



National School Boards Association's
Council of Urban Boards of Education

PRE-CONFERENCE URBAN PROGRAMMING

PALMER HOUSE HILTON (CUBE) PROGRAMMING

CUBE School Site Visits, Pre-Conference Urban Programming & District Workshops—
Friday, April 9

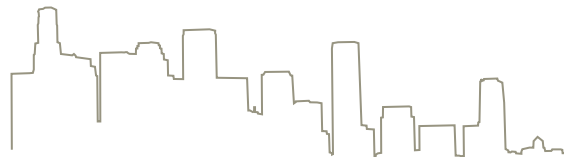
MCCORMICK PLACE CONVENTION CENTER (CUBE) PROGRAMMING

CUBE Annual Business Meeting – Saturday, April 10

CUBE Annual Issues Forum – Saturday, April 10

New Urban and Large-size School Board Leadership Training – Sunday, April 11

Urban Advocacy Skills Building – Sunday, April 11



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SERVING AMERICA'S URBAN PUBLIC SCHOOL STUDENTS

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**NATIONAL SCHOOL BOARDS ASSOCIATION
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For more than forty years, the Council of Urban Boards of Education has been at the forefront in helping urban school districts strive for excellence. Established in 1967 by NSBA's Board of Directors, CUBE is the only national membership organization governed solely by urban school board members dedicated to the needs and interests of urban school boards. CUBE's mission is to create opportunities for urban school board leaders to gain the knowledge and skills necessary to be effective policy makers and advocates for excellence and equity in public education.

CUBE represents over 110 urban school districts in 35 states and the Virgin Islands. Our member districts educate nearly 8 million students in almost 12,000 schools with a collective budget of \$99 billion. CUBE helps urban school board leaders find solutions to challenges at the local level and seeks to improve their policy making effectiveness. CUBE creates a forum for urban school board members to share innovative practices through issues seminars, conferences, legislative advocacy, research projects, professional networking opportunities, specialized publications, and local governance and policy assistance.

CUBE remains committed to closing the achievement and opportunity gaps and educating students in racially, ethnically, linguistically, and socio-economically diverse settings.

The CUBE program is the urban component of the National Affiliate program at NSBA. You must be a member in good standing with your state school boards association to participate in CUBE.



COUNCIL OF URBAN BOARDS OF EDUCATION
SERVING AMERICA'S URBAN PUBLIC SCHOOL STUDENTS



2010 CUBE MEETINGS CALENDAR

CUBE Issues Forum & Congressional Luncheon on Capitol Hill

(held in conjunction with NSBA's FRN Conference Jan.31-Feb. 2, 2010)

January 30 & February 2, 2010

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CUBE Issues Forum

January 30, 2010

CUBE Congressional Luncheon

February 2, 2010

CUBE Site Visits & Urban Programming

(held in conjunction with NSBA's Annual Conference April 10-12, 2010)

April 9-11, 2010

**The Palmer House Hilton Hotel
Chicago, IL**



CUBE Site Visit and Conference programming

April 9-11, 2010

NSBA Annual Conference Programming

April 10-13, 2010

CUBE Issues Seminar

June 24-26, 2010

**Renaissance Hollywood Hotel
Los Angeles, CA**



CUBE Annual Conference and Awards Luncheon

September 30-October 2, 2010

**Renaissance Harborplace Hotel
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Visit CUBE's website for up-to-date information on what's happening with CUBE!! Members can read the latest version of the Urban Advocate; download upcoming conference brochures, handouts from previous meetings, links to all member-districts, and much more!! <http://www.nsba.org/cube>

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Tom Hutton's practice at the Seattle-based law firm of Patterson Buchanan Fobes Leitch and Kalzer (PBFL&K) focuses on addressing the legal and policy needs of mostly public sector clients, particularly in the area of K-12 public education.

Prior to joining PBFL&K, Hutton was a senior staff attorney for the National School Boards Association (NSBA), where he conducted *amicus curiae* (friend of the court) advocacy on public education issues nationally and provided support and resources to state school boards associations, local school districts, and the NSBA Council of School Attorneys. He served as editor of NSBA's popular weekly school law e-newsletter, *Legal Clips*, and of the National Affiliate publication *Leadership Insider*.

In 2000 Hutton was among a group of Georgetown University Law Center students who founded Thurgood Marshall Academy, a public charter high school in the District of Columbia. Hutton has presented and written on charter school issues for CUBE, the Oregon School Boards Association, the *American School Board Journal*, *Leadership Insider*, the *Bugle* of the National Black Caucus of School Board Members, and the *State Education Standard* of the National Association of State Boards of Education.

Tipping Point or Turning Point?

A Civic Vision for Charter Schools

By Thomas Hutton

This year has been a momentous one for charter schools. The advent of the Obama administration, the convening of the 111th Congress, and the national fiscal crisis all have intensified attention to charter issues. It remains to be seen whether this confluence of events will lead to a shift in the relative importance of charter schools and school districts or signal a change in the relationship between them—or both.

Candidate Obama signaled strong support for charter schools, and President Obama's administration is making good on those promises:

- His 2010 budget proposes \$268 million for charter schools, a step on the path of doubling charter funding in four years.
- The proposed rules for dispensing \$48.6 billion in federal stimulus education grants would require states to provide data on the number of charter schools they permitted, how many are currently operating, and how many closed in the past five years and why they closed.
- The proposed rules for \$4.35 billion in Race to the Top (RTTT) grants will take into account the extent to which states have charter school laws that do not limit charter school growth or restrict student enrollment in charters. They also will consider whether states provide charters with equitable funding, including for facilities.

The administration emphasizes increased accountability whenever it voices support for charters overall. RTTT, for example, will also consider whether states have set guidelines for charter authorizing and renewal, as well as whether charter authorizers have a record of closing "ineffective" schools.

