

Public Hearing

before

SENATE EDUCATION COMMITTEE

and

ASSEMBLY EDUCATION COMMITTEE

"Charter Schools"

LOCATION: Thomas Edison State College
Trenton, New Jersey

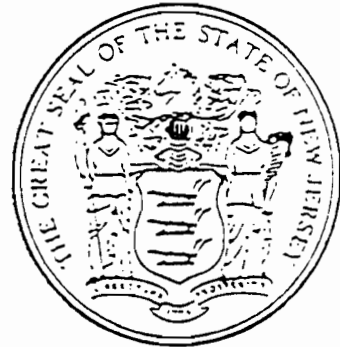
DATE: December 5, 1995
1:00 p.m.

MEMBERS OF SENATE COMMITTEE PRESENT:

Senator John H. Ewing, Chairman
Senator Robert J. Martin
Senator Gordon A. MacInnes

MEMBERS OF ASSEMBLY COMMITTEE PRESENT:

Assemblyman John A. Rocco, Chairman
Assemblyman David W. Wolfe, Vice-Chairman
Assemblywoman Martha W. Bark
Assemblywoman Nilsa Cruz-Perez
Assemblyman Raul "Rudy" Garcia



ALSO PRESENT:

Darby Cannon III
Kathleen Fazzari
Office of Legislative Services
Aides to the Committees

Hearing Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
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JOHN H. EWING
Chairman

JOSEPH A. PALATA
Vice-Chairman

ROBERT J. MARTIN
JOHN A. LYNCH
GORDON A. MACINNES

New Jersey State Legislature

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RAUL "RUDY" GARCIA

NOTICE OF JOINT PUBLIC HEARING

TO: MEMBERS OF THE SENATE EDUCATION COMMITTEE
MEMBERS OF THE ASSEMBLY EDUCATION COMMITTEE

FROM: SENATOR JOHN H. EWING, CHAIRMAN
ASSEMBLYMAN JOHN A. ROCCO, CHAIRMAN

SUBJECT: JOINT PUBLIC HEARING

The public may address comments and questions to Darby Cannon III, or Kathleen Fazzari, Aides to the Committees, or make scheduling inquiries to Mary C. Lutz or Bernadette Kmetz, secretaries at (609) 984-6843.

The Senate Education and Assembly Education Committees will hold a joint public hearing on:

"CHARTER SCHOOLS"

The hearing will be hosted by "A+ For Kids" and will be held at Thomas Edison State College, Barrack and West State Street, Trenton, New Jersey, at 1:00 PM on Tuesday, December 5th.

Persons wishing to testify should call Mary C. Lutz or Bernadette Kmetz. All persons who are testifying should submit 15 written copies of their testimony. Persons who are not presenting oral testimony may submit 15 copies of written testimony for consideration by the committee and inclusion in the record.

Issued 11/27/95

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ASSEMBLYMAN JOHN A. ROCCO (Assembly Committee Chairman): I want to call the meeting to order.

SENATOR JOHN H. EWING (Senate Committee Chairman): Could we have your attention, please.

ASSEMBLYMAN ROCCO: Thanks for coming.

SENATOR EWING: The microphone doesn't work great. They're trying to find out where the problem is. The recording mike is, so it is being recorded.

ASSEMBLYMAN ROCCO: So everyone that speaks will have to really speak up with their presentations.

Joyce Kersey is with us, who is with A+ For Kids, and I've worked with Joyce before. I believe Jack has as well.

Joyce, would you like to say a few words?

J O Y C E K E R S E Y: Yes.

I just want to thank the members of the Joint Committee for coming here today. I know you've had a hard morning. You've been hearing testimony, and we'll be brief, but we have a lot of people that are here from the general public that would like to learn more about the issue and would like to be able to discuss their point of views with you.

I just want to say welcome, and I appreciate the opportunity for us to have another opportunity to serve the community and let them give input on this issue.

Thank you.

ASSEMBLYMAN ROCCO: Thank you, Joyce.

SENATOR EWING: We also want to thank you for bringing the folks down from Massachusetts. Very nice.

ASSEMBLYMAN ROCCO: Okay. Why don't we start with Donna Clovis. Is she here? Our first presenter. Donna, would

you like to come forward? Princeton School District, a teacher -- we love to start with teachers.

Thanks, Donna.

D O N N A L . C L O V I S: Thank you for the opportunity to be able to speak with you.

SENATOR EWING: Excuse me, just a minute, Donna. If the people in the audience cannot hear the speaker, raise your hand and we'll tell them to speak louder just like school. (laughter)

MS. CLOVIS: Okay. Just like school. (laughter)
Okay--

SENATOR EWING: No chewing gum, no walking around. (laughter) The boys take their hats off, please.

ASSEMBLYMAN ROCCO: Go ahead, Donna.

MS. CLOVIS: Okay. Thank you.

I have a few concerns about the charter school legislation that I wanted to share with you this afternoon.

If you found that you needed open heart surgery, would you seek out an unlicensed doctor to perform the surgery for you? Or if you needed your house constructed in some way, would you seek out an unlicensed architect or carpenter to build it for you? Likewise, as I think about education, if you need someone to educate your children, would you seek out an unlicensed teacher or would you indeed seek out the best possible education for your child? Unprepared and unlicensed personnel in a charter school situation would spell out disaster for our children and our future.

Just as we would seek out a well-trained cardiologist or carpenter to perform the functions that we'd like them to do

well, we'd like also to find well-trained and licensed professionals to teach our children. We would hope that our educated students would have the critical thinking skills necessary to perhaps find the cure for cancer, to find the cure for AIDS, to maybe even help the President solve his budget woes. But those are just some of the things that we look at in terms of what our children will be doing for us in the future.

If the United States is to continue as a world power, we cannot ask anything less than quality education provided by licensed educators. If our children are not educated properly, our society will suffer the consequences.

Another disadvantage to a charter school is perhaps the lack of compliance to the curriculum standards that the State has been working on to ensure a quality education for all students.

I have two questions of whether or not charter schools exist in our State without compliance to high academic standards. What type of result may occur? Can these high academic standards be reached without the qualified personnel to instruct our children?

We cannot risk placing our children into the hands of people who are untrained or inexperienced. Let us make improvements in our current educational system by creating the partnerships between corporations, between parents, and other members of the community.

I believe these partnerships are essential to really making our public systems much, much better. There is a saying and that saying is, "A whole village raises a child." Let us create the innovative partnerships to help our licensed

educators in the public schools do the job that they're able to do the best, and that is to teach.

Thank you very much.

SENATOR EWING: --some questions. (laughter)

I have a question. Donna, in your school, do you have any teachers from the alternate route?

MS. CLOVIS: Yes, we do.

SENATOR EWING: How do they work out?

MS. CLOVIS: So far the two that I know of that are in my school are doing a very good job in terms of how they teach and reaching the children, also with their cooperation with the rest of the school community and the community at large. They've connected very much with the university. The particular teacher I'm thinking of is a science teacher, and she's worked a lot with the community, as well as Princeton University, and really working hard to bring some innovative pieces into the school.

SENATOR EWING: Well, do you see anything wrong with using the alternate route as well in charter schools?

MS. CLOVIS: The question that I have is the making sure that you're always aligning yourselves with the curriculum standards, and that we're moving towards the same expectations of the children in the charter schools. It's a possibility that something, as long as there is some sort of supervision by the educational sector-- I think that is really important, and I'm just worried that if you don't have licensed personnel who have spent the time going to school in master's programs--

In Princeton, there is quite a few teachers who have Ph.D.'s who spent a lot of time -- and you can see it in their

classroom. You can see the educational quality in a lot of the pieces that we've done outside of our regular duties as teachers. That plays a role in the esteem, I believe, and the expectations of the students.

ASSEMBLYMAN ROCCO: Donna, I can tell you certification is very, very critical, and I agree with everything you made in your presentation. My bill calls for that. I think there is still some negotiations going on, and the alternate route is certainly a route that we're going to look into as well. I assume that that would be part of the program regardless of the alternate route or the normal certification process. There is a great deal of skill involved in teaching, and when you're in the classroom, I think you can realize that possibly more than others who are not necessarily on the front line so to speak.

MS. CLOVIS: Right. Thank you. Thanks.

SENATOR EWING: Any other questions? Dave? (no response)

Thank you very much, Donna.

MS. CLOVIS: Thank you all.

ASSEMBLYMAN ROCCO: John Henderson.

J O H N H E N D E R S O N: Thank you, Mr. Chairman and members of the Committee.

MR. CANNON: (Senate Committee Aide) John, could you turn that lower mike towards you? I think the-- (indiscernible)

MR. HENDERSON: This one?

MR. CANNON: Yes.

ASSEMBLYMAN ROCCO: The mikes are working now.

MR. HENDERSON: New Jersey School Boards Association believes that some version of the charter school legislation will pass the Legislature and be signed by the Governor. More than that, we believe that some version should pass. Perhaps, unlike some of the other state organizations, we're not afraid of the competition here. We believe we could learn a thing or two by allowing this experiment to go forward.

There is certainly enough energy to move this proposal based on its own merits and based on the -- what one would call "the wildfire acceptance" in other states. We add to this mix a particularly unusual twist here in New Jersey, and that is the very -- what has last week turned into a very nasty development in the voucher debate.

There is so much opposition to that and passions have been inflamed by it that it certainly seems to us logical that this Committee and the Legislature as a whole would certainly look to charter schools as a rational alternative and allow you to say, "At least we're trying something new here in New Jersey to stir the pot of public education." But then that becomes all the more reason to structure the charter schools carefully, and from the Board members' point of view, both bills currently before the Legislature have provisions requiring modification.

First and foremost, the modifications are needed to the funding area. Both bills require all State and local share to follow the student to the charter school. The problem here is that of fixed residual costs. As much as 30 percent of district operations are in nonpersonnel fixed and residual costs. By way of example, in a district with 3500 pupils and five buildings, the loss of 300 students to a charter school

could cost the district as much as \$3 million in State and local funds.

By the way, the example I'm using is Mount Olive, which brought this to our attention.

SENATOR MARTIN: Western Morris.

MR. HENDERSON: Morris School District. Yet, if they lost the \$3 million in State and local funds, they would still have five buildings to run, debt service to be paid, maintenance to be performed, space to be heated and insured.

In recognition of the problem of fixed cost staying at the local district, charter school initiatives in other states have limited the funding that follows the child to less than 100 percent or allows the matter to be negotiated directly between the district and/or the State and charter school.

Colorado, for example, limits the funding of a charter school to 80 percent of the total State and local aid per child.

On this point, Senator Ewing's bill exacerbates the fixed cost problem by allowing an unlimited number of both charter schools and of students to go to a single charter school.

Assemblyman Rocco's bill on this point puts limits on both the total number of charter schools allowed in the State and the percentage of students that can be drawn from any one existing school.

Second, in an effort to assure change in special needs districts, the Assembly version mandates at least one charter school for each special needs districts. We think a bad idea. We think it's an untoward intrusion into local decision making. In the essence-- But more fundamentally, the essence of a

with the enormous start-up cost inherent in any undertaking of this complexity.

In effect, using State aid per child available will not be enough to get these schools going. That's kind of an important point. First, we argue that we really don't think it's fair to the resident districts that will not keep us whole to take all our money, but if you do take all our money, that's probably not going to be enough of a kick to get them going anyway. So something is going to have to be done to allow some sort of up-front costing to get these schools rolling. It does argue somewhat in the favor of Senator Ewing's bill.

In effect, using the State aid per child available will not be enough to get these schools going. Concerning certificated staff, one could say that Senator Ewing's bill supporters argue that thousands of qualified educators, including most college staff, would not be allowed to work in a charter school.

Limiting these schools and their access to this talented individual pool cripples the charter school initiative from the start. Besides, one could also argue, the Commissioner must approve the staff choices in creating and granting the charter.

Finally, the Senate version wants the flexibility of charter schools further enhanced by allowing them to cut whatever deals they want with staff concerning benefits and salary.

Assemblyman Rocco's bill, in our view, takes a more conservative approach to each design element. Proponents of this approach argue that charter schools are a big gamble and

they sure are. Their success is better assured when spun off an existing education structures. Otherwise, persons with good intentions but little expertise could easily drown in the effort and they have.

High failure rate will damage the image of the concept and the efforts of all charter schools. For this reason, the Assembly version requires that only certificated staff be used since these individuals bring a baseline of expertise and know the ropes of public education. The A-592 team would argue also, probably accurately, that few teachers will leave a regular school for a charter school that they cannot automatically take a benefits package that's comparable with them.

In this issue that's persuasive. Since not even the high tier private schools -- and this is an interesting point. Not even a high tier private school offers benefits anywhere near what public education offers. You name-- Peddie, out in Hightstown, with now a bazillion dollar endowment -- their staff does not make what the average public school teacher makes. So the benefits package issue is one that's going to be troublesome for you to work out.

In response, the Senate version side would say that existing staff members are not the target audience for the new schools. The diverse faculty eager to try new and bold ideas is the goal and that these people will not generally come from existing ranks of public educators.

In our conclusion, we say nobody's testified to date that charter schools are anything but a minor component of school reform and not a panacea. For all of their appeal on paper, starting them is a prodigious task. Perhaps the reason

why three states that have approved laws for their creation have yet to approve one.

Still it is -- and we do believe this. I mean, you know sometimes we -- lobbyist are cute about upgrading things in order to kill them. I hope you haven't heard anything in our sentiment that that's where we're going. We do want to see this tried. We do accept a challenge. We do think we can learn things from this experiment. We think it is a reform that time has come and an association should be there to greet it falling into shape.

In conclusion, the concept behind the bills -- we do support the broad concept behind the bills, and we've summarized in the printed testimony for you there the changes that we would like to see made.

Thank you.

SENATOR EWING: John, you said they couldn't go back in February. Why would a teacher go back to its old school in February?

MR. HENDERSON: If the charter school collapses.

SENATOR EWING: Well, how many collapses have there been?

MR. HENDERSON: Three or four that we've read about.

SENATOR EWING: Would you give me a list of those?

MR. HENDERSON: Oh, sure. One in California stopped a million dollars fraud. It was a huge problem with that one.

SENATOR EWING: Will you give me a list of the four that you say have collapsed?

MR. HENDERSON: Three or four.

Mr. Chairman, I mean -- you sound like you acknowledge that they do collapse.

SENATOR EWING: No, I've heard of one. I like to know who the others are, so we can check them out and just see what they are.

ASSEMBLYMAN ROCCO: Questions?

SENATOR MARTIN: Senators-- This is addressed to our Chairs. Has there been any discussion between the two chairmen about the differences and whether there is any consensus?

ASSEMBLYMAN ROCCO: Hours. (laughter)

SENATOR MARTIN: Should we treat these as just two separate models and pick and choose? Or have you--

SENATOR EWING: No, we're working on it. We're getting closer to a point where we'll come up with a single piece of legislation. We'll talk.

ASSEMBLYMAN ROCCO: Jack is very stubborn. (laughter)

SENATOR MARTIN: But you're not prepared today to say--

SENATOR EWING: John gives into everything I've asked for. (laughter)

SENATOR MARTIN: You're not prepared today, Senator Ewing, to say that, you know, on this issue where there is noticeable differences that the two of you have reached this point or--

SENATOR EWING: John brought up one point there. He told us, you know, that there had been a change made on it.

SENATOR MARTIN: Okay. Because I'm just wondering whether we're dealing with the real McCoy, the product that--

SENATOR EWING: No, no, the final product will be probably, if we come to an agreement on the thing, a Committee substitute which will encompass parts of both bills.

SENATOR MARTIN: I understand. I just meant whether now you could have enlightened us whether where there may have been--

SENATOR EWING: No, there is still some separation in different areas.

SENATOR MARTIN: Thank you. That's helpful.
(laughter)

SENATOR EWING: Well, you've been in the Legislature a while, come on.

Any other questions? (no response)

Jessica de Koninck, Trenton Board of Education,
Esquire.

J E S S I C A G. d e K O N I N C K, E S Q.: Thanks very much. Sharon Warner, Assistant Counsel.

A S S E M B L Y M A N R O C C O: Good afternoon.

S H A R O N W A R N E R: Good afternoon.

M S. d e K O N I N C K: Thank you very much for the opportunity to address proposed legislation concerning the establishment of charter schools in New Jersey. The following remarks are offered on behalf of the City of Trenton Public Schools.

The charter school concept is an interesting one which is experiencing various levels of success and practice as it moves past infancy in those few states which have both instituted and implemented charter school legislation. None

would argue against the desirability of creative and effective innovation in public education.

However, as charter schools are so new, it is wise to proceed with caution while the jury is still out. If charter schools were to work in New Jersey and achieve the goal of enhancing public education for all students, not just an elite few, proposed Assembly Bill No. 592 and Senate Bill No. 1796 establishing a charter school program must face careful scrutiny to make sure that the bills appropriately focus on this goal of universal educational excellence.

There are some problems. First, there is no funding attached to the bills. Section 13 of Senate Bill No. 1796 requires the school district of residence to pay directly to the charter school for each student enrolled an amount equal to the local levy budget per pupil in the district for the specific grade level. At a time when the local tax dollar is being stretched beyond its limits, taking those dollars out of the district is unrealistic. The local district simply does not experience a dollar for dollar savings for each student leaving the district. Additional money will have to be found to make up for the loss related to charter school pupils in order to cover fixed costs such as utilities and maintenance.

Second, the proposed legislation creates increased bureaucracy and, presumably, increased administrative costs. A popular axiom used to explain the relatively high cost of public education in New Jersey is the unusually large number of school districts. Duplicate districts multiply administrative costs without a concomitant benefit in the classroom. Under the proposed legislation, however, charter schools are to be managed

by a "board of trustees." Is this just not an additional school district with a different name?

Under Section 7 of the S-1796, a charter school is a "body corporate in politic." It possesses the features inherent to all local governmental entities including the ability to receive and disburse funds, make contracts, acquire property, incur temporary debt, etc. What remains unclear is who is responsible for the liabilities of the charter school if it is unable to meet its obligations. Will that become the liability of the local school district?

Further, there is nothing in the legislation or supporting documentation to suggest why it's necessary to create additional governmental entities in order to reap the benefits of charter schools. If the charter school model is, indeed, a good one, individual school districts should be given the authority to incorporate the model without the creation of additional bureaucracy.

As a district in Trenton, we're committed to educational excellence and equity for all students. Section 8 of S-1796 presents some difficulties in that regard. The so-called "open enrollment" provision permits admission to a charter school to be limited not only based on grade level, but on subjects of concentration and residence. These restrictions have the ability to open the door to inequity.

Administrative issues are raised as well. If a student withdraws from a charter school and reenters the district's schools, what happens to the money paid on behalf of that student? If a student is expelled from a charter school, must a district enroll that student in its schools?

The leave of absence provision makes it difficult for school districts to plan and staff positions. The provision relating to a two-year extension of that initial leave could conceivably mean that a teacher on leave will have been replaced by a teacher who subsequently has become in tenured. Upon the possible return of the first teacher, the district may be placed in the unfortunate position of having to institute a reduction in force. At best, the district will be burdened with an unfortunate displacement in the workplace.

On a positive note, charter schools may afford the opportunity for innovative programs. They may afford school districts facing overcrowding and growing populations an alternative for some students, potentially reducing the need for additional capital investment. A charter school which focused on the needs of students who are already placed out of district might be able to provide better services for such students closer to home and at a lower cost to the district.

One charter school model not anticipated, but thank you, Assemblyman Rocco, for discussing it, would be a partnership with a local college or university. In the case of Trenton, this could be Trenton State or Rider or Princeton. A charter school operated by an institute of higher education could bring educational benefits for all concerned and would bring the resources of the institution to the charter school students.

Additionally, private funds could be solicited from major corporations to underwrite the cost of the charter school and to afford its students the opportunity to attend college. In a similar vein, a local hospital could be involved in a

charter school partnership to provide students exposure to the various health care fields.

In conclusion, it remains too early to tell whether or not charter schools will work for New Jersey. It is, therefore, necessary for the Legislature to move with extreme caution. Any charter school program must be created in a way to be a benefit to the local public schools. A charter school system which simply siphons off money from the public schools without a guarantee of return will undermine the public schools without adding benefit or value.

Thanks very much.

SENATOR EWING: I'd like to ask a question. Do we have a guarantee of return from all our public schools?

MS. de KONINCK: No, absolutely, absolutely not.

SENATOR EWING: Unfortunately not. Isn't that right?

MS. de KONINCK: Thank you.

SENATOR EWING: Are there any other questions? (no response)

MS. de KONINCK: Thanks very much.

SENATOR EWING: Thank you.

SENATOR MARTIN: I do have one question. When you say extreme caution, what do you envision by that remark? You said it at least twice where the State of New Jersey--

MS. de KONINCK: We raised--

SENATOR MARTIN: How would that apply to Trenton, for example?

MS. de KONINCK: The charter schools proposals raise a lot -- raise a number of issues, which I've identified a few of them. In terms--

SENATOR MARTIN: Would you prefer, for example, a pilot program in a given jurisdiction?

MS. de KONINCK: Absolutely. I think a pilot program so that we can see how some of these problems, if there are problems, pan out. Issues of--

SENATOR MARTIN: And you're not volunteering the City of Trenton, I think. (laughter)

MS. de KONINCK: No, I'm not volunteering anything today. But in terms of issues of funding-- School funding is so -- is in such flux right now. It's not as if there are new dollars attached to any of these programs. We, in Trenton, have to make a tremendous commitment to facilities -- to upgrade our facilities. Does it make sense to do that if the students are going to be going to charter schools? If the charter school doesn't work out and they're back in six months, then what is supposed to happen? It's very hard for the district to operate in a vacuum, and since charter schools don't yet exist in New Jersey and we're beginning to hear stories about schools closing elsewhere in the country, I think caution is appropriate. Everyone wants what's best for the students of New Jersey. What we're concerned about is throwing out the baby with the bath water.

SENATOR MARTIN: Well, based upon what you're concerned about, fixed cost that would somehow have to-- The district loses it, and the new district -- the charter school district -- would have to somehow start up with capital costs that aren't additional to the amount that they're going to have. I would assume that it would make a lot of sense to you, if you were going to choose districts, to allow this to happen

initially -- at least initially -- that they would start where they might have access capacity in an existing school.

MS. de KONINCK: That would clearly, that would clearly be helpful.

SENATOR MARTIN: One of the models we saw might be somehow a wing or a floor could be detached from the school where a charter school could exist within the same school structure as a public school.

MS. de KONINCK: That's certainly a possibility for those districts that are experiencing excess capacity. One of the reasons, as I indicated, why charter schools might be beneficial is that most urban districts are experiencing growth in population, and if charter schools relieve that, if that helps relieve that growth, so that it's not necessary to build additional schools, then that might be a benefit also.

SENATOR MARTIN: Thank you.

SENATOR EWING: Are you speaking for the Board or for yourself?

MS. de KONINCK: I'm speaking on behalf of the district.

SENATOR EWING: The whole -- of the Board.

MS. de KONINCK: Yes. The position of the district is that there are pluses and minuses. That there are a lot of issues that need to be looked into, but that issues such as partnerships are something that the district is very interested in. As long as the sacrifice -- as long as the benefits outweigh the burdens.

SENATOR EWING: Purely voluntary though.

MS. de KONINCK: It's not voluntary. Once a charter school is created the--

SENATOR EWING: No, but I mean as far as a district starting a charter school, it's voluntary.

MS. de KONINCK: Yes. But if a charter school is created in a district, the district does not have the opportunity -- similar to private schools -- to tell parents, "No, you can't send your student there." Unlike private schools, however, it doesn't cost the district anything if a student chooses to go to private school. If a student chooses to go to a public school then that costs the district -- a charter school -- then that will cost the district money.

ASSEMBLYMAN ROCCO: But the Board does have the right to have a first reaction and either approve or disapprove, and then that goes on to the Commissioner for finding approval or disapproval. So I think the Commissioner 9 times out of 10, if he sees the local Board rejecting a charter school, we'd probably go along with it.

Thank you.

MS. de KONINCK: Thank you. Thanks very much.

SENATOR EWING: Linda Brown and Jim Peyser from the Pioneer Institute in Boston.

J I M P E Y S E R: Thank you very much.

My name is Jim Peyser. I'm the Executive Director of the Pioneer Institute, and up until about a month ago, I was Undersecretary of Education in Massachusetts and Special Assistant to the Governor for charter schools. With me is Linda Brown, who is Director of Pioneer Institutes Charter School Resource Center.

Before getting into the substance here, I ought to give you a little background so you have some sense for who Pioneer Institute is.

We are a public policy think tank that focuses on state issues in Massachusetts. Normally, what that means is we are in the business of commissioning research by local or national scholars on issues affecting Massachusetts.

A few years ago, we commissioned a book that is called, "Reinventing the School: A Radical Plan for Boston," which analyzes the Boston public school system and recommends what the author called "an entrepreneur model of education," which bears a striking resemblance to charter schools. Following the publication of that book and in part influenced by it, the state Legislature in Massachusetts enacted a charter school bill, which was in 1993, that was part of the larger education reform act.

At that time, Pioneer established something called, The Charter School Resource Center, which Linda heads, that provides technical assistance and support to charter schools as they attempt to get off the ground in Massachusetts. So that is what Pioneer does.

It's very interesting to listen to the first few folks testify, because it's remarkable how similar the discussion is here to a discussion that occurred a few years ago and still occurs today in Massachusetts. They're basically two camps in this whole debate, and it's not a pro or con -- there aren't pro or con sides, at least on the surface. They are "charter schools but" and "charter schools because." Just for sake of full disclosure, I'm in the charter school because category, and

Pioneer Institute is very much an advocate for charter schools. So that's where we start this discussion.

My purpose here, though, is to give you some insight into the real world experience in Massachusetts to date and to try to apply that the best I can to what little I know of the two bills that are currently pending before the Legislature here in New Jersey.

First of all, in Massachusetts, charter schools are authorized and overseen by the state government, specifically the Secretary of Education. The local school districts have no role in approving or overseeing charter schools in Massachusetts. Similarly, charter schools are subject to all state laws and regulations in the same way that local school districts are. They're no exceptions with two exceptions. Those have to do with essentially the hiring and firing of personnel.

Furthermore, charter schools must comply with the state's academic standards and assessment tools. Charter schools must be nonsectarian: it may not discriminate in the administrations process. By the way, on admissions, they are schools of choice, which I presume yours would be as well, in that no students get assigned to charter schools. They attend only because they wish to or their parents wish to send them there. Charter school operations are financed with funds disbursed by the state but which are deducted from local aid payments the state would otherwise make to school districts. Those payments are equal to the average cost per student in that student's home district.

Charter schools may not charge tuition to any student. A teacher certification is not required. Existing district contracts and bargaining units do not apply to charter schools. There is a limit of 25 schools across the entire state. Boston may have no more than five; Springfield may have no more than five, and there may be no more than two in any other community in the State.

Finally, enrollment is limited to three-quarters of 1 percent of the total public school population, which the three-quarters of 1 percent is equal to about 7000 students in Massachusetts.

Right now, there are 15 schools that are open. They opened in essentially August, September, and October of this year. There have been 20 charters granted, so there are only five that remain to be granted in the state. There are about 2650 students enrolled in charter school. There was, in the application process, about a two to one ratio of applicants to available spaces.

In terms of the teaching staff, the ratio of applicants to available jobs is about 100 to 1, and overall, in this current fiscal year, the state will expend about \$16.2 million in essentially tuition payments or operating payments to charter schools. The average number of students in a Massachusetts charter school is about 175. The average spending per pupil is about \$6100. There are 9 elementary schools--

SENATOR EWING: Excuse me, compared to what?

MR. PEYSER: The average in the State is--

SENATOR EWING: Roughly.

MR. PEYSER: --probably about \$5600, \$5700 this year. So it's above the state average. But that's, just to go a little more in detail here, that's a function of the distribution of the schools in the student body. So the average cost per pupil in a charter school is identical to the average cost per pupil in the local district.

However, those districts tended -- as you can see by this number -- tend to have above average expenses per students. Therefore, the expenses in charter schools are also above average for the State.

SENATOR MARTIN: Are they mostly in urban areas such as Boston?

MR. PEYSER: There are nine urban schools, four suburban schools, and two girl schools. Six of the schools were started by parents, four were started by nonprofit organizations, two were started by community leaders, two were conversions of existing schools, and one was started by teachers.

Just to give you some sense on the facility side, four are located in commercial spaces, three are located in what used to be colleges, or college spaces, three are in former parochial schools, one is in an existing public school, and four others are in various assorted buildings that are kind of hard to classify.

There are some -- I'll give one example. One of them is in a motel in-- (indiscernible) (laughter) There are some common characteristics -- structural characteristics -- of charter schools. They have longer school days and school years.

I think it's fair to say that, on average, these schools are going to be open close to 200 days per year as compared to 180 in other public schools, and their school days are frequently one to four hours longer than the traditional public schools. Parent involvement in the management of the schools is far greater than in any other public school that I'm aware of in Massachusetts. Part of it is because parents serve on the Board of Directors or on the Board of Trustees, so they are directly responsible for the management of the school. Secondly, the very fact that these are choice schools and, in some cases, schools formed by parents means that there is heightened awareness of the customer, in this case the parents. Therefore, parent involvement is quite a bit higher than you'll see elsewhere.

They also have much more significant community and business partnerships and much more significant use of volunteers than you'll typically find. Part of this is financial, meaning that these schools are stretching the dollar pretty thin and need to augment their resources through volunteers and through partnerships. Part of it is because it is part of the school design. Then finally, there is a more aggressive use of contractors for various services both administrative, clerical, operational, and to some extent educational as well.

On average, about 60 percent of total costs in charter schools right now in Massachusetts go to salaries and the benefits, which in Massachusetts is well below the average for public schools, which is about 80 to 85 percent.

There are some problems. Specifically as we -- as already has been discussed, facilities are an issue, and I'll get back to this in a minute.

Start-up and capital funding have been a major problem. There are some issues about cash flow management because of the way payments are made and the structure of payments from the state. There are issues around trying to get a handle on special education services that are needed for their students and trying to deal with referral -- trying to deal placements and the process of complying with special education laws.

Finally, district relations have been generally strained. There have been some good examples of relations between charter schools and school districts -- host school districts -- but generally speaking, they've been at each others' throats. This is, on the one hand, quite unfortunate. On the other hand, it is a reflection of the fact that what Massachusetts has done and what charter schools do is they introduce competition to public education, and that causes people to be very uncomfortable. I happen to think that's an excellent outcome.

On that point, the stimulus of charter schools in Massachusetts, even before they open their doors, has been significant, specifically, if you look at Boston.

Boston, as a result of the charter school initiative, has opened what they call "pilot schools," six pilot schools, which are explicitly modeled after charter schools. They are established by, in some cases, people outside of the educational establishment. They are supposedly run independently of the

school district. They look a lot like a charter school. That reform exists because of the external stimulus created by charter schools.

Another school district created a school within a school to compete directly with a local charter school. Another school created an after-school program to compete with the extended day of a local elementary school. Another school district suddenly discovered savings in their insurance, in utilities, in transportation bills because of the fact that they were dealing with a loss of some amount of funding as a result of the competition from charter schools.

The short form is that, I believe, charter schools embody what is the conventional wisdom of education reform nationally. But they embody it in a full and complete way and in a way that other means of education reform do not. Site-base management, autonomy, accountability, parental involvement and choice -- those things exist in spades in charter schools, and that's what charter schools are all about. That's why I think they are such an important driver of reform.

Now, in terms of my fairly cursory review, at least of the summary of these bills, I have a couple of comments. One is, I think charter schools, to be effective and to be meaningful as competition to the existing education establishment, the existing school districts need to be open to all new entrance. There should not be limitations on who can start a charter school based upon what their credentials are. Applications for charters should be reviewed on their merits. If the people are qualified, if the proposal is deserving, it should get approved. It should not be based on some fairly

arbitrary judgment that the people come out of the wrong -- have the wrong background.

I might add further, as I mentioned earlier, that four of the charter schools -- four of the 15 charter schools in Massachusetts were started by nonprofit organizations, two by community groups. None of those would have met the standard that appears to exist in the house bill -- or in the Assembly bill. Yet, these are in some cases some of the strongest schools, I think, that exist in Massachusetts.

Further, there shouldn't be any limits on school enrollment or the number of schools that could be started. You know, in some ways the ceiling in Massachusetts of 25 has not been a serious constraint at this time.

However, the subceilings by town or by district have in fact been very constraining. Boston is a great example. Boston is limited to five charter schools. If there were no ceiling, there would be more charter schools in Boston. There is no reason that I can think of for establishing that arbitrary ceilings if there are more worthy candidates that are available and waiting in line.

The school districts must -- I mean, the charter schools must be free from the district contracts and must be also free of mandated collective bargaining. I can't imagine that any of the Massachusetts charter schools would have ever gotten off the ground if they had to inherit the collective bargaining agreements of their local districts. In fact, I don't think anyone would have tried. I think it's an absolute nonstarter. So I think they've got to be free from the existing contracts, and they have to be free from a requirement to

collectively bargain the staff. The staff should certainly be free to organize, if they wish, but it shouldn't be a mandate.

