](http://www.aft.org/issues/charterschools).
31. Hassel, *op. cit.*, p. 113.
32. Peterson, *op. cit.*, p. 42.
33. See American Federation of Teachers, "Venturesome Capital: State Charter School Finance Systems," December 2000, online at [www.aft.org/charterfinance/venturesome/chapter4.pdf](http://www.aft.org/charterfinance/venturesome/chapter4.pdf)
34. Bruno V. Manno, "Yellow Flag," *Education Next*, winter 2003, p. 16.
35. Mathews, *op. cit.*
36. Michael A. Fletcher, "Rocky Start in 'Cyber' Classrooms," *The Washington Post*, Feb. 26, 2002.
37. Mathews, *op. cit.*
38. "The Spirit of Waldorf Education," *Education Week*, June 20, 2001.
39. See Kenneth Jost, "School Vouchers Showdown," *The CQ Researcher*, Feb. 15, 2002, pp. 121-144, and Kathy Koch, "School Vouchers," *The CQ Researcher*, April 8, 1999, pp. 281-304, and "GOP's Election Gains Give School Vouchers a Second Wind," *The Wall Street Journal*, Nov. 11, 2002, p. B1.
40. Abby Goodnough, "Chancellor Speaks Up for Charter Schools," *The New York Times*, Oct. 17, 2002.
41. Caroline Hendrie, "'Shadow' Idea in the Works," *Education Week*, Nov. 27, 2002.
42. Megan Tench, "State Rolls Back Number of Boston Charter Schools," *The Boston Globe*, Nov. 11, 2002.
43. "Charter School Field Plagued by Burnout," *Education Week*, Dec. 6, 2000.
44. Hassel, *op. cit.*, p. 14.
45. Vergari, *op. cit.*, p. 273.
46. For background, see Kenneth Jost, "Single-Sex Education," *The CQ Researcher*, July 12, 2002, pp. 569-592.

## BIBLIOGRAPHY

### Books

**Finn, Chester E., Jr., Bruno V. Manno and Gregg Vanourek, *Charter Schools in Action: Renewing Public Education*, Princeton University Press, 2000.**

A think tank president, former assistant Education secretary and a charter school specialist at an Internet education firm summarize arguments for and against charter schools and express hopes the movement will save public education.

**Hassel, Bryan C., *The Charter School Challenge: Avoiding the Pitfalls, Fulfilling the Promise*, Brookings Institution Press, 1999.**

An education consultant examines the politics, policy debates and operational challenges facing the charter school movement, with a focus on developments in Colorado, Georgia, Massachusetts and Michigan.

**Hill, Paul T., and Robin J. Lake, *Charter Schools and Accountability in Public Education*, Brookings Institution Press, 2002.**

A research professor of public affairs and a public-policy center director at the University of Washington show how charter schools differ from public schools. They explore the unique and controversial accountability systems that give charters their freedom but put them at risk of funding cutoffs.

**Nathan, Joe, *Charter Schools: Creating Hope and Opportunity for American Education*, Jossey-Bass, 1999.**

This compendium by one of the charter movement's founders offers a history of the charter school movement and numerous interviews with successful charter school

operators. He proposes a new charter school role for teachers' unions.

**Peterson, Paul E., and David E. Campbell, eds.,** *Charters, Vouchers & Public Education*, *Brookings Institution Press*, 2001.

Two leaders at Harvard University's Program on Education Policy and Governance assembled 15 scholarly essays on charter schools, vouchers, school choice and civic education, with evidence for the prospective success of each. They include lessons learned from New Zealand and a discussion of related U.S. constitutional issues.

**Schorr, Jonathan,** *Hard Lessons: The Promise of an Inner-City Charter School*, *Ballantine Books*, 2002.

A journalist and former teacher provides an eyewitness account of the early frustrations of a fledgling charter school in economically struggling Oakland, Calif.

**Vergari, Sandra, ed.,** *The Charter School Landscape*, *University of Pittsburgh Press*, 2002.

Fourteen essays by scholars examine a history of the movement and highlight differences among approaches in several states and Canada.