We are witnessing a maturing of charter policy, moving beyond the point where charters, by definition, equal reform. The administration's posture on accountability and the fact that some states are removing charters caps may herald a realization that a focus on the number of charter schools misses the point. But focusing instead on the number of *quality* charters is incremental progress, at best.

The measure of success—and the real potential of the charter movement to create change in public education—lies in what effect charters are having on school districts.

Alternate visions

In the Winter 2008 issue of the journal *Education Next*, Andy Smarick, now a fellow at the Thomas B. Fordham Foundation, zeroed in on district-charter relations. He identified two

viewpoints in the charter movement. The first assumes charter schools provide value by offering more educational opportunities, especially to disadvantaged students, regardless of their impact on districts. The second, which Smarick associates with me among others, sees charters as a district-improvement strategy.

Both viewpoints are too timid, Smarick argues. Instead, he writes, dynamic systems of continual chartering should replace urban district-based systems altogether.

Smarick and others draw on thinkers like Harvard business professor Clayton Christensen to invoke a powerful argument for chartering schools: In some cases, it's just easier to start afresh with a new organization designed to meet the latest challenges and opportunities than it is to try to retool an existing institution to fit them.

But in my view, it stretches this insight too far to suggest that districts, as opposed to particular schools, are the institutions that can and should be weeded out by new charters. While Smarick acknowledges that the charters-as-competition thing hasn't worked out, he turns this into an indictment of a collaborative approach between charter and district. This critique presupposes that charter-district collaboration has been seriously attempted. Unfortunately, charter policy and rhetoric have doomed most attempts from the start.

The long-prevailing market competition model of charter schools has enjoyed limited successes that are far outweighed by its downsides. Instead, the time has come for a civic vision of chartering. On the three biggest charter school issues today—authorizing and oversight, leaving no child behind, and cost—the civic vision has important advantages.

Authorization and oversight

The key oversight question for the civic vision of chartering is the extent to which a state allows entities other than school districts, like state agencies, universities, mayors, or even private entities, to authorize charter schools.

Commentators routinely declare districts to be terrible authorizers. This assertion pops up repeatedly in the 2005 book, *Besieged: School Boards and the Future of Education Politics*, edited by William G. Howell. In a 2007 *Washington Post* article on charters, the first of five recommendations that education columnist Jay Mathews made was “Stop letting the school board authorize charter schools.” In the pro-charter Center for Education Reform’s June 2009 “Race to the Top for Charter Schools” annual ranking and scorecard, the first factor used to grade state charter laws is whether the state allows multiple authorizers. An obliging *Post* editorial that month echoed the drumbeat.

There’s just one problem: If the data are to be believed, school board-authorized charters have outperformed those authorized by all other entities. While National Assessment of Educational Progress (NAEP) data show charter schools as a whole marginally underperform relative to traditional schools, those affiliated with districts achieve the best academic results among charters—even when controlling for student characteristics.

A June 2009 report on charter performance in 16 states by the Center for Research on Education Outcomes at Stanford University found that those with multiple authorizers experience significantly lower growth in academic achievement. The authors speculate that the availability

of alternative authorizers invites a race to the bottom—*i.e.*, forum shopping for lax accountability.

A more benign explanation could be that alternative authorizers are more likely than school boards to charter schools to serve the most disadvantaged students. But remember, the data purportedly are controlled for demographics, and some look specifically at the *relative* growth in achievement. So another explanation might be that people in school districts actually know a thing or two about running schools.

Similarly, when it comes to caution in granting charters, districts are well-positioned to ask the hardest questions of charter applicants, including questions about the impact the proposed school will have on the district as a whole. Having been dealt a situation that sets up charters not as a help or as an outsourcing tool but as competition, it's little wonder some districts are less than wildly enthusiastic.

Whatever the cause, exploring this authorizing question should have at least one effect: It should put an end to the selective nuance that has characterized charter debates. If we insist on analytical subtlety on why district-authorized charters appear to do better than charters authorized by others, we ought not to settle for arguments that insist that charters are inherently and categorically superior to “failing traditional schools.”

Leaving no child behind

There's a degree of tension in our education system between two things we desire of it: school choice and leaving no child behind. A civic approach to charters would help ensure that the first of these goals contributes to the second.

Do charters underserve students with special needs, especially those with disabilities or English language learners? Are they “cherry-picking” students who are relatively better off or relatively more motivated? There's evidence of both phenomena, although some studies suggest that only the first problem is widespread.

Not all explanations are sinister. Many charters are small operations that have yet to figure out how to meet their legal obligation to serve all students. And “creaming” can result from the self-selection inherent in charter enrollment. It can also happen when, over time, struggling students return to traditional schools. But these issues raise questions about the effectiveness and role of charters and their relationship to districts.

What about charters that focus specifically on meeting the needs of disadvantaged children? Enshrined in education law and in the conscience of the nation is that “separate but equal” is inherently unequal. But does the inherent nature of that inequality derive not from any educational reality but from the political reality that the educational resources needed to compensate for the disadvantages seldom are forthcoming?

This issue echoes the debate over ability tracking within schools. There's abundant research evidence supporting diverse learning environments. But in some cases might we actually be better able to deliver the most appropriately targeted services to disadvantaged students in what realistically amount to “segregated” schools specifically designed to meet their needs? This is perilous territory to be sure, but it's a serious question.

Either way, if charter schools do not serve representative student populations, we arrive at a question central to the civic vision: Does charter school success require the traditional school district to be the final educational safety net for all children? If so, the competition model is seriously weakened.

One defense of the competition model might be that conditions in some traditional schools can't get much worse, so we ought not let the perfect be the enemy of the good. Another might be that broader charter systems could help break down an arbitrary district-based system in which zip code is educational destiny.

Certainly there are districts where things are bad enough that drastic measures are justified, but it would be an extreme case indeed where things really couldn't be made worse. And if we're in the business of not letting the perfect be the enemy of the good, one has to question how likely we are to jettison our school district system anytime soon.