Payments have to come from the state. I certainly don't advocate new appropriations to cover this expense. However, it's pretty clear to me, based on experience in Massachusetts, that if you ask school districts to pay the bills, they will not and certainly will not on time. Charter schools who have no other source of revenue can't wait for a school district to process its invoice, if you will.

Therefore, there has got to be a mechanism in order -- but there has got to be a mechanism by which the state directs funding directly to these schools.

Start-up and capital finance, as been mentioned before, is a real problem. I have a particular opinion on this which is not certainly the precedent of Massachusetts because Massachusetts hasn't addressed this issue at all.

But my opinion is that there ought to be a way for charter schools essentially to get an advance on future year payments -- future year tuition payments -- if you will. That there should be some mechanism on the part of the state for providing credit enhancement so that charter schools can get access to commercial credit. I think without some step in this direction it is -- requires a Herculean effort in order to start these new school, and in failing that, I think it is very difficult to bring this reform up to scale.

You can certainly get a few of them off the ground, and we have in Massachusetts. I can't imagine in Massachusetts our ability to start a 100 of these schools, for example. We've been able to start 15; I think we can get 25 going. But without

some steps to address the start-up and capital finance issues, I think we can't have a large scale program.

SENATOR MARTIN: Can I just -- stop it there.

MR. PEYSER: Sure.

SENATOR MARTIN: I'm just curious. When you have one of these schools start, how do they get the equipment for labs or computers or things? Do they just go out and borrow money, is that generally what they do?

MR. PEYSER: Well, borrowing money is next to impossible because they have no credit history, there is no asset to borrow against. So what they do is they raise money through private foundations, through individual contributions. The state makes a payment -- makes its first payment in August ahead of opening day, and so they are able to make purchases in the few weeks they've got prior to opening school. But they scramble and stuff.

SENATOR MARTIN: Do they look for contributions from their students? Does it take any form of a private -- it doesn't do that?

MR. PEYSER: No, they do not.

To my knowledge, none of the schools -- some of the schools are contemplating having after-school or before-school programs for a fee. I don't think anyone -- any of them has implemented such a thing yet. Certainly, prior to the opening of school, there was no fund-raising that targeted the parents.

ASSEMBLYMAN ROCCO: Does any screening occur?

MR. PEYSER: Pardon me.

ASSEMBLYMAN ROCCO: Does any screening occur with students?

MR. PEYSER: No, the requirement in the law is similar as these bills describe here is that they must be nondiscriminatory. There is language similar to what's been proposed around reasonable academic standards, but as a practical matter it's had no effect. They've been totally open enrollment in the schools.

ASSEMBLYMAN ROCCO: So you do represent the general student population in public schools?

MR. PEYSER: What I would -- I think a very interesting thing has happened, if you look in Boston in particular. The Boston school-age population does not mirror the Boston public schools' population. The Boston public schools' population has a much higher minority representation than the school-age population of the City of Boston does. The charter schools in Boston more accurately reflect -- well, I shouldn't say this entirely, but taking it together, they more accurately reflect the school-age population in Boston than they do to Boston public schools. Some of the schools, however, some of the charter schools in Boston are targeted specifically at at-risk populations, which have a higher -- their enrollment has a higher minority component than the Boston public schools do.

ASSEMBLYMAN WOLFE: I have a question about the board composition. You indicated earlier that it must be a parent of a child in the charter school on the Board. Is that correct?

MR. PEYSER: That is not a requirement. There's as a practical matter that exists in most -- certainly many -- of the schools.

ASSEMBLYMAN WOLFE: Say it again.

MR. PEYSER: As a practical matter, most of the boards contain representatives or contain parents.

ASSEMBLYMAN WOLFE: All right, then--

MR. PEYSER: But that's not a requirement.

ASSEMBLYMAN WOLFE: Is there any requirement for criteria, lets say, for membership on the board?

MR. PEYSER: There are no explicit criteria.

All board members have to be approved by the Secretary of Education, so he applies some amount of judgment I suppose, but generally speaking, approval is not unreasonably withheld. However, having said that, when a charter is granted, there is quite a bit of scrutiny given to who the members of the board are, who the members of the founding coalition are, and that's a critical component.

ASSEMBLYMAN WOLFE: What criteria is used to evaluate the success or nonsuccess of the charter school?

MR. PEYSER: Well, we are grappling with that right now. The short answer is there is no explicit set of criteria or standards or guidelines for how schools will be evaluated. The Secretary is in the process of trying to develop those. They are also in the process of trying to establish some kind of requirements for student assessment beyond those that are required in all public schools, which is a forth, eighth, and tenth grade exam. So all of this is in development.

ASSEMBLYMAN WOLFE: Thank you.

SENATOR MARTIN: Your last comment, before Dave's remarks of -- that dealt with who the population is in the charter schools-- It sounded to me, to some degree, as if the charter schools aren't competing so much with the public schools

in the City of Boston, but rather these are parents who might have been inclined to send their kids to parochial or private schools but are choosing these public charter schools instead. Does that seem to be part of the formula?

MR. PEYSER: We don't have the final numbers yet because the reports are just being submitted now in actual enrollment, but in terms of preopening enrollment, something on the order of 10 to 15 percent of the students in Boston come out of private schools -- they were previously enrolled in private schools. That's why I think two things have happened. One is some students have come in from private schools. The other thing is families who would otherwise have moved have decided to stay in the City and send their kids to the school.

But, yes, no question it is pulling some students from private and parochial schools. I just would comment, I think that is a triumph, and in your other circumstances, we would all be cheering if the public school system were attracting private school students back into the system.

SENATOR MARTIN: Except it can be expensive, since if they go to private schools, they wouldn't be -- the public school system wouldn't be financing your cost.

MR. PEYSER: Well, I guess those parents paid their taxes, and I think they have a right to go to a public school.

SENATOR MARTIN: Well, maybe so.

ASSEMBLYMAN ROCCO: How do you protect the State's money?

MR. PEYSER: Well, there are two ways. One is through the vetting process prior to the issuance of the charter. I think -- I'm very much in favor of having pretty rigorous

scrutiny given to these applications and the applicants to make sure that they know what their doing, that they're qualified, and that their committed to pull it off.

ASSEMBLYMAN ROCCO: Is there a school business official or anyone that accountant required or anything -- not that we have, although it is something worth discussing. The moneys that go into the charter school and are disbursed from that point -- we had an integrate program in the State of New Jersey, but I have some concern about just giving the money to the charter school and then not have the accounting practices followed that are followed in public schools. Maybe that is something that we have to put in the bill.

MR. PEYSER: Well, I think that is worth thinking about. The schools in Massachusetts have to report on their finances the same way that other public schools do. They also have to submit an annual report which has a financial statement in it. The Secretary can require audits and other financial review procedures to take a look at the books and take a look at those statements. But I would agree that at this point that it's probably a lot fuzzier than it should be and that it's not at all obvious how the state can maintain adequate oversight of the -- and accountability of spending in charter schools. I think that is worth looking into.

You know, at the same time you can go overboard in the other direction. I think regardless of how many controls are put into place, there is always a risk associated with any venture, public or private. But I do think it's worth taking a look at and looking seriously at how you're going to provide financial oversight for these schools.

ASSEMBLYWOMAN BARK: Mr. Chairman, may I ask a question?

ASSEMBLYMAN ROCCO: Yes, definitely.

ASSEMBLYWOMAN BARK: I believe you indicated that the charter schools in Boston had only been open since August or September.

MR. PEYSER: Correct.

ASSEMBLYWOMAN BARK: Do you anticipate a regular review in a year, two years, three years to assess how successful they have been, because ultimately, the organization in and of itself is not what is important but ultimately what kind of education is occurring in that school. Do you anticipate that?

MR. PEYSER: There will be annual reviews. The thing that is unclear at this point is what will constitute the review.

ASSEMBLYWOMAN BARK: But isn't it a part of the charter school to develop a contract, if you will, that states this is its mission, this is what it intends to accomplish.

MR. PEYSER: Yes, that is explicitly in the charters. I would say that I'm not entirely satisfied that there is enough clarity in those charters to make a valid assessment possible. So I think some of the charters need to be improved, and it's possible -- it's not only possible, but likely that charters are going to be amended over time as schools -- and I hope this happens sooner rather than later -- give more clarity as to what it is they actually want to be judged against. But at the same time--

ASSEMBLYWOMAN BARK: But that's important if we're spending public dollars on them, isn't it?

MR. PEYSER: I think it's very important. I mean, I, again, personally I think the State of Massachusetts could have pushed a lot harder on that before the schools got opened. I think they're pushing on it now that they are open. But I would certainly recommend that in the approval process, in the charter granting process, that the State of New Jersey be very clear that their expectations are that the school is going to define precisely how it wants to be evaluated and that then evaluations will occur on a regular basis.

ASSEMBLYWOMAN BARK: I have one other question which really has been bothering me, because obviously, in our local school boards, although they might be elected or appointed, most of the people are citizens, parents, whatever, as is the Board of Trustees in regard to a charter school. When the original people who start this charter decide that it's time to move on to other things, has there been -- is there a logical way to replace those people? Does the charter school fall apart, or what happens when it's time for these people to be replaced for one reason or another--

MR. PEYSER: Right.

ASSEMBLYWOMAN BARK: --illness, death, other interests, whatever?

MR. PEYSER: I think it's a great question. The process right now essentially has two steps. One is that charter schools, when they get approved, also have bylaws that are approved which establish what the process is for making changes in the Board of Trustees.

ASSEMBLYWOMAN BARK: Okay.

MR. PEYSER: Then, the second step is that the Secretary of Education, at that point, once the change has been recommended, gets to review the named, gets to make some determination as to whether the change is acceptable. I mean, as an example, you might find that you granted a charter to a founding coalition and then next year everybody is gone and they put an entirely new slate of people which effectively means it's an entirely new school. I think the Secretary at that point has the authority to say, "Wait a minute. We need to go back to square one here and determine whether the school should go forward."

ASSEMBLYWOMAN BARK: Thank you.

ASSEMBLYMAN ROCCO: Thank you.

David.

ASSEMBLYMAN WOLFE: Yes, I have two questions. The first speaker today indicated a concern over unprepared or unlicensed professionals or teachers. My question is to what extent or what has been done in your experiment involving tenure people coming in who are established teachers coming into this new set up?

MR. PEYSER: Well, I'm not sure. Linda would know better than I how many tenured teachers from the public system have come into charter schools. Now, I'm not sure. It may just be a handful.

L I N D A B R O W N: I think, if any, it's just a handful. I wouldn't know about tenure. I do know that the six or a dozen teachers who've come from kind of a long-term commitment to

public schools have come saying they want to know if they can really teach. They need that piece to stretch with.

So when Jim quoted the ratio of the -- magnitude of the ratio, 100 applicants -- this is an average -- 100 applicants to each teaching situation, that wasn't all uncertified, nonlicensed teaching staff. About half of those huge amount of applicants were qualified, already licensed teachers.

MR. PEYSER: There are a number of teachers also who have higher degrees, Ph.D.'s but don't have a teaching certificate, didn't go to education school, who are teaching at charter schools.

You know, the other comment I have -- and this isn't certainly one that would enthuse too many existing public school teachers, but we've got certification for a long time, and it doesn't seem to have produced excellence in education. I don't think certified teachers are any better or worse than charter school teachers, but having a certificate in your hand I don't think proves anything. I think it's sort of like -- and I don't want to push the point too far, but it's kind of like having a driver's license doesn't mean your a good driver.

SENATOR EWING: Not far enough.

ASSEMBLYMAN ROCCO: You already have. Obviously, you're indicating that it takes no training to teach.

MR. PEYSER: Oh, I think it takes--

ASSEMBLYMAN ROCCO: I should tell you I've been teaching for 35 years, so you know that before you get into this debate.

MR. PEYSER: I think it takes training. I think it takes training. It doesn't always -- I don't think it necessarily takes a master's in education. I think there are other kinds of training that equip people to be good teachers. I think moreover that the accountability--

ASSEMBLYMAN ROCCO: Basically, what that shows is you really don't know what goes on in a classroom.

MR. PEYSER: Well, it depends on your classroom. I think there are a lot of lousy teachers that are certified. There are a lot of great teachers that are certified.

ASSEMBLYMAN ROCCO: I have been in thousands of schools. You know, that is demeaning the profession. That's like saying a surgeon doesn't have to be qualified. It's demeaning the profession.

SENATOR EWING: Well, the college professors aren't certified.

ASSEMBLYMAN ROCCO: Well, college professors aren't necessarily all that good either.

SENATOR EWING: No.

MR. PEYSER: Well, okay, but that's-- (laughter)

SENATOR EWING: Neither are the teachers.

MR. PEYSER: My point is that schools--

ASSEMBLYMAN ROCCO: You know, the true saying is that the best teaching is done in first grade and it gets progressively worse.

SENATOR EWING: The best teaching is done by the mother.

MR. PEYSER: Okay, but teachers are certified all the way up through the ranks, and somehow it hasn't prevented bad

teaching from occurring. Look, my point is that the accountability of the schools and the accountability of the parents and the accountability to the state, in the case of Massachusetts, their charter is what is going to drive these schools to have high standards in hiring people and that if the school--

ASSEMBLYMAN ROCCO: You know, that's a lot of verbiage. The fact is that when you train a teacher, they have and people that have gone through the process have to have a double major in the State of New Jersey. They have to major in a liberal arts of some type as well as their education program which is minimal at best. They have to be observed by supervisors as they teach to make certain that they can work in a school environment and are effective and know how to work with children in a school environment. So there are a number of things that occur in certification that are very important when you hire a teacher.

MR. PEYSER: What percentage of teachers do you think are high quality teachers in the State of New Jersey?

ASSEMBLYMAN ROCCO: Oh, a good number. I see great teaching. I have 10, 12 schools that I go into and observe students right now, and excellent teaching is going on in all those schools.

MR. PEYSER: And you think this is uniformly true across the State?

ASSEMBLYMAN ROCCO: No, it's no different. It's a bell curve. It's no different than the number of our surgeons, or doctors, or lawyers, heaven forbid, that are out there. It is no different. It's a bell curve.

MR. PEYSER: Well, I guess all I'm suggesting to you--

ASSEMBLYMAN ROCCO: But they're all trained for a purpose. I would just say to you I wouldn't demean the profession. If you want to go-- If you want to say, "Go with uncertified teachers," but to make a statement as you did that they're just as good as certified teachers is ludicrous. When I was a principal and brought parents in on, you know, a specific day to cover a classroom, chaos erupted. I mean these -- you can't say that.

MR. PEYSER: You know, I would not generally.

ASSEMBLYMAN ROCCO: You can't make that statement. You have no imperical data on it; in fact, the opposite is true.

MR. PEYSER: I would not generalize about individuals in saying that certified teachers--

ASSEMBLYMAN ROCCO: You did generalize.

MR. PEYSER: No, absolutely not, sir. I said quite the opposite. I said that we can make no generalizations about certified teachers as being good or better or worse than others.

ASSEMBLYMAN ROCCO: Well, you can make generalizations. That's why they're there. Why do you think they go through programs of training? I don't want to turn this into a-- (indiscernible)

MR. PEYSER: Well, I don't know. The short answer is, I'm not always sure about that.

ASSEMBLYMAN ROCCO: But some other time I'll get you.

SENATOR EWING: I'll stick on your side.

MR. PEYSER: By the way, that wasn't one of my critiques of the bill.

ASSEMBLYMAN ROCCO: Talk to Jack, he believes in that. Jack wants to tell me how great the banks are that almost went under, you know, and some other things.

MR. PEYSER: Well, they weren't certified bankers. That may have been the problem.

SENATOR EWING: And like some legislators they're so great.

No, but seriously, you go in the private sector not all those teachers are certified whatsoever, and there are some great, great results. There is no question of it. I don't feel it's an absolute necessity.

ASSEMBLYMAN ROCCO: You're dealing with the best kids in the world.

SENATOR EWING: Who said so, the parochial areas you think you are, too.

MR. PEYSER: Look, I mean, if schools are successful then-- If the school system works, I'm not sure why we're here talking about it. I think we're here because the school system has problems.

ASSEMBLYMAN ROCCO: Let's not get on the discussion about certification because that is a debate that is near and dear to my heart, and I don't think you want get into it.

MR. PEYSER: Well, that wasn't one of my points, that wasn't even one of my critics of the bill.

ASSEMBLYMAN ROCCO: Yes, let's not -- that's not important right now. It's just one issue of many.

MR. PEYSER: Let me just make just one last point in terms of the bills. I think that schools need to have freedom from district interference. And I don't use "interference"

pejoratively. I think basically there are two issues that seem to come out in the middle. One is the submission of the application first to the local school board. As was previously said, if the school board recommends not approving the charter, the Commissioner nine out of ten cases is going to concur. I think that is like having Apple computer go to IBM asking for permission to compete. I think that's the wrong way to go. I think--

ASSEMBLYMAN ROCCO: You think elected board members in a district that are going to give away public school money shouldn't have anything to say about where that money goes?

MR. PEYSER: Correct.

ASSEMBLYMAN ROCCO: Wow.

MR. PEYSER: I think the parents need to be in charge of the funds. I think the money should follow the student, and the parents should have much greater control over that decision. So that's the first point.

The second is, I believe there is a suggestion of a grievance committee which is appointed largely by the school committee.

ASSEMBLYMAN ROCCO: I think -- David, you have a question.

ASSEMBLYMAN WOLFE: I want to further heighten this discussion with another question. Could you address, if possible, how the issue of children with special needs are dealt with by the charter schools?

MR. PEYSER: In Massachusetts charter schools are not exempt from the special needs or the special education law. Quite the contrary, they are explicitly required to comply with

every piece of it, with one exception which is the private school placements. Either day or residential placements are paid for by the local district. In fact, the way the mechanism actually would work is the student requiring a private placement would not be admitted into a charter school.

Charter schools at the same time do not receive that average per pupil cost associated with those private day and residential placements. Other than that, even substantially separate settings have to be made available in charter schools if they're called for by an IEP. This is a real problem, obviously, especially in a starter phase and especially in smaller schools where one student costing say \$20,000 can throw a very small school budget totally out of wack. So it's a real complicated and difficult issue. But they are required to comply with law in bilingual education as well.

SENATOR EWING: What about out-of-state places?
Excuse me, Dave.

MR. PEYSER: Out of state?

SENATOR EWING: Placement, yes, for special ed.

MR. PEYSER: Oh, those are paid for again by the school district and are reimbursed at least partially--

SENATOR EWING: By the school district or by the State?

MR. PEYSER: Well, the way it works in Massachusetts is the district pays, and it's reimbursed by -- I think it's 50 percent by the state.

SENATOR EWING: How much?

MR. PEYSER: Fifty percent.

SENATOR MARTIN: Just like one of my bills, Senator Ewing.

SENATOR EWING: So some of the burden is on the local district for out-of-state placement.

MR. PEYSER: Yes, there are not too many out-of-state placements in Massachusetts. Most people come to Massachusetts for private special education, but if an out-of-state placement is required, yes, the state picks up part of the tab.

SENATOR MARTIN: One question I have, since you know and are so well-versed with the Massachusetts legislation, had you had to rewrite it at this stage, what is it that you would have changed given now this very short but meaningful experience that you've had since September?

MR. PEYSER: I think two things. One is to address the start-up/capital finance issue, and again, I think providing in advance on future payments and providing some means of credit enhancement would suffice to allow these schools to get off the ground.

The second thing is, in Massachusetts, unlike a lot of other states, there is no explicit mechanism for converting an existing public school into a charter school or allowing public school teachers or administrators to convert some part of their existing building or some part of their existing school district into a charter school. I think that is an important element that's missing and ought to be.

SENATOR MARTIN: In that sense--

ASSEMBLYMAN ROCCO: That's in our bill--

MR. PEYSER: It is in your bill which I think is a very strong piece.

SENATOR MARTIN: You'd be some kind of a rent-- You would contemplate some kind of a rental circumstance?

MR. PAYSER: Absolutely. Absolutely.

ASSEMBLYMAN ROCCO: I think in our bill, too, there is a 51 percent requirement of teachers that are willing to transfer over, students that are willing -- parents that are willing to transfer over.

MR. PEYSER: I think there was one case in Massachusetts of a district which converted an existing public school into a charter, but that was very unusual, and I think unfortunately unlikely to be replicated.

SENATOR MARTIN: Have you had a failed school yet?

MR. PEYSER: No, we've been open for only three months.

SENATOR EWING: They just started.

MR. PEYSER: But having said that, you know, I think failure of a charter school is not a sign of weakness, but a sign of strength in the system. Because the greatest weakness perhaps of the existing public school system is it's impossible to fail. I think one of the great strengths of charter schools is that they can fail, and when a charter school is ready to go, it needs to be allowed to fail. That's, again, I think a strength, not a weakness. But fortunately, at this point, none of the schools have hit that wall.

SENATOR EWING: Do you know-- You worked on charter schools throughout the country, though, or have some knowledge of them?

MR. PEYSER: Yes.

SENATOR EWING: How many have failed that you know of?

MR. PEYSER: We were just talking about this when the question arose. I think in some ways it depends on your definition of failure. There was a school in Michigan that lost its funding--

SENATOR EWING: What?

MR. PEYSER: There was a school in Michigan that lost its funding from the state, and I'm not sure if in fact it's closed. It was kept alive for some time through private resources, but it's closed.

There was this Edutrain School in Los Angeles, which was mentioned earlier, which was a monumental failure.

SENATOR EWING: Yeah, there was one school I thought out there that went bankrupt or something.

MR. PEYSER: That was the Edutrain School in Los Angeles.

SENATOR EWING: In Los Angeles, and the one in Michigan, the state cut off the fund?

MR. PEYSER: The state cut off the funding.

SENATOR EWING: For what, for bad management?

MR. PEYSER: Well this was, basically, I think it was considered to be unconstitutional. It was called the Noah Webster School; it was a network of home schoolers. There was some concern that it had a religious bent to it, and for those reasons and possibly others, they lost their funding.

For all I know, there may be one or two others that have failed, but I don't know them.

ASSEMBLYMAN ROCCO: Well, nationwide there is only a little slightly over 100 schools all together, correct?

MS. BROWN: Two hundred and fifty.

ASSEMBLYMAN ROCCO: In existence?

MR. PEYSER: No, it's growing. Last year it may have been maybe closer to 100. I think those are existing.

MS. BROWN: Yes.

MR. PEYSER: We actually were just looking in the education--

ASSEMBLYMAN ROCCO: Existing are -- you know, I have it right in front of me right here.

SENATOR MARTIN: That was January '95, John.

ASSEMBLYMAN ROCCO: January '95, but it's still--

SENATOR EWING: Well, that's a government report. There is a more recent one, ECS, that shows--

ASSEMBLYMAN ROCCO: Well, that's January '95.

MS. BROWN: "Education Week."

ASSEMBLYMAN ROCCO: Then whatever has come up, so we're talking maybe 130, 140.

MR. PEYSER: Well, no -- for instances, in Arizona they have opened up over 40 schools this year. In Massachusetts there are 15, and they are a number of more in Michigan. California has reached its cap. I don't know what the number is. In "Education Week" today indicated over 240. I don't know if that's an accurate count.

ASSEMBLYMAN ROCCO: It's rapidly moving that's for sure.

MR. PEYSER: No question about it.

MS. BROWN: May I tell another failure following up on your story of failure? After the charter schools in Massachusetts had opened, the charter school founders had a meeting. We went into it with some trebadation because the

subject was, what good things and bad things have happened at school openings. I thought that the school practitioners would be very protective and only talk about the good things, but, in fact, that didn't happen.

One school founder said, "My God, it was awful. The buses never found their way to the school. The ones that got to the school were on the wrong route. They almost ran over three Boston police officers on the way, and one kid was in the bus for four hours while the parent was frantic." I thought, what a revelation this is, and everyone kind of went, my gosh. Then this particular school founder said, "Yes, it was a mistake, but let's not judge charter schools on the mistakes they make. Let's judge them on how quickly they can fix the mistakes."

In this instance, it took, I think, two and a half days to straighten out the routes. But just anecdotally, for me, that's a charter school plus.

SENATOR MARTIN: Senator, are you okay if I ask one other question?

SENATOR EWING: Sure.

SENATOR MARTIN: It's not quite on point, but it is in a broader sheet. BU had taken over the City of Charleston or with Cambridge?

MR. PEYSER: Chelsea.

SENATOR MARTIN: Chelsea, which is a Boston suburb, after that school system was shown to be what in New Jersey would be called "a takeover right district."

SENATOR EWING: Newark.

SENATOR MARTIN: Can you briefly give us some indication what the fruits of that experiment were?

MR. PEYSER: Well, I'm not an expert on Chelsea first of all. But I think it has been a positive and a negative experience over the seven years since it started.

MS. BROWN: Yes, seven out of ten.

SENATOR MARTIN: It's still going on?

MR. PEYSER: It's still going on. It's essentially a ten year contract that the BU has. BU attempted to do something very controversial, and because of its role as a contractor, it was able to do it in a way that most school committees might be unable to. Specifically what they did was they redirected resources from high schools to elementary and middle schools and preschool.

John Silburg is the President of BU, who is soon going to be the President of this Massachusetts Board of Education, made this one of the cornerstones of the entire BU takeover is that they were going to redirect the sources to early education. They've done that. That's caused a whole lot of friction at the higher grade levels. If you look at the test scores in the high schools, I think, certainly, it's hard to see much improvement if any. I think it's basically even stagnant. There has been some improvement at the lower grade levels. It has not been astronomical by any stretch, so I would call it a mixed bag.

They've also -- their relations with the community have been pretty poor. They may even end with that themselves, so it has been a mixed bag. I would make one comment, which is that I think charter schools are fundamentally different from that approach or the Baltimore Hartford approach to contracting out for public education management. Specifically those approaches essentially take the -- essentially contract out the

central office of the school district, and I'm much more inclined to bypass the central office of the school district and have management and resources placed at any individual schools. That I think is a structural problem with the way BU goes about Chelsea, which is a way EAI goes about Baltimore and Hartford.

ASSEMBLYMAN ROCCO: Well, the fact is that privatization of public schools has been an atrocious disaster, that Hartford just went down, and that numerous others have not been able to make it. Is that correct?

MR. PEYSER: I think the model has not worked to date -- it has not proven itself to date. I'm not sure it has been disproven, but I think the structural issues are more important than the management issues.

ASSEMBLYMAN ROCCO: The fact is privatization has not worked up to this point.

MR. PEYSER: I think that is a fair statement.

SENATOR EWING: Anyone else?

SENATOR MARTIN: Can we just thank these. I really value his testimony, it's fascinating. Thank you.

MR. PEYSER: You're welcome.

ASSEMBLYMAN ROCCO: We really appreciate your--

SENATOR EWING: Thank you for coming way down.

MR. PEYSER: Thank you.

SENATOR MARTIN: Thank you for coming to the Garden State.

MR. PEYSER: Invite me out for the certification hearing, I really want to come. (laughter)

Thank you.

SENATOR EWING: You're in God's country.

Martha Nolley, Chemistry teacher from Newark School District.

M A R T H A N O L L E Y: Hi. Thank you, Assemblyman Rocco, for defending teachers. There is no profession that we admire -- no engineers, no doctor, no dentist; there is no lawyer, there are no politicians or presidents; there are no musicians, those who bring us art -- without a teacher standing in their backgrounds from kindergarten all the way through grad school, as many colleges as they have attended. Those are teachers too, and I appreciate you defending us.

ASSEMBLYMAN ROCCO: Very true, but you don't really need training, do you?

MS. NOLLEY: Pardon me.

ASSEMBLYMAN ROCCO: Do you really need training?

SENATOR EWING: Don't lead the witness, please.
(laughter)

MS. NOLLEY: I appreciate him defending us, because there is a teacher in every successful person's background, whether they are in private school or public school.

ASSEMBLYMAN ROCCO: We appreciate that.

MS. NOLLEY: But as to charter schools, Wilson Eisenhower, Secretary of State, stated that the public didn't need more than a fourth grade education because it would make them unhappy to be too well educated and too informed. I won't go into all that he said, but I think from that point on the public school education in this country was dismantled. That's evident by the number of students -- foreign students -- who don't look like you and I who are or in Stevens, NJIT and are manning our hospitals and our medical centers today.

Why are charter schools expanding when they have not been successful in improving math or reading scores in any of the 17 or 18 states that have them operating now? Pure greed. There is no other word for it. I won't say friends and relatives and associates. I'll just say some people come in to make their millions selling smooth, high-pressured stories, glib fantasies of how they can wave their "magic wand and make it all better." Also, greed from the people who have political clout but no invested interest in and not even a thinly veiled desire to help the children, mostly urban, black, and Hispanic children, that they claim to wave their magic wands for.

Charter schools can work. I'm not against them. If real teachers who have no profit motive other than to make their continued salaries come in, along with universities and colleges, and teach the children who want to learn and have the ability to expel the children who want to disrupt-- So why can't our public schools have that same power? That's what I'd like to know.

Why are some of our kids living with constant disruption day after day in buildings that are deteriorating and falling down with no unrealistic expectations of behavior for them? If it's possible for charter schools to come in and take the money in three to five years, and that's as long as they normally last, and run, and they can pick and choose, why can't we pick our students a little more carefully and send those who can't do, who won't do, who are more emotionally, mentally, and physically disabled and have a section of a building for them or have alternatives for them so we can teach those who want to learn?

In Baltimore, the charter schools lost 3 percentiles in reading and 4 percentiles in math. While the same controlled nine public schools gained in those same percentiles. What does this tell you? Well, if the truth mattered and children of the poor and disadvantaged mattered, careful thought would be given to those who applied for charter schools. The present public schools would be given careful attention, too, if those children had it. These schools would not be operating in an environment where disruption of the learning process by any means possible has become a natural state of affairs that our children are learning to live with. They think it is normal, and for the rest of their lives these poorly educated children are going to suffer all the nonoptions available to poorly educated people.

If the government, through powers that exist, really cared and wanted to improve education throughout the State as well as urban areas, drugs will not inundate and permeate our children's lives from the time they go to school to the time they leave the homes, playgrounds, and even the stores they shop in. Removal of disruptive students to other schools geared for their problems would exist and be enforced.

Private schools work. Why? My children went to private school, because they don't tolerate disruption there. Those who want to give charter schools to our students must first ask themselves if they would send their children there. If you illustrious people would send your children to the charter schools or your grandchildren -- from the looks of some of you -- maybe we would believe in them. But if it's a clever roost to line somebody's pockets with taxpayers dollars, then I

think you should take another stand. Teachers, aides and clerks--

ASSEMBLYMAN ROCCO: Martha, Martha, would you--

MS. NOLLEY: Yes.

ASSEMBLYMAN ROCCO: --just give us an example of what one disruptive student could do to your classroom?

MS. NOLLEY: Yes, easily.

One disruptive student and-- Our bells ring all day long at Weequahic High School in Newark. I don't mean once a period. All day long the fire alarms go off. We usually go out once, and then the rest of the day they go off-- They're horrid, awful sounding alarms. It sounds like an awful disco bell, the lights blink. I'm sure that it's affecting us, our hearing and whatnot. All day this happens. Yet, we can only suspend in Newark two times a year for one student. So if I get suspended for jumping you or doing something incorrigible, after those two times I'm home free. Anything I do is fine.

SENATOR MARTIN: I don't understand it. What happens a third time?

MS. NOLLEY: I'm not sure what happens the third time. Dr. Hall, who the State gave us, said that you may only suspend a student twice for a school year.

SENATOR MARTIN: So if they reach--

ASSEMBLYMAN WOLFE: Two strikes and you're in.

MS. NOLLEY: Pardon me.

ASSEMBLYMAN WOLFE: Two strikes and you're in.

MS. NOLLEY: Yes, exactly, and the students know this. We do have special schools in Newark, but they have maybe one or two kids in the classroom.

The special schools that are geared to take the disruptive students don't want them. So one school that I know -- one teacher sometimes has no students. He's sitting there reading the paper, writing out his bill. Because you can't get the students that need to be there, there.

We could say we have charter schools. Arts, science, and universities -- they don't tolerate destructive students. But the rest of us are hung out there to dry.

I'd just like to say, as a tenured teacher making approximately \$60,000 a year, I would not leave and go to making \$30,000 to one of the charter schools that he spoke about. The teachers who are leaving the Massachusetts system to make less money, to have less protection, to have less pension funds must be truly altruistic. They don't have to live or pay taxes or own homes or put out--

ASSEMBLYMAN ROCCO: I think that is probably it. They are not people coming from experience.

MS. NOLLEY: May I say one other thing that was said and it's not true? If the document you gave us was meant to represent the truth, in this document on page 3, it says at the bottom--

ASSEMBLYMAN ROCCO: That document comes from the A+ For Kids, not from the Legislature.

MS. NOLLEY: At the bottom, it says here in the last paragraph, in the last sentence, "Charter schools may charge admission." What's to stop people from charging \$2000, \$3000, \$4000, \$8000 a year tuition and have the nontax--

ASSEMBLYMAN ROCCO: They're prohibited. They're prohibited. In our bills, Martha, they're prohibited from making any profit--

MS. NOLLEY: Okay. Good.

ASSEMBLYMAN ROCCO: --nor would we permit any private entrepreneur to come in for profit purposes.

MS. NOLLEY: So this is not true.