### Reports and Studies

**American Federation of Teachers,** "Do Charter Schools Measure Up? The Charter School Experiment After 10 Years," July 2002; [www.aft.org/edissues/downloads/charterreport02.pdf](http://www.aft.org/edissues/downloads/charterreport02.pdf)

This study by one of the nation's largest teachers' unions found the vast majority of charter schools have failed to fulfill their promise to bring greater achievement and innovation into the classroom. The report concluded that policymakers should not expand charter school activities until their effectiveness or viability is proven.

**Center for Education Reform,** "Public-Private Partnerships: A Consumer's Guide," 2002.

A school-choice advocacy group compiled profiles of 19 educational-management companies, for-profit and nonprofit, now working in 350 schools.

**U.S. Dept. of Education,** "The State of Charter Schools 2000: Fourth-Year Report," January 2000.

This fourth-year report of the Education Department's National Study of Charter Schools describes charter schools operating in the 1998-99 school year and addresses broad policy issues concerning the charter school movement and its potential effect on America's system of public education.

**Good, Thomas L., et. al.,** "Charting a New Course: Fact and Fiction about Charter Schools," *National School Boards Association*, October 2000.

In this skeptical examination, three scholars observe that charter districts "appear to be a strange hybrid of tradition grafted onto conservative values and parental hostility toward public education."

**Lockwood, Anne Turnbaugh,** "Charter Districts: Much Fuss, Little Gain," *American Association of School Administrators*, November 2001.

An issues analyst at the association examines charter schools in three states, some of which are managed by private companies.

**Pushpam, Jain,** "The Approval Barrier to Suburban Charter Schools," *Thomas B. Fordham Foundation*, September 2002.

A University of Maine scholar examines suburban school districts in Colorado, Connecticut and New Jersey, all of which have high proportions of charter schools, to deduce why charters are relatively rare in suburbia.

## For More Information

**American Association of School Administrators**, 1801 N. Moore St., Arlington, VA 22209-1813; (703) 528-0700; [www.aasa.org](http://www.aasa.org). An association of chief school executives, administrators and teachers of school administration, which promotes opportunities for minorities, women and the disabled in educational administration and organization.

**American Federation of Teachers**, 555 New Jersey Ave., N.W., Washington, DC 20001; (202) 879-4400; [www.aft.org](http://www.aft.org). The 780,000-member AFT is the nation's second-largest teachers' union.

**Center for Education Reform**, 1001 Connecticut Ave., N.W., Suite 204, Washington, DC 20036; (202) 822-9000; (800) 521-2118; [www.edreform.com](http://www.edreform.com). An independent advocacy organization founded in 1993 to support those seeking fundamental reforms to public schools.

**Charter Friends National Network**, 1295 Bandana Blvd., Suite 165, St. Paul, MN 55108; (651) 644-6115; [www.charterfriends.org](http://www.charterfriends.org). Established in 1996 by the Center for Policy Studies, in cooperation with Hamline University, the network promotes quality charter schools.

**National Charter School Clearinghouse**, 3900 East Camelback Road, Suite 312, Phoenix, AZ 85018;

(602) 954-1414; [www.ncsc.info](http://www.ncsc.info). Funded by a U.S. Education Department grant, the center runs an interactive Web site, publishes a monthly newsletter and disseminates policy information to advance the charter school movement.

**National Education Association**, 1201 16th St., N.W., Washington, DC 20036; (202) 833-4000; [www.nea.org](http://www.nea.org). The union of more than 2.7 million educators from preschool to university graduate programs promotes the interest of the teaching profession and monitors legislation and regulations at state and national levels.

**National School Boards Association**, 1680 Duke St., Alexandria, VA 22314; (703) 838-6722; [www.nsba.org](http://www.nsba.org). Federation of state school board associations concerned with funding of public education, local governance and quality of education programs.

**Thomas B. Fordham Foundation**, 1627 K St., N.W., Suite 600, Washington, DC 20006; (202) 223-5452; [www.edexcellence.net](http://www.edexcellence.net). A grant-making and research organization that supports education-reform issues at the national level, with a particular focus on projects in Dayton, Ohio.