These questions come down to an overarching issue: how much we really want private actors deciding these matters. The competition model is more comfortable with privatizing these decisions and relying on market dynamics to protect against the downsides. In the civic vision, the publicly accountable school district ultimately still bears responsibility for all children, and charters are one tool for district-wide change.

Follow the money

The bottom line on charters and districts also has a lot to do with, well, the bottom line. The current fiscal climate is raising issues that were easier to sidestep when money wasn't so tight:

- The unsustainable cost of “parallel school systems” has come up for renewed discussion.
- Converting schools to charters that were slated for closing due to low enrollment as a last resort for keeping them open has major cost implications.
- Disputes over how the state provides for funding of students who attend a charter school intensify when there's not enough money to go around in the first place.

Austerity also has implications for the notion of dynamic charter churn. The theory surely underestimates the costs of these ongoing openings and closings, especially where weak accountability rules may allow charter organizers to enrich themselves regardless of their academic results.

And the costs go beyond the financial. The problem with the market analogies is that we're talking not about mere business concerns but about civic institutions that form an important part of the social fabric of their communities. Indeed, one of the worst things we could do is adopt policies that exacerbate educational instability for disadvantaged children.

Perhaps, from a cost perspective, the much-maligned No Child Left Behind Act has charter schools about right. Their best function may be as an intervention when less intense turnaround efforts have failed—or when public perception of local schools needs a dramatic boost. The recent move by the Los Angeles Unified School District's board of education to embrace

aggressive district chartering can be seen in this light.

But the difference between NCLB's current charter provision, grounded in the competition model, and a new provision true to the civic vision is this: Chartering no longer would be about privatization for its own sake.

Meeting halfway

Striving for the civic vision requires some charter supporters to think through how competitive notions and a jaundiced view of districts undermine the movement's long-term potential.

Charter laws and advocates are not the only ones mired in the competition model, however. District officials and public school advocates still have a way to come, both to address the concerns manifested in support for charter schools, as well as to harness the potential of charters for systemic improvement.

Addressing the concerns will require district leaders to convey a much greater sense of urgency about raising the academic bar and closing achievement gaps. Even if we recognize that systemic reform is a long-term proposition, there's no getting around this hard fact: Much of the public perceives many districts as tolerating mediocrity, making excuses, or simply lacking the capacity to get the job done.

Apart from perceptions, the charter movement presents a challenge to the institutional culture of school districts. That civic institutions are political and rule-bound is a given. That many also are intensely hierarchical, beset by fiefdoms, and too driven by seniority is understandable, but not foreordained.

Many districts could benefit from the culture of autonomy, rigorous accountability, and youthful meritocracy that characterize the charter movement at its best. District chartering is one means. So is emulating aspects of charter school culture in traditional schools.

Still, when a school board considering a charter application thinks through what state rules based on the competition model mean for the district, it's not showing a lack of educational vision. These are matters of public trust, fiduciary duty, and moral obligation to all of the community's children.

This point is central to leaving no child behind. Only one type of charter authorizer—the school district—combines a *sole* focus on K-12 education with responsibility for serving *every* child in the community. Under the competition model, an alternative authorizer of six successful schools that leave the majority of children in the community worse off is doing its job. Under the civic vision, the school board doesn't have that luxury.

Questions about district capacity are fair game. But in the civic vision, the answer to inadequate local capacity is to improve local capacity. This would have benefits not only for chartering but also for the governance and management of traditional schools—benefits lost when authorizing decisions are taken away from the community. Outside chartering entities might be put to more effective use augmenting and supporting the capacity of district authorizers.

There is a painful irony to the debate over school board authorizing. School boards associations

teach that good governance is about the big picture, about setting broad expectations—providing accountability as to the what and why, but getting out of the business of the how. What does this sound most like? Charter authorizing.

A question of pragmatism

It may be too much to hope that the Obama administration fully embrace the civic vision of charters. And it probably isn't necessary, which should come as a relief to an administration with a strong inclination toward the middle way. The same goes for state officials.

No, the proposition here is a modest one: In keeping with the administration's "whatever works" refrain, policymakers must start to confront the limitations and costs of the competition model, take more careful stock of the considerations the civic vision puts forward, and squarely address both.

Surely federal and state policy should not presume that all, most, or even many school districts bear much similarity to the most dysfunctional among them. Nor should it presume that districts—even severely challenged urban ones—are oblivious or indifferent to the urgency of 21st century educational imperatives. And it cannot afford to equate charters with reform while avoiding the question of their relationship to, and impact on, school districts.

For the charter movement, facing up to the likelihood that districts will continue to do the bulk of the heavy lifting could make for less contentious and more productive relations.

For districts, especially beleaguered systems suffering from weak public confidence, pragmatic if painful concessions to realities—some of them unfair—may be the order of the day. Chartering could play a vital role.

I am convinced that a majority of educators both in school districts and in charter schools would welcome a reorientation of charter policy more toward the civic vision. This approach sounds less visionary, less glamorous. So be it. Paradoxically, it could be the way charter schools end up having the biggest impact on public education.

A slightly different version of this article was published in the November 2009 issue of the American School Board Journal and in the Fall 2009 issue of the Bugle, the newsletter of the National Black Caucus of School Board Members. Thomas Hutton is a former National School Boards Association attorney who at the time the article was written was en route to Seattle to join the law firm of Patterson Buchanan Fobes Leitch & Kalzer, Inc., P.S., where he now practices school law. These opinions are his own.



The Realities and Challenges of Charter School Reform

Thomas Hutton

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Council of Urban Boards of Education Programming

NSBA 70th Annual Conference

Chicago, April 9, 2010

Charter School Resources

General resources:

U.S. Department of Education

Information on federal charter school programs, including the Charter Schools Programs, the State Charter School Facilities Incentive Grants Program, and the Credit Enhancement for Charter School Facilities program.