ASSEMBLYMAN ROCCO: Yes, that is not true. That's, I guess, A+ For Kids, in general analysis, got that from someplace.

MS. NOLLEY: Thank you.

ASSEMBLYMAN ROCCO: Thank you.

Dr. Frank Esposito, Consultant for Commissioner Leo Klagholz, New Jersey Department of Ed, and a good friend of mine.

F R A N K J . E S P O S I T O , P h . D . : Thank you.

ASSEMBLYMAN ROCCO: Tell us about teacher training, Frank.

DR. ESPOSITO: Well, I'd like to start off by saying I'm a college professor with certification.

ASSEMBLYMAN ROCCO: Very unusual.

DR. ESPOSITO: Thank you for the opportunity to comment on charter schools on behalf of the Department of Education.

Commissioner Leo Klagholz is unable to be here, but he wanted me to convey his appreciation to Senators Ewing and LaRossa and Assemblymen Rocco and Doria for their excellent leadership in this issue -- in moving this issue.

My purpose here today is to express strong support for charter schools in New Jersey. However, I will not address specific provisions in the legislation.

Governor Whitman and Commissioner Klagholz believe that charter schools are an important part of their efforts to further strengthen public education. Charter schools can provide for greater parental choice, provide more student learning options, and can allow teachers and parents an opportunity for innovation in the creation of new schools.

To paraphrase Governor Whitman as she commented in her first State of the State address, charter schools will allow parents and teachers to create their own schools, operated by them, and tailored to serve their children's needs. Today in New Jersey, there are several groups of parents and teachers already working on the design of charter schools in anticipation of the enactment of enabling legislation. I've been impressed by their persistence and their dedication, the educational innovation and improvement as they develop their plans.

We are convinced that charter schools, along with other innovations in school choice, can and will improve education in New Jersey. The Commissioner is pleased that with all parties working together that we are on the threshold of an exciting change in New Jersey education. The State now has many excellent schools, but a charter school program can expand the number and types of quality schools available to parents and children.

Thank you.

ASSEMBLYMAN ROCCO: Thank you, Frank.

Any questions? Bob.

SENATOR MARTIN: Do you have them -- coming after this morning it's a little ironic, but do you have a plan from the Department itself for a proposal? Maybe you have and it escapes my memory.

DR. ESPOSITO: No, the Department has worked with the proposers of legislation, and we've supported the development of this legislation, but we do not have a separate plan.

SENATOR MARTIN: So your thinking in this is to allow the legislators to go forward with different proposals here, and you'll weigh in with comments but will not take the initiative yourself.

DR. ESPOSITO: Exactly, we look forward to seeing the Senate Committee substitute that evolves, yes.

ASSEMBLYMAN ROCCO: Any other questions? (no response)

Thank you, Frank.

SENATOR EWING: Ann Skelley, Curriculum Coordinator, Fort Lee School District.

ASSEMBLYMAN ROCCO: Fort Lee, is that the right way to say it, Fort Lee (pronunciation)?

A N N S K E L L E Y: Yes, Fort Lee (pronunciation).

Thank you for allowing me to be here today and address some of the comments that I have about charter schools. I want you to know that I come to you as a person from a classroom teacher, to a union President, and now an Administrator with the Gifted Child Society.

It means a lot to me to talk about charter schools. I was a teacher of the gifted. I am not talking about gifted students today -- okay? -- but we have a model from the Gifted

Child Society, and we have supportive facts to say why charter schools are good.

I think it's time New Jersey became a creative problem solver, and we talk about education reform, but we never have creative types of solutions to our problem. I think charter school is one of the more creative, although, we're not the first. There are 19 other states in the United States who do have charter schools already, and they're not in their first year from what I understand.

My mission today is really to tell you that I want to urge you to consider passage of the bill -- either one, by the way, -- to allow the formation of charter schools. If we can exist together with, you know, our concerns about certification or alternate routes, or whatever, -- I think we can live together and make those solutions to those problems. But first, let's get the charter school idea accepted.

It's already legislated in 19 states as I said. The Gifted Child Society would like to establish a charter school. I have here a description of kind of a model that might work or we can work from.

But we seek to advertise this initiative to those of you who are involved in the drafting of this legislation.

We want to represent parents who seek more choice in public school systems.

We would seek support and involvement from industry, institutions of higher learning, and other sources to cover those start-up costs that we were talking about earlier.

Our mission then is to establish a charter school for elementary grades that offers an educationally challenging

curriculum to high ability students. Teachers are infested, I might say, with mandates, with pressures, with teaching for tests, and so on. Somewhere along that line our best, our brightest, our most natural resource in the United States is somehow missing out a little bit. Okay.

If we had a charter school for high ability students, the teacher can focus classroom teaching on those students who need reinforcement and so on in the regular classroom. I'm not talking about gifted students, they're a whole different breed. I'm talking about the high ability student.

The Federal law that allows other states to form their charter schools describes two primary goals as: improving educational standards is one and, two, giving parents more choice.

Our idea of a school's challenging and flexible curriculum would be to empower students to reach their full potential as our future leaders, remember, in an environment that stresses academic rigor and fosters achievement commensurate with each other student's ability. This approach can also serve as a model for raising "the ceiling of educational accomplishment" for all students and all schools. You know that quote is from "National Excellence: A Case for Developing America's Talent."

This new school, with its focus on educational achievement, would offer parents more choice in the public school system, by their choice in seeing that new challenges are attended to in a school that offers an educationally challenging curriculum.

The school will embrace and extend a standard core curriculum that is academically rigorous and internationally competitive. Instructional methods would stress higher levels of thinking, problem solving, creativity, future orientation, global awareness, and leadership, because these are students of high ability who, like you, will someday be our leaders. The so-called tuition from the sending school districts will provide individualized instruction where appropriate and will include the arts and the use of the latest technology, also a savings and is right to our local school districts anticipated expenses in the area of the arts and state of the art technology.

The school would be located in a central or northern New Jersey area to be as easily accessible from a wide area of many school districts and, thus, give maximum opportunity to prospective students. The school is expected to eventually cover grades K-6 with an average class size of 10 to 11. Now, I say eventually, because I think inherent in this kind of a school is the fact that each year it should be rated, and it can expand if it's doing well and doing what it said it should do.

The school will be funded using pupil grants from the local school districts, exactly as is now in all public schools. A provisional budget has been devised that assumes a grant of \$9000 per pupil, per year, which commensurates with the average funding now for existing state schools, thereby, saving districts added teachers, staffing, or added benefits.

The admissions would be primarily based on the student's ability to learn. The selection criteria will include the student's performance in standardized test, other evidence

of ability such as advanced emotional or social maturity, and recommendations from the educational professionals.

The school will comply with all applicable State and Federal regulations regarding equal opportunity and defining and administering the admission process. There will be no discrimination on the bases of race, creed, color, sex, or religious orientation.

Candidates for admission would be drawn from surrounding geographic areas. Since there is not one private or public school in New Jersey that caters to the needs of high ability students, who we need more than ever, we do not expect a shortage of applicants. But we can raise the ceiling of these high achieving students in our competitive world of educational standards and achievement.

A word about our organization. We are a nonprofit -- I repeat -- we've been existing as a nonprofit organization dedicated to the needs of the gifted which is different than what I'm talking about with high ability.

Since 1957, we have provided educational programs to over 40,000 students. In 1975, we were named a "national demonstration model" by the United States Office of Education. If you have anything you want to discuss with the Executive Director of our school now, our Saturday workshop, or our summer program or whatever, there is a Glen Rock address that you may reach.

When I said I was terribly urged to come here today and speak to you, it was because I do feel the high ability students are those who are losing out.

Gifted programs are being scrapped, are being, you know, expanded in a way that puts them out of commission, because you're talking about inclusion -- how children go into the regular classroom and teachers cannot meet all the needs of all the children all the time, we know that.

So we're interested in this charter school as someplace for these high ability, high achieving students to go and have their curriculum so challenging that the disruptive student, I would hope, would not be one of ours because they'd be challenged. If they are challenged in the classroom, I think the discipline again-- I mean, I'm not in an urban school district, and, you know, I don't know the other problems, but I find, and I think it's been proven in research, that the more involved and challenged the students are, the less time they have as discipline problems.

So I would hope and urge you to consider passing the legislation, and as I said, either one we could live with. I'm saying this as I told you, a teacher, a union person, and now an administrator.

Thank you very much.

ASSEMBLYMAN ROCCO: Thank you, Ann.

Robert Rapp, Vice President, Work Group, Camden County Youth. You have someone with you, Robert?

R O B E R T R A P P: Actually, it's the other way around, Assemblyman. Debbie Reese, President and CEO, will speak, and I'm with her.

ASSEMBLYMAN ROCCO: Debbie Reese.

D E B O R A H R E E S E: I'm really, Robert. (laughter)

SENATOR EWING: You can't tell now days. (laughter)

MS. REESE: Oh, now, come on. I hope so.

ASSEMBLYMAN ROCCO: You're in the old Manpower building, right?

MS. REESE: Yes, that's right. Sam Gans' old building.

Good afternoon, my name is Debbie Reese. I'm President and CEO of the Work Group, Inc., which is a nonprofit education and training corporation located in Pennsacken, New Jersey. Just as an aside, must of the folks that we serve are families and children in Camden City, over 90 percent.

The Work Group is a unique, nonprofit community-based organization, committed to a high standard of excellence in the education and training of the undereducated and the underskilled. We employ creative, highly experienced specialists, many with a national reputation, who are free to experiment and create new strategies to meet today's education and employment training issues head-on.

The Work Group's passionate commitment to disadvantaged young people has led us to develop an extremely successful dropout youth program known as the New Jersey Youth Corps of Camden County.

Our Youth Corps is the largest in the State of New Jersey and provides education and training for high school dropouts between the ages of 16 and 25. The program is full-time, year-round. We only are closed two weeks a year and voluntary. Last year, of the 160 high school dropouts we served, nearly 9 out of 10 who completed the Youth Corps program were placed in employment, higher education, or vocational training programs.

The Work Group has received numerous awards and recognitions for its expertise and results in working with at-risk youth.

In 1990, the United States Department of Education awarded the New Jersey Youth Corps a National Diffusion Award, designating the Corps as one of the most effective programs in the United States, meriting replication nationwide.

This year, in 1995, The National Youth Employment Coalition identified the New Jersey Youth Corps as one of the ten most effective youth education and workforce preparation programs in the nation.

I'm here today, in support of Assemblyman Rocco and Senator Ewing's pending charter school legislation. This legislation provides an opportunity for entrepreneurial, community-based organizations like ours to continue our success in educating and training urban youngsters who are currently at risk within the traditional school system.

In New Jersey, the most urbanized State in the nation, there are 27,000 young people between the ages of 16 to 24 who are poor, unemployed, and school dropouts. Most New Jersey cities have high school dropout rates in excess of 60 percent. The dropout rate is even worse, however, if you look at middle school enrollment numbers. In the City of Camden, only 30 percent of the students beginning the seventh grade will receive their high school diploma. We got those figures directly from the president of the school board.

Most successful work with dropouts and at-risk youth is done in small, noninstitutional organizations like The Work Group. These organizations form the backbone of our nation's

"second-chance" system and have been of critical importance to at-risk youth, particularly in urban areas, where up to 70 percent of young people have dropped out of the traditional schools. In spite of this reality, current political changes and Federal budget balancing has effectively eliminated second-chance education and training opportunities for urban youth. In New Jersey, solutions like the proposed charter school legislation must be found or several generations will be lost.

From our perspective as a long-term educational provider in the second chance system, the charter school legislation will accomplish two important goals:

(1) The charter school legislation acknowledges the importance of children who do not respond well within the traditional educational system and deserve an alternative.

(2) The charter school legislation acknowledges the limitation of the current public school system and recognizes the importance of entrepreneurial and innovative educational providers who currently are excluded from the educational mainstream.

Our support of the charter school legislation is contingent on two conditions:

(1) The legislation must allow the charter school's Board of Trustees to have the highest degree of flexibility possible. To be successful, charter schools must not be encumbered by those things which currently constrain our educational institutions.

For example, they must be allowed to hire the most talented educators, irrespective of tenure and seniority; and

although not in the written speech here, I would like to say, we specifically were gearing that to the mandated collective bargaining agreements.

(2) Certification requirements must be dramatically liberalized.

(3) Charter schools must be allowed to establish curriculum and set school calendars based on the needs of those being served.

(4) They must be free of slow-moving bureaucracy. Charter schools must be able to move rapidly in response to the ever-changing marketplace and the concerns of our customers; that is parents, children and employers.

Most importantly, charter schools should be held accountable for results. The State should participate in the setting of standards but minimize legislating methodology or regulating process. Under these conditions, the Work Group would support the charter school legislation and would welcome the opportunity to turn our New Jersey Youth Corp Program into an approved charter high school.

In closing, let me say that given the national emphasis on educational reform, it is encouraging that New Jersey legislators Rocco and Ewing have drafted legislation to open the educational marketplace to others committed to educating New Jersey's young people.

The successful education of young dropouts is essential to our nation's future, especially the urban poor who desperately want to become part of the economic mainstream. It is long past the time to challenge our State's major education and training institutions to increase their effectiveness in

preparing all students to take their place in our nation's workforce. It is time to change the law and permit nontraditional, innovative educational programs to compete in the educational marketplace.

At a time when some in America appear to be forgetting the needs of some segments of our population, it is encouraging that New Jersey lawmakers are taking the stand. Charter schools will undoubtedly prove to be a powerful vehicle to assist in promoting comprehensive educational reform and ensure that all of New Jersey's children receive a high quality public education.

If I may, I would just like to address a couple of comments to some of what has talked -- been talked about today. The certification issue has already been raised. I just want to say for information that both -- that our teachers in both of our programs are, in fact, New Jersey certified teachers. But I want to just make this comment that we have actually said that we would probably prefer to look for people with an alternate route because one of the things that's difficult is to turn a teacher who has been working within a traditional school -- to turn the teacher around and really go with a problem-based approach to learning and pulling out the students by presenting problems in projects versus teaching to. I've very happy with the certified teachers that we do have, but I think it is important to be flexible and be open to alternatives.

Secondly, with regard to salary and benefits. I said to the young woman who testified before that she's making what I make as the Director of an agency, and that is a conscious choice. I am in my job because I love it. Obviously, if I'm

making what the teacher is making behind me, you can imagine that my teachers are making far less. It is interesting, however, that these teachers have chosen to come and work in a full-time, year-round program in which they get a maximum of three weeks of vacation. The reason they give is because they have a chance to really teach and be creative. We're running into the same thing where we have many more applications from teachers to work for us than we have positions.

Thirdly, with regard to start-up costs, I do think that it is an issue that needs to be addressed, but I just want to make one point. Talking about the need for start-up costs assumes that there are not folks like us already in existence and some of us have already been through the start-up of purchasing buildings, renovating them, hiring a staff, and having some educational supplies. So the point is that there is an infrastructure out there if it were tapped into. There are nine other youth corps in the State.

Secondly, with regard to the school system having to deal with start-up cost -- the problem of fixed assets and physical plant, as well as enrollment uncertainty, all I would say, is those of us who are in the private sector, be it private, nonprofit, have had to deal with this kind of uncertainty our entire careers, and this is a cost of doing business in the private sector.

Fourth, I would just like to say I think that the issue of State control over the granting of the charter, as mentioned by the Massachusetts contingent, is something that we didn't address in our paper, but I think is a very -- something

that I would really encourage you to look at, and the reason I'm going to give you is a very personal one.

When I first came eight years ago to my agency, the New Jersey Department of Education, which funds our program, was giving an equal amount of money to the Camden City School District to run a comparable program. About four years after -- three or four years after that their money was lost, and it was given to us because our success with young people -- we had nine times as many GED's and several other things. So obviously, that does not endear us to the Camden City School District. So I just want to mention that to illustrate it.

Last of all, I'd like to say, if you decide to take the approach of funding a pilot, we would love to be considered.

Thank you very much.

ASSEMBLYMAN ROCCO: Thank you.

Any questions? (no response)

If not, Rosemary Bittings, Irvington School District.

R O S E M A R Y B R O O K S B I T T I N G S: Good afternoon, and I would like to thank you very much for having me. I am last, I don't know about being best, but I do know that I shall be brief.

ASSEMBLYMAN ROCCO: You're not last, there are a few others after you.

MS. BROOKS BITTINGS: First of all, I'd like to state that I've been in the educational system for more than 20 years teaching in both high school, junior high school, and now I'm involved in elementary school as a guidance counselor. I've also worked in other aspects of education such as college.

Can everyone hear me? (no response)

Such as an adjunct professor in the college level.

It's not working?

ASSEMBLYMAN ROCCO: The middle one, the middle one.
That's it.

MS. BROOKS BITTINGS: This one is? Oh, alright. Oh, good. Okay. Thank you.

Obviously, education is very, very close to my heart, and I feel very strongly about this, and because of that I am very happy to testify about charter schools.

First of all, let me say that I'm in favor of the concept, but I do have some very strong reservations. I do feel that it can be a wonderful alternative to and add to the creativity of schools as we know it -- public schools as we know it today -- providing that certain safeguards are followed and adhered to.

All of New Jersey students are entitled to quality education. We need to provide the time, talent, and resources to support the efforts of communities and educators statewide to reconstruct our schools, to meet the needs of our students and the future of our State.

Certainly, proposals that foster greater flexibility and creativity in the public school systems are desirable. Many such innovations are already occurring.

Some New Jersey public school districts now offer magnet schools and alternative schools that target specific populations. These schools feature creative teaching with results in successful student experiences.

Charter schools are a more recent suggestion offered as an option to design the school structure. While it is

difficult to render a simple definition because of a variety of proposals, I feel charter schools can operate to many districts. They operate under a charter that is separate from the the local district and are managed by an independent Board of Trustees. The Board of Trustees oversees a budget that is independent of a local school district's budget and oversees the entire operation of the charter school.

I feel charter schools can be successful if they operate under the following criteria which would not only safeguard the education of our precious children, but it would also ensure that citizens, educators, and those who believe in public education are all safeguarded.

1) Charter schools should be public schools that have open admissions, are tuition free, and are without special fees.

2) Charter schools should abide by all Federal and State nondiscrimination, equal education opportunity and labor laws.

3) A charter school should be nonsectarian and not home based.

4) Charter schools should have a defined mission, goals, and educational objectives. They should be held accountable by the State Department of Education for accomplishing the mission, achieving the goals, and reaching the objectives defined in their charter.

5) Charter schools should be designed to promote educational innovation.

6) Charter school programs should be research-based and replicable in other public schools.

7) The charter school and its broad authority and the responsibility should be clearly defined. The law shall require an application to include:

- * a mission statement, what the charter school would be about;

- * goals and objectives of that specific charter school;

- * evidence of support for all stockholders in the district, including majority representative organizations where appropriate and superintendents and the local Board of Education;

- * A description of the educational program should be provided, as well as a description of the curriculum, and a description of pupil assessment, a description of governments and operation, a description of employer-employee relationships, including collective bargaining where appropriate;

- * also, a plan to deal with displaced employees or students;

- * a plan to deal with transportation needs, including those in low-income students or those displaced by charter, as well as the cost of such a plan;

- * a description of fiscal and academic accountability; a description of the physical plant.

8) Charter schools should be created by and having a teaching force composed of state certified teaching staff members.

The Commissioner of Education, with the approval of the State Board of Education, should have authority to approve

and revoke charters under rules developed and approved by the State Board of Education.

The charter school shall limit the number of charter schools that may be created within the State so that this experiment may be assessed to determine its feasibility. Charter schools should be adequately funded by the State.

Charter schools should meet safety and health standards applicable to those existing public schools. There should be voluntary staff and student participation in charter school.

Charter school employees should be directly involved in the design, implementation, and governance of the school. The school's governing body should also include representation from parents of children in the school and also in the community.

Charter school employees shall be covered by the collective bargaining agreement in the district where the charter school is located.

Charter school employment conditions shall be equal to those of teaching staff members and other employees under New Jersey's law governing public schools, and shall include tenure, due process, seniority, health insurance coverage, and coverage in any such unions as appropriate.

Then finally, the charter school should be accountable for the use of all of its resources and shall be subject to annual fiscal audits and program evaluations. While both bills definitely have its merits, I think my preference is leaning more towards Senator (sic) Rocco's because it adds more protection for the various points that I have outlined; however,

I do appreciate and respect the merits of your bill as well, Senator Ewing.

ASSEMBLYMAN ROCCO: Thank you very much.

SENATOR EWING: Can we have a copy of that or can you send me -- I'll give you my address and you can send me a copy.

MS. BROOKS BITTINGS: I would be happy to.

Thank you.

ASSEMBLYMAN ROCCO: Thank you, Rosemary. Is there any questions? (no response)

Guess not.

Thank you very much.

SENATOR EWING: Oh, it's in the packet? Wait a minute. Is it in the packet?

MR. CANNON: Her testimony was in the packet. Yes.

SENATOR EWING: Oh, okay.

Thank you, I've got it.

ASSEMBLYMAN ROCCO: Marilyn Arons, Parent Information Center of New Jersey, Teaneck. (no response)

Judith Cambria, League of Women Voters. Judith.

J U D I T H C A M B R I A: Good afternoon.

ASSEMBLYMAN ROCCO: Good afternoon to you, too.

MS. CAMBRIA: Thank you very much for your perseverance. I know you started early this morning and you've had a full day. I appreciate the fact that you, Assemblyman Rocco--

ASSEMBLYMAN ROCCO: Imagine spending all day with Jack Ewing. (laughter)

MS. CAMBRIA: Can we make sure we switch you around here?

SENATOR EWING: That's why my wife is glad I'm out of the house.

MS. CAMBRIA: I'm sorry that others have left. I do have copies of the testimony to leave with you.

I'm Judith Cambria; I'm the Education Director for the League of Women Voters of New Jersey, and we are indeed pleased to have the opportunity to testify today on charter schools. I speak on behalf of the members of 62 local Leagues of Women Voters here in New Jersey. We have a long history of support for public education backed by continuing action to achieve equal opportunity and high quality education and certainly to meet New Jersey's constitutional requirement for a thorough and efficient system of public education.

You will note, and I'm not going to go through all of them, but in the past four to five years we have studied and taken positions on a whole host of issues which very much impinge on the charter school and other issues that presently are being discussed.

We are both eager and willing to support new approaches to education which will improve the quality of education for all children.

The establishment of charter schools is proposed as a means of achieving a variety of goals. Some of these include: increased educational choice for students and parents; increased parental participation and education; increased diversity and educational options; increased decision-making responsibility; and power at the individual school level; and improvement of existing public schools to competition.

Now, it's very clear that the proposed charter schools are to be public schools and to have the same status as regular public educations which exists under the control of local and State Boards of Education and the Department of Education. Because of this extension of this kind of legal status, it would make them eligible to receive public tax dollars in the same amounts as those received by regular schools in our regular districts. In the view of the League, the extension of this preferred status, if we will say it, requires that charter schools meet significant standards of accountability to the government and to the public.

To insure that charter schools achieve the desired positive outcomes without negative effects on the public school system as existing and the State, the League believes that charter school legislation must include the following features.

They must be educationally and fiscally accountable to the government and to the citizens who fund them. Access must be assured to all records by appropriate government agents to assure both fiscal accountability and conformance with the provisions of their own charter. They must participate in State testing and other measures designed to evaluate the academic achievement and the outcomes of the students in these schools. They must provide regular reports with comprehensive information made readily available to those in the community where the school is located. It is not enough for them to report to the Commissioner of Education. It must be locally available to those who are supporting it with tax dollars.

Charter schools must be subject to the requirements of open public meetings and the Right to Know legislation. These

are important rights that citizens have gained and they insist. These are public schools; we cannot give up these citizen rights.

Existing private and religious schools must not be eligible to receive charters and be treated as "public schools." Charter schools must increase additional alternatives by funding new schools, not subsidizing existing schools with few places for additional students. Incidentally, I will not put into that category the nonprofit -- the lady from the nonprofit who spoke here before. I think that she has -- provides the kinds of services that could very well increase the opportunities available. So I'm just talking about private and parochial schools that exist.

For-profit companies must be excluded from setting up charter schools. No portion of our public tax dollars raised to support education should be diverted to provide profits for owners or stockholders. Frankly, the United States experience with for-profit schools at the postsecondary education level has been very negative for the individuals who failed to receive meaningful education and for the taxpayers who have had to foot the bill for the defaults.

Charter schools must not drain local school districts of fiscal resources leaving the vast majority of students to suffer the effects of larger classes, less educational opportunity, and other negative effects of reduced funding.

The next one we're very, very concerned about. Charter schools must not exacerbate racial, ethnic, or class segregation either within the district or across district lines. We'll talk a little bit about that later.

I think it's important that legislators who are now involved not only with this question, they're in question of the whole comprehensive plan and new school funding should design charter school legislation so that it forms and carries out important goals and strategies of the State Board and Department of Education for improving education. That means it should support, not undermine, such initiatives as core curriculum standards, teachers' certification, recertification, and professional development, state monitoring, rewards and sanctions, and regionalization into comprehensive K-12 districts.

I urge legislators to think seriously about where the left hand and the right hand are going. Many of the things that you are calling for in charter school legislation just ignore the major strategies, policies that you are setting in place for public education as a whole. I think these need to be very seriously considered.

For instance, core curriculum standards are going to be set which are suppose to be at nationally and internationally competitive levels. Why should public charter schools any less than the rest of them not be made to have those same high standards? There must be strong provisions for nondiscrimination and random selection of students to assure that all students have equal access to charter schools. Both private choice programs in foreign countries and uncontrolled public school choice programs in the United States show significant tendencies to increase segregation by race and ethnicity and by socioeconomic status.

Therefore, oversight must be included in the legislation to assure that the results, as well as the words in the legislation of the charter, are nondiscriminatory. We must assure that they do not end up discriminating. It is very, very easy to happen. I've studied any number of plans, and even those that seem to have strong restraints against it, somehow they manage to cherry pick or cream off or whatever you want. Some of you may have heard Dr. Fitz who came from England and talked about some of their schools there. It was very interesting -- his comments on that.

We believe that the State Board of Education should have the responsibility for approving charter schools. This very, very important responsibility should be wielded by the nonpartisan, citizen Board rather than a single individual, the Commissioner of Education, who I point out his term of office is coterminous with that of the Governor and who can be removed at the pleasure of the chief executive. I believe that is very important, not to leave out the policy making public Board.

Charter schools should be nonsectarian and be school, rather than home based.

In order to provide accountability to local taxpayers and to intensify the positive effects of charter schools on the improvement of conditions in regular public schools -- in other words we want it to have an effect -- charter schools should have a legal relationship with the local school Board of Education as occurs in such states as Minnesota and California. This does not mean that the local school board controls or directs them, but there is a relationship that is set up so there is interaction between them.

We believe that the leaders of proposed charter schools should be required to submit their charter for endorsement by the district, but lack of endorsement should not mean that the State level cannot give the charter anyway. But one of the things that I've seen in a number of places is it says that the ability of the local school district to plan for the rest of the students is severely undermined by the -- if there is no interrelationship, if there is no knowledge of what's going on.

We heard something before that charter schools have perhaps had an effect. But if they know it's going on, maybe they will be competing, they will be looking at things to do.

We're very concerned that charter schools in urban areas should be designed to serve and to respond to the particular and specific needs of disadvantaged children. We are not interested in seeing charter schools in those areas which will drain off the higher income, nonminority children from higher income families who have -- who want to escape from those schools and set up the same similar kind of education they might get in a suburban district.

The problems that we need to consider and to deal with in urban districts are with the other kinds of students, and we must not allow the charter schools in those areas to be used for some other purpose.

We believe that charter schools should have and be required to have certified teachers.

I would like to -- this isn't in my testimony, but I'd like to respond on one of the earlier things about -- where the question about the alternative route to certification should be

used in charter schools. It so happens that the League of Women Voters did a very significant study of this issue about three years back, and while we found that in certainly in some districts this was a very positive thing, we also found that there were some significant shortcomings as well. One of those shortcomings is the fact that while the Legislature originally said, "We will not pass this legislation unless teachers receive some pedagogical training before they entered the classroom"-- So they put that in, and then, lo and behold, it was dropped. Within the first year it no longer existed. So we have all of these teachers -- many have no experience -- are entering the classroom on that first day and starting to teach immediately with no background in pedagogy. I'm sorry, we do not find that acceptable as training. We believe, and I happen to have been trained as a teacher, but we believe that you do not put -- that it is unfair to the children in whose classroom you put these teachers that they be the guinea pigs while these teachers are learning how to teach. And indeed you have to learn how to teach. There are many things.

I would like to point out that there is research in classes that shows that teachers who have pedagogical training produce higher achievement results with students -- the newer teachers -- than those who come in untrained. There is research to show this.

ASSEMBLYMAN ROCCO: If you have copies I'd like to give it to Senator Ewing--

MS. CAMBRIA: I have to-- Gee, I did that three years ago. I have to go back and find where that was. But we think that the question with charter schools, which seem to be

relatively small -- most of them are going to be very tiny -- is where will they have the resources to provide the mentor teacher the oversight that is required.

One of the things that we found in our study was that the wealthier districts, the higher districts that had more fiscal resources, could provide this. But we also found that in the first five years that over 50 percent of these teachers were in six of the large urban districts. We don't have enough teachers for their regular classes, much less to provide supervision. So there are some problems there.

If you're going to use the alternative route, then there has to be assurances that they have the capability to provide the training and the oversight that is necessary.

We finally believe that in at least the initial years charter schools should be limited in numbers so the State can carefully monitor their activities and determine if they are cheating the expected results before embarking on a large and expensive program which could drain fiscal resources from existing private schools.

I want to go back to that. We talked about a couple of other things about the relationship between the local school districts and charter schools and again Dr. Fitz-- Did any of you hear Dr. Fitz who came from England? He has done a five-year study of the thousands of schools in Great Britain who transformed themselves, with great support from the government, from public schools, into private school? They became independent private schools, and like the example that was quoted earlier where they got more money than the local

district, there were all kinds of incentives, much, much more money given to them than to the local school district.

Well, Dr. Fitz reported that the resentment and the relationship between the -- and they don't call them charter schools, I forget what -- at the moment it escapes me what they call them -- the resentment that they feel because they are seeing their resources pulled away and not only at getting the same amount, but they're getting more per pupil, more for capital needs, more for transforming themselves, all across the board higher things. With all of that, not too many schools are doing it, but there is some important -- I think there is some important lessons to be learned there.

Thank you very much for listening.

ASSEMBLYMAN ROCCO: We thank you very much, and we thank everyone for being present today--

MS. CAMBRIA: And I'll give you some copies here.

SENATOR EWING: One more.

J A C Q U E L I N E R U B E L: (off mike) Is it possible just to add something? I know I'm not on your list. I'll be brief.

ASSEMBLYMAN ROCCO: Go ahead.

MS. RUBEL: Thanks.

ASSEMBLYMAN ROCCO: We've been here plenty.

MS. RUBEL: Thank you for being patient. My name is Jackie Rubel; I represent the Institute for Arts and Humanity Education, another nonprofit organization. We serve the State, and we're housed in New Brunswick. We've been working on the development of a charter school idea even before charter school legislation was a dream in New Jersey.

I would just like to ask that in your considerations -- and I would ask that you seriously support the proposals that other people put forth -- of nonprofit organizations who are committed to education be part of your ability to create a charter school.

My concern is basically the idea of not limiting the reach of a charter school to a school district. I would like to talk to the idea of that regional being even across counties, and I don't whether that is something to consider at all, but it's something that we've been looking at. In other words, we're housed centrally. We wanted to be able to serve a geographic region, three counties: Somerset, Middlesex, and Union County. So I don't know where that fits in your plans here but--

ASSEMBLYMAN ROCCO: It doesn't prohibit it.

MS. RUBEL: Pardon.

ASSEMBLYMAN ROCCO: It doesn't prohibit that from occurring.

MS. RUBEL: It doesn't prohibit that.

ASSEMBLYMAN ROCCO: It just gives -- however, it does give the local district-- I'm not sure how Jack's bill was set up, but in our bill, it gives the local districts' students the first option, and then if there is space available to go elsewhere.

MS. RUBEL: We've been working with the County Sup's office and local school district where the physical plant would be, and I'd just like to say that we've been testing our ideas of what a charter school would look like in public schools now

since 1989. So we have kind of a foundation that we'd like to build upon.

Thank you for the opportunity.

ASSEMBLYMAN ROCCO: Thank you very much.

We thank everyone for coming.

SENATOR EWING: Gordon, thank you for getting this arranged with WWOR.

(HEARING CONCLUDED)

APPENDIX

THE Center for Education Reform



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THE MISSION AND ACTIVITIES OF THE CENTER FOR EDUCATION REFORM

The Center for Education Reform (CER) is an independent, non-profit organization founded in 1993 to advance substantive reforms in public education by working to ensure that ideas critical to education reform are identified, understood and implemented.

Unlike policy analysis think tanks, The Center is an active broker in bridging policies and practices through coalition-building and by working with diverse constituencies to implement reforms that improve access, accountability and assessment and which help restore educational excellence and equity to America's public schools. CER's grassroots work includes briefings for state legislators, participation in seminars and workshops, the hosting and sponsorship of symposia, and one-on-one meetings with reform activists.

In addition to its grassroots efforts, The Center also serves as a clearinghouse for information on education reform. By maintaining a comprehensive database on reform issues -- from specific school districts all the way to Capitol Hill -- and by disseminating that information in response to specific requests and through a variety of publications, information packs, action papers, fax alerts, news releases and editorials, The Center has earned a national reputation as the resource for advice, consultation and hands-on help for hundreds of individuals working for education reform.

Through its *Monthly Letter to Friends*, The Center maintains regular contact with nearly 10,000 individuals from across the country and Canada, providing parents, teachers, administrators, community leaders, and local, state, and national legislators with updates and insights on the many facets of education reform.

The Center has also published *THE SCHOOL REFORM HANDBOOK -- How to Improve Your Schools*. One of the most widely distributed education reform publications in the nation, The Handbook offers a candid assessment of the issues, obstacles and opportunities surrounding school reform and serves as a practical guide for achieving education reform at the local level.

In September 1995, the Education Leaders Council was established as an affiliated organization within the Center. Comprised of state school superintendents, state school board members, governors and local education officials nationwide, the ELC serves as a network of education leaders who are working together to advance, develop and implement ideas and policies that will lead to substantive education reform and to serve as a national voice for those who share those values. The Council's efforts focus on reforms which center on the needs and choices of families, empower parents and teachers to work in concert to chart the course of a child's education, increase accountability in America's schools, and restore local control over school policies and practices.

11/95

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I. CHARTER SCHOOLS: The New Neighborhood Schools

The Charter School movement has grown out of the increasing need and demand for better public schools. As Americans increasingly feel trapped in failing public schools and abandoned by the system, charter schools offer a way out and a way up. Concerned citizens from grass roots groups to the state legislature are turning to charter laws as a direct and effective means of creating schools that are more innovative and responsive to communities, and free from the demands of the bureaucratic process. And hundreds of parents and teachers are seizing the opportunity to roll up their sleeves, roll back regulations, and open and operate the type of schools where they most want to teach and send their children.

Pilgrim's Progress

In the four years since the first law was enacted in 1991, charters have taken on a significant role in school reform. As of August, 1995, over 250 charter schools had been approved in ten states -- twice as many as at the start of the year. Six states in particular are leading the charge: Arizona, California, Colorado, Massachusetts, Michigan and Minnesota. They are host to 95% of the charter schools up and running to date, serving more than 30,000 students. In all, 19 states now permit the establishment of charter schools.

- Minnesota, was the setting for the nation's first official charter school, City Academy, which opened in St. Paul in 1991, as well as the first private school, Bluffview Montessori, to convert to charter. Seventeen charter schools are now in operation; the total number of charter schools allowed by law in the state has been raised successively from 8 to 20 to 35 to 40 -- three of which may be started by universities.
- California's law, enacted in 1992, remains capped at 100 schools despite widespread community support and legislative efforts to expand the program. Nearly 90 charter schools have opened their doors from San Diego to Sacramento -- so far the most charter schools in any state.
- In the past year Colorado has nearly doubled the number of its charter schools, from fourteen to 27, and is more than halfway to its current limit of 50. Two of the charter schools use the E. D. Hirsch Core Knowledge curriculum and require uniforms -- their waiting lists are larger than their student bodies.

- Michigan enacted its charter law in December, 1993, and eight charter schools opened the following year. Although that law was declared unconstitutional in 1994, legislators quickly passed a new law to keep the existing schools afloat and ensure continued growth. There is no cap on the number of charter schools that may be established, and 46 are already in operation or in the pipeline for the coming year, with 4,000 students enrolled for this fall.
- Massachusetts' first fifteen charter schools opened this fall, with up to ten more to come next year. Spurred on by the 1993 law, the Boston school district has launched its own pilot program to allow six schools to operate outside the bounds of the district bureaucracy.
- Arizona passed a comprehensive charter school law in July, 1994, and in little more than a year 46 schools were approved and operating. Already it has the second highest number of charter schools, serving over 6,000 students.

These successes have spurred a flurry of legislative activity in nearly two dozen other states, and 1995 has seen passage of charter school laws in Alaska, Arkansas, Delaware, Louisiana, New Hampshire, Texas, and Wyoming. Charter schools have also been the subject of legislative activity in California, Connecticut, Idaho, New Jersey, North Carolina, Rhode Island, Ohio and Pennsylvania. In Illinois, a charter bill was passed in both the House and the Senate, but didn't survive conference committee rewrites; in Florida, due to internal political factions, each legislative body failed to act on the other's approved legislation, and charter funding was vetoed by the governor. Congress is looking to bring charter schools to Washington, DC, some of which could be sponsored by such organizations as the Smithsonian Institute, the National Science Foundation or the Library of Congress.

In some instances, the legislative results have not been as strong on education reform and opportunity as the numbers may suggest. Rather, protectors of the status quo, realizing they've lost the battle against the charter school concept, are now turning their efforts instead to diluting their impact, by killing the spirit of the movement through the letter of the law. Thus in states like Arkansas, Hawaii, Kansas, and Rhode Island legislation, weakly worded at the outset or compromised in the political process, has yielded charter laws without teeth. They do not grant autonomy from stifling regulation, expensive administration, or other policies and practices that already in the current system result in too much money being spent to successfully educate too few kids.

The true impact of such charter school laws can be seen in states where they have already been passed, such as Georgia, Hawaii, New Mexico, Kansas and Wisconsin. Only eleven charter schools exist throughout these five states, despite the fact that some of their charter laws have been on the books for more than two years. That's because the laws' limitations make the chartering process difficult or pointless: they restrict who may apply for charters (usually limiting charter opportunities to existing public schools or public school teachers); they put approval in the hands of those most to be threatened by charter autonomy (the school boards), making innovation less likely; and they do not provide the freedom from collective bargaining, district oversight or state regulations that have become the bane of the public school system.

Without much leeway to change the way traditional public schools are designed and operated, there is little incentive to wade through the complicated, lengthy application and start-up process. Legislation that allows for the creation of charter schools in name only will do little to shake up the status quo, but could provide ample fodder for charter critics just waiting to prove their ineffectiveness. But so far, in thriving charter states, innovation has far outpaced replication of the status quo.

Why Charters Work

In those states, successful charter schools combine fundamental aspects of public schooling with the flexibility and freedom of the private sector. Most importantly, charter schools are approved and evaluated on results, rather than process -- their success is judged on how well students achieve rather than on compliance with administrative policies and mandated budget allocations. Their focus is on the education of children, rather than the preservation of the "education system."

Charter schools must adhere to certain application and outcome guidelines, but are freed from the majority of the state's public school regulations. That means that a charter school must practice open admission policies, meet health and safety standards, comply with civil rights laws and meet the student performance goals it has set forth in its charter. But ideally the charter school is not bound to its state's education codes in curriculum, personnel, scheduling, or financial administration (actual provisions vary from state to state). Charter schools may establish admission requirements in line with the goals of their school but, like other public schools and many private ones, are not selective on the basis of academic ability.

A driving force behind the implementation of charter laws in a number of states has been the desire to increase the amount and variety of schools available to educate disadvantaged children. In fact, a study of over 100 operating charter schools by the Education Commission of the States and the Center for School Change found that half of them specifically serve at-risk students. The study also reports that one of the driving forces behind the creation of charters is the opportunity to provide "better teaching and learning for all kids." The following are some examples of just where this student-centered innovation is happening:

- Several of Massachusetts' new charter schools specifically serve at-risk and disadvantaged youth. One is a boarding school for homeless children, headed by a retired rear admiral. Another targets high school dropouts, and is run by a community college. Boston Renaissance, one of the largest charter schools in the country, offers computers and an extended school day and year to its inner-city students, more than two-thirds of whom are minorities.
- By law, a minimum of 13 of Colorado's 50 charter school slots are reserved for schools for at-risk students. In the wake of the state's new tougher disciplinary regulations, which have doubled expulsion rates in some districts, a state task-force has recommended using the charter law to create schools specifically to educate such students.
- California's charter law also explicitly encourages the establishment of schools that serve at-risk students. The Student Success Programs, with 14 separate locations in San Diego, serves 700 students who have failed in traditional public schools. And a handful of home and independent study charter schools have sprung up to provide a safer option to families than some of the violent district schools to which their students are assigned. In these various new settings, poor performers are getting a new chance to excel academically.
- Minnesota's Metro Deaf charter school serves hearing-impaired students and their families. Michigan's Academy of Casa Maria serves sixth through ninth graders whose lives have been affected by dangerous neighborhoods, crimes or gangs. In Beaver Dam, Wisconsin, voters passed a \$653,000 referendum to start up a charter school for at-risk students. And a number of Arizona's new schools target children with literacy or learning problems.

The charter school movement is bringing new educational hope and opportunities to some of the communities and families who need and want it most. Because of the increased freedom and flexibility of charter schools, teachers, parents and communities can establish schools that more directly address the special needs of their children, and provide new outlets to children who might truly benefit from a school that operates outside the traditional factory model.

Money Matters

Charter schools benefit from administrative and financial autonomy as well, giving them the ability to circumvent layers of expensive district bureaucracy. Innovations in curriculum, scheduling and service delivery become possible when the funds to implement them are tied to results rather than procedures. For example, The Vaughn Next Century Learning Center, a charter school located in the Los Angeles Unified School District, realized a \$1.2 million surplus in its first year of operation. To do so, the school rigorously encouraged attendance, boosting its rate to 99% and ensuring that it would receive its maximum allotment of general-purpose funds, which are based on daily student attendance rate. During its first year, Vaughn, which caters to low-income and minority students, reduced class sizes, hired new teachers, and added a computer lab and a teacher resource center, and is using its budget surplus to continue expanding facilities.

To encourage their growth, some states are providing seed money for charter schools. In Massachusetts, each charter school opening this year will receive a \$10,000 start-up grant. In Colorado, a local board granted a parent-teacher run charter school \$65,000 in start-up funds. New Mexico has set aside a one-time grant of \$62,400 to be divided among the five charters permitted there. Arizona's new law brings with it \$1 million in start-up and physical plant funds, or about \$20,000 per school. In Georgia, where charter enthusiasm and development has lagged in the wake of weak legislative provisions, lawmakers have put up \$5,000 grants to encourage applications. On the federal level, legislators have set aside \$5 million in 1995 to be distributed to charter schools via their state's education department. The grants were awarded to eight states and two schools last month.

With the chance to design and run schools that are accountable for educating students, but not bound to follow endless government dictates, parents, educators and citizens across the country are taking advantage of the opportunity to create new, truly neighborhood schools.

Angela H. Dale
Director of Research
October, 1995

This is Part I of a four-part series on charter schools. For more information on charter schools, contact The Center for Education Reform at (800) 521-2118.

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II. CHARTER SCHOOLS: The Process

Charter school laws across the country are giving both educators and parents more freedom in public education. Teachers are free to design and control their own classes, and parents make the choice to send their children to these alternative schools. Charter schools are held accountable for the achievement of their students rather than merely for the allocation of their resources. They offer an unparalleled opportunity to provide a vast array of options within the public sector to respond to the diverse needs of students, teachers and communities.

A Modest Proposal

In each charter state, the law defines who may apply for charter school status and who may award such status. In all cases, teachers and existing schools may apply for charter status. Generally, to convert a public school, a majority of the school's teachers (or a pre-set minimum percentage of the district's teachers) and interested parents must give their approval. Some laws, such as those in Georgia and New Mexico, only allow charter schools to be established as conversions of public schools; but in such cases the charter schools differ little in form or function from other conventional public schools.

More expansive and successful laws encourage conversions and also make broad provisions for start-ups through the sponsorship of a school district or group of teachers, a community college or university, or a state level board or official. Such laws also allow individuals and any variety of groups, including youth service organizations, businesses, museums, universities and parents, to open a charter school.

As progressive charter laws are enacted from state to state, entrepreneurial and caring individuals and organizations are stepping into the opening with charter proposals that embrace a wide range of purposes and appeal to just about every segment of society. For example:

- One charter approved in Arizona paves the way for the creation of a tri-lingual school where all classes are taught in English, Spanish and an American Indian dialect.

- A coalition of minority and business groups including the San Diego Urban League opened a charter school this fall that stress phonics, uses a multicultural curriculum and requires it students, 80% of whom are minorities, to wear uniforms.
- In Michigan, a group of hotels have launched a charter to teach high schoolers hotel management. Also coming: an automotive academy and an applied technology school, both sponsored by Central Michigan University.
- Delaware's new law allows for five charters in the first year, and five corporations, including the DuPont Company, have already lined up to fill those slots. In Massachusetts an international education firm has signed on to manage a charter in Springfield, an area where dropout rates have hit 40%.

But, despite sound missions and strong proposals, the approval process for charter schools is not always without its problems.

Hoops and Hurdles

In applying for charter status, charter organizers must submit a proposal with a clearly defined mission and goals, a solid administrative and financial structure, a comprehensive curricular plan, and an assessment plan to measure results. At the core of every charter proposal is the premise that, in exchange for a waiver of most of the education regulations of the state, the school will show satisfactory achievement by its students. A charter's achievement standards are generally set as equal to, or, more often, above the state's average student achievement. A charter school may also set additional achievement goals such as reducing dropout rates or increasing the number of students placed in a job or college upon graduation.

The proposal must be submitted for approval to one or more of the state's designated granting bodies, which can range from the local school board to the state board of education, from a community college or state university to the state superintendent. Once they approve the charter, the granting body then has the responsibility of monitoring the charter school's progress to ensure it meets its achievement goals. A charter can be revoked at any time for violations of its charter or the law, or if the school is not performing as promised.

Many states interested in creating charter schools are not necessarily prohibited by current laws from doing so. For example, Michigan's first charter-type school opened in September, 1993, four months before the state passed a charter school law, by a special waiver agreement with the Detroit school board. A New York City coalition that has been commissioned by the Annenberg Foundation to design a new system for the city's schools is relying heavily on the charter model. And the District of Columbia is slated to open several so-called charter-type schools this fall; although a Congressional task force is working on official charter provisions, no enabling legislation is yet in place. However, the degree of hostility that remains among some entrenched education powers toward the entire charter concept indicates that enacting specific legislation to provide for charters is necessary to ensure the creation of truly autonomous charter schools. Charter applicants and sponsors then have specific protections under the law, and the role of existing public school boards, superintendents, districts, unions and teachers is explicitly defined.

And even when they make it into the education code of a state, not all charter laws entirely remove obstacles from the chartering process. Sticking points in some current charter school laws are not only the limitations on who may seek charters, but also on who may authorize charters, and the lack of an appropriate appeals process. In some states, the local school board has the authority to grant or deny an application. And all too often that local school board, naturally accustomed to holding the purse strings of its district, is reluctant to grant charter status and relinquish control a school's operational and spending decisions.

Wisconsin's 1993 law, for example, allowed only public school boards to create charter schools, limited to two charters in each of the "charter school districts" across the state. In the spring 1995 legislative session the two charter cap per district was removed, but, except for in Milwaukee, charter employees remain part of the district system and subject to collective bargaining. As a result, only three charter schools currently exist, and the Madison district only just approved its second charter in June, for a co-op program for struggling students. Similarly, in Georgia, where the 1993 charter law provides little governing autonomy, freedom from regulations or flexibility in staffing, only three schools (limited to public school conversions) have been approved, and those only in the last few months.

Many officials of the local school establishment perceive charter schools as a direct threat. They see the reform as a source of competition and sometimes even an indictment of the district's own job of providing quality

education. Thus the best program for charters is one that removes the granting process from the local level and alleviates the problem of a politicized review process.

In Michigan, for example, universities, not school districts, are responsible for the vast majority of the approved charters to date, and the number of schools has increased more than five-fold since last year. Of Arizona's first 51 approved charters, 25 were granted by the newly created independent Board for Charter Schools, 21 were granted by the state Board of Education, and only five were granted by local districts. Meanwhile, in Minnesota some charter applicants seem to have to jump through the same hoops again and again to win their local district's seal of approval; and several charter schools in Colorado have waged a on-going battle to keep their doors open in the face of local district hostility, despite the unwavering support and official authorization of the state Board of Education.

Loosening the Reigns

Under the most ideal -- and efficient -- legal provisions, charter schools function separately from the local district, essentially as their own school district -- precisely in order to avoid the politics of the local bureaucracy, as well as their operational dictates. Autonomy permits diversity, and parents then have real choices beyond distinct programs. Charters controlled by local boards, on the other hand, offer few distinctions.

As the idea of charter schools gains national momentum, laws need to become less restrictive, and supporters need to monitor legislation as it makes its way through education committees to floor debates and conference committees to make sure that the integrity and autonomy of the charter process remains intact. The burgeoning interest in charter schools reflects a growing demand for bottom-up innovation and reform of the nation's schools. But only strong laws, undiluted by the self-serving agenda of special interests, will lead to the creation of more and better public schools.

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October, 1995

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III. CHARTER SCHOOLS: What's On the Horizon

The charter school concept enjoys a large and growing circle of supporters, both within and outside education. Although still very young, most charter schools are demonstrating remarkable success, and enthusiasm is high among educators, parents and state and national leaders. Support for charter schools spans the political, social and economic spectrums, and most recently received strong support in the 1995 federal budget.

Opponents: Loud but Outnumbered

A powerful minority, however, are squarely against this movement for competition and bottom-up reform. The most strident sources of opposition to charter schools come from pockets of the education establishment, and in fact, its very leaders. In some cases local school boards or superintendents actually fear that successful charter schools will make their own efforts look weak by comparison, and are unwilling to relinquish control of their district domain. Despite the evidence in Minnesota that charter schools generally have smaller class sizes, and parents are highly satisfied with the programs, (many of which serve at-risk and special education students,) education officials continue to balk. Although they have not questioned the programs' educational quality, they feel in competition with charters for funding. By the beginning of 1995, local boards had turned down eight of the 21 proposals to date; one was subsequently approved by the state board.

A 1994 study of California's charter schools by the Southwest Regional Laboratory found that charter schools working most strongly to change the system receive the most resistance from the establishment. In inner-cities and metropolitan areas that have some of the most beleaguered schools, teachers, parents and other community organizations are turning to charter schools as a way to bring meaningful change to the system, operate independently and cut through regulatory red tape. Not surprisingly, such charter schools are twice as likely as their counterparts in rural settings to have additional conditions imposed on them before their charter is granted. They face more resistance and less support from their school boards, their district's central office and the local teachers union.

In fact, teachers unions, with their well developed lobbying arms, and well-heeled PACs, can play an especially influential role in the drafting and passage of legislation, striking out measures that enhance competition or restrict union participation. Even with a strong law in place, unions can significantly hamper charter school support and development. The 1994 Southwest Regional Laboratory study found that two-thirds of metropolitan charter schools view union contracts as a major obstacle.

The reason for union opposition is clear. What concerns the unions most is not that their members might work at a charter school, but that they may cease to rely on the union for representation, because most charter laws provide teachers with the option of working in the public school system without joining a union. It is not surprising then that while teachers across the country are highly enthusiastic about the prospects of charter schools for themselves and their students, their representative bodies, the teachers unions, have proven to be some of the most vocal and vested opponents to this movement:

- When Michigan's charter school bill was moving through the legislature in 1993, the Michigan Education Association (at 127,000 members one of the largest and richest unions in the country) spent \$2 million in ads against the bill and its chief sponsor, Governor John Engler. Later, the teachers unions successfully filed suit to halt funding of that state's charter schools, but legislators quickly responded with stop-gap funding, and subsequently passed a new law to comply with the court's ruling.
- The Massachusetts Teachers Association has voiced similar opposition to their state's law, claiming that it is a funding mechanism for private schools. A request for an injunction against charter funding was dismissed in June, 1995. Teachers unions in states including Illinois, Connecticut, Ohio, Indiana and Pennsylvania have all publicly spoken against the charter concept.
- As charter enthusiasm gained momentum among educators and families in the Golden State, the California Teachers Association distributed a document to its members about what charter schools might mean for them under the headline "Charter Schools Could Cost You Your Job."

In California, especially, the unions have been aggressively anti-charter. Locals around the state have been known to try to squelch the idea among fellow teachers and within their communities. The enormous state has been slow to reach its 100 proposals, the maximum number the law currently allows, due in part to local board resistance and in part to union scare tactics. Most teachers, fearing reprisal or disruption of their efforts, are unwilling to go up against their union to launch a charter proposal. And charter schools that have managed to prevail continue to be plagued by hostile attitudes and actions. At the close of 1994, two Los Angeles charter schools, faced with the district's negligent handling of school employee's health benefits, decided to begin withholding union dues. The charter employees were supposed to be covered by a district-wide health care plan established jointly by the district and the teacher's union, but some were running into problems with providers.

A test case of the union's power to disrupt the operational process was played out in Sacramento, California earlier this year. The Sacramento City Teachers Association, in conjunction with the California Teachers Association, filed a grievance, on procedural grounds, against Bowling Green Elementary because it reduced class sizes from 33 to 25 -- despite the fact that this is the sort of workplace change the unions are always clamoring for. The union complained because Bowling Green's charter allows the school to fill teaching positions based on merit, rather than seniority, and accused the school of circumventing collective bargaining agreements in its personnel policy. California's charter school law currently exempts charter schools from contractual obligations regarding employment, and the union has since agreed to let Bowling Green operate as it has been until its charter comes up for renewal in 1996. In spring 1995 legislative sessions from Delaware to Illinois to Wisconsin, unions have actively shaped charter bill provisions regarding collective bargaining and various hiring practices. A September 7, 1995 *Wall Street Journal* editorial entitled "Charter Schools - Beware of Imitations," warned of this growing trend.

In Michigan, the unions' latest anti-charter campaign has been directed toward the state's major granting bodies, universities. Both Central Michigan University and the state university in Saginaw received threatening letters, undersigned by both a district superintendent and union officials, demanding they stop sponsoring charter proposals or face having their education schools discredited both to student teachers and to hiring districts. Instead, Central Michigan has continued its active support, and as of September, 1995, had nearly 100 charter proposals approved or pending.

The National Education Association (NEA) has been an outspoken critic of charters from the beginning. They have recently begun to soft-pedal their attacks given the movement growing national support. The NEA established the Center for the Preservation of Public Education as a national watchdog of efforts the union finds threatening; CPPE is giving charter school legislation full attention, and assists local chapters in reviewing charter proposals for union benefits provisions. NEA's policy statement on charter schools charges that charter laws "can allow unprepared people to start schools and undermine education." The NEA only supports charter schools that use certified teachers, do not use current public school funds or have a "negative impact on the regular public school program" -- in short, they do not support charter schools that in any way challenge, compete with, or, in short, alter in any way the current public school system.

As charter laws gain a foothold and charter school enrollments continue to multiply, unions and other opponents are finding that the only way to keep up with and perhaps influence these reform pioneers is to jump on the wagon themselves:

- In Colorado, the Denver Classroom Teachers Association, traditionally a strong opponent of charters school, signed a contract with a newly approved charter school to represent its teachers in collective bargaining and help run the school. The school was proposed by a veteran of the city's public school system, and she intends to hire local public school teachers. This is the only such agreement in the state, and union officials have cautiously labeled it an "experiment."
- The San Diego Teachers Association has endorsed a new charter school run by the San Diego Urban League which stresses reading through phonics and requires students to don uniforms.
- Boston is launching its own district-level version of charter schools with the support of the local union. The city's six pilot schools will operate with a greater degree of operational autonomy than their district counterparts, and may hire outside seniority and district parameters.

Raising the Bar

Many of the objections to charter schools voiced by unions, districts and others of the old education guard, including some chapters of the PTA,

are grounded in their opposition to increased parental choice and local control. The same arguments used against school choice, private contracting, deregulation and similar reforms are levied against charters: specious arguments about creaming the best students and discrimination against the most disadvantaged; the dangers of unbridled deregulation and lack of accountability; the impoverishment of the public schools. (For a fuller discussion of these myths, see "Nine Lies about School Choice" by Jeanne Allen, published by the Center for Education Reform. For proof against them, see also Charter Schools IV, Moving Beyond Anecdotal Evidence.) All these arguments, however, are a mere smokescreen for the greatest fears of the leaders of the education status quo -- the return of schools and the education of our children to the community, to teachers, and to parents.

Charter schools pose no threat to public schools or public school funding; they are themselves public schools. And despite the contention of critics that charter schools lack accountability, the process for addressing and correcting problems is actually much swifter for charters than for traditional public schools. First, every charter school must sign a performance contract with the state that requires them to meet the standards they have proposed; if they don't meet these achievement levels, their charter is simply revoked. If they are not fiscally sound, they're shut down. If they violate any civil, safety or health codes, they're put out of business. That is more accountability than is either required of or visited upon traditional public schools,

Well designed laws put in place the proper safeguards for both schools and their communities against unique problems. For example, in January, 1995, a circuit court judge upheld a California school board's decision to close down a troubled charter school. Although the school was providing a successful program for dropouts and at-risk teenagers, it had fallen into financial and administrative disarray. In Colorado, on the other hand, the state Board of Education stepped in to reverse a local board's hasty decision to revoke one school's charter. The Board of Education declared that local boards could not close down charters "without cause," and that local boards needed to establish a fair process for handling complaints and problems and provide more support to charter schools. Arizona, to insure the highest standards and safety for its school children, implemented and updated strict background and credit checks, including fingerprinting, for all potential charter school officials.

Charter schools are not only subject to more rigorous and effective methods of accountability, they also benefit from a competitive atmosphere.

Often they lead the charge in innovative and cost-efficient private contracting, from services to curriculum to management. One California charter school's use of an outside supplier to get lower prices on paper goods led to the district lowering its own prices, benefiting all the public schools. Strong curriculums like the Hirsch Core Knowledge program and enriched school operational services like the Edison Project are gaining entree and registering success in the public school sector through charter schools. Because good charter laws allow greater flexibility in personnel matters, the pool of qualified, professional people who can be hired to teach increases greatly, and that in turn means more learning opportunities for students.

On the Bandwagon

In spite of the organized resistance to charter schools on the part of some of the nation's most powerful education lobbies, support continues to grow for charter schools. Charters enjoy resounding bipartisan support across the country. They have been endorsed both by the Republican National Committee and by Democratic Secretary of Education Richard Riley, who supported them in his 1995 State of Education Address. Charter school legislation is signed equally often by Democratic governors and by Republicans, and lawmakers from both sides of the aisle in state legislatures body are actively championing charter legislation.

Although charter schools have only been in existence a short time -- many of them for less than two years -- widespread enthusiasm among reformers and documented successes with some of the nation's most disadvantaged students is spurring policy makers to take a closer look at what charter schools might offer to the students and schools of their states.

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October, 1995

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IV. CHARTER SCHOOLS: Moving Beyond Anecdotal Evidence

With enthusiastic, bipartisan support, charter schools continue to promise a variety of improvements. As the Center continues to track the efforts of individual charters, the stories we hear demonstrate that widespread *support* is now turning into widespread *success*.

Across the nation, charter proponents offer several arguments as they attempt to persuade legislatures, educators, and parents of their idea's worth:

Options for parents will increase their involvement and satisfaction.

Empowering teachers will allow them a more professional setting.

The needs of students, particularly at-risk students, will be better met.

Competition will convince traditional public schools to improve.

Community collaboration will lead to new neighborhood schools.

Accountability will lead to more responsive schools.

Freedom from regulation will generate innovation.

Increased autonomy will allow for increased efficiency.

All the above will lead to increased achievement.

As you will soon see, promises are quickly becoming realities.

Multiplying Parental Involvement and Satisfaction:

- The Vaughn Next Century Learning Center (CA) boasts a 99.14% attendance rate. By calling home for every absence and offering incentives for perfect attendance, the school increased its daily student attendance rate and thus brought in more funds. With its budget flexibility, the school immediately hired four new teachers, reduced class size from 32 to 26 and added a 27-computer lab and a teachers resource center. Naturally, these new additions help keep that attendance rate up.¹

- The parents' group that started **The Academy Charter School** (CO) originally tried to work within their district framework for improvements. However, the district proved to be unresponsive to alternative suggestions, and concerns about "creative spelling" and limited expectations in math went unanswered. Today, charter parents such as Susan Littman and Yvonne Decker say they now can spend their "hours constructively helping rather than arguing and worrying." The charter curriculum, E.D. Hirsch's Core Knowledge, addresses the views of the parents and in their eyes "fits into today's standards movement;" as principal Kathy Consigli puts it, the core is "specific and sequenced." One of the telltale signs of the school's success might be the invitation one parent organizer received from her old school; they wanted to know if she could come back and explain some of what's happening at the charter.²

- Parents in one bilingual community built **Jingletown** (CA) middle school from foundation to fixtures, on park land donated by a local Roman Catholic Diocese. The parents remain involved, as they are required to donate one hour each week to clean bathrooms, to serve food, and to complete a myriad of other duties which are traditionally hired out. Jingletown was established to rectify a system which did not allow for the creation of a bilingual middle school. All teachers are bilingual and hired by the parents.³

- Providing resources to 30 home schooling students when it opened in August 1993, **Horizon Instructional Systems** (CA) met success quickly; today it serves approximately 1,100 students from kindergarten through 12th grade.⁴

- Almost universally, charters have unleashed pent-up demand from parents searching for alternatives. Eight of Massachusetts' seventeen charters had a total of 1,316 applicants for 882 seats.⁵ **Sonoma Charter School** (CA) had 400 applicants for 230 places.⁶ **Boston Renaissance Charter School** (MA) had over 1,000 teaching applicants for 40 spots and over 2,000 students for only 600 spots.⁷ **Jingletown Charter Middle School** (CA) has over 30 on a waiting list,⁸ while **West Michigan Academy for Environmental Sciences** (MI) has 124 students on its list.⁹

- After receiving over 1,000 applications on the first day, the **University Public School** (MI) collected 5,223 applications for 330 placements. Before removing duplicate forms, one family had submitted over 100 applications for one child!¹⁰

- A school district of Jefferson County, CO has found an answer to its overcrowded alternative schools. Both the **Community Involved Charter School**, a college-preparatory school, and **Jefferson Academy**, an elementary school, serve 650 of the 1,000 students that had previously been on waiting lists in the county.¹¹

- Although charter schools present a unique approach, the primary aim of all school reform is the same — good schools. A parents' survey compiled in Minnesota, the nation's first charter school state, details parents' satisfaction with their good schools. Sources of satisfaction had nothing to do with any abstract charter idea but rather with what it accomplished. Parents most frequently cited "charter school curriculum, teachers and staff, and school features such as small classes, longer classes, a good environment and school resources." Parents cited twice as many reasons for satisfaction as dissatisfaction.¹²

Empowering a Profession:

- Twice after an unresponsive local board rejected its charter application, **Thurgood Marshall Middle School (CO)**, in turn, appealed and won approval from the state. Recently, a state judge supported the constitutionality of Colorado's appeal process and the enforcement of the state board's decisions. Cordia Booth, one of the teachers who organized the Thurgood charter explains the determination best:

Teachers, especially urban teachers, will find charter laws a blessing. By allowing them to be responsible for the school design, it is a safe and sound guarantee that successful reforms will be maintained. It finally permits teachers to begin talk about serious reform. As teachers, through the years we have found that the budget drives problems. No longer can we close the door and not be affected by problems. With 40 students per class and 5 consecutive years of staff cuts, the charter law is the help we need. In one form or another ours hands were slapped if we offered reforms other than those in the district's universal plan. To begin to really affect change, we had to get at the budget. Charters are a tool for people with less voice in the present system. It's a reform allowing for actual teaching to go on.¹³

- Teachers at **Deterding Elementary School (CA)** no longer have to worry about spending eight precious hours to complete a form detailing how each of their teachers are used. Graced with the waivers of California's charter law, teacher Nancy Withers exclaimed, "We're not going to spin our wheels doing another form."¹⁴

- Pioneering new methods of merit pay, **Vaughn Next Century Learning Center (CA)**, pays "lead teachers" an additional \$1,500 for taking on extra duties. These eight, elected teachers coach their peers on "new instructional techniques, arrange seminars and other training opportunities, compile teaching materials, coordinate curriculum changes, and perform teacher evaluations." Teachers report that it is increasing the quality of instruction, while generating professional pride in the school.¹⁵

Teacher morale continues to skyrocket. With a private contractor providing paychecks on-time, and any necessary corrections without hassles or delays, the horror stories of "downtown" taking months to address concerns are almost forgotten. Managing its own budget also allows Vaughn to release teachers for professional development courses on their terms. No more waiting for a district handling 35,000 teachers to approve individual release times.