<http://www2.ed.gov/programs/charter/index.html>

<http://www2.ed.gov/programs/statecharter/index.html>

<http://www2.ed.gov/programs/charterfacilities/index.html>

National Alliance for Public Charter Schools

<http://www.publiccharters.org/>

National advocacy group for charter schools that among other things has developed model state charter school legislation and graded each state's current charter school laws against the model legislation.

National Center for the Study of Privatization in Education

Teachers College, Columbia University

<http://www.ncspe.org/>

Provides independent, non-partisan information on and analysis of privatization in education, including a collection of research publications and short policy briefings on key issues.

Education Sector

<http://www.educationsector.org/>

Pro-charter school think tank that is an influential source of creative policy ideas and advocacy on charter schools, among other education issues.

National Charter School Research Project (NCSRP)

Center on Reinventing Public Education

University of Washington

<http://www.crpe.org>

Pro-charter school center that produces much cutting-edge work on education issues including charter policy.

NSBA position statements on charter schools

<http://www.nsba.org/MainMenu/Advocacy/FederalLaws/Charter-Schools.aspx>

National Education Association position statement on charter schools

<http://www.nea.org/home/16332.htm>

American Federation of Teachers position statement on charter schools

<http://www.aft.org/issues/schoolchoice/charters/>

Resources related to school boards/charter school authorizing

State school boards associations

School boards associations may provide resources and assistance to school boards on their governance and authorizing responsibilities, as well as services to boards of charter schools themselves.

National Association of Charter School Authorizers (NACSA)

Provides resources and support for charter school authorizers. Members include many school districts.

<http://www.qualitycharters.org>

Supporting Charter School Excellence Through Quality Authorizing

2007 report by Public Impact and WestEd under contract for U.S. Department of Education's Office of Innovation and Improvement. Identifies common practices among high-quality authorizer and profiles examples including Chicago Public Schools and New York City Public Schools. Report does not represent views of federal government.

<http://www2.ed.gov/nclb/choice/charter/authorizing/index.html>

NSBA's Leadership Insider, Winter 2005

This issue provides an overview of issues relating to school board authorization of charter schools.

<http://www.nsba.org/MainMenu/SchoolBoardPolicies/Newsletters/LeadershipInsiderWinter2005.aspx>

Other items mentioned during session:

U.S. Department of Education's Race to the Top information

Includes program applications, FAQs, applications received from states, links to input the department received from outside experts on the program, etc.

<http://www2.ed.gov/programs/racetothetop/index.html>

House Committee of Education and Labor hearing on "All Students Achieving through Reform (All-STAR) Act

Archived webcast and witness testimony from February 24, 2010 Congressional hearing on proposed legislation that would "create a new competitive grant program to expand and replicate successful charter schools to serve additional students, with a priority for low-income students, students in schools with low graduation rates and students in schools in need of improvement."

<http://edlabor.house.gov/hearings/2010/02/hr-4330-the-all-students-achie.shtml>

"Scholar Diane Ravitch: 'We've lost sight' of schools' goal"

USA Today, March 9, 2010, by Greg Toppo

Reports on new book by education historian Diane Ravitch detailing her change of heart on a variety of education reforms, including charter schools.

http://www.usatoday.com/news/education/2010-03-10-ravitchbook10_st_N.htm

Hopes, Fears, & Reality



A BALANCED LOOK AT AMERICAN
CHARTER SCHOOLS IN **2009**

Robin J. Lake, *Editor*

*National Charter School Research Project
Center on Reinventing Public Education
University of Washington Bothell*

JANUARY 2010





About NCSRP

The National Charter School Research Project (NCSRP) brings rigor, evidence, and balance to the national charter school debate.

NCSRP seeks to facilitate the fair assessment of the value-added effects of U.S. charter schools and to provide the charter school and broader public education communities with research and information for ongoing improvement.

NCSRP:

- Identifies high-priority research questions.
- Conducts and commissions original research to fill gaps in current knowledge or to illuminate existing debates.
- Helps policymakers and the general public interpret charter school research.

The Project is an initiative of the Center on Reinventing Public Education.

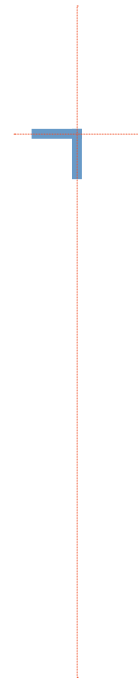
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- Daniels Fund
- Doris & Donald Fisher Fund
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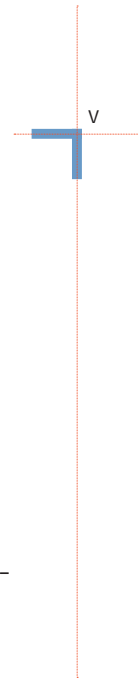