Finally, Vaughn's teachers have pledged to avoid any claims on the workers' compensation insurance they purchased. The payoff: a \$26,000 bonus at the end of the year if no claims are filed, as well as increased staff stability.¹⁶

- A conclusion of the National Charter Public School Study, conducted by the Education Commission of the States, confirms what many charter proponents have suggested all along: "There is strong interest among educators in accepting the challenge charter legislation offers." Although some critics doubted teachers would agree to being held accountable in such a fashion, "the answer is clearly 'yes.'"¹⁷

- Originally considering a private school, the **Connect School's** (CO) founders were former public school teachers searching for a way to challenge the system. The state's charter law allows them to present that challenge from within. Says founder John Mikulas:

*You're frustrated with the system because it doesn't let you teach effectively. I was teaching teachers stuff that they were never going to get a chance to use. You see good teachers, but they're working in isolation instead of in a collaborative group pointed in the same direction. There's no real direction or focus. You start to think to yourself. "I could do this better." Every day you talk a little more about opening your own school, and every day it becomes a little more real.*¹⁸

Reaching the "at-risk:"

- Roughly one-half of the respondents (51 out of 106) to the National Charter Public School Study characterized their charters as specifically designed to serve "at-risk" students.¹⁹

- The ten charter schools operating in Michigan as of November 1994 have *more than twice* the minority enrollment as districted public schools, and the schools actively being planned continue this trend. Charter schools enroll approximately 49% minority students while public schools enroll only 23%.²⁰

- Students with histories of poor academics and behavioral problems, the "hard-to-reach" learners, are being reached at the nation's first charter school, **City Academy** (MN). Co-director Milo Cutter explains, "students disenchanted with traditional public schools need innovation and flexible teaching." The Academy demonstrates its successes in measurable, tangible, exciting outcomes: a sizable waiting list, improved attendance, and the graduation of 21 out of 22 students into acceptances at either a technical, 2-year or 4-year college in 1994.²¹

- Originally created by the state's Department of Social Services, an alternative school geared toward helping at-risk teens faced closure once county funding dried up and the Detroit school board denied any additional aid. However, 34 children, some with criminal records and others abused or neglected, are still served by **Academy of Casa Maria** (MI) today. Saved by the state's charter law, it is now managed by Metro Matrix, the former League of Catholic Women.²²

- Half of the charter schools operating in Minnesota in 1994 "clearly served special populations," including the hearing-impaired, at-risk, and drop-out.²³

- Pam Girod, a teacher who had visions of a better high school, used \$9,000 of her own money to fund **Cedar-Riverside Community School** (MN). The school's student body is made up of students from a community housing-project who were previously bused to over 40 different schools throughout Minneapolis. Now the community — mostly low-income, minority, recent immigrant, or from single parent families — has a neighborhood school.²⁴

- A group of parents on Lower Sioux reservation chartered **Dakota/Open Charter School** (MN) targeted to American Indian students. Students had attended high school off the reservation in a predominantly white district, with many in danger of dropping out.

Joyce Neal and her three sons epitomized the struggle. After sending the first off to school in Minneapolis and the second to a boarding school in Oregon, Neal decided to work towards establishing the local charter — "I don't think my kids should have to move 100 miles away to get an education."²⁵

- Founded by parents and teachers, **Metro Deaf Charter School** (MN) serves hearing-impaired students as well as their families. Searching for a way in which their children could live at home and still attend school with their peers, parents found an option in Minnesota's charter law. Today, Metro students are expected to assist parents and teachers in the development of their curriculum.²⁶

- Superintendent Al Andrews, complimented his district's **Options for Youth** (CA) charter school and its focus on dropouts, saying it "found literally 200 students in our valley that we didn't know existed," and provided them with an option to continue schooling.²⁷

UCLA independent evaluator Dr. James Catterall commended **Options for Youth's** (CA) focus on students who otherwise were unable to attend conventional schools because of conflicts with family and job responsibilities; everyone involved expressed "very high levels of satisfaction with the program, most often citing its flexibility."²⁸

Student Mike Wilson, father of an eight-month-old baby, says he will now be able to obtain a high school diploma "because of the charter school's flexibility."²⁹

- Elaine Farley, 14, appreciates being held to "high academic expectations" at **New Country School** (MN), especially since she only remembers worrying about gangs at her former school. New Country developed several hundred "competencies" that students must demonstrate prior to graduation — outcomes include everything from the basics of writing, public speaking, mathematics and art, to developing a post-high school plan and working effectively in a team.³⁰

- After being frustrated by the school board time and time again, east Oakland's Hispanic community was still determined to meet the needs of its children with a bilingual middle school. Parents recognized a need for a portion of students who graduated from the community's bilingual elementary school not adequately prepared for English immersion in the area's two existing middle schools. Previously, these children were labeled slow learners upon arrival at the traditional

middle school, and many began to lose interest in academics and gain interest in gangs. Today, there is an option; the community's bilingual needs are met by the **Jingletown (CA)** charter school.

Their children are taught by bilingual teachers hired by parents and learn in classes of no more than 24 students (10 less than in the regular schools.) With a longer school day to accommodate a 45-minute study hall and music and art classes which had been cut in the regular schools, and a school year extended 20 days, parents finally feel their children's needs are being met.³¹

Improving All Schools:

- **Bowling Green Elementary School (CA)** used an outside supplier to get lower prices on paper goods and the district responded by lowering its own prices. Bowling Green returned to the district supplier, and the entire district received a price break on its paper. Savings then allowed the charter to reduce its student/teacher ratio from 33-to-1 to 25-to-1. Not surprisingly, a number of these positive changes had an affect on attendance; once a tremendous problem, unexcused absences were almost eliminated — 600 of the school's 725 students missed no more than one day in the charter's first year.³²

- In Forest Lake, Minnesota, parents repeatedly had been denied their request for a Montessori school. Suddenly, after the state's charter law gave parents the means of launching the school on their own, the school board — in the face of such competition — finally granted the parents' wishes and created a district Montessori school.³³

- Massachusetts' charter law, strong on autonomy and entrepreneurship, motivated the Boston Public Schools and their teacher unions to create their own charter-like schools. From among 17 applications, 6 pilot schools will be fully up and running by September 1995.³⁴

- After its well-publicized successes, **City Academy (MN)** now exchanges information with its own district on enhancing programming for all its high risk students.³⁵

- Although excited for its successes, district superintendent Ken Sanders does not expect the enrollment explosion at **Horizon Instructional Systems (CA)** to continue. Horizon may need to hire even more staff to help reach some students on its waiting list, but he feels other districts will quickly realize they need to provide more options and will open their own charter schools.³⁶

- Within 8 months of opening, the success of **Connect School (CO)** had motivated its neighboring district in southeastern Colorado to charter its own experimental school, the **Pueblo School for the Arts and Sciences (CO)**.³⁷

A New Accountability:

- Aiming high, the **Connect School's** (CO) charter specifies that 90% of its students will perform at or above grade level as measured by the district's standardized tests. According to the superintendent of the sponsoring district, "The Connect School has been a model for others. People feel secure enough to take risks."³⁸
- In December 1994, **Edutrain Charter School's** (CA) charter was revoked by Los Angeles school officials immediately after allegations of fiscal mismanagement. Accountable to its district sponsor and the parents and children that choose to attend, a charter that does not perform up to expectations is immediately shut down.³⁹
- California charters are focused on addressing a recognized shortcoming of the state's traditional public schools. The state ranks 46th across the nation in students per computer, and charters are providing one answer. "Technology" stands as the academic focus for the majority of schools.⁴⁰

Community-Based Commitment:

- The business sector continues to endorse the charter idea nationwide: **Skills for Tomorrow Charter School** (MN), a vocational/technical school, utilizes support from the Teamsters Union.⁴¹ The Santa Cruz Business Alliance for City Schools has partnered with its district for **Cities in Schools' Learning Center** (CA), a charter aimed at the community's "at-risk" youth.⁴² While RJR Nabisco's grants contributed to **Vaughn Next Century Learning Center's** (CA) early success, the local Northern States Power Co. offered a helping hand to the nation's first charter school, **City Academy** (MN).⁴³ The **University Public School** (MI) received a technology grant from the Great Lakes-Ameritech Partnership and an arts grant from its utility provider, Detroit Edison.⁴⁴ **Jingletown** (CA) blossomed in part from seed money from Citibank.⁴⁵
- **New Country School** (MN) received approval for 80 students, three quarters of whom will come from a local high school. The catch is that New Country had to agree to compensate the local high school for the estimated \$150,000 in state aid that it will lose. That payback will come through the charter's purchasing of services — athletics, band, chorus, etc. — from the high school.⁴⁶
- First Interstate Bank of California donated \$13,000 in funding to be split between **O'Farrell Community School for Advanced Academic Study** (CA) and another San Diego charter school, **Darnall E-Campus** (CA). The Bank believes that as a member of the business community it has a responsibility to invest in preparing for tomorrow's work force. The two charter schools are often listed among the top ten California charter schools with the most potential to succeed.⁴⁷

- Both Ameritech and the University of Wisconsin-Madison helped **Middle School 2000** (WI) plan for and purchase the right computer equipment and get it running. The aid included rewiring all classrooms to accommodate the added electrical demand.⁴⁸
- Offering Citibank a run for its money, the community's Catholic church agreed to lease property to **Jingletown** (CA) for \$1 a year for two years.⁴⁹
- Its relationship with Middlesex Community College allows **Lowell Middlesex Academy Charter School** (MA) to have the 2+2 Program. Lowell students can choose to participate in college classes to receive both high school and college credit.⁵⁰
- Matching business in its commitment, the Urban League hopes to use San Diego's **Henry C. Johnson Elementary School** (CA) as a model for cities nationwide. The new charter will present the 80% black student body with high expectations, mandatory uniforms, and a parent center encouraging involvement.⁵¹
- According to the research arm of the Minnesota House of Representatives, "substantial use of paraprofessionals and volunteers" has allowed charters to "keep both class size and costs down." As charters continue a return toward neighborhood schools, community volunteers play a major part.⁵²

Flexibility In Innovation:

- As a private school, **Bluffview Montessori** (MN) aspired to do more. After trying unsuccessfully for two years to become an affordable option for *all* families in the Winona School District, **Bluffview Montessori** became the nation's first approved charter school in December 1991.⁵³
- **Boston University Charter School** (MA), which targets homeless and parentless teens, positioned itself to utilize Massachusetts' law's freedom in faculty hiring. In fact, the charter positioned itself as close as possible to a vast supply of new resources — on Fort Devens Army base. Free to look beyond the traditionally credentialed teacher, the school has drawn upon former military personnel and other professionals in career transition due to expiring military contracts. The initiative is being led by Rear Admiral W. Norman Johnson, USN (ret.), a career Naval officer influential in integrating the service.⁵⁴
- The district-run **International Studies Academy** (CA) desperately sought charter status in an effort to stabilize their administrative staff. According to its charter proposal, the "Academy had been assigned 12 principals in the past three years alone." The flexibility of a charter freed ISA to conduct the search and placement itself. By allowing it to focus on the criteria it valued (i.e. commitment to the school's unique mission, working at the school by choice, dedication to working collaboratively, and training and credentials for flexible assignment), the Academy was guaranteed a better, more lasting, fit.⁵⁵

- After district leaders eliminated the district-wide gifted education program, they hoped individual schools would pick up the slack. However, several Adams County, CO schools did not, leaving many parents panicking. Fortunately, the law gave them an option, and soon the **Charter School for Gifted Students (CO)** emerged from their efforts.⁵⁶
- Applying its flexibility to the dropout problem, **Options for Youth (CA)** charter school owes its success to innovative strategies such as an open entry system where students "can enroll and start virtually any weekday of the year" and an independent study program where students "can tailor the time and pace to meet personal needs or work schedules." Traditionally, the district requires a mountain of paperwork to implement independent study strategies.⁵⁷
- A K-12 rural school in northern Minnesota was scheduled to close, leaving the community without any neighborhood school. Today, with business and community support, the school now serves about 200 students as **Toivola-Meadowlands (T-M) Charter School (MN)**.⁵⁸
- Today, Douglas County, Colorado faces phenomenal growth, ranking it as one of the top growth counties in the United States. To meet its accompanying school enrollment challenges, the county has turned to school choice. One of its schooling options, **The Academy Charter School (CO)** has already helped ease the burden. Originally started as a K-6 elementary school, the charter continues to welcome its success by expanding to 7th grade this year, with plans for an 8th grade next year. The parental approval that led enrollment figures to double continues, while a "feasibility committee" is exploring the possibility of adding a high school program.⁵⁹
- **Cedar-Riverside Community School (MN)**, freed from district hiring guidelines, focused on teacher applicants with different racial and ethnic backgrounds in an attempt to mirror the area's diverse population and showed preference to those willing to live in the neighborhood.⁶⁰
- In order to develop the team-teaching approach intended to reach the diverse population it serves, **Bowling Green Elementary (CA)** needed stability in its teaching staff. This was achieved by the charter's exemption from contractual rules traditionally allowing senior teachers to "bump" junior faculty in times of layoff or simply because they covet certain positions.⁶¹
- **Vaughn Next Century Learning Center (CA)** and **Fenton Avenue Charter School (CA)** recently took fiscal control and legal liability of their cafeterias. In an effort to reduce waste, increase eating time, and boost enthusiasm for meals, both schools scrapped their inefficient ticket system in exchange for a bar code system.⁶²
- With a mission to "learn more about what might be done to strengthen urban schools in general," the **University Public School (MI)** has an instructional day two hours longer than the minimum public school requirement, expectations that teachers work at least seven-hour days, and a school year a month longer than other public schools.⁶³

- Teacher evaluation at the **Connect School** (CO) has left traditional methodology behind; instead, it resembles evaluations used by a number of high-tech industries in the area. Evaluators use a team approach, combining input from students, parents, and community.⁶⁴

Autonomous Schools:

- Under the direction of its principal, **Vaughn Next Century Learning Center** (CA) had an actualized surplus of \$1.2 million (from a \$4.6 million budget) after its first year in operation — an unheard-of feat in the cash-strapped L.A. Unified School District, where the district has cut more than a billion dollars over the last several years and slashed employee salaries up to 10%. The excess funds are being used to build a new 14 classroom complex, cultural center and library, further correcting overcrowding and reducing class sizes.

According to Principal Yvonne Chan, most of the savings, which are now the talk of the town, came from reduced administrative costs. For example, Vaughn hires its own teachers rather than paying the district for personnel services.⁶⁵

- With its fiscal freedom, **Fenton Avenue School** (CA) has been able to reduce class sizes, create extended day programs and restore teacher salaries to what they were before a recent pay cut; all this while bringing in a \$200,000 surplus at the end of their first year.⁶⁶
- **City Academy's** (MN) previously mentioned successes, including a 5:1 student/teacher ratio, were all accomplished with less than 4% of its total budget going towards administrative costs. All City Academy teachers have experienced an increase in salary, benefit, and professional development compensation.⁶⁷
- The Colorado State Board of Education granted a request of **The Academy Charter School's** (CO) organizing committee, which allowed the group to hire a dean without the state required administrative certificate. Eighteen months later, its enrollment has doubled in size to 350 students, and it has expanded from K-6 to K-7, soon to include K-8. Teachers are excited by their work, over 500 children are on the waiting list, and the school recently found a permanent facility. The Academy saves about \$18,000 a year on transportation costs alone, with an elaborate parent car pool system.

One reason teacher morale is so high is class size. By not having to follow district salary schedules, teachers were allowed to prioritize for themselves. Teachers wanted class size capped at 18, so they rearranged their salary schedules to get it done.⁶⁸

- Instead of hiring teachers by district mandates or by seniority, **Options for Youth** (CA), a charter school for dropouts, focuses on hiring teachers "according to their ability to work with individual students."⁶⁹

- The **New Country School** (MN) has contracted with EdVisions Cooperative to employ the teachers and manage the instructional program for the school.⁷⁰
- Applying a strategy used by many charter schools, **Jingletown** (CA) requires parents to donate one hour per week in place of hiring a janitor and food service workers — a combination money saving, increased parental involvement deal. Setting its own priorities allows Jingletown to apply those savings as it sees fit; teacher pay scales surpass the Oakland public school system's.⁷¹

Emerging Achievement:

- Although the movement is still in its infancy, **Connect School** (CO) has joined the ranks of charters showing gains in achievement. Between fall 1993 and fall 1994, standardized test scores among the school's 55 original students increased by nearly 8% in writing and 13% in math. The charter flexibility allowed the school to add computers, reduce class size, and make a decision to double the time spent on reading, writing, and math.⁷²
- **St. Paul's City Academy** (MN), which was the nation's first charter school, graduated 17 former dropouts in the spring of 1993, 15 of whom went on to college or vocational schools. This was an extraordinarily special graduation in a neighborhood where 40% of teenagers drop out.

Celena Longbehn, a student who is the daughter of a welfare dependent mother, previously had attempted suicide after a friend died in a gang related incident. As a result of her enrollment at **City Academy** (MN), which has small student-focused classes of 4-5, she now enjoys writing short stories and has hopes for attending college.⁷³

- Independent evaluator Dr. James Catterall of UCLA, concluded that the **Options for Youth** (CA) charter school enabled former dropouts to continue on "to regular schools, graduation, the military, and GED degrees." "Students tend to show mathematics achievement growth commensurate to the number of months in the program," and "writing samples show consistent improvement in writing and communication skills for participants." Regarding motivation, "students show gains in the value of their own efforts and in self concept."⁷⁴
- **Vaughn Next Century Learning Center** (CA) is registering more than savings. Test scores have risen dramatically despite a 31% increase in the number of students who speak limited English. While the number of students qualifying for the federal free lunch program has also increased to 94.5%, "fourth-grade classes have improved their percentile rankings on the nationally standardized test, Comprehensive Test of Basic Skills."⁷⁵

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This is Part IV of a four-part series on charter schools. For more information on charter schools, contact *The Center For Education Reform* at (202) 822-9000.

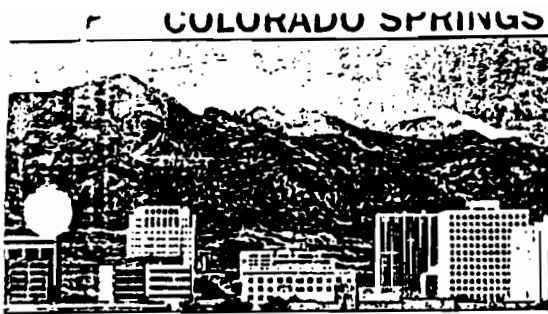
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GAZETTE TELEGRAPH

WEDNESDAY

DECEMBER 7, 1994

SPECIAL REPORT

New idea in education gets put to the test

Verdict is still out on state's charter schools

First in a five-part series

By Angela Dire/Gazette Telegraph

In Castle Rock, uniformed children rise for the pledge of allegiance every morning and relish the ritual of a predictable school day.

In Lakewood, boisterous 10- and 11-year-olds debate how the Earth forms crystals and roam freely about their comfortably cluttered classroom.

In Pueblo, a science lesson unfolds on the banks of the Fountain River.

If public education is the eternal guinea pig, then Colorado's new charter schools are laboratories for the latest experiment.

The parameters of this experiment are simple: Allow groups of independent-minded parents, teachers and community members to dream up their ideal school. Keep them under the wing of the public education system, but free them from bureaucracy. Then foot the bill for their utopian visions with tax dollars from the local school district.

Those are the fundamentals of a 1993 law passed by Colorado's Legislature. Out of that law, 14 vastly different schools have sprung up across the state — in gutted-out supermarkets, in empty church buildings, in almost any place imaginable with generous space and cheap rent.

See CHARTER SCHOOLS/A3

CHARTER SCHOOLS



A QUICK LOOK AT THE LAW

A 1993 state law allows parents, teachers and community members to design and run experimental public schools. These charter schools are financed with tax dollars and are exempt from many educational and employment policies. Applications must be approved by the local school board, which must ensure the charter schools are safe, meet general education requirements and are fiscally sound.

from A1

Proposals for some 20 more home-grown schools are in the works. The four in Colorado Springs School District 11 range from a back-to-basics school with no-frills academics and corporal punishment to a multicultural school to explore different environments. A fifth proposal has twice been rejected by the District 11 board, which cited a lack of specifics.

High hopes are riding on the four that go before the board for a vote at a special meeting Tuesday. Proponents are counting on charter schools to raise the standards of public education by spurring competition and empowering parents and teachers. Skeptics question the fairness, but hold out hope that charter schools will do more than simply drain resources from regular schools.

The results won't be in for some time. But in the meantime, experts say, charter schools have helped opponents in the polarized debate over public education forge a compromise of sorts.

"There's always going to be that polarization," says Richard Gordon, an intermediate level teacher at the Community Involved Charter School in Lakewood. "I don't think it has to be: 'We've got to do this or we've got to do that.' There is room in public education to do both."

Those intent on taking their tax money out of the public schools and spending it on private education are willing to give public schools another chance because of the charter system. Those resistant to change are willing to accept charter schools in lieu of the more radical switch to a tax-paid voucher system, which would allow parents to use state money that would normally go to a public school to send their child to a school of choice.

"This is a place of common ground where both ends can meet," says Connie Koprowicz, a policy analyst for the National Conference of State Legislatures. "It doesn't go as far as vouchers, but it does allow some people who want some serious local control and deregulation to have it."

Idea's Inspiration came from England

Colorado isn't the first or only state to forge into this uncharted territory. Nine others are experimenting with charter schools, though their attempts

vary widely in scope. A tenth state, Michigan, was thwarted when its Supreme Court decided charter schools violated that state's constitution.

But the Colorado lawmaker who spearheaded the idea took his inspiration from England. State Sen. Bill Owens, an Aurora Republican soon to become Colorado's new treasurer, said former Prime Minister Margaret Thatcher pushed it as a way for parents to opt out from under the thumb of the politicized councils running the country's schools. Today, he says, there are 600 such semi-inde-

pendent schools in England.

"Now, people here have a way to use their tax dollars to educate children independent of the politics and bureaucracy of some local school boards," says Owens.

After failing once to sell the idea to the Legislature, Owens and other lawmakers pushed through a compromise charter school law last year.

To start a charter school, a group must apply to the local school board and, if turned down, may appeal to the state board of education. Though it can receive waivers from many state and local regulations, it must abide by federal civil rights laws — particularly the complex array of rules governing special education for the disabled.

In turn, the local school district must provide the charter school with at least 80 percent of the funding it receives for every student.

The law also sets limits on the number of charter schools in Colorado. No more than 50 schools can exist before 1997. At least 13 of those must cater specifically to "at-risk students."

Charter school proponents say that's most of their enrollment. Before charters, they say, children who weren't succeeding in traditional schools had no other choice but to stay there or attend a costly private school. Though parents in Colorado can enroll children in any public school or district they wish, most teach the same thing the same way, proponents complain. There aren't many alternative schools, they say, and the ones that do exist have long waiting lists.

"It's like you can go to any restaurant you want but

they're all Taco Bells," says Melinda Windler.

So she and a group of like-minded parents started the Academy Charter School in Castle Rock in the leftover shell of a grocery store. It serves kindergarten through seventh grade.

Windler says it's just the kind of school her children need — with curriculum that drills home the basics while introducing humanities at a young age.

At Academy, school starts at 8:30 sharp. After the pledge of allegiance, students sing "My Country 'Tis of Thee" and then dig into their academics. From the math curriculum that emphasizes repetition and mastery to a red, white and blue dress code, it's a predictable environment in which many students find comfort. Kyle Chadderdon, a fifth-grader, even likes the uniform: "Nobody can make fun of you because of what you wear."

On the opposite end of the spectrum is the Community Involved Charter School in Lakewood for kindergarten through 12th-graders.

If there is a uniform here, it is T-shirts and jeans, baseball caps and nose rings. Students here shun structure and are encouraged to think and work on their own.

It's for kids like 11-year-old Eli Engbretson — who says he learns better at his own pace and with hands-on activities.

"I've always had a learning disability, but I feel like it goes away when I'm here," he said as his classmates argued about the geological forces that form crystals. "When you don't feel like writing then you can get up and walk around for a while, have your space, just as long as

you get your work done."

It's far too early to tell if these schools will improve academic performance, experts say. Only two of Colorado's charter schools — Academy in Castle Rock and The Connect School in Pueblo — have been around long enough to test. Both opened in fall 1993.

Their early results are mixed — with some students scoring above average and others significantly below.

34X

Critics list concerns over charter schools

Skeptics, meanwhile, are preoccupied with other issues. They fear charter schools will siphon away money from regular schools. While charters spend that money to keep their classes small and personal, they complain, class sizes continue to grow for everyone else.

In Pueblo, a school district closed two schools and simultaneously opened a charter school. Parents from the neighborhood schools challenged the constitutionality of the charter law but lost in federal district court. However, they plan to appeal the decision.

"I have a lot of hard feelings," says Lorraine Villanueva, one of the parents that initiated the lawsuit. "Are they going to continue to open up charter schools and close schools where the children are so close by they can walk?"

Others question whether the charter schools can survive over time. "Do you know how they're doing the smaller class sizes?" says Deborah Fallin, a spokeswoman for the Colorado Education Association, the state's largest teachers union. "By paying teachers a lot less than they would normally receive."

Indeed, many charter school teachers earn \$10,000 to \$12,000 dollars less than the average public school teacher and accept a contract with far fewer employee protections. Will they always? Fallin says she doubts it.

"It seems to me it might be fine for a year or two or three, but if those teachers stay in those situations pretty soon they're going to say we need to do some of this stuff," she says. "People will realize there are reasons why those things exist."

But for all her skepticism, Fallin holds out hope for charter schools. Perhaps they will provide the justification the public needs to make all public school classes smaller — a prospect that would cost millions, maybe billions of dollars.

Until then, she and the rest of the educational establishment will have to be satisfied that parents such as Melinda Windler in Castle Rock are satisfied — and are no longer pushing for more drastic measures.

Says Windler, who carried a petition for vouchers: "I don't feel as strongly about it now as I did then. I felt we didn't have an option. Now we do."

THE SERIES

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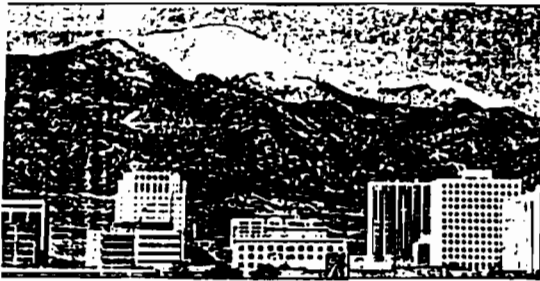
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CHARTER SCHOOLS





GAZETTE TELEGRAPH

THURSDAY

DECEMBER 8, 1994

SPECIAL REPORT

Back-to-basics school planned

High standards,
discipline stressed

Second in a five-part series

By Dru Wilson
Gazette Telegraph

Organizers of Hope Liberal Arts Charter School admit their motives for proposing an alternative school are selfish.

Mainly, they are dissatisfied with the present system and want to create the type of school they want their children to attend — a place with a rigorous, no-frills academic program taught in a strict, no-nonsense environment.

The two primary authors of the plan are James Howard and Don Plaisted. Neither are educators. They are simply concerned parents, Howard said.

Both men applied for vacancies on the Colorado Springs School District 11 Board of Education but failed to win appointments. Plaisted continues to attend board meetings, taking every opportunity to lobby for changes in the academic program.

District 11 school board member Art Nutter has acted as an adviser for the plan, which includes many of his ideas on academics and discipline. But he insists that he is not part of the planning committee and wouldn't be part of the governing board. His name was wrongly listed on the charter application as one of the initiators, he said.

But he presented the plan to his fellow board members at a public hearing Nov. 29. Those board members unanimously approved a resolution Nov. 30 saying he has a conflict of interest and should refrain from voting on the proposal on Tuesday.

See HOPE/A3

CHARTER SCHOOLS



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FAVORITE SUBJECTS: ACADEMIC, DISCIPLINE, STANDARDS

Academic features of the Hope Liberal Arts Charter School. An intensive basic curriculum for grades 6-12 includes:

- **FOUR YEARS OF ENGLISH**, including reading and analyzing major literary works, writing as a means of thinking, public speaking and critical listening. Tests would emphasize essay questions to compel students to support their observations, interpretations and evaluations by use of logical argument.
- **FOUR YEARS OF SOCIAL STUDIES**, including Western civilization, world history, American history, American government and geography.
- **FOUR YEARS OF MATH**, including Algebra I and II, geometry and statistics. Additional electives in trigonometry, analytic geometry and calculus would be offered.
- **THREE YEARS OF SCIENCE**, including biology, chemistry and physics.
- **THREE YEARS OF FOREIGN LANGUAGE**, including knowledge and understanding of the associated culture and its literature. Classes would emphasize vocabulary, comprehension, reading, speaking and writing.
- **TWO YEARS FINE ARTS** in either music, theater or art.
- **ALL STUDENTS WOULD** use computers for word processing and numerical analysis, participate in physical education classes or intramural sports and choose electives to complete the 22 credits required for graduation.
- **SEX EDUCATION** and anti-substance abuse programs are considered family matters and would not be included in the curriculum.

36x

WHOSE PLAN?

Primary authors of the plan for the Hope Liberal Arts Charter School:



Name: Don Plaisted.
Age: 40.
Occupation: Previously worked as a truck driver and now works for a company that administers drug tests.
Years in Colorado Springs: 8.
Education: Completed two years of college in Minnesota.
School experience: Has attended numerous school board meetings advocating changes in academics and discipline and volunteered at Taylor Elementary School.



Name: James Howard.
Age: 54.
Occupation: Self-employed computer consultant.
Years in Colorado Springs: 13.
Education: Two years of college; computer training in the Air Force in early '60s.
School experience: Has volunteered as a tutor.

Nutter doesn't think he has a conflict, and has asked the Secretary of State's Office for an opinion, according to a letter he sent to the Gazette Telegraph. Nutter said he intends to vote on the charter proposal.

Plaisted and Howard do not see the controversy as a stumbling block. They are confident their ideas — and Nutter's — reflect the feelings of enough parents that they would have no problem filling their proposed 870-student junior/senior high school. "This should bring a lot of home schoolers back into the system," Howard said.

District 11 administrators have not presented their recommendations on Hope or the other three charter school proposals. But on Wednesday, the District Advisory Accountability Committee recommended that the Hope charter be denied.

The committee of district employees, parents and community members said the proposed school's goals and objectives were vague and many key issues were not addressed. For example, no bylaws were proposed, start-up costs were not addressed and there was no evidence of support from the East Middle School community.

The school board will vote on the proposal Tuesday.

The proposed charter school would use District 11 curriculum, but the lessons need to be presented in a more intense manner, Howard said. "We intend to finish the whole book, not just a third or two-thirds on some teacher's whim," he said. "We just don't think children are being challenged."

Years ago, Howard's older daughter dropped out of school for that reason. She later went on to get her GED and went to college, but public schools let her down, he said.

Plaisted tells a similar tale. A year ago he discovered his 11-year-daughter was nearly two years behind her classmates in reading and math skills. "She couldn't do the work and yet they still passed her," he said. No one ever suggested she be held back or that she needed remedial work, he said.

With tutoring, extra work and some help at home, she has caught up and even surpassed some of her classmates.

"I was looking at this selfishly. I was looking at the educational well-being of my own children. But we also need to do something for other children like her. A lot of them are falling through cracks," Plaisted said.

While they expect many students would excel under the heavy workload, students who fall behind would be provided tutors and assigned extra work to help them catch up, Howard said.

Other aspects of the proposed school also reflect the men's personal conservative philosophies. There will be no sex or drug education. "If I am telling my daughter that abstinence is the only way, then I do not want the school talking about birth control," Howard said. Those are values best taught in the home by parents, he said.

They also believe strict discipline and parental involvement are essential to stu-

THE DEAL

Hope wants District 11 to provide:

- 100 percent of the \$4,198 the district receives from the state for each student.

- A school site. The charter proposal asks for the use of East Middle School, a 850-student building, for an unlimited amount of time.

- All equipment in East Middle School.

Hope will provide:

- No additional money but will offer volunteer assistance on the steering committee that will operate the school.

dent achievement. "There is no reason to have the violence that is in our schools now," Howard said. Teachers who cannot control their classes will have no business teaching in their school, he said.

Students and parents would have to sign a contract committing themselves to the rules and standards set by the school. Any violation of rules will be regarded as a breach of contract and subject to an array of punishments, including expulsion, Howard said.

And maybe a good paddling. Hope would restore corporal punishment, which was eliminated last year in District 11. It was rarely used because of concerns over lawsuits and charges of child abuse.

Hope would also require parents to spend at least one day a month in the school. They could volunteer to be tutors, help with maintenance, coach a sport, answer phones or perhaps serve on one of many committees that will guide the daily school operations, Howard said.

Students gain in self-esteem and pride seeing their parents take an interest in their school, he said.

"Now schools control what happens. We want parents to be in control and

make the decisions regarding their children's education," Plaisted said.

He and Howard do not plan to invest any money in the school and say they will gain no profit from the venture. They would serve as part of the seven-member parent initiating committee that would hire the principal and department heads and appoint a steering committee — including four parents, the principal and two teachers — that would govern the school.

Howard and Plaisted are asking for District 11 to contribute 100 percent of the annual \$4,198-per-student allotment and have drawn up a budget, essentially copying other district schools.

"I don't think money is the problem, it's how it's being spent. We think there is enough money going into education now so that all students should test above the national average," Howard said.

The two men point to Dennison Alternative School in Jefferson County, which has used a similar back-to-basics model for nearly 20 years with the same funding that goes to other schools in the district.

Hope planners turned to that school's advisory committee for assistance in planning their academic program, Plaisted said.

Dennison students consistently outscore the rest of the Jefferson County school district. But critics argue that has more to do with the school's predominantly white, upper-middle-class enrollment. Lloyd Carlton, principal of D'Evelyn Junior/Senior High School, which opened this year as an extension of the elementary school program, said another factor is stability. Most of the students have been with their school since kindergarten. Transient populations usually score lower, he said.

Hope does not plan to design an admissions policy that would guarantee a diverse ethnic enrollment, although it promises to be open to all students. Admission, as at Dennison and D'Evelyn, would

be on a first-come, first-served basis with students now at East given priority over the rest of the school district. Students from outside District 11 would be admitted only if space was available.

Organizers have named East as their school of choice because of its central location and because it is one of the best-equipped schools in the district.

"We are going to make a school that will be tough to beat," Plaisted said.

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SPECIAL REPORT

School would tailor goals to individual learning needs

GLOBE organizers envision small classes

Third in a five-part series

By Trudy Welsh/Gazette Telegraph

The warm water seemed to wash the tension out of Sharron's body as she was lowered into the YMCA pool from her wheelchair.

Her hands, often clenched in fists and pressed tightly against her chin, began to float loosely at her sides.

"Wim," Sharron said contentedly. She crossed her spindly legs as vocational counselor Margit Turner towed her around the pool by a corner of her bright-orange life vest.

The trips to the downtown YMCA with the Martin Luther Homes staff, including Turner and Rod Hemsell, help meet the recreation and physical therapy goals of Sharron and other

18- to 21-year-old students with multiple disabilities. On other days, the students volunteer at a downtown soup kitchen, packaging up leftover bread for people to take home.

Martin Luther Homes contracts with area school districts to provide training to help prepare such students to live and work in the community after high school.

Hemsell's and Turner's experiences with the program are a cornerstone of their proposal for running a charter school in Colorado Springs School District 11. They believe parts of their program's routine — such as community service, small class sizes and education goals tailored to students' individual needs — could benefit all youngsters, whether they are gifted or special education students.

The Global and Local Objectives for Better Education, or GLOBE, Charter School is designed to serve 72 kindergarten through 12th-graders, of all ability levels, by next fall. It would expand to 140 by fall 1997. The District

See GLOBE/B6

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from B1

11 school board is to decide Tuesday whether to accept GLOBE's plan to run a charter school.

District administrators have not yet presented their recommendations on GLOBE or the other three charter school proposals. But on Wednesday, the District Advisory Accountability Committee recommended that the GLOBE charter be denied.

The committee of district employees, parents and community members said the application was lacking in nine of 27 areas examined. The committee said the plan didn't provide enough detail on the accounting system, admission process and costs.

The charter school plan grew out of a grant application Hemsell submitted a couple of years ago with Bill Leon, a University of Colorado at Colorado Springs professor. They proposed a course of study for gifted students centered around three themes: the environment, world cultures and issues that people are wrestling with around the world.

They planned to use the expertise of UCCS professors to fine-tune their curriculum and get it into local schools, and design teacher workshops.

But the pair didn't nail down a grant to go beyond the research.

When Colorado legislators passed a charter school law in 1993, however, they were ready.

Hemsell brought in his Martin Luther Homes co-workers, Coleen Abeyta and Turner — plus Turner's husband Lee. Hemsell's wife, Kirti, and Cheryl Robinson, both of whom teach at the Woodland Hills Montessori School, also were quick to join the group. And they brought in parents whose children are enrolled at the private elementary school. Other teachers and parents also have gotten involved.

Many of the school's proponents have lived in other countries. Their experiences, they say, highlighted the need for American students to learn a second language and be more aware of other cultures and how happenings in various countries are interconnected.

"In a way, we are literally living in an illusion with regard to what is really going on in the world," said Hemsell, who has had 20 years experience either working in or running private schools. "And our textbooks reflect a view that was valid 50 years ago."

The school is designed to give a number of parents, teachers,

and students a say in operations. Students even would get to vote on hiring and firing teachers, for example.

Admission would be on a first-come, first-serve basis, although organizers plan to take extra steps to help diversify the student population in race, family income and ability levels.

Classes would be small, about 10 to 12 students, so it would be easier to bring groups together or tailor lessons to meet students' individual needs.

But fewer students also can mean more budget challenges, because there is little economy of scale. This is an especially critical issue for GLOBE, because it plans to use part of its money from the district to lease a school site.

However, planners say they could save money by cutting back on administration and maintenance costs, not offering busing for regular education students, getting the district to provide certain special education services and paying teachers less.

GLOBE planners want District 11 to cover the cost of special education services, such as busing, psychological evaluations and expertise in tailoring lessons, from extra money it gets to serve children with disabilities.

District officials want to make sure these responsibilities are

clearly delineated. They say that often those additional state and federal dollars don't cover the cost of educating students with the most severe problems. For instance, the handful of students with emotional problems who require placement in a special group home can cost the district up to \$18,000 per year. It could pull money away from students in its regular schools if District 11 gives GLOBE nearly \$3,800 per student, plus start-up money, and then is expected to pick up the expensive residential treatment as well.

Some people examining GLOBE's proposal, including school board members, have questioned how it would get quality teachers with average salaries of only \$20,000. Even teachers coming straight out of college earn \$22,000 in District 11.

But six of the GLOBE planners have teaching experience, although not all are licensed in Colorado, and some say they would apply to teach at the school. They say the smaller class sizes, to include more than one grade level; emphasis on vo-

lunteering, and doing projects in curriculum that focuses on global issues more than make up for the lower wages.

"Most good teachers would normally accept a little less if the working conditions are satisfying to them as teachers," said Kirti Hemsell, who worked in a private school for gifted students in Santa Cruz, Calif., along with her husband.

Robinson, another planner, said she has been especially impressed with the curriculum ideas GLOBE has incorporated from Denver University's International Center, which focuses on global issues. She also thinks the school will give teachers quite a bit of flexibility in what they teach and in what order.

GLOBE's planners say their plan has drawn plenty of interest and can fill a unique niche.

THE DEAL

GLOBE wants District 11 to provide:

- \$30,000 to cover rent and utilities from January to June 1995.

- 90 percent of the \$4,198 the district gets per student from the state. The first year, with 72 students, that would be \$272,030.

- Help with special education: specialists, which might include such employees as psychologists or occupational therapists; advice on tailoring lessons to better serve such students; and busing for those who, by law, must be provided with transportation.

- An opportunity to apply for part of the federal and state grant money the district receives.

GLOBE plans to provide:

- A school site. Three are being considered, but the most likely is in a building at 2930 N. Academy Blvd.

- \$20,000 worth of in-kind help from Martin Luther Homes for office equipment and teacher training workshops.

- \$250,000 in grants, over five years, to pay for such things as a van for field trips, computers, microscopes and research and teacher training from the University of Colorado at Colorado Springs and the University of Denver.

GLOBE wants families to provide:

- \$100 per student for teaching materials that cannot be reused. Low-income families would be exempted.

40X

WHAT THEY WOULD TEACH

Academic features of the GLOBE Charter School:

- **LEARNING WOULD CENTER** around themes, such as a greenhouse or insects, to allow students to use skills from a variety of subject areas. Studies have shown students learn better in this way than when lessons are put into small packages of time for math, English or science.
- **FOREIGN LANGUAGE** would start in kindergarten, with a goal of having bilingual graduates.
- **REGULAR INVOLVEMENT** in community service projects and with university professors who could help students with real-world research projects.
- **UNIVERSITY PROFESSORS** would help keep curriculum up to date.
- **STUDENTS WOULD BE EXPECTED** to demonstrate certain things, such as an understanding and respect for the history and cultural traditions of other parts of the world and an appreciation for the ties between the world's cultural and environmental issues.
- **12TH-YEAR STUDENTS** would be able to start specializing in a certain career field, through something such as independent study or an apprenticeship.
- **SPECIAL EDUCATION** students would begin a program, as early as age 12, that teaches them job or volunteer skills and how to take advantage of community-based services, such as bus routes or the YMCA. Public schools generally start such efforts at age 18.

ASSESSMENT

- **TYPICAL DISTRICT** and national standardized tests would be given.
- **INSTEAD OF LETTER GRADES**, planners want to compile portfolios of student work. They say that would better show students' progress because each child would have individual education goals.

SCHOOL DESIGN

- **CLASS SIZES** would be small — about 10 to 12 students.
- **ACTIVITIES WOULD INCLUDE** students from a variety of age and ability levels, from special education to gifted youngsters. This allows older students to act as leaders and younger students to learn more mature behavior, such as taking turns and cooperating. It also makes it easier for students to learn at their own pace.
- **EACH CLASS WOULD** include two conventional grade levels, such as kindergarten and first, 10th and 11th, etc. Often, two classes — or four grade levels — would work together on a project.

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GAZETTE TELEGRAPH

SATURDAY

DECEMBER 10, 1994

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**CHARTER
SCHOOLS**



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SPECIAL REPORT

Training, education combined

Charter school plan before D-11

Fourth in a five-part series.

By Jeff Thomas
Gazette Telegraph

These are, in a way, the most motivated of students.

They've dropped out of high school once. Either they're behind in reading and math, or their home life is a mess, or they're pregnant, or in trouble with the law.

And they don't have to be here, in a century-old former elementary school saved from the wrecking ball, plugging away slowly, methodically, at lesson after lesson.

Yet since 1989, more than 400 students who dropped out of school have

■ Community
Prep School
backed/B1

pulled together the will to go after a diploma through the Visions to Potential program provided by Colorado Springs School District 11. More than half have made it. A sixth have gone on to college.

Another 370 students at risk of dropping out have either earned a diploma, returned to their high school, gone to college or found work through the Visions program.

Impressive results, but Ray Rodriguez thinks he can do better with an idea called the Community Prep School. He's asking District 11 for a school charter to try it out.

Visions has two full-time teachers. The Community Prep School would have eight, plus a more rounded and ambitious curriculum. Visions has 75 students; the Community Prep School would have 120, from ninth to 12th grade.

See CHARTER/A7

From A1

District 11 controls Visions money, teachers and curriculum. The Community Prep School would give control to Rodriguez.

"It gives me the flexibility to what you have to do," he said.

Both the District 11 administration and the District Advisory Accountability Committee have recommended that the prep school charter be approved, citing the thoroughness of the plan.

Rodriguez, a former teacher, runs the city's Industrial Training Department. The department provides the Visions program space in the old Garfield Elementary School, built in 1886, bought and renovated by the city in 1980 and now grandly called the Institute for Business and Industrial Technology.

The department also does the work of the 12-year-old, federal Job Training Partnership Act. JTPA grants provide summer jobs for youth, plus schooling and job training for dropouts, near-dropouts, low-income adults, and laid-off workers.

The city received more than \$4 million in JTPA grants for the fiscal year that began July 1. But the portion earmarked for its adult and youth education programs has been dropping adily. Annual grants for these programs peaked at \$3 million in 1991 and have declined to \$1.9 million for the current year.

Rodriguez's plan to cope with less JTPA money is simple: Find some elsewhere.

Enter charter schools.

A 1993 law lets anyone with a different idea ask the local school district for permission to open a charter school. If the district approves, government dollars that normally would follow a student to a district-run school would follow the student to the charter school.

That would mean, based on an enrollment of 120, a projected \$478,572 a year for the Community Prep School, if it is approved at a special District 11 board meeting Tuesday. Rodriguez wants every dime District 11 would receive for each student; the district is obligated to provide only 80 percent of that amount.

But a charter would mean more than money and the additional teaching tools it can buy.

It would mean Rodriguez would decide who would teach,

what they would teach, and how they would teach. And while the prep school would remain accountable to District 11 for student achievement, it could ask to exempt itself from inconven-

iences such as the teachers union. Rodriguez proposes that prep school teachers would not belong to the Colorado Springs Teachers Association, the bargaining agent for District 11 instructors.

A charter also would free up increasingly scarce JTPA dollars. Budget documents show that Rodriguez devotes at least \$100,000 a year to Visions, most of it to provide academic and career counseling and to help students obtain day care, transportation to and from school, and the like. Some of the money, however, pays for instructional material. With the money a charter brings, Rodriguez could pull JTPA money out of the class-

room and put it to other uses.

Rodriguez would remain a city employee while also serving as the prep school principal — without an increase in salary, he said.

"People who are not combining resources and bringing them together to accomplish a goal are completely stupid," said Rodriguez, an intense man who leans into his conversations. "It's crazy not to do it."

But he also said a charter is a chance to improve the quality of education for disadvantaged students.

At the heart of the prep school would be four "core" teachers who teach English, math, science and humanities.

Rodriguez considers these the most crucial hires he would make. The core teachers, he said, must be stellar instructors and the driving force within the prep school, able to spark a passion for learning in kids who have a history of breaking ties with school.

And he hopes to get them for \$36,000 a year in salary and benefits — modest compensation by District 11 standards. But Rodriguez is counting on the relative freedom of a charter-school environment, plus the teachers' freedom to spend a portion of the budget on professional development courses of their own choosing, to provide an added incentive. He says he has 30 applications already.

A group of "associate" teachers would handle other subjects, from music to business. Some

would be instructors-for-hire. For example, the Foreign Language Center, a private Colorado Springs company, would be hired to teach languages. The YMCA would provide physical education. But the prep school charter application notes that "no firm plans or commitments have been made."

Rodriguez also has a plan for enticing students into classrooms on Friday, a day that many skip. Class lectures would be replaced by seminar-style discussions led by the most dynamic teachers District 11 has to offer. Lunch would be provided.

But Rodriguez has no money in his proposed prep school budget to pay the visiting teachers. He's hoping District 11 will provide them for free. The district, not surprisingly, is cool on the idea.

The charter proposal envisions that 70 prep school slots would be filled by students considered at risk of dropping out, and 50 would be filled by students who have dropped out of high school. Admission would be on a first-come, first-served basis to those who can demonstrate that their finances, family situation, lagging academic performance or other circumstances indicate they are at risk of falling away from school for good.

Rodriguez said he plans to take advantage of flexibility in JTPA eligibility standards to make sure every prep school student would also be a JTPA client. Otherwise, the prep school would have to withhold JTPA-funded services from prep school students who wouldn't meet eligibility standards for the federal program.

The charter application has the endorsement of, among others, Colorado Springs Mayor Robert Isaac and Terry Jenson, chairman of the Pikes Peak Private Industry Council, a federally required panel that watches how JTPA money is spent locally.

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THE DEAL

What the Community Prep School wants from District 11:

- 100 percent of the money the district would receive for each student: \$4,198.

- Waivers exempting prep school teachers from certification requirements and from membership in the teachers union.

- Insurance coverage whenever possible. The prep school would pay for it.

- "Master teachers" to lead discussion groups on Fridays — at the district's expense.

- Referrals of eligible students.

- Bus service that is routinely available to students of nearby Palmer High School.

What the Community Prep School would provide:

- Space in a city-owned building, the Institute for Training and Industrial Technology, 322 E. Willamette Ave.

- Financial assistance and academic counseling for students through the Job Training Partnership Act.

WHOSE PLAN?

Name: Ray Rodriguez

Age: 57

Occupation: Administrator of industrial training and human resource development for the city of Colorado Springs and El Paso County.

Years in Colorado Springs: 30

Education: A master's degree in literature from the University of Wyoming; bachelor's in education, language and industrial arts from Northwest Missouri State University; and he performed graduate work in labor markets at Harvard University, in linguistics at Colgate University, in literature at the University of Kansas and in education at the University of Colorado at Denver.

School experience: Taught language for about four years at Air Academy High School, sociology and Spanish literature for about five years at the University of Colorado at Colorado Springs. He also set up a language system for Torrington, Wyo., schools in the early 1960s and since 1971 has run training and education programs for several schools in the Pikes Peak area.



WHAT THEY WILL TEACH

Academic features of the Community Prep School:

- **STUDENTS TAKE 44 COURSES**, from five to six each semester. Each is required. There are no electives.

- **INSTRUCTION IS A MIX** of classroom lecture, seminar-style discussions, and self-schooling. For self-schooling, students will use a prepackaged set of lessons in a variety of subjects. They must demonstrate mastery of a skill or subject before moving to the next level.

- **CURRICULUM IS DIVIDED** into four subjects:

- **Humanities (25 courses):** Eight semesters of English; four semesters of a foreign language; three semesters of physical education; two se-

mesters each of world history, American history, and government and law. One semester each of leadership skills, literature, music and art appreciation, and drama and forensics.

- **Mathematics (seven courses):** Four semesters of algebra; two semesters of geometry; one semester of pre-algebra.

- **Science (seven courses):** Two semesters each of biology, earth science, and environment; one semester of health.

- **Practical arts (five courses):** One semester each of computer literacy, entrepreneurship skills, technical skills, job preparation skills, and family and community issues.

THE SERIES

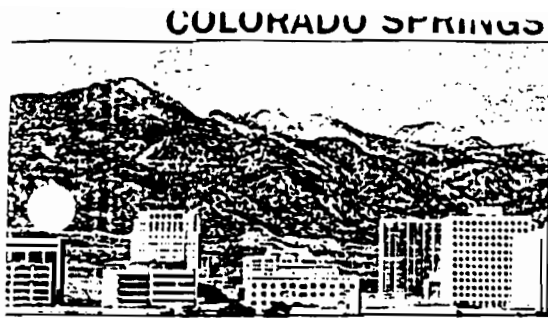
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GAZETTE TELEGRAPH

DECEMBER 11, 1994

SPECIAL REPORT

Reading, writing and profitability

Shaky finances cloud Edison charter school plan

Last in a five-part series

By Jeff Thomas
Gazette Telegraph

The first question that must be asked of the people running The Edison Project is this:

Why are they asking for permission to lose \$1.8 million during the next five years running a Colorado Springs elementary school?

The Colorado Springs School District 11 board may ask that very question Tuesday when it decides whether to grant The Edison Project a charter to manage Roosevelt Elementary School on the city's southeast side.

District administrators recommended Friday that the charter be denied, citing insufficient proof of financial stability. The administration encouraged Edison to

resubmit a plan for the 1996-97 school year.

The District Advisory Accountability Committee, made up of employees, parents and community members, last week recommended that the district grant a charter — but for fall 1996 instead of 1995.

The committee said Edison must be able to prove it has enough money to run the school through the five-year contract Edison has proposed. The company also needs to spell out how it would be accountable to the public, among other things, the committee said.

Concerns about the New York company's finances have prompted school districts across the nation to back away from Edison and its attempt to run public schools for a profit.

Edison executives insist they can, given time, make public schools profitable, and are scouring the globe for investors. The high-profile company's success — or failure — is likely to become a key part of the national debate over the privatization of public schools.

So far, one school district has signed up, and a handful of others appear willing to give Edison a shot.

Nonetheless, Edison comes calling on Colorado Springs as a fledgling enterprise with no track record and an uncertain future.

Its creator is a media entrepreneur whose empire has collapsed. Its ambition to own and operate 1,000 schools has been reduced to a hope that it can manage a half-dozen public schools next fall.

See EDISON/A12

CHARTER SCHOOLS



A QUICK LOOK AT THE LAW

A 1993 state law allows parents, teachers and community members to design and run experimental public schools. These charter schools are financed with tax dollars and are exempt from many educational and employment policies. Applications must be approved by the local school board, which must ensure the charter schools are safe, meet general education requirements and are fiscally sound.

WHAT'S NEXT

Colorado Springs School District 11 will vote on four charter school applications on Tuesday. In a five part series, the Gazette Telegraph takes an in-depth look at each of the four proposals.

From A1

The Edison Project's business plan for Roosevelt Elementary shows that the company would spend \$1.8 million more than it would receive from District 11 for managing the school for five years.

Even that unprofitable prospect hinges upon two assumptions.

The first is that Edison can find someone to provide \$250,000 a year to extend Roosevelt's half day of kindergarten to a full day. The Edison concept involves longer school days and years, including kindergarten. Should the District 11 board approve the charter, Edison spokeswoman Kathy Hamel said the company will ask corporations and foundations — not parents — to provide the money.

The second assumption is that 238 pupils who attend other schools during the academic year will enroll in Edison's summer-school program. Parents of each pupil would pay \$300 for the six-week session. Edison students could attend summer school for free.

If Edison's only expenses were the principal, teachers and keeping the heat and lights on, it would make a profit, according to the business plan. But the cost of accounting, purchasing and other functions would wipe out the profits.

Capital expenses would push Edison into the red. The company plans to renovate Roosevelt, install computers throughout, and provide a personal computer to each teacher and pupil in the first grade and above. If the charter is approved, Edison would spend nearly \$1.7 million on capital improvements between now and the end of the 1995-96 school year, according to the business plan.

Capital spending would drop off dramatically after the first year, averaging a little more than \$30,000 in each of the subsequent four years of the charter agreement.

Critics question ability to deliver better education at less cost

Other Colorado school districts broke off talks with the company last summer partly because they couldn't agree on the numbers.

While Edison prefers to run large elementary schools of 700 or more students — it spreads costs over more students — the Cherry Creek School District was reluctant to part with any of its half-dozen large schools.

Saddled with the prospect of running a smaller school, Edison figured it would cost at least \$4,600 per student, said Assistant Superintendent Monte Moses. Cherry Creek could provide only \$4,300. Basically, it was the same story in districts in Douglas and Weld counties.

"One principal said he felt like he was trying to cram the stepsister's foot into the glass slipper. It just didn't match," said Jana Caldwell, spokeswoman for Weld County School District 6 in Greeley.

The gap appears just as wide in Colorado Springs.

Roosevelt Elementary would have 720 pupils, more to Edison's liking. But District 11 could provide about \$4,200 per pupil, and as much as \$4,500 for students with special needs. If Edison's rosiest income assumptions come true — if it gets extra state and federal funding for disadvantaged kids, and money for extended kindergarten and summer school — it would receive about \$4,800 per student.

It would spend, however, about \$5,000 per pupil — before it would spend a dime on capital improvements. The higher per pupil cost is partly due to the added expense of teaching more disadvantaged students.

Edison's critics say the company's chronic deficits — on paper — prove it can't deliver better education at less cost.

"What they are admitting is you can't have, in their definition, a quality education in Colorado Springs unless you spend more," said National Education Association President Keith Geiger.

But others point out that most ventures, from hamburger stands to private schools, lose money during their first few years.

"The early (schools) are loss leaders," said David Boaz of The Cato Institute, a Washington, D.C., think tank that supports the Edison concept. "If they can get a contract to run a school in Colorado Springs and it has good results, then other school systems will see it. Then, when they start running 100 schools instead of one or 10, there will be some efficiencies."

Edison's investors have spent about \$40 million during the past two years developing the curriculum and pitching the idea to school districts. It'll take years to recoup that amount, said Chester Finn, Edison's director of government relations.

THE DEAL

What The Edison Project wants from District 11:

- Use of Roosevelt Elementary School for five years.
- 100 percent of the state money that the district receives for each student, plus all extra state and federal money for "at-risk" students.
- A long list of waivers from state and district regulations. They would allow the school to hire nonunion teachers, use its own curriculum, employ carpool drivers instead of bus drivers, set its own academic calendar and generally act independently from District 11.
- Property and casualty insurance covering the school building.
- Food service.

What The Edison Project will provide to District 11:

- Transportation to the two closest schools — mutually agreed upon by Edison and the district — that have space available for Roosevelt students who don't want to attend the Edison school.
- Transportation to the Edison school for students who normally attend Henry, Wilson, Adams, Queen Palmer, Rogers, Twain or Monroe elementary schools.
- \$1.8 million in capital spending, including renovations to Roosevelt Elementary and computers. After the value of the capital has been depreciated, Edison will transfer ownership to the district.
- Liability and casualty insurance covering employees and students.

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WHOSE PLAN?



Name: Chris Whittle
Age: 46
Occupation: Chairman, The Edison Project; founder and chairman, Whittle Communications.
Education: Graduate, University of Tennessee.
School experience: Founder of Channel One, a nationally distributed news and advertising service to school classrooms.



Name: Benno C. Schmidt
Age: 52
Occupation: President and CEO, The Edison Project.
Education: Bachelor's degree and law degree, Yale University; honorary law degrees from Princeton University, Johns Hopkins University and Harvard University.
Experience: Dean, Columbia School of Law, 1969-86. President, Yale, 1986-92.

and a former assistant secretary of education.

But, he said, "with enough scale, this can, in the fifth or sixth or seventh year, according to our financial projections, turn into a financial success for the investors."

Schools unwilling to commit until financial picture clears

It's a situation straight out of a business textbook.

"Investors whom we're asking for additional capital want to know whether places like Colorado Springs are definitely interested, and places like Colorado Springs are wanting to know if the investors are definitely interested," Finn said. "Each wants to be sure the other is for real."

This awkward dance is made even more difficult by Edison's silence on the investment front, which has blunted its effort to sign up schools. Districts in Greeley, Cherry Creek and Charleston, S.C., backed away partly because they were in the dark about Edison's resources.

Even Edison's most promising remaining prospects — schools in Boston, Wichita, Kan., and Sherman, Texas — are on hold until they get assurances that Edison has assembled the backing it needs.

In Miami, where Edison has hopes of running two elementary schools next fall, officials said 1996 looks more likely.

"We'd like to try it," said Deputy Superintendent Phyllis Cohen. "But unless there is a clearer financial picture with this company, we are not moving forward."

Edison tries to soothe anxieties by guaranteeing has enough cash on hand to fulfill its five-year agreement.

"We would not enter a contract without funding for the full five years," said Senior Vice President Deborah McGriff, formerly superintendent of Detroit schools. "We would terminate the contract if at some date, we had not been able to raise the money for that five-year implementation." If that happened, she said, Edison would give a district plenty of time to get a regular program going.

That's good enough for districts eager to give Edison a try.

"If they can demonstrate they have funding set aside for Sherman for five years, we can go with that," said Sherman schools Superintendent Bob Denton.

"If Edison can perform, we've made a good deal for our kids."

District 11 board member Kent Olvey said he's comfortable giving Edison a charter as long as the contract allows the district to bail out should the company fail to raise enough capital.

Calling it the best of the five charter proposals before the board, Olvey said Edison's innovations make it worth the risk.

"If they were here a year or two and vaporized, the curriculum — which is full of things we all have thought are important — could be continued without their continuing infusion of money," Olvey said.

The only superintendent to have actually signed a contract with Edison is confident the company will come through.

"Nothing has been said or done — or not done — that has made me think this is not going to turn out. On the contrary, I'm more and more satisfied," said Blanche Fraser, superintendent of Mount Clemens, Mich., schools.

In any case, Edison will have to show its hand soon. The contract with Mount Clemens requires that Edison provide proof of investment by Thursday.

To raise money, Edison must not only demonstrate interest from schools, but overcome the

history of its founder, Christopher Whittle. The University of Tennessee wunderkind revived a troubled Esquire magazine in the 1980s and in 1990 launched the controversial and profitable Channel One network, which beams televised news and ads into classrooms.

Whittle founded Special Reports, a magazine and videotape programming service for doctors' waiting rooms, in 1988. Time Inc., looking for new audiences, poured \$185 million into Whittle Communications that year.

Then came Channel One and Medical News Network, an on-line service for physicians that mixed ads with news of drug and treatment advances. Dutch electronics giant Philips NV, supplier of televisions to Channel One, pumped in another \$175 million. A \$55 million headquarters campus sprouted in Knoxville, Tenn.

When Whittle hatched plans for The Edison Project in 1991, he enticed the president of Yale University, Benno Schmidt, to lead the company. Some of the nation's top educational thinkers climbed aboard.

But Medical News Network ran aground and Special Reports floundered and folded. An attempt last year to raise hundreds of millions of dollars to build hundreds of private Edison schools fell flat. Whittle was forced to sell Channel One in October to fend off threats of a liquidation led by Wall Street.

Edison was separated from Whittle Communications last year, and executives say it will stand or fall on its own merits. But the flight from the nest has created the impression, recently documented in the New Yorker magazine and elsewhere, of a company trying to disown its founder.

But McGriff, the Edison executive, is confident investors will see past the company's rocky history to a profitable bottom line.

"Since the districts are there who are willing to do this, I really don't see that the investors are not going to be there to actually provide the money for implementation," she said. "I really believe Edison will get off the ground."

Olvey, the District 11 board member, said he's willing to look past Edison's uncertain finances to the promise of better education for Colorado Springs kids.

"Nobody wants to start a project that's going to fall on its face," he said. "But somebody has to take a chance on innovative ideas like these."

THE SERIES

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An innovative school plan

Students working in small groups. Kids communicating with each other, their teachers and their home via computer.

That's the vision of an Edison Project school proposed for Roosevelt Elementary in Colorado Springs School District 11.
Complete report/A13

Edison aims to put many innovative ideas under one school roof

By Trudy Welsh
Gazette Telegraph

The students gather first thing each morning to shed some of the worries they normally bring to the classroom.

Michael tells how he and a friend were scolded on their way to school for tramping through a flower bed. So the group talks about respecting other people's property.

Then the students break into smaller groups of varying ages and grades. They head off with four teachers and a tutor to learn Spanish, then spend some time working with computers. There's also the typical core academics, broken up with gym class and music or art.

In science, Michael's class exchanges notes via computer with a class in Wichita, Kan., that is doing the same experiment. When he loses his tooth during the day, he writes his mom a note about the big news and ships it to the family's home computer, which was furnished by the school.

After school, Johnny's mom doublechecks his homework assignment on the computer. There's also a homework hotline if he gets stuck.

That's the vision of an Edison Project school.

None exist yet, although the for-profit company behind the project has put \$40 million into research, development and marketing. Edison backers expect to apply its lesson plans and high-tech school design to a half-dozen U.S. public schools next fall. One of them may be in Colorado Springs School District 11.

"We're confident the model we've designed is a whole lot better than the typical school of today — public or private," said Chester Finn, one of Edison's founders.

Edison officials are getting a cautious reaction from school officials in places where it wants to set up shop. No wonder — Edison is an unproven company that wants to overhaul an education system that has been around since the 19th century:

But in one respect, there is nothing new about Edison. Every piece of its academic program has been tried — or is working — somewhere. The longer school day and school year it proposes are a cornerstone of the renowned Japanese school system. The home-to-school computer link was successfully tested in Indiana. Keeping students with the same teachers for several years has been successfully tried in Colorado Springs and elsewhere.

Never, though, have all the ideas been brought under one schoolhouse roof.

But Edison officials say the lesson plans they have developed are essential to retool American education to meet the needs of the high-tech, global economy of the future.

In Colorado Springs, the company wants to experiment with Roosevelt Elementary School, a school with about 730 students on the city's east side. On Tuesday, the Colorado Springs School District 11 board will vote on whether to allow Edison to manage the school.

It's easy to see why Roosevelt attracted the eye of The Edison Project planners. The single-level school building, built in 1969, is among the district's newest. So it should be fairly easy to wire for technology and should meet most requirements for disabled access.

Roosevelt had the third-highest enrollment among District 11's 38 elementary schools last year. And many of those children come from low-income families, which helps pull in extra state and federal dollars.

The physical setting may fit Edison's needs, but most Roosevelt staff members don't want to give up their school. The teachers voted 47-4 against the plan and have been hammering away at pieces of it all fall.

For instance, they say the school's student population presents a problem they aren't sure Edison is prepared to deal with: transiency.

The school is nearly sur-

rounded by apartments whose residents tend to move more frequently. That means Roosevelt teachers see many more students in a year than the enrollment figure would suggest.

Teachers question how new students will catch up, for instance, in required Spanish and high-level computer classes, which usually aren't offered in grade schools. Also, with the longer school day and year, students would cover more material each year and would finish by 10th grade what most students complete at graduation.

The final two years at an Edison school would be spent in college-level courses.

Edison representatives say that is where the multiage classrooms come in. Each class would include students from three grade levels. A fifth-grader coming in with little Spanish could spend time catching up by working on the language with younger students. Yet, he wouldn't be held back in other areas because he could work with other fifth-graders for, say, math and English. Classes often would be small — about 15 students — allowing for a lot of individual attention and flexibility. Tutors also would be available, Edison officials say.

It might work, skeptics say, but Roosevelt teachers remain skeptical about other things. They are worried about how Edison would handle the school's large number of special education students. The school normally has about 100 special education students at any given time, but handles about 400 cases a year because of the high turnover.

Some critics point out that Edison won't guarantee that teachers would have a degree in special education, only that one teacher in each group of 120 students have a background in special education. Edison representatives say they would give extra special-education training to teachers in a six-week summer course that would also cover computers.

Another concern is that there's no plan to have an on-site social worker; Roosevelt has a full-time one now.

Edison's plan is to provide a half-time "community resource director" to connect needy families with agencies in the city. But teachers say many community agencies have long waiting lists and are costly. Also, some families won't seek help on their own.

Edison officials are aware of the concerns, but say that

shouldn't stop the school board from approving the innovative plan. And, they say, if a part of the curriculum or staff arrangement isn't working, it can be changed.

Indeed, Edison involved parents and business leaders from around the nation in developing its curriculum. For example, Edison plans to redesign school cafeterias, creating small tables where students would practice table manners while having lunch.

And Edison officials say 25 percent of the curriculum would be designed locally by parents and educators so it can be tailored to the school's unique needs. Teachers at Roosevelt, for instance, might want to cover Colorado history or delve more deeply into the geography and geology of the Rocky Mountains.

Despite the overwhelming vote against Edison by the Roosevelt staff, some teachers are excited about the project's curriculum and plans.

Edison officials plan to start putting computers in students' homes by the second semester. They'd start with older students and eventually work down to

first grade. The principal and every teacher also would get a laptop computer.