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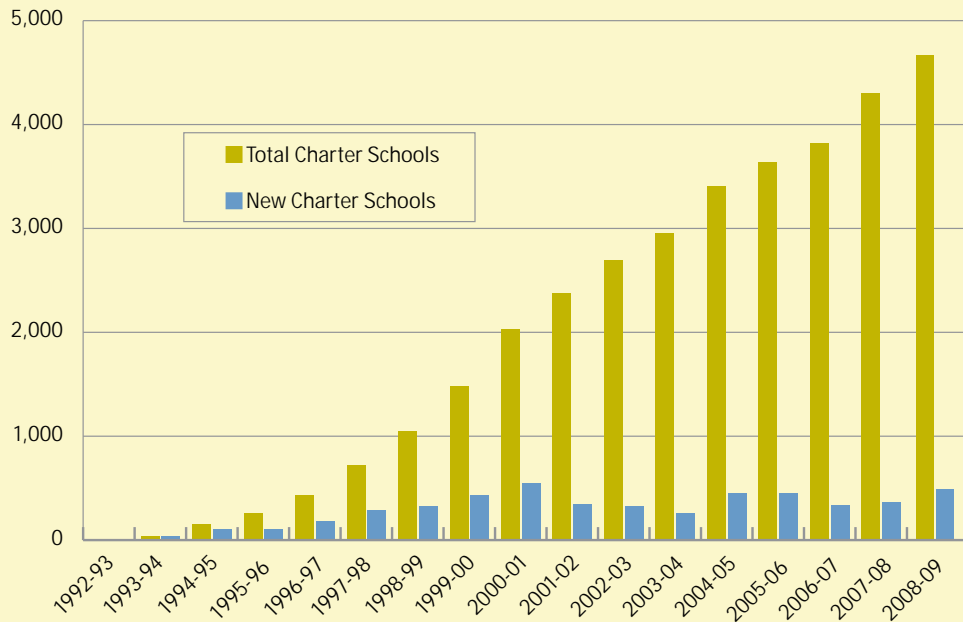
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We are also grateful to our funders and advisory board members for supporting and shaping our work. Despite the important contributions of those acknowledged here, however, any opinions, omissions, or errors are the authors' alone.



FAST FACTS: Charter Schools in 2008–2009



Number of charter schools in 2004-05: **3,293**
 Number of charter schools in 2008-09: **4,662**

Percentage of all public schools that are charters in 2004-05: **3.6%**
 Percentage of all public schools that are charters in 2008-09: **4.8%**

Percentage of all public school students attending charter schools in 2004-05: **1.9%**
 Percentage of all public school students attending charter schools in 2008-09: **2.9%**

Number of states that *expanded* the allowable number of charter schools or charter school students since 2004-05: **7**

Number of states that *restricted* the allowable number of charter schools or charter school students since 2004-05: **2***

Number of charter schools that opened in 2004-05: **445**
 Number of charter schools that opened in 2008-09: **487**

Number of charter schools that closed in 2004-05: **65**
 Number of charter schools that closed in 2008-09: **143**

* Oregon and Indiana placed restrictions on virtual charter school enrollments only.

SOURCE: Charter school figures come from NCSRP's annual survey of state charter school offices, conducted between July and September 2008, as well as data published on state Department of Education websites. Public school figures were compiled from state Department of Education websites and the National Center for Education Statistics Common Core of Data.

OVERVIEW

Can Charter Schools Become a Crossover Hit?

Robin J. Lake

The charter movement has evolved dramatically over the past 18 years. Once considered mainly an escape valve for a set of unhappy parents and fringe community groups, the charter sector has increasingly responded to the call for more consistent quality, has shown it can replicate high-performing schools faster than school districts ever have, and has introduced us all to fundamentally new models of gap-closing public schools.

Still, charter schooling has by no means hit the mainstream. If charters were a band, they might be under an independent label, played by college radio stations. According to a recent Gallup Poll, most Americans still have little or no knowledge of what charter schools are.¹ As discussed in chapter 1, National Charter School Research Project (NCSRP) data show that 89 percent of American school districts have no charter schools within their boundaries, perhaps in large measure because so many school districts are so very small. In public education reform circles, charter schools are still generally viewed as idiosyncratic—nice idea, but not likely to fundamentally improve American schools. Earlier this year, many of the foundations that used to support charter schools signaled that they were turning to other popular reforms, such as efforts to improve teacher quality or investing in state data systems.

Remarkably, however, chartering is suddenly back in vogue thanks to unprecedented attention from President Barack Obama and his Department of Education. From

WHAT ARE CHARTER SCHOOLS?

Charter schools are public schools of choice. Charter schools receive public funds based on the number of children who attend, and schools that do not attract enough students to pay their bills must close. Schools obtain charters only with the approval and oversight of their local school district or other state agency. The approving agency can also close a charter school if it does not perform. The adults who run charter schools and teach in them enjoy significant freedom of action, but they can lose their jobs if the school proves ineffective or families do not choose it.

Charter schools are another way—in addition to schools directly operated by a school district—that communities can create new public education options and partnerships for their children. While some of public education's traditional constituents may be uncomfortable with charter schools, these new institutions are intended to be part of the fabric of public life in their communities.

well-publicized charter school visits to central placement of charters in key economic stimulus programs, Secretary of Education Arne Duncan and President Obama have repeatedly sent the message that they view charter schools as an essential component of K–12 education reform strategies. As a result, states are now scrambling to lift charter school caps and to figure out how they can incorporate charters in efforts to turn around low-performing schools. Even foundation boards are turning back to charter investments.

Will all of this move charters from the margins to the mainstream? Can charter schools cross over to the pop charts and play in major state accountability efforts, major urban school reforms, and, finally, in the public consciousness? That is not yet clear. There are a number of critical tests ahead for the charter school sector. This volume of *Hopes, Fears, & Reality* explores these issues.

In chapter 1, Jon Christensen, Jacqueline Meijer-Irons, and myself lay out the basic data on charter school growth in the last several years. We examine the growth and character of the charter movement over the last five years to examine how quickly the charter sector continues to grow and whether it serves the country's neediest children. Rumors of the demise of charter schools were premature, we conclude: charter growth has been robust and consistent, and charters are serving some of the most disadvantaged populations in their communities.

Beyond the data, what about the other critical tests facing charters? Can chartering be employed as a useful school turnaround strategy? How do charter schools coexist with unions? Are the best charter schools a reliable model for urban education? Successive chapters take up questions such as these.

In chapter 2, Terry Ryan of the Thomas B. Fordham Foundation looks into charters as a school turnaround strategy. It's a cautionary tale, based on Fordham's experience with sponsoring a charter school in Ohio. One of Ryan's messages: no one really knows how to do this, at the scale required. When Fordham mounted a turnaround effort after its Omega Academy ran into trouble, it hired the wrong new leader and the mistake proved catastrophic: "The damage caused to the school's reputation by its inheritance of troubled academics and turnaround setbacks at the outset could not be overcome." A clear take-away from the experience is that the right leadership in turnaround efforts is not simply important, it is essential.

What about charter schools as an important new model for urban schooling? Katherine Merseth of Harvard University takes up this issue in chapter 3. She outlines the essential components found in a number of high-performing Boston charter schools and discusses their potential contributions to our knowledge base about effective strategies for closing the achievement gap. Merseth also asks an important question about whether these high-achieving schools, which focus intensively on helping students meet state standards, put too low a priority on other types of learning that might be essential for college success.

Can charter schools coexist with teachers unions and perhaps even provide innovative models for shaping productive new union contracts? In chapter 4, Mitch Price from the Center on Reinventing Public Education (CRPE) considers such questions. Drawing on early lessons from a new study underway at CRPE, Price assesses whether charter unionization is a growing trend, outlines the reasons that charter schools unionize, and describes the potential ways that individual charters can balance unionization and mission. He concludes that: “Charter unionization is not one concept; rather, there are different things going on in different schools motivated by different reasons and yielding different results.” In 2009, union activity in a few high-profile charter schools received a lot of media attention, stimulating much discussion about whether charters and unions are antithetical, or whether the few examples this year constitute a trend. Price cautions against such broad-brush speculation, and he brings new facts and thoughtful analysis to this highly divisive topic.

In chapter 5, I take up the questions of whether and how charter schools can prompt school districts to become more innovative and performance-oriented. Do charters create a within-district ripple effect prompting districts to improve all of their public schools? In some cases yes; in others, no. Districts with expanding enrollment may be happy to have charter schools take some of the growth pressure off their hands. Other districts consider their hands to be tied by state regulation or are protected from the competitive effects of charters by state support. A small but apparently growing number of districts are coming to see charter schools as a source of innovation and school improvement, as well as offering new options for children in low-performing schools. But those examples are far too rare. I argue that policymakers and philanthropists could do much more to encourage districts to compete or cooperate with the charter sector, and thereby expand the impact of the nation’s high-performing charter schools.

Finally, in chapter 6, CRPE's Christine Campbell explores an underutilized opportunity for strengthening charter schools: addressing the quality of charter school governing boards. Too often, charter boards suffer from the same challenges as their public school brethren, reports Campbell. They tend to be either too disengaged or too meddlesome. What is required is neither a meddlesome nor a rubber-stamp board, but rather a steward of the school's values. She concludes by urging expanded recruitment and training for charter board members, along with authorizers who pay more attention to board functioning. In the search to scale-up high-performing schools, improving the quality of governing boards may be a high-leverage investment opportunity for funders and policymakers.

WHITHER CHARTERS?

By featuring charters so prominently in Race to the Top and School Improvement grants, President Obama and Secretary Duncan have given the charter sector an unprecedented opportunity for growth and impact. A number of major urban school districts have also opened their doors to charter schools as a way to replace low-performing schools.

So, the charter outlook looks promising, certainly more promising than it did twelve or eighteen months ago. Still, there are many scenarios under which charters could fail to live up to their promise and fail to take advantage of this opportunity.

- What if few charter providers respond to invitations to take over the lowest-performing schools? There are just a handful of charter management organizations willing to do school takeovers today. And there is also little obvious investment in building the supply of providers willing to play this role.
- What if many more charter school providers and their authorizers decide to do takeovers, but are unable to do so successfully?
- What if, as charter schools grow and mature, they begin to take on the very characteristics of the schools and school systems they hoped to abandon?
- What if charter authorizers fail in their duty to close the lowest-performing charter schools? As NCSRP's data in chapter 1 reveal, only a few states regularly close any charter schools. If that trend continues, the charter movement will fail on Secretary Duncan's expectation for accountable and continually improving public schools.

- What if school districts that come under heavy competition from charters are protected from financial harm by well-meaning state officials, and therefore never feel compelled to change?

All of the above scenarios are possible. Based on the essays in this volume, they may even be likely, absent focused policy and investment attention. On the other hand, what if charter schools can rise to the occasion? In that case, chartering would live up to its promise. The practice could change the face of public education by taking away excuses for chronic low performance and by providing an effective supply of innovative and effective new schools.

In this, the fifth year of NCSRPs existence and its publication of *Hopes, Fears, & Reality*, our commitment is to continue to provide research that gives a frank assessment of progress and failure in the charter sector, a forward look at the most compelling opportunities and risks for charter schools, and—always—a look at how charter schooling can be not just a movement or a sector, but a powerful tool for deep and lasting improvement in the full offering of America’s public schools.

NOTES

1. Phi Delta Kappa/Gallup Poll of the Public’s Attitudes Toward the Public Schools, 2009, <http://www.pdkpoll.org>.

Escalating Evidence on Charter Segregation

On heels of UCLA study, new study finds charter schools operated by corporations are segregated by race, income, disability and language

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Report url: <http://epicpolicy.org/publication/schools-without-diversity>

BOULDER, Colo., and TEMPE, Ariz. (Feb. 9, 2010) -- Today the Education and the Public Interest Center (EPIC) at the University of Colorado at Boulder and the Education Policy Research Unit (EPRU) at Arizona State University released a study that examines enrollment patterns in schools operated by Education Management Organizations. *Schools without Diversity: Education Management Organizations, Charter Schools, and the Demographic Stratification of the American School System* finds these schools segregated by race, family income, disabilities, and English language learner status. As compared with the public school district in which these charter schools reside, they are substantially more segregated, and the strong segregative pattern found in 2001 is virtually unchanged through 2007.

The report finds that charter schools tend to be strongly concentrated in racial or ethnic terms compared to the districts that send students to those schools. The charter schools in the study draw their students from the extremes of family income, divided into either largely high-income or largely low-income populations. Additionally, more than half of these privately managed schools enrolled far fewer English language learners and students with special needs than did their home districts.