The technology would allow teachers to get messages from parents while at home or offer students critiques on homework while still in rough draft, before it's turned in.

"It means giving children who have not had access to technology at home a prime opportunity to get some hands-on experience," said Bonnie Cowen, a fifth-grade teacher at Roosevelt. "The studies I've seen show high-risk students really buy into high-tech."

Edison officials say District 11 could be a trailblazer in the search for effective and meaningful education reform.

"These are ideas that many of us in education have had for a long time," said Francie Alexander, Edison's deputy director of curriculum and a former teacher. "Teachers don't lack for ideas. We've lacked for a really comprehensive implementation strategy."

And Edison, she and others who helped forge the unique plan think, can give teachers a way to make long-dreamed ideas work.

A CLASS OF THEIR OWN

Bucking bureaucracy, brashly independent public schools have much to teach about saving education

By CLAUDIA WALLIS

RON HELMER, TWO CAR GARAGE isn't much to look at, but the modest structure behind the cornfields and ranch homes of exurban Freeland, Michigan, harbors a revolution. Inside the garage and spilling over into what was

Helmer's living room is the Northlane Math and Science Academy, a new kind of public school. In these unconventional quarters, Helmer, a veteran teacher and school administrator, and two other teachers are attempting to guide 39 students, ages 6 to 12, toward a better understanding of their world via a very active brand of learning.

On a recent day, the youngest children gathered around the small pond in Helmer's backyard, collecting water samples and aquatic plants for study. In the former living room, an older group struggled with the intricacies of urban planning: where to put the power plants, whether to build a highway, how big to make the municipal hospital—by playing a complex computer game called SimCity 2000 on the school's five new Macintoshes. Members of a third group could be found in the garage, sanding and sawing to create kid-size furniture of their own design.

Like other Michigan public schools, Northlane Academy gets its funding—a total of \$175,500—from the state lottery and sales taxes. But because the school belongs to a new category of independent "charter schools"—one of nine that have opened in Michigan this fall—Helmer, as principal, is

free to spend the money as he sees fit—on those Macs, for example—without interference or oversight from the local board of education. He is also free to depart from the public school curriculum, which he regards as about a mile long and an inch deep. Northlane, he vows, will teach kids to think and understand rather than learning by rote. "Here we're not so concerned with being able to name the three capitals of South Africa as we are with why South Africa has three capitals, with understanding the cultural, economic and political forces that created those capitals."

It's an approach that so far seems to be going over well with Northlane's young scholars. Sidney Tessin, 10, excitedly tells how her class dissected walnuts and discussed the ways vascular and nonvascular plants differ. In her old public school "we talked about plants," she says, "but never about *why* there are vascular and nonvascular plants." Nick Reisinger, a freckled 12-year-old, chimes in. "Here we get to talk about things instead of just listening to some boring teacher. I don't feel like 'Duh, what am I doing here?' anymore."

THE CHARTER SCHOOL MOVEMENT IS NOT yet big. Just 11 states, beginning with Minnesota in 1991, have passed laws permitting the creation of autonomous public schools like Northlane; a dozen more have similar laws in the works. Most states have restricted the number of these schools (100 in California, 25 in Massachusetts) in an attempt to appease teachers' unions and other opponents. Nevertheless, the charter movement is being heralded as the latest and best hope for a public education system that has failed to deliver for too many children and cannot compete internationally.

Ron Helmer, top, center,
with the students and faculty of his
homegrown school in Freeland, Michigan



LITERARY PURSUITS: Children at the Northlane Math and Science Academy curl up with some good books. "I don't feel like 'Duh, what am I doing here?'" says a student

"Charters can bring real innovation into the classroom and challenge other public schools to raise their standards," insists Massachusetts Governor William Weld. Parents are clearly eager for alternatives: just consider the growth of the home-schooling movement, which now involves half a million children. Where charter schools have opened, they are thronged with applicants. Where they have not, parents and educators are moving mountains to create them, either from scratch or from the frayed cloth of old public schools.

Take this other scene from the revolution. In the hardscrabble barrio of Pacoima near Los Angeles lies the Vaughn Next Century Learning Center. Of its 1,107 students, 931 are Hispanics who speak limited English; 95% are so poor they qualify for free breakfast and lunch. Four years ago, Vaughn was just another failing inner-city elementary school: test scores were among the lowest in the state, 24 of the 40-odd faculty members had quit in the previous two years, and the principal had resigned after anonymous

death threats. Yvonne Chan, the new principal, was determined to turn things around.

Possessed of enough energy and drive to power a locomotive, Chan was nonetheless hindered at every turn by the inertial drag of school bureaucracy. California's education code runs to 6,000-plus pages. Most of it seems designed to generate more paper: local schools are required to send reams of forms to district offices before they can fix a broken window, change the school menu, take a class on a field trip or buy new textbooks. To make real innovations, Chan found herself perpetually fighting for waivers. In 1992, when California enacted a charter-school law, Chan was one of the first to apply. "We wanted the waiver of all waivers," she explains. "The charter takes the handcuffs off the principal, the teacher and the parents—the people who know the kids best. In return, we are held responsible for how kids do."

Granted charter status last fall, Vaughn Next Century, with a budget of \$4.6 mil-

lion, became a case study in how to take money and run—in the direction of greater efficiency and higher student achievement. Chan totally revamped spending. She put services like payroll and provisioning the cafeteria out for competitive bids, she reorganized special education. By year's end she had managed to run up a \$1.2 million surplus, which she proceeded to plow back into the school. She added new computers, an after-school soccer program and, most important, more teachers, so that the number of students per teacher dropped from 33 to 27. To relieve overcrowding, the school broke ground this month for a new 14-classroom complex.

As for academic achievement, in the four years since Chan has been principal, test scores have risen markedly. She believes that with charter status, further gains will come fast. For one thing, Chan has far more control over her staff and their duties than do principals working under union and district rules, including the power to hire and fire. Teachers at Vaughn work longer hours than they did before the school went charter, but they are paid more and given more authority. Every faculty member serves on one of eight parent-teacher committees that meet weekly and essentially run the school. "We don't want

ADDITION LESSON: Money saved through shrewd California, enabled principal Yvonne Chan to



SCHOOLS
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Fifty years of
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tion people have with a perceived public-school bureaucracy that is very, very entrenched in a way of doing things that cannot meet our needs in the future."

The frustration has been building for years. During the Reagan Administration, a federal study group tripped alarms with the dire 1983 report *A Nation At Risk*. It was the first of a series of major reports showing how poorly American students stack up in math, science and other subjects against their foreign peers and future competitors in the global economy. Throughout the 1950s, school districts increased spending and in many places granted substantial salary raises to teachers. The benefits have been hard to discern.

By the 1990s the talk was all of bureau-

cratic bloat and poor return on investment. According to a now infamous 1992 report by the Educational Testing Service, the U.S. spends a greater percentage of its gross national product on education (7.5%) than any other country except Israel, and yet is outperformed in math and science among 13-year-olds by more than 10 nations, including Hungary, Taiwan and the former Soviet Union. Other studies indicate that a rather small percentage of the \$275 billion spent this year on U.S. public education will actually wind up in the classroom. In 1950 two-thirds of school spending went for classroom instruction; by 1990 the proportion had shrunk to less than half. Administrative outlays had meanwhile doubled from 4% to 8%.

In an era when business has been shed-

ding layers of middle management, it is looking to the late management school for answers. Deming's notion of putting responsibility down the line to those who know the customer best, it does not take a lot of imagination to see that the nation's public education systems need to do this. School, education, those who know the best are the students and their parents—first and foremost people who work at the neighborhood school. Not the folks in the central office.

Charter-school advocates, particularly the more conservative among them, have another agenda beyond efficiency and reform. Many see charter schools as a way to bring some diversity and options into an arena where traditionally there have been none. "Education is the only place in

FOR MORE THAN FIVE YEARS, THE REV. NORMAN HANDY HAS been watching the Harlem Park Community School in Baltimore, Maryland. The fortress-like building, set amid the open-air drug markets and boarded-up houses of one of the city's worst neighborhoods, is right across the street from his Unity Methodist Church. The view has not been pretty.

Up until two years ago, says Handy, the brick structure was not only decrepit but crawling with rats and mice and "roaches so big you could feel the critters move under your foot." Academically, the school, which serves 2,051 students—prekindergarten through the eighth grade—was in just as bad shape. On any given day, he relates, a significant number of the kids were on "disciplinary removal," hanging out unsupervised and causing trouble on the block. "I would intervene in a street fight four or five times a week," says Handy. "Every morning the white students, especially the girls, would wait until after 9 a.m. to show up, because of gang violence against them."

In 1992 Baltimore's new school superintendent, Walter Amprey, proposed a novel way of dealing with the problems at Harlem Park and eight other city schools: let someone else run them. Amprey proposed giving a five-year, \$125-million contract to Education Alternatives, Inc., a Minneapolis, Minnesota, corporation that operated three schools in three states. Handy was among many citizens who opposed the plan: "I saw it as a subterfuge to subvert the educational process and to experiment with African-American children."

Amprey's plan prevailed, and now Handy is a convert. Today he says, "That building is an oasis in a desert of poverty, drug addiction and violence." E.A.I. invested \$1.1 million up front in material improvements, computers and other supplies. It moved quickly to clean and repair the schools and take charge of security. Maintenance and financial management were contracted out for greater efficiency.

The Minnesota firm also instituted its teaching program, called "Tesseract," a name derived from a magical pathway in the children's classic *A Wrinkle in Time*. The program requires teachers to analyze each student's learning style and then devise an individualized plan and goals. It emphasizes parental involvement, the use of computers and continual encouragement. Posters bearing upbeat slogans abound in Tesseract schools: "Go for It!"; "Every Child Has Gifts and Talents."

The visible improvements in E.A.I. schools helped persuade the Board of Education in Hartford, Connecticut, to sign the firm to a \$200 million contract earlier this month, under which

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people who just clock in and out," says Chan. "This is not business as usual."

Nor is it for parents, who must sign a three-page contract committing them to be involved in their child's education and to volunteer 30 hours in the school. Most seem pleased to be involved and amazed to be consulted on matters of substance. Says parent Nina Unbe: "It has been a beautiful change."

AMERICAN SCHOOLS DO NOT TURN ON A dime. Yes, they are buffeted regularly by the passing winds of reform (as any teacher will attest). Those breezes usually leave behind another layer of managers in the central office, another mandatory service to be provided to the needy few, another couple of hundred pages of education code telling teachers what they should do and when. But the basic structure remains the same. It is a structure forged in the early industrial age: the school as factory turning out regulation graduates, with teachers as laborers, principals as foremen, and supervisors as, well, supervisors, running every detail from the curricular to the custodial in a strictly top-down fashion.

It is this time-honored structure that the charter-school movement seeks to challenge, if not topple, by placing authority in the individual school, freeing it from

management of her charter school in Pacolma, embark upon a new classroom complex



FAMILY MATTERS: At the Satellite Academy, a small alternative high school that serves "at risk" adolescents in New York City, Lisa Ferrer learns about the meaning of family

the bureaucracy. The nation's 140 charter schools come in every size, shape and flavor. Some have a special emphasis, as Northlane does on science; others serve a special population—dropouts, for instance. But whatever their mission or philosophy, they reflect the growing recognition that fundamental change is needed in American education and that to make it, schools must break free of stultifying regulation and bureaucracy. Fifty years of top-down reform have not done the trick.

This realization has found expression in other forms as well. In cities like New York, Philadelphia and Chicago, reform-minded administrators have not waited for state legislatures to act. They have seized the initiative to create scores of charter-like high schools and middle schools—small alternative schools that operate independently of district rules. In New York City, veteran principal and school reformer Deborah Meier is one of a group using a \$25 million grant from the Annenberg Foundation to raise the number of such

schools from 50 to 100. The goal, she says, "is to demonstrate that public schools can be creative, idiosyncratic, interesting places of academic excellence without losing their publicness."

A handful of other places—notably Baltimore, Maryland, and Hartford, Connecticut—are experimenting with a far more radical way to circumvent bureaucracy: hiring a for-profit company to run their schools. "The idea," says Baltimore schools superintendent Walter Amprey, "is to have a company ready for true accountability that offers a way to pierce the bureaucracy and gives us a model that, if we have the will and courage, could change the collective culture of failure in urban schools."

"All of these are efforts to bust up the system," says Linda Darling-Hammond, co-director of the National Center for Restructuring Education, Schools and Teaching at Columbia University's Teachers College. "Right now we are trying to do a once-in-a-century reform of education. This is a transforming era. These efforts reflect the frustra-

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American life where there is no choice," argues Chester Finn, who served as Assistant Secretary of Education under President Reagan and is a founding partner of the Edison Project, a for-profit education company that has contracts to open three Massachusetts charter schools next fall. "We don't tell poor people what to eat; we give them food stamps. We don't tell them which doctor to go to: they have Medicaid cards." And yet when it comes to schools, says Finn, only the rich can "buy their way out, by moving into a certain neighborhood or choosing private schools." Charters, if there were enough of them, would offer a choice of schools to the less well-off.

In this sense, the charter movement is heir to the more radical voucher move-

ment popularized in the 1980s. Voucher advocates want to break up the "public-education monopoly" by letting parents spend their allotment of public-school dollars as they wish—even on private or parochial schools. Charters are a kinder, gentler, more politically palatable way to provide parents with some measure of choice, albeit within the public system.

They are not, however, palatable to everyone. Not one charter bill has passed a state legislature without controversy. The reason: charter schools take money right out of the pockets of their rivals—the conventional public schools. In most states, the money simply follows the student. Thus, if the district spends \$5,000 a year per pupil, and 30 children choose to attend the new

charter instead of the local middle school, as much as \$150,000—depending on district administrative costs and categorical grants—would go directly to the charter rather than the other district schools.

That prospect distresses many supporters of public education, including the hugely influential teachers' unions. Unions also oppose provisions in many state charter laws that free these special schools from collective bargaining agreements. In California the unions are fighting attempts to expand the state's popular charter schools beyond the current cap of 100. Meanwhile, the Michigan Education Association, having spent a fortune trying to block the state's 1993 charter-school act, is making Republican Governor John Engler's advo-



it will manage the citywide system of 32 schools and 26,000 students. As in Baltimore, the decision was preceded by battles.

Chief among the critics of E.A.I. are members of the Baltimore and Hartford teachers' unions, who are, among other things, unhappy over the dismissal of Baltimore's experienced (and unionized) classroom aides. E.A.I. replaced them with recent college graduates who receive low pay and no benefits, and who tend toward high turnover. "You train them and they may be gone in six weeks," complains a teacher. Some opponents are unhappy with E.A.I.'s policy of mainstreaming nearly all special-education kids into regular classes—a measure they regard as a cost-cutting trick that shortchanges some kids.

But the most serious criticisms concern educational performance. According to figures released by the Baltimore schools last week, test scores in reading and math have dropped slightly in the eight Tesseract elementary schools, while they rose a bit in the rest of the system. On the other hand, attendance at E.A.I. schools was up. Stunned by the report, E.A.I. immediately dispatched a team of eight independent experts to Baltimore to re-examine the test data. Company officials point out that, to begin with, E.A.I. had been handed some of the city's lowest performing schools. In addition, E.A.I.'s test takers include more special-ed kids than at other schools. A third argument: student turnover rates at the schools are very high (30% of students present in September are gone by June). "Does Tesseract work?" asks E.A.I.'s Philip Geiger. "To know that, the kids have to have been in the program." Amprey insists that "we need five years and maybe more, but we know enough to say that this concept will work."

But the larger issue for defenders of E.A.I. is whether private corporations have any business making profits off public schools in the first place. E.A.I. chairman John Colle likes to point out that plenty of companies already do: the textbook industry, private bus companies, food services, even plumbers and electricians. Bringing in professional management makes sense, he insists. "We have asked well-meaning, competent educators to supervise the fixing of the boiler room and analyze cash flow—things they are not educated in." Most important,

MORNING RITE: Children at Baltimore's Mary E. Rodman school, which is run by E.A.I., start their day with a meeting and a dance

Colle notes, a private company is accountable. "You can cancel us and show us the door after we've invested millions up front in your district." Indeed, if test scores don't begin to rise, that may be just what Baltimore will do.

—By Claudia Wallis.
Reported by Richard N. Ostling/Baltimore



NATURE'S CLASSROOM: Science teacher Wil Reding draws his lessons from the great outdoors at West Michigan Academy of Environmental Science near Grand Rapids, Michigan.

cacy of that law an issue in his current campaign for re-election.

The M.E.A., along with the American Civil Liberties Union and others, has actually taken legal action to overturn Michigan's rather liberal charter law. Michigan is unusual in allowing private schools to apply for charter status. In fact, most of Michigan's first charters were granted to former private schools. The M.E.A. argues that these schools are not truly public and cannot legally receive public funds. Last week a Michigan judge sent a chill through the charter community by temporarily holding up disbursement of \$11 million in state funding until the matter is resolved.

In most states charter laws are quite weak; they actually make it difficult to create a charter school. There are no start-up funds, no buildings provided, no guarantee of support services from the school district. Local unions often add to the obstacles, making it tough to recruit teachers. Though state education officials recognize the problems, coming up with seed money for charters is not easy, given the political opposition. A tiny bit of help may come from the Federal Government: a \$6 million development fund for charter schools is included in the \$11 billion school-reauthorization bill signed last week.

Meanwhile the experience of Clemen-

tina Durón in Oakland, California, is all too typical. When Durón, a public-school principal, joined with a group of Latino parents to form a charter middle school in the low-income barrio of Jingtowen, they faced open hostility from the district school board and union. The district refused to allow the proposed school to participate in its self-insurance program, which would have cost only \$400. Instead, Durón had to pay \$10,000 for private liability insurance. Nor was the district willing to share its legal services or payroll department. The attitude, says Durón, was "You guys want to run your own school, then you do the whole thing. Go ahead and fall on your faces."

The founders of Jingtowen charter nearly did, but they were motivated to persevere. For years, the tight-knit community had watched its youngsters graduate happily from the local elementary school only to get lost in huge, anonymous and gang-ridden junior highs. They craved an alternative. Still, it was not until Aug. 20, 1993, three weeks before school was to start, that the district approved Jingle-

town's opening. The local Roman Catholic diocese agreed to provide a small park as a temporary site, and during the next two weeks, Jingtowen parents feverishly dug ditches for electrical lines and sewers. They arranged to rent eight trailer-like portable classrooms for the school's 120 sixth- and seventh-graders, but when classes began, the sewer lines were still incomplete. "For three weeks, kids had nowhere to go to the bathroom," recalls Durón. "We had to knock on doors in the neighborhood. I'd take kids 10 at a time."

Miraculously, Jingtowen is now in its second year, though still in need of a permanent home. Parents are pleased with the small classes and individual attention. "This school is a necessity," says Durón. "We are driven by commitment and passion."

COMMITMENT AND PASSION CAN BUILD A school, but will that school succeed educationally? Will charter schools produce graduates that are better equipped for success in society, as their advocates hope?

It is too early to measure the success of charter schools. But for all their diversity, it is interesting to note that many seem to be embracing a very similar set of pedagogical principles. First, reduce class size. Make sure parents are heavily involved. (Contracts with parents are a common feature.) Just as important, keep school size small, particularly in the inner city, where kids desperately need a sense of family and personal commitment from adults. Encourage active hands-on learning, in part through the intelligent use of technology. For older kids, drop the traditional switching of gears and classrooms from math to social studies to biology every 45 minutes and substitute lengthier classes that teach across disciplines.

These principles have proved successful in experimental schools of the past. "The tragedy of American education is not that we don't know what to do," observes Dominique Brown of the Edison Project, which has devised an elaborately ambitious plan for its schools. "There are countless studies in countless classrooms that show what works. The problem is getting it done on a big enough

scale to make a real impact."

But the best intentions and cleverest plans can run aground in practice. The opening year of Michigan's University Middle School, a charter school for inner-city kids in Detroit, was an unmitigated disaster. The inexperienced staff of white, suburban-raised teachers had no idea how

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to relate to the kids, and vice versa. Insufficient supervision meant that students were hanging out windows and riding elevators all day long. The 90-min. classes failed to hold their attention. Midway through last year, the principal quit in despair.

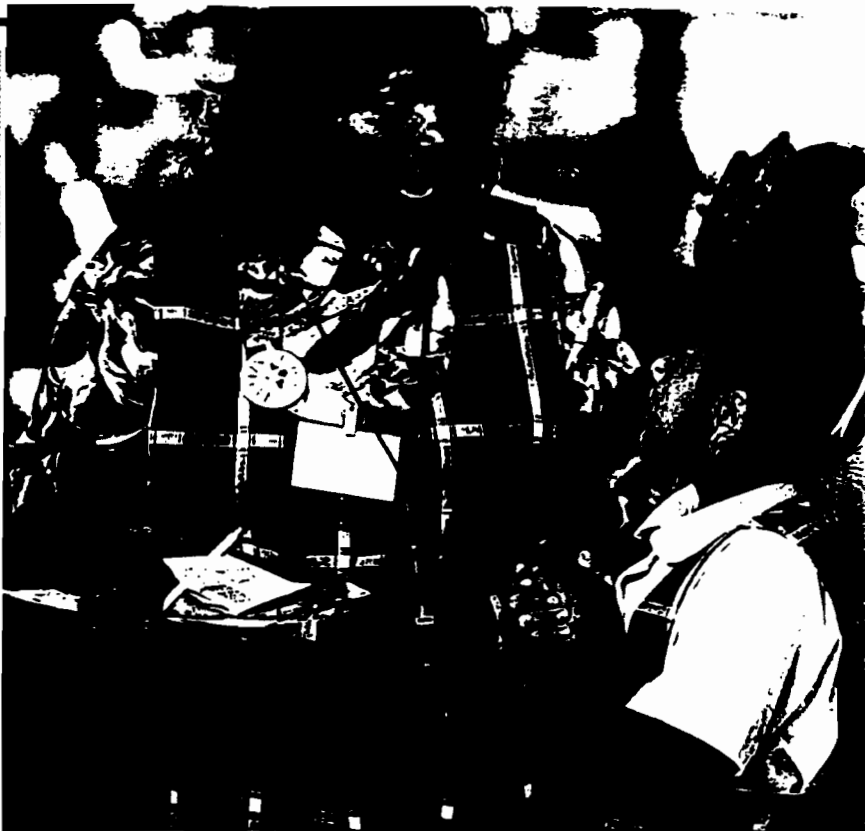
With a strict new discipline code, University Middle School is off to a better start this fall. Still, critics of charter schools are worried that there is insufficient oversight, and experience will probably prove them right. There is, however, one important check on the performance of these new schools: most states grant charters for a maximum of five years. If the school fails to measure up, the charter will not be renewed.

Even if charter schools do succeed individually, the bigger question is, Will they make a difference to American education at large? Charter proponents argue that their schools are laboratories for change, places that will shine as examples and inspirations to the rest of the school system.

A number of experienced educational reformers have their doubts. "We have this romantic view that if we can show a successful pilot school, others will follow. Not true!" says Linda Darling-Hammond, noting that decades of successful magnet schools and model schools have not transformed the system. "Ordinary schools don't have the material resources—the funds, the faculty—to emulate the charters," she says. And it doesn't help that some school districts are so much poorer than others. "Unless you equalize spending, there's no hope of reforming schools at the bottom of the range."

Some critics go so far as to say that charter schools will actually hurt public-school systems by drawing away talent and money; they benefit the few at the expense of the many. "If state mandates are really such an impediment to the 1.6 million public-school students in Michigan, then why not remove them for all of us?" asks M.E.A. president Julius Maddox. Such concerns temper the general enthusiasm for charter schools expressed by U.S. Secretary of Education Richard Riley, who as a Democrat is closely attentive to the union view: "We don't want to take our attention off the great majority of schools. We need to make all schools more challenging and engaging."

But given how hard it is to start just one small charter school, how will it be possible to remake the entire system? In New York City, Meier hopes to show the way by building a new citywide support system for independent public schools. "We want to create a system that cherishes their idiosyncratic



PITCHING IN: Nina Uribe, mother of a fourth-grader, oversees breakfast daily at Vaughn Next Century. "Before the charter," says a teacher, "I couldn't get parents on the phone"

qualities, that encourages them to be entrepreneurial and creative and in which we invent some new forms of accountability." Without it, she fears, charter schools will be nothing more than "cute exceptions."

But maybe not. Minnesota doesn't have many charter schools, but it does have the longest experience with them. Educators

there say the schools have had an influence well beyond their numbers. In several towns and cities, education officials have been spurred to reform by the mere prospect that a charter school would open in town.

In Forest Lake, a suburb of St. Paul, after facing down a group of parents who wanted to charter a Montessori program, the local school board decided to form such a program of its own. In the small college

town of Northfield, the threat of secession by a charter group led the district to create a Spanish-language immersion program for first- and second-graders, introduce multiage classrooms and enrich the math program for middle-schoolers. "The charter made it easier to change things," admits Northfield superintendent Charles Kyte.

"If we weren't progressive enough and didn't change, then somebody else would come along and do it for us."

Such change is inevitable in the view of Ray Budde, a retired University of Massachusetts professor of school administration who is credited with inventing the charter-school idea. "If you see kids leaving you and money leaving you and you're criticized about the job you're doing, you're going to respond," he says. "This is a wake-up call for the Establishment: the old organization doesn't fit the times. It's like the Berlin Wall—it's got to come down. But it's going to take 10 or 20 years for something new to emerge."

In the meantime, parents want better schools now. And in spite of the obstacles, they are organizing charter schools in droves and flocking to what few exist. Principal David Lehman of West Michigan Academy of Environmental Science, near Grand Rapids, has a sheaf of applications several inches thick for the year 1997, though his school has no track record. This summer he got a letter from Amy and Ron Larva of Grand Rapids. Their child was not yet born, they wrote, but they wanted to reserve a kindergarten spot for the year 2000.

—With reporting by Margot Hornblower/Los Angeles, Ratu Kamlani and Richard N. Ostling/New York and Scott Norvell/Minneapolis

PARENTS
want better
schools now.
In spite of the
obstacles, they
are organizing
charter schools
in droves.

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HOME SWEET SCHOOL

Seeking excellence, isolation or just extra "family time," more and more parents are doing the teaching themselves



"CREATIVE LICENSE": Lisa Whitman welcomes the chance to invent a demanding curriculum for son Kaenan

By NANCY GIBBS

WHEN BONNIE VAUTROT REALIZED her daughter was dead bored in school, she decided to take on the system. She became the PTA president at the Williamsburg, Virginia, elementary school and challenged the teachers to challenge the kids. "I would go in and beg the teachers: 'What can I do?' If you have a curriculum that says you're in third grade now, but your child is ready for fourth-grade material, you hit a brick wall." The response, she recalls, was, "Well, obviously you've got nothing better to do. Why don't you teach your kids at home?" So she

did. Thus was born another home school.

Beverly and Brad Williams had similar reasons but different circumstances. They were not only unimpressed with their local schools, they were scared of them as well. The idea of sending their four children through the cross fire of South Central Los Angeles was too harrowing. With ruthless budgeting, they managed to pay for private schools for six years, but tuition was just too high, and they were not satisfied with what it bought. So the couple converted their basement into a classroom with three desks, bulletin boards and two computers. Now their children get dressed every morning as if headed to school and are re-

quired to report to the basement by 9 a.m. Brad, who doesn't start work as a Federal Express delivery man until 3 p.m., handles most of the teaching. They work until 1:30, then break for the day.

More and more parents, however, are embracing home schooling for secular reasons. "I've also seen people who are very progressive or liberal," Nathan adds, "and think children are not well served by schools that are too stifling." Others, like the Williamses, are concerned mainly about the safety and the quality of public schools. Parents stress the chance to design

If the Williamses and Vautrots do not seem like traditional home schoolers, that may be because there's no such thing anymore. A movement once reserved largely for misanthropes, missionaries and religious fundamentalists now embraces such a range of families that it has become a mainstream alternative to regular public or private education. In inner cities and rural farm towns all across the country, periodic tables hang on the dining-room walls, and multiplication tables are taped to the back of car seats for practice during field trips. Home schoolers hold conventions at which hundreds of companies offer curriculum guides, textbooks and support groups. There are home-school chat sessions on the Internet, even home-school proms and graduation ceremonies.

Since the late 1970s, when roughly 12,500 children were taught at home, the number has grown as high as half a million. It remains true that most parents who choose to withdraw their children from the school system, or never send them in the first place, do so for religious reasons, seeking to shape their children's learning in accordance with their spiritual values. In addition, there are still the hermits and occasional hate-mongers, observes Joe Nathan, director of the University of Minnesota's Center for School Change. "people who have made it clear that the reason they educate at home is that they don't want their children exposed to people of different races, or that they don't want their children exposed to ideas with which they disagree."



ON HER OWN: Nichols-White went back to school so she could teach her children (seen with playmates). "Black parents might as well home school because we couldn't do any worse"

a curriculum that is challenging, flexible and tailored to their particular child; to escape the "hidden agenda"—ranging from capitalist conformity to secular humanism—that they believe is promoted in public schools; and to have a teacher utterly devoted to their children's welfare.

For years the courts treated children who were kept home as truants; but home schooling is now legal in every state. Thirty-four states have passed specific statutes and regulations, and 29 require standardized testing for home-schooled students to ensure that they are passing muster. Last June the Texas Supreme Court upheld a ruling that exempted home-schooled children from the state's compulsory-attendance laws. As long as parents use a curriculum that includes written materials and meets "basic education goals," the court ruled, the state has no authority over the matter.

If there was a turning point in the public image of home schooling, it came in 1957, when Grant Colfax got into Harvard after having been taught by his parents his entire life. Grant graduated magna cum laude, became a Fulbright scholar and graduated from Harvard Medical School. One by one, his home-schooled brothers followed suit. "Our kids were more or less

the guinea pigs," says Micki Colfax, who along with husband David home schooled all four Colfax children from their home in Boonville, California (pop. 750). "Their going to Harvard validated what home schooling was all about."

The Colfaxes make compelling spokespeople for the movement they did so much to legitimize. "We feel every parent is qualified to teach," Micki says. "If it doesn't work, fine, go on to something else. Even within one family, the learning skills might be different, so one [child] might work at home, the other might work at school. But I think the more the government gets involved, the less freedom parents have."

Some critics of the movement argue that parents may have too much freedom under current laws. Only 10 states require parents to have a high school diploma or General Equivalency Diploma to be able to teach. "It's a giant step backward," argues Thomas Shannon, executive director of the National School Boards Association, which represents more than 15,000 public-school boards across the country. "People tend to think, as one old basketball coach said, that everybody can boil water and coach basketball, and they kind of feel the same way about teaching. They just don't know what they're talking about." If these parents

spent their time supplementing their children's educations rather than substituting for it, he adds, "their children would be remarkably well off."

But home-school advocates counter that a teacher's certificate is no guarantee of success. They cite study after study showing that home-schooled children excel on standardized tests. While the national average is in the 50th percentile, the average home-schooled students register between the 65th and 80th percentiles. Nor is this unconventional background necessarily a disadvantage when students apply for college. With no grade-point averages or class ranks, no chance to edit the yearbook or captain the soccer team, home-schooled students must have top test scores to win admission to the most selective schools. But many colleges are eager to welcome freshmen who bring different experiences of learning. "What it really boils down to is getting a sense of a student's intellectual drive," says Jon Reider, associate director of admissions at Stanford.

But critics are also concerned about lessons that can't be measured on exams. A home-schooled child, they note, is not exposed to the diversity of beliefs and backgrounds that a child would encounter in many public schools and is deprived of an opportunity for "socialization." The after-school baseball leagues and Boy Scouts and dance classes don't make up the difference. "When you send them out to soccer and scouting, you're usually sending them out to a very select group of people who share, to a considerable extent, your own values," says Shannon. "That's a controlled group. The problem is, when they finally do get to working, they won't be in that controlled group."

Home-school parents retort that the socialization children experience in schools is not necessarily healthy; it may be competitive, even intimidating and violent. "I do not think that gang membership is proper social development," says Donna Nichols-White, who has home schooled her three children after having to teach herself how to write. "Whenever people mention the problem of gang membership, I mention that the common factor amongst all gang members is that they attended school at some time in their lives."

Do the children miss out on something essential? They don't seem to think so. "Sometimes I like playing school," confides Lydia Kiefer, 6. "I'll get up in the morning, get my backpack, put some books in it, come downstairs, and sit down at my little brown table and pretend I have a teacher and other kids next to me." She pauses to think. "But I'm not so sure it would be so fun in real life."

—Reported by Dan Cray/
Los Angeles, Scott Norvell/Atlanta and Bonnie I. Rochman/Williamsburg

59X

PUBLIC SERVICES REDESIGN PROJECT

THE CHARTER IDEA: UPDATE AND PROSPECTS, FALL '95

Four years on, "the charter movement" is beginning to show some real potential for scaling-up school improvement into a strategy for systemic change.

About 250 charters have now been issued. Arizona and Massachusetts will open their first schools this fall. Michigan will add about 30 schools. More than 25 states considered bills for 'charter schools' this year. Eight states enacted some kind of law. Again this year about half the laws are of the type we associate with things-happening: proposals appearing, approvals given, schools opening, students enrolling, districts reacting.