The study comes to conclusions remarkably similar to another nationwide study released last week by UCLA's *Civil Rights Project/Proyecto Derechos Civiles*. The two studies, conducted independently using different data, different researchers, and different methods, both found that charter schools segregate.

The EMO study is particularly important because the Obama administration has placed a great deal of faith in the scaling up of nonprofit EMOs (sometimes called Charter Management Organizations, or CMOs) as part of the administration's turnaround strategy. This findings of this new study suggests that these policies have the very real potential to be harmful to the nation's social and educational interests.

"Charter schools were originally intended to provide distinctive learning environments," observes the report's lead author, Professor Gary Miron of Western Michigan University. "As it turns out, what is often most distinctive about charters is the composition of their student bodies." The schools show evidence both of *White flight* and of *minority flight*. "Parents are selecting schools where their child will experience less diversity," says Miron.

A primary reaction to the UCLA study from charter advocates quoted in newspaper articles has

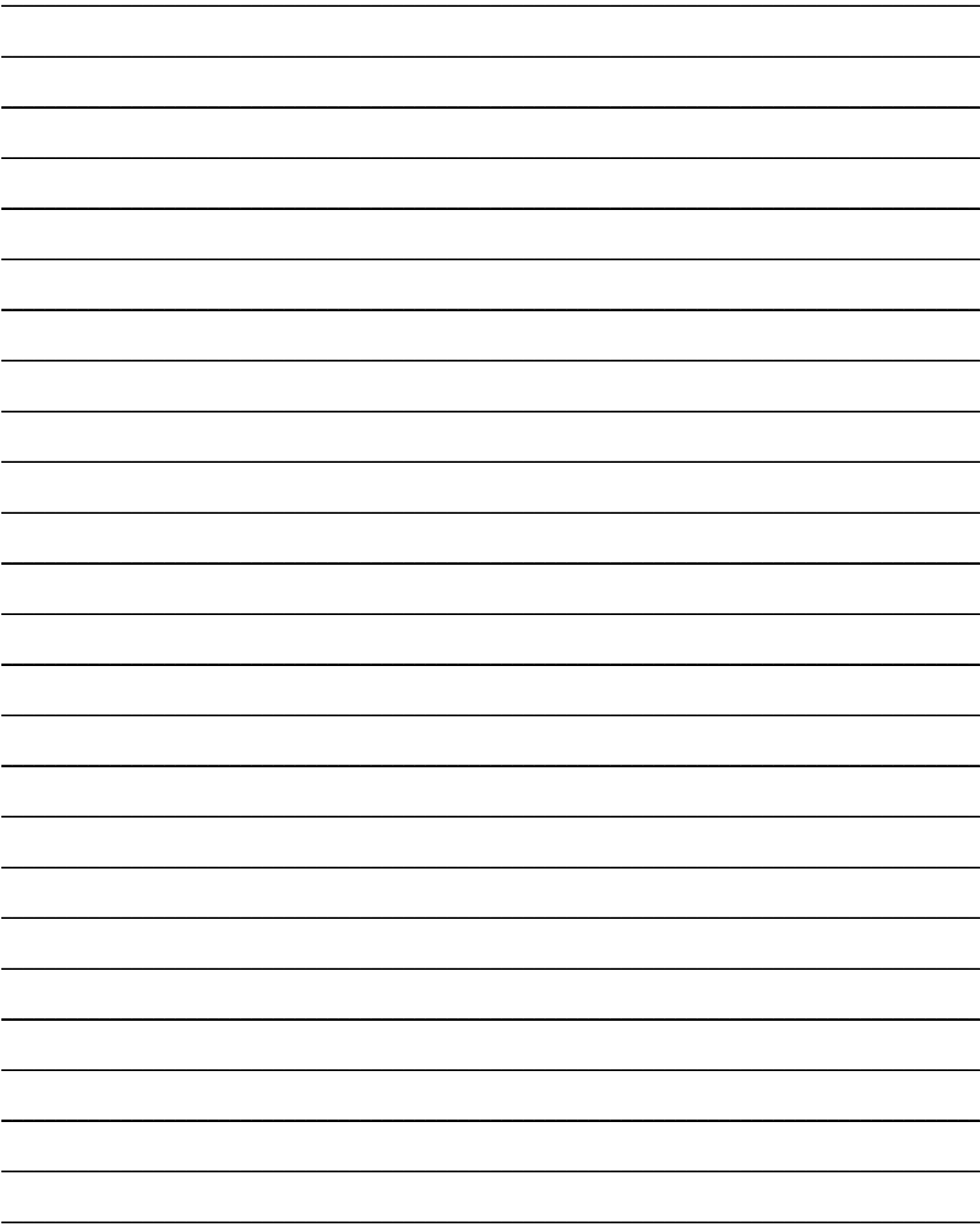
been to dismiss the importance of segregation and to argue that the key issue is results. Kevin Welner, director of the EPIC policy center at CU-Boulder, worries that this is a return to the "separate but equal" standard that was supplanted by the conclusion in *Brown v. Board* that *separate educational facilities are inherently unequal*. "Even assuming that this might be a conversation worth (again) having, the reality is that charter schools as a whole do *not* appear to generate improved test scores," Welner explains. "We are getting the harms of segregation without any significant achievement benefits. It is imperative that we address these two issues together. We should approach charter schools with the foundational understanding that diversity and high achievement are mutually reinforcing and then structure our charter policies accordingly."

The Education and the Public Interest Center (EPIC) at the University of Colorado at Boulder and the Education Policy Research Unit (EPRU) at Arizona State University collaborate to produce policy briefs and think tank reviews. Our goal is to promote well-informed democratic deliberation about education policy by providing academic as well as non-academic audiences with useful information and high quality analyses. This policy brief was made possible in part by the generous support of the Great Lakes Center for Education Research and Practice. This study can be accessed at: <http://epicpolicy.org/publication/schools-without-diversity>

Visit EPIC and EPRU at <http://www.educationanalysis.org/>

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CUBE MEMBER DISTRICTS

Birmingham Public School System, Birmingham, AL
Montgomery Public Schools, Montgomery, AL
Little Rock School District, Little Rock, AR
Alhambra Elementary School District, Phoenix, AZ
Cartwright School District #83, Phoenix, AZ
Phoenix Elementary School District #1, Phoenix, AZ
Roosevelt School District #66, Phoenix, AZ
Sunnyside Unified School District #12, Tucson, AZ
Chula Vista Elementary School District, Chula Vista, CA
Orange County Board of Education, Costa Mesa, CA
Los Angeles Unified School District, Los Angeles, CA
Twin Rivers Unified School District, McClellan, CA
San Francisco Unified School District, San Francisco, CA
Aurora Public Schools, Aurora, CO
Bridgeport Public School District, Bridgeport, CT
New Haven Public School District, New Haven, CT
Broward County School District, Ft. Lauderdale, FL
Duval County School Board, Jacksonville, FL
Miami-Dade County Public Schools, Miami, FL
Hillsborough County School District, Tampa, FL
Palm Beach County School District, West Palm Beach, FL
Atlanta Public Schools, Atlanta, GA
Fulton County Schools, Atlanta, GA
Clayton County Public Schools, Jonesboro, GA
Savannah-Chatham Public Schools, Savannah, GA
Hawaii State Board of Education, Honolulu, HI
Des Moines Public Schools, Des Moines, IA
Chicago Public Schools, Chicago, IL
East Saint Louis School District #189, East Saint Louis, IL
Elgin School District Unit #46, Elgin, IL
Community High School District #218, Oak Lawn, IL
General George S. Patton School District, Riverdale, IL
School City of East Chicago, East Chicago, IN
Fort Wayne Community Schools, Fort Wayne, IN
Indianapolis Public Schools, Indianapolis, IN
South Bend Community School Corp., South Bend, IN
Jefferson County Public Schools, Louisville, KY
E. Baton Rouge Parish, E. Baton Rouge, LA
Jefferson Parish School Board, Marrero, LA
Orleans Parish Public Schools, New Orleans, LA
Boston Public Schools, Boston, MA
Baltimore City Public Schools, Baltimore, MD
Baltimore County Public Schools, Towson, MD
Prince George's County Board of Ed., Upper Marlboro, MD
Detroit Board of Education, Detroit, MI
Grand Rapids Public Schools, Grand Rapids, MI
Pontiac Public School District, Pontiac, MI
St. Paul Independent School District #625, St. Paul, MN
Ferguson-Florissant School District, Ferguson, MO
St. Louis Public Schools, St. Louis, MO
Kansas City School District, Kansas City, MO
Jackson Public School District, Jackson, MS
Charlotte-Mecklenburg Schools, Charlotte, NC
Durham Public Schools, Durham, NC
Cumberland County School District, Fayetteville, NC
Guilford County Public Schools, Greensboro, NC
Wake County Public Schools, Raleigh, NC
Lincoln Public Schools, Lincoln, NE
School District of Omaha, Omaha, NE
Camden City Public Schools, Camden, NJ
East Orange School District, East Orange, NJ
Jersey City School District, Jersey City, NJ
Newark Public Schools, Newark, NJ
Piscataway Township Board of Education, Piscataway, NJ
Plainfield Board of Education, Plainfield, NJ
Trenton Public Schools, Trenton, NJ
Albuquerque Public Schools, Albuquerque, NM
Washoe County Public Schools, Reno, NV
Buffalo Public Schools, Buffalo, NY
Mount Vernon School District, Mount Vernon, NY
Rochester City School District, Rochester, NY
Syracuse City School District, Syracuse, NY
Wyandanch Union Free School District, Wyandanch, NY
Yonkers Public Schools, Yonkers, NY
Akron Public Schools, Akron, OH
Cincinnati City School District, Cincinnati, OH
Cleveland Municipal School District, Cleveland, OH
Columbus City Schools, Columbus, OH
Dayton Public Schools, Dayton, OH
Toledo Public Schools, Toledo, OH
Warren City School District, Warren, OH
Warrensville Heights City Schools, Warrensville Heights, OH
Youngstown City School District, Youngstown, OH
Oklahoma City Public Schools I-89, Oklahoma City, OK
Tulsa Public Schools, Tulsa, OK
School District of Lancaster, Lancaster, PA
School District of Philadelphia, Philadelphia, PA
Pittsburgh Public School District, Pittsburgh, PA
Reading School District, Reading, PA
Richland County School District One, Columbia, SC
Knox County Schools, Knoxville, TN
Memphis City Schools, Memphis, TN
Metro Nashville Public Schools, Nashville, TN
Austin Independent School District, Austin, TX
Brownsville Independent School District, Brownsville, TX
Dallas Independent School District, Dallas, TX
El Paso Independent School District, El Paso, TX
Ft. Worth Independent School District, Fort Worth, TX
Houston Independent School District, Houston, TX
Mesquite Independent School District, Mesquite, TX
Richardson Independent School District, Richardson, TX
Judson Independent School District, San Antonio, TX
San Antonio Independent School District, San Antonio, TX
Ft. Bend Independent School District, Sugar Land, TX
Alexandria City Public Schools, Alexandria, VA
Hampton City Schools, Hampton, VA
Norfolk Public Schools, Norfolk, VA
Portsmouth City Public Schools, Portsmouth, VA
Richmond Public Schools, Richmond, VA
Roanoke City Public Schools, Roanoke, VA
Virginia Beach City School District, Virginia Beach, VA
Virgin Islands Board of Education, St. Thomas, VI
Seattle School District #1, Seattle, WA
Milwaukee Public Schools, Milwaukee, WI



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