Measured by its success with legislation, by the 'clearances' the laws provide from system-constraints, by the number of schools created, by the innovations these schools contain and by the way its dynamics are now producing 'second-order effects' in the main-line system, the charter movement has some claim now to be considered one of the significant strategies for changing and improving K-12 public education.

This is confounding. The 'charter movement' is quite unlike the other efforts at systemic change. It has no organizational structure, no prominent figures to lead it, no big foundation grants, little support so far from prestigious education or business groups. It offers not a new theory of teaching and learning but simply a new opportunity to try out good ideas. Its central idea -- that the state must (and can) withdraw the district's 'exclusive' to offer public education -- challenges both the prevailing notion that reform comes from the inside, through management, and the conventional political wisdom about what can be done without the support of major interest groups.

The spread of this very different approach to major system change is a heartening reminder that simple ideas do have great power; and that our political system does sometimes do what's necessary and not simply what conventional opinion approves-of.

This memo is an effort to describe the status of the charter idea as of fall 1995. As always we would be interested to have your reactions, comments, ideas, corrections.

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LOX

Still the issue between real laws and pseudo laws

Through 1993 the major groups simply opposed charter bills when they appeared. They did not like the state chartering some public body to approve schools to be run outside the district framework. So bills were worked out without their participation. To their surprise and displeasure several laws passed anyway.

In 1995 the interest groups came at this differently. They approved of the charter idea. They would support a bill. They offered to sit down with legislators and help draft the bill, so it would be done right. And they were clear what was 'right'. The law should set up a pilot program: Do a few schools; see how it works. The local board should be the only sponsor (approving authority). The school should be an instrumentality of the district. Teachers should be employees of the district; or, if employees of the school, should be under the district master contract. The 'rules' of public school should be preserved.

This dramatically changed the legislative debate. Now to say "I support charter schools" meant nothing. The debate was entirely about specific provisions; about weak-law vs. strong-law. Under a 'strong' law a fairly large number of schools may be created; new schools may be created as well as existing schools converted; an applicant may approach some approving authority other than the local board, directly or on appeal; the school either must be or may be an entity separate from the district; teachers belong to the school; and there is a substantial up-front exemption from "the rules".

The new approach put legislators to the test: Go along and you were basically assured you could pass a bill without a fight; hold out for strong provisions and you risked coming out with nothing but a reputation for being unwilling to compromise. Yet the difference between the two was the difference between things-happening and things-not-happening. As of April, Louann Bierlein told a national meeting in Milwaukee, 205 charters had been granted; 190 in the six states then with strong laws.

Legislative and other developments in '95

About half the (now 19) laws look to be strong laws. Nine states have laws of the sort we associate with things-happening: Minnesota, California, Colorado, Michigan, Massachusetts, Arizona and (from 1995, prospectively) Delaware, New Hampshire and Texas. (In New York City, unique as always, a charter-like program continues to develop without a law.) Ten states have laws of the sort we associate with relatively little happening: Georgia, Hawaii, Kansas, New Mexico, Wisconsin and (prospectively) Alaska, Arkansas, Louisiana, Rhode Island and Wyoming.

A .500 average is not bad. In addition, strong bills remain under consideration in three big states where the '95 sessions have yet to finish: New Jersey, Ohio and Pennsylvania. And the reform bills for the District of Columbia schools contain a

strong charter provision (Congress having now resumed its role as legislature for the District).

Several states with charter programs tried to improve their law in '95. Minnesota (which works through an omnibus bill) succeeded. California, Massachusetts, Georgia, New Mexico and Wisconsin did not (but did not lose ground, either). Michigan may get some improvements yet this year in the course of a larger revision of its education code.

In 15 other states bills were discussed but did not pass: Washington, Oregon, Idaho, Nevada, Montana, Oklahoma, Missouri, Illinois, Indiana, Florida, South Carolina, North Carolina, Virginia, Connecticut and Vermont. Time ran out; or the charter bill got tangled up in other issues; or authors uninterested in passing an empty law wisely put the bill away until next year. Efforts will resume in '96. Discussions are beginning already in Colorado, New Mexico, North Carolina, Georgia, Wisconsin and perhaps other states.

The legal front has been fairly quiet. A challenge to the Massachusetts law was dismissed. In Michigan the appeals court is to rule shortly on the constitutionality of the 1993 law. (A number of the defects in that law were corrected by amendments in 1994, under which charter schools are in fact operating.)

The support-system continues to develop.

September 22 President Clinton went to a charter school in San Diego to announce the award of \$5.5 million to nine states (Arizona, California, Colorado, Georgia, Louisiana, Minnesota, Massachusetts, Michigan and Texas) and directly to two schools in New Mexico (where the state did not apply). The states will use their funds as grants to start up new charter schools.

September 26-27 the Center for Reinventing Public Education, a joint venture of the Rand Corporation and the University of Washington, pulled together practitioners from Massachusetts, California, Michigan and Minnesota for a sharing-of-experience that will produce a "How To Solve Problems" report for those interested in enacting laws or starting schools.

The Michigan Partnership for New Education became the principal advocacy/support group for that state's charter school program; taking in the Michigan Center for Charter Schools. The Partnership has now worked out a two-year program that will make available up to \$500,000 per school for working capital and other start-up costs (other than the purchase of facilities). The average loan is expected to be about \$100,000, to be repaid from state payments later. The loans (from Comerica Bank) will be guaranteed by up to 30 business firms and individuals. About 30 new schools are expected to get their checks by the end of September. (For specifics call William Coats, president of the Partnership: 517/432-4660.)

The major controversy in the legislative debates

Centrally at issue everywhere in the debate over strong provisions vs. weak provisions is whether "charter schools" will or will not be contained within the district framework.

The groups that represent the people who work in K-12 education deeply do not want to lose the district's exclusive. They do not want the state making it possible for public schools to appear, which students may attend, that are out of the district's control. That exclusive is what protects them from the dynamics -- the pressure to be responsive, innovative and economical -- felt by most every institution today. (Cf page 11). All their arguments and 'concerns' work to suppress those dynamics. "We can do this now, with waivers." "Let us do this." "The local board should be the only sponsor." "A charter school would take away 'our' money." "The teachers should be district employees." "Keep it a small pilot program." Endlessly.

Governors and legislators increasingly understand, however, that only if they withdraw the exclusive can they have the leverage they need to cause this inert system to change and to improve. And they know now that this can be done. The strongest charter laws have passed in the states where the opposition was strongest; not where the opposition was weakest.

As schools appear so will the questions about evaluation

As the laws spread people begin to ask: What's happening? How many schools are there? What are they like? Who are the students? What are they learning? What does all this mean for the national effort to improve public education?

The demand for information . . . for evaluation . . . is now rising rapidly. The schools get a steady stream of calls, visitors and questionnaires. These are beginning to be a real problem for people trying to run a school. But the questions are appropriate. And useful. And inevitable: The discussion is bound to be about performance. So we need to find a way to gather this information and to keep it current. Finally: We need to think about what to conclude from what it shows.

How many schools are there?

Nobody regularly keeps a national count of schools. To get a total you pretty much have to call around to the states with laws. In each state department of education there's someone keeping track of charters and schools. But even they may not really know. Approval is not always the same as final approval. And final approval is not the same as school opening.

Eric Premack at RPP International in Berkeley CA counted 265 charters approved as of September; of which he estimates 210 will be in operation this fall. Of these 199 will be in strong-law

states: Arizona, Minnesota, California, Colorado, Michigan and Massachusetts. Eleven will be in the weak-law states; New Mexico and Georgia (where only existing public schools may convert) and Wisconsin. There may be some closings: Nobody should expect all schools to succeed. Again, no clear picture yet.

It would not be hard to keep a national list; with at least name, address, phone number, administrator and sponsor of the school. A foundation might do it; or support it. It would be a logical activity for the U.S. Department of Education, with the funds reserved for 'national activities' in the 1994 act.

What're they doing?

Beyond knowing who and where the schools are it's important to know what the schools are and are doing: what students they enroll, what a school's instructional program is, what facilities it occupies, how it's financed, who its teachers are, how parents are involved. This is harder. It requires calls, letters or visits to the site.

Alex Medler at the Education Commission of the States and Joe Nathan, who heads the Center for School Change at the Humphrey Institute at the University of Minnesota, cooperated last spring on a survey. The initial response suggested the schools are small (about 300 students on the average) and most often for younger students. They are trying to be innovative, and (especially in California) to incorporate technology. Enrollment is skewed toward at-risk students; not toward the elite. Organizers value autonomy; and say they need help with start-up costs more than anything. For a copy call Medler 303/299-3600 or Nathan 612/625-3506.

Other efforts to describe what's happening are just getting organized. Pew Charitable Trusts has made a grant to the Hudson Institute for a study of schools in seven states. The principal investigators will be Chester Finn and Louann Bierlein. The program officer at Pew, Susan Urahn 215/575-4755 wrote the first survey of Minnesota charter schools in mid-1995. (For a copy of that report call Kathy Novak 612/296-9253.) Legislatures will increasingly be asking for reports about schools in their states. PhD candidates are getting interested. And when a bill appears in a state some editor will often send a reporter out to look.

Is it working?

In the end, though, everybody wants to know what difference it all makes. Are students really learning? Do teachers really innovate when given this opportunity to start a school? Are the schools more accountable when they have to make an affirmative showing of performance? What effects do charter schools have on main-line schools? Is it a good idea, or not?

A major evaluation is being organized by the U.S. Department of Education under the 1994 law. It will focus on student

performance but, happily, will look also at the 'second-order' responses by districts. A contractor is to be selected by early fall. The 'evaluation' questions will be part of what all legislators, academics and journalists ask, however.

Evaluating the evaluations

So what do we evaluate? And how do we interpret what we find? It will be important to think carefully about the design of these studies and about their conclusions when these appear. Hopefully both authors and readers will:

Be realistic about complexity. The pressure from advocates (pro and con) can combine with the pressure of editors for simple answers to produce a black-and-white, good-or-bad world. (Neal Peirce, the columnist, likes to say there are only two stories: Gee Whiz and Gosh Awful.) That's unreal. Evaluators should expect to find, as legislators find, good and bad together; a world of shadings. "The truth is rarely pure and never simple".

Watch out for the theory/reality trick. The first chapter in the book of tactics for opposing change is titled: "Spread Fear and Doubt". Some people are experts at turning the solution into the problem. "This is not a bad idea," they say. "But it could be implemented wrong. And that would be bad. You wouldn't want to do that. Shouldn't we stay with what we know?" Then they tell you again how the system we have works . . . in theory. It works perfectly in theory: The problem is the way it works in reality. Evaluators need to analyze theory against theory; to compare reality against reality. Don't let people mix the two.

Compare charter schools with regular schools. Opponents of any change always want to set a test of perfection. They argue that any finding of anything not-perfect is a clear reason why the change must not be made at all. A fairer comparison would be with 'regular' schools. These are not perfect. So compare the two: Which seem more innovative? In which arrangement do people move more quickly to correct the failures that appear? Where are students, relatively, doing better? Does requiring the charter school to demonstrate its success work better than the accountability arrangement for regular schools that requires someone else to demonstrate failure?

At the same time, recognize the differences. Charter schools are schools of choice. Most regular schools aren't. Some things that would raise questions at a school to which students are assigned might be perfectly OK at a school where enrollment is voluntary.

Think about what "achievement" should really mean. We're in a period when people love to compare scores on what Mike Kirst calls "tests excessively oriented to low-level basic skills with single correct answers". Much of the policy (especially the legislative) discussion seems to assume that only academics are important. That may not be right . . . may not be what the

public and parents want. Some schools may be chartered to develop higher-order thinking skills, and character. Perhaps they're entitled to be evaluated on their own terms.

Give it time. Nobody gets anything 100% right on the first try. And most people do learn. So while looking at the schools and what they're accomplishing at the moment, consider also: Are they improving? Are they evolving? It's unfair to expect the charter system to be perfect; it is fair to ask that it improve on the present system or show the potential to improve over time.

Look for the systemic effects. Too often those asking "What's happening?" look only at the schools created and students enrolled: the first-order effects of a law. There are also second-order effects: changes/responses in the main-line system when laws are enacted and schools are created. An evaluation needs to look for these. The real purpose of the charter law is to cause the main-line system to change and improve. It would be strange not to evaluate the law in terms of its real purpose.

"Charter Schools" as systemic change

Despite what the words seem to imply, "charter schools" is not basically about the schools. For the teachers who found them and the students who enroll in them, true, it is the schools that are important. But for others, from the beginning, "charter schools" has been about system-reform . . . a way for the state to cause the district system to improve. The schools are instrumental. Certainly for the governors and legislators it is about system-change. They run real risks being involved with this idea. It would make no sense to run those risks if it were about creating a few schools for a few kids. Their involvement is explainable only in terms of their sense that the dynamics of the charter idea are essential for general system change.

Broadly, there are changes in behavior and changes in attitude; changes in the district and changes in the thinking in the leadership of the big education organizations. Look for all these. Talk to people: Not much has yet been written down.

Responses in the districts

An investigator might reasonably look for these kinds of district-responses:

Anticipation -- Before a charter school appears a district may try to head it off by responding positively to the pressure for change. A (strong) charter law clearly does create a new situation for a district: Now a decision to say "No" to parents or teachers wanting a new school has to be made in the knowledge that the school may appear anyway, sponsored by somebody else. Understanding this, the board or superintendent may prefer to say "Yes" and let the school appear as a district school.

Mary Anne Raywid reported several such cases in Jefferson County CO (Kappan, March 1995). Minnesotans saw this response in Forest Lake where parents were pressing for an elementary Montessori option. Something similar appears to have happened in Edmonton, Canada (Edmonton Journal, April 27, page one). No charter school appears: The district simply has a program now that it had not had before and would not have had otherwise.

Acceptance -- Here the new charter school does appear. The district simply decides that once the law is a reality it would rather do the chartering itself than have the 'other public body' do it. At the October '94 meeting in Phoenix for those interested in using Arizona's new law -- which offers applicants several routes to go for sponsorship -- the president and the counsel for the state school boards association were saying, "Come charter with us. The state boards don't have facilities. We have facilities." Look at the remarks of David Snead, the Detroit superintendent, at the Wayne State University meeting in October 1994.

Emulation -- Where charter schools do appear, created by 'somebody else', a district facing a loss of students and revenues may then create a similar program of its own. The law passed in Massachusetts in the summer of '93. That fall Boston began talking about what by June '94 officials of the Boston Teachers Union were calling "our in-district charter schools". The first such ("Pilot") schools opened in September along with the first state-chartered schools.

In Minnesota, following the state's decision in 1985 to offer a charter-like option for 11th- and 12th-graders to finish high school in college, districts set up advanced programs in their high schools. "When we saw the kids going out the door and found we couldn't stop it," said an administrator in one Minneapolis-suburban district, "we decided we had to do that." New, small schools are now being created by the chancellor in New York City; following the success of the small schools created by some of the 'community districts' set up by the 1969 law.

The California state superintendent of public instruction, Delaine Eastin, is offering waivers to districts that will create new schools under the "alternative schools" provision of the education code; a charter-like program not much used by districts up to this point. Nine districts are considering accepting her "challenge", she said.

Accountability -- Often district boards of education do become the sponsors of charter schools. This requires the superintendent and board to take action if the school does not perform or breaks the law. It is possible that a district that deals firmly with a charter school about performance will then want to be firm also with "its own" schools. It would be worth looking at Los Angeles, where after pulling the charter of the EduTrain school the board may now move to suspend some principals in regular school. Look at other cities, too, for correlations

between charter activity and a district moving more aggressively on problems in its own system. Possibly Denver, where a board resisting charters has recently been aggressive about reassigning its principals.

There is an obvious question here about 'the connections'.

People looking for systemic effects may suspect that the law or charter school really was the cause of the district's changed behavior or different attitude. But understandably they're skeptical that a superintendent is going to say, "Yes, I could have done these good things anyway: It simply took the charter law to make me do it." So how do they prove the connection?

The best answer comes from a senior scientist at Rand. "I don't try to prove causation," he said. "I report correlations".

Responses in the system leadership

In addition to whatever effect they have on particular districts' behavior, the dynamics introduced by a strong charter law may stimulate the big education organizations to consider strategically how they might turn the idea to their advantage. And behind the public resistance to charter laws there does seem to be some such thinking going on.

Boards of education -- Anyone looking for systemic effects should watch, for example, the reaction of boards of education to the idea of their being able to choose the program of education they want to offer. As the executive director of the Colorado Association of School Boards, Randy Quinn, explained as long ago as August '93: The charter idea makes the board a purchaser rather than an owner-operator of schools. And this purchaser role, Quinn wrote, can increase significantly the board's ability to change and improve the public education it offers to its community. Quinn was talking about the board buying-in school; not about the state chartering some other public body to be the buyer. So it becomes an argument for a contract system, with or without a charter law. Essentially, for a board being able to choose the program of learning it offers; able to change that program a piece at a time rather than a person at a time.

By far the most important case of a board actually moving to choose the program of learning it offers its community is in Wilkinsburg PA. The reform board elected in 1993 concluded, in effect, that it cannot get improvement unless it can hold a school accountable and that it cannot hold a school accountable if the board owns and runs the school itself. After an intense struggle that board was able to open Turner elementary school this fall with a contractor providing teachers as well as management. From the beginning the teachers union has fought the board and disputed its right to do this. The state supreme court will settle the question this fall. If it decides that present law does not allow a board this choice then Gov. Ridge and the Legislature may solve the problem; perhaps with a charter law.

Few would expect the school board community to change quickly. Still, the potential in this for the board is now being thought-about. It was further discussed at the meeting of NSBA state federation directors at Whitefish MT this summer.

Teacher unions -- It would also be worth exploring possible systemic effects with the major teacher unions. The National Education Association this summer began a program to help member-teachers form charter schools in states where laws exist and where its state affiliate is agreeable. This will be run by its Center for Innovation and Center for the Preservation of Public Education. The NEA has been talking to teachers and thinking about what they say: Unions are democratic institutions.

The union is beginning to see that the charter idea offers a way to get beyond wages and working-conditions and to get the teachers control of 'professional issues'; the area of teaching and learning long protected by districts as 'a management right'. Perhaps with professional roles would come professional salaries.

No charter school has done more to suggest this potential than the New Country School at LeSueur MN. This 100-student secondary school (7-12) has no courses and no classes: Students work on projects; partly with the help of computers linked to the Internet and partly with adults doing work in the community. The teachers supervise, almost on theSizer model. The teachers who designed this program are not employees; either of the district or of the school. They have formed a professional partnership (legally a cooperative under Minnesota law). The partnership has a contract with the board of the school to run the instructional program. Within the partnership the teachers pick the methods and materials, make the work assignments, and decide their own compensation. The teachers are in fact owners. The board of the school is responsible for policy, evaluation and property.

Enrollment increased by the planned one-third this fall. In September parents on the waiting list were calling daily, asking if any students had left. None had. There are discussions now about a second school, in Mankato, for fall '96. Changes bearing some resemblance to the features of the New Country School are appearing in LeSueur High School this year.

Superintendents -- Early on, in Minnesota, a person in a position to know was asked how the typical superintendent reacts to a proposal for a charter school. "It's an assertion that I'm not doing my job; that somebody else can run a better school than I can run; and resented", he answered. It's possible this is beginning to change. "I'm never going to be able to make the changes we need to make in this district," another superintendent told an official in the state department more recently, "until I have a charter school operating across the street from me." The charter idea challenges traditional notions about the role of the superintendent; and the traditional assumption that the district must hire everybody and own everything. Still, it is hard to

lead when the organization knows it does not really have to follow. Managers are empowered when improvement is necessary.

Will the state at last get the reward-structure right?

All efforts to scale up seem small at the moment, in a system with 15,000 districts, 85,000 schools and over 2.5 million teachers. All are having slow going. They are working against a system built not to change. The major elements -- the 'givens' of the K-12 system -- are mandatory attendance, districting, the 'exclusive franchise' (within the boundaries one organization offering public education) and per-pupil financing. Together these assure the district its customers, its revenues, its jobs and its security; basically everything the district finds important to its material success. And this assurance from the state in no significant way depends on whether the students learn. It is a system in which the reward-structure pays off whether or not the district accomplishes the mission it has been given to perform. These are powerful (dis)incentives and it is not surprising that when exhorted to do the hard things that excellence requires the districts respond with only a show of compliance. They understand: They do not really have to change.

The practical question is: What ideas have the potential to be effective in causing this large and resistant system now to improve at the scale required and in the time available?

Compared with the other, better-known and better-resourced efforts to scale up, the charter idea looks fairly promising. It is spreading nationally: Laws and schools continue to appear. It is evolving as it grows. It has been able to generate an impressive level of interest and energy among parents and teachers and, in a strikingly bipartisan way, among elected officials. It has gotten unprecedented clearances from system-constraints, including statute law. Its dynamics seem to be causing districts to respond with improvements of their own. Certainly it compares well with the voucher effort: There are statewide charter programs producing (or likely to produce) schools now in Arizona, California, Colorado, Delaware, Massachusetts, Michigan, Minnesota, New Hampshire, Texas and perhaps other states. No statewide voucher program has yet been enacted. It seems to be generating (as well as spreading) new models of school. It is a kind of national experiment; far more varied and complex than any conventional project would have designed or could have carried out. It works with sweat-equity and with money already in the system. Compared to some of the others it has cost practically nothing.

The 'systemic' strategy, shaped by the leadership following the Risk report of 1983, does not challenge the 'givens' that reward districts for not-improving and make the K-12 system an inert institution. Its basic notion, as a result, is to restructure the institution by policy action according to a plan. Outcomes and standards will be set for curriculum, for students,

for assessment, for teacher-training, for finance; all 'aligned'. It is a master-planning idea: rationalistic, legalistic, mechanistic. Inputs are very important; especially money. From the standards and measurement consequences -- accountability -- hopefully will follow (at least for students). "Systemic" means comprehensive. Scaling up means persuading more jurisdictions to join. It is quite expensive.

The charter idea, by contrast, challenges the 'givens'. It changes the reward-structure so districts and schools have an incentive to improve and to perform. It restructures not the organizations but the 'industry' in which the organizations live. The strategy is to create a dynamic institution . . . to get the fundamentals right so that improvement will happen as districts change and improve themselves. The consequences are built in: The school is on a term; required to show by its performance that it deserves to be renewed. This makes standards and measurement imperative. Systemic means dynamic. Scaling up means districts responding to the new incentives and opportunities on their own initiative, in their own interest, from their own resources.

The truth is that both strategies are probably needed.

The essential assertion of conventional 'systemic reform' is that incentives are not central; that exhortation and political action will produce radical changes and dramatic improvements in performance in this large and powerful institution even though the districts continue to be rewarded -- guaranteed their success -- whether they do these difficult and stressful things or not.

This was always, perhaps, mainly a hope. After a decade of effort there is a visible disappointment with its results and with its potential. So there may be a growing willingness now to take the next simple step: to withdraw the state's guarantee of district success and bring the reward-structure, too, at last into alignment with the rest of the reform agenda.

The burden of proof today is no longer on the theories that have not yet really been tried. The burden of proof today is on the theories that have been tried.

The tough question is for those in the policy community who do not have their interests vested in this system: foundations, business firms, consultants, academics, advocacy groups, the U.S. Department of Education. The conventional strategy is safer: It avoids conflict with powerful groups. The charter idea is radical; controversial. But in fairness to the country they have to be realistic now about what can work. If the conventional theory is mistaken . . . if without the pressure of 'necessity' the districts in truth cannot generate internally the will to make the hard decisions that change requires . . . then it is wrong not to be radical.

9/22/95

Rocky Mountain Rift

In the mile-high city of Denver, a maverick school board challenges the state's charter school law

BY CHRISTOPHER BRODERICK

A quiet war is under way in northeast Denver. It's being fought over a charter school by dedicated combatants on either side, and its outcome could have repercussions all the way to your own school district. In this continuing struggle, the chief adversaries can sometimes seem as similar to one another as they are unique.

From the upstairs window of Scott United Methodist Church in northeast Denver, the Rev. Aaron Gray watches a parade of youngsters toddle off to nearby Barrett Elementary School every morning. The soft-spoken minister is troubled by what he sees: more and more children from poor homes with absentee fathers; second-graders whose reading skills rank in the bottom third of the nation. Denver's minority youngsters are growing up so alienated and isolated that up to half of them drop out by the time they reach 10th grade.

"As a society, we have to get a handle on what we're going to do with disadvantaged children," says Gray, who also serves as president of the Denver school board. "We can deal with them on the front end and give them a good education so they can have . . . a life not with a gun but with a degree." He pauses for a moment. "If we don't deal with them on this end, then we're going to need more prisons."

Thirteen blocks away in the Park Hill neighborhood, Cordia Booth also is troubled by what she sees and hears. In the science classes she teaches at the Roscoe C. Hill Middle School, she watches the city's black and Hispanic children slip farther behind their white counterparts every year in reading and mathematics. She sees more of her students getting into trouble in and out of school. She hears more parents complain that nobody is doing anything to save their children.

"Every year it is worse. Test scores are worse; dropout rates are worse," says Booth, who has been teaching in

Denver schools for 22 years. "After hearing that for all those years, the only way to accept it and move on is to say that minority kids simply cannot achieve. I can't do that. I can't turn my back on these kids."

Both Gray and Booth pay homage to the ideal of learning. Gray, whose son started first grade this year, makes a point of visiting one of Denver's 107 schools every week to preach the value of a good education. Booth, a single mother of two teenage sons, went to school at night to earn a doctorate in education from the University of Colorado.

They both measure their words carefully and rarely raise their voices. They both speak of their "moral obligation" to press for equal opportunities for children. They both bristle at the notion that poor minority parents don't have the same commitment to education that middle-class and affluent whites have.

And perhaps that's why they both are waging war—against each other—over a charter school.

Eyes on the prize

Booth and a small band of teachers and parents have been fighting Denver school officials for nearly two years, trying to open a charter middle school. The revolt has pitted not only an upstart teacher against her bosses, but also a maverick school district against the governor and state education leaders.

On one side are those supporting Thurgood Marshall Charter Middle School. The school is named after Booth's childhood hero, who as a lawyer for the National Association for the Advancement of Colored People (NAACP) fought to integrate America's schools and went on to champion civil rights from the bench of the U.S. Supreme Court. The school won't open this year, but Booth hopes her group will prevail in court and be able to open in August 1996.

On the other side are Gray and the Denver Public Schools, the nation's 52nd largest district. Confronted by tough budget decisions fueled by deepening social problems, Gray and his fellow board members say they're willing to go to the Colorado Supreme Court to block the charter school and protect their authority to educate 63,000 students the way they see fit.

Christopher Broderick is the education editor for the Rocky Mountain News in Denver.



The Rev. Aron Gray, president of the Denver Board of Education, celebrates his election. Gray and his fellow board members say they'll go to the Colorado Supreme Court to block the opening of the Thurgood Marshall Charter School.

At stake is the future of charter schools in Colorado. The grassroots experiment of letting teachers, parents, and others run their own public schools began in Minnesota and spread to 12 other states. Fourteen more states are proposing charter legislation, according to the Education Commission of the States, a Denver-based research group. Across the border, Canada opened its first charter schools this fall.

The idea is gaining momentum as many state legislatures try to accommodate the public's dissatisfaction with public schools while still resisting vouchers that would funnel public money to private schools.

The appeal of charter schools, according to advocates of the approach, is that they allow nontraditional teaching methods and specialized programs largely free of government red tape. But the struggle to create Thurgood Marshall Charter Middle School shows the conflict—and the chasm—that can develop even among educators who share the same goals. The idea behind the school has triggered a fierce debate over whether charters foster choice and innovation from the ground up or whether they represent just another gimmick that promises more than it can deliver.

The Colorado experiment

The Colorado Legislature created charter schools in 1993. Lobbyists representing school districts, administrators, and teachers joined forces and tried to kill the legislation, but a last-minute lobbying blitz by Gov. Roy Romer saved the bill. Unlike the charter laws in some other states, Colorado's version requires organizers to win approval from their local school board, forcing the charter schools to compete against other programs for funding.

Colorado now has 27 charter schools. Most are parent-organized schools stressing basics or programs that focus on experiential learning and portfolios over lectures and letter grades.

"I've been really pleased with the array of choices that have been created," says Bill Randall, Colorado's commissioner of education. "In a way, charter schools are recreating American public education."

In Denver, however, the school board has approved only three charter schools out of 15 charter applications pro-

posed by parents, teachers, and others. All three were approved because they have independent funding from government grants or foundation money. Clayton Charter School, for instance, is Denver's first charter—a small early-childhood program run by a nonprofit foundation and requiring little financial commitment from the district.

But Marshall Charter would be bigger and much more expensive. Organizers say they need \$700,000 from the district to operate every year, plus up to \$151,000 in startup costs to repair and remodel a former school building and reopen it as a charter school. And unlike the other three charters in Denver, Marshall Charter has no outside sources of money and depends solely on the district for funding.

"The cry I keep hearing is that people want choice in public education," says Gray, a gentle man more comfortable in the role of peacemaker than of fighter. "But if we can't afford to give everyone their choice, what do we do? I'm not a fan of charter schools. They drain resources from the needs of all of our schoolchildren so a few can benefit. . . . I see many of them trying to create a private school with public money."

Ironically, Gray was the board member who first backed Booth's proposals for the Marshall Charter two years ago. When Gray ran for the school board in 1992, he knocked on doors, promising to take bold steps to bolster the plummeting achievement of nonwhite students, who make up two-thirds of Denver's public school enrollment.

But Gray says he became disenchanted with Marshall Charter when he realized the school would benefit fewer than 200 students. He and other board members insist the district's money needs to go to regular schools that address the biggest needs.

Adds Lynn Coleman, another Denver school board member: "We need to make our schools better. We're going to be hard-pressed to do that when we are asked to give money away to any group that comes along and says [it has] have a good idea."

Big-city blues

Denver's problems are typical of large urban districts. Nearly three decades of white flight to the suburbs have left fewer dollars—and fewer schoolchildren—in the city. Its schools have lost more than 45,000 white students since crosstown busing, aimed at integrating the schools, began in 1968. The kids who remain are increasingly poor and require costly specialized programs. Nearly two of three students in the district come from families poor enough to qualify for subsidized school lunches. Student achievement is flagging: Denver fifth-graders on average scored in the 35th percentile in reading and math in the Iowa Test of Basic Skills last year.

From the beginning, Booth has said that opening Marshall Charter would make all schools better. "This district needs something like this desperately," she says. "Other-

Dennis Schroeder/Rocky Mountain News

associations, and superintendents, if they cannot defeat the charter bill altogether, do their utmost to keep it weak. (A tight cap on the number of charter schools in the state is another favorite trick.) So do advocacy groups—special education, for example—whose stock-in-trade is rule-bound uniformity. The Southwest Regional Laboratory recently leveled a novel criticism: that charter schools—precisely because many of them demand a high degree of parent involvement—are unfair to children with bad parents!

Like baby turtles that manage to hatch from their nests despite the plundering of predators, schools that manage to obtain a charter still face hazards. One ubiquitous challenge is finding a place in which to operate. To our knowledge, no state provides charter operators with buildings or capital financing. Though this is no huge burden for existing schools that convert to charter status, it poses a great obstacle to the creation of new charter schools. Another problem is that many charter school founders and managers have little prior experience in financial management, purchasing and marketing.

English Lesson

Our hunch, however, is that these are birth and growing pains associated with a feisty, infant reform strategy that will, in time, turn into a strapping youth. In England, where state schools have been allowed for several years to opt out from the control of the local school board, nearly one-fifth of all secondary schools have gained independent status. Even the Labor Party must come to terms with such schools, not least because party leader Tony Blair now sends his own child to an opt-out school.

We doubt that opponents of American charter schools will be able to halt their spread, even though they will certainly try to curb their independence and cap their numbers. Where real charter schools exist, they are over-subscribed. The public demand for better schools, fewer regulations and stronger results will keep this movement alive.

Mr. Finn, a fellow at the Hudson Institute, and Ms. Ravitch, senior research scholar at New York University, direct the Educational Excellence Network. This article is adapted from their Network report "Education Reform 1994-1995."

Breaking Away

Parents and Teachers Battle Public Schools By Starting Their Own

Charter Laws Let Them Use
Tax Dollars to Create
Unusual New Academies

Learning to Be Ranch Hands

By SARAH LUBMAN

Staff Reporter of THE WALL STREET JOURNAL
LESUEUR, Minn. — Accounting teacher Kim Borwege thinks her high school just doesn't measure up. So she wants to start her own.

"I've sat and dreamed of what the ideal school could be," she tells a gathering of teachers, parents and school officials seated around a table at a downtown bank. "I see so many students falling through the cracks. I get the feeling there are students who could be more successful with another approach."

The group listens politely. But emotions and politics seethe just beneath the surface

CLASS REVOLUTION

The rebellion against public schools

PART OF A SERIES

In this small town, nestled in a bucolic valley best known as the harvest bed of the Jolly Green Giant's peas, Mrs. Borwege is explaining why she wants a grant to start a charter school—a new kind of public school that is created by teachers, parents or businesses, and that doesn't answer to the local school board.

Since state aid of about \$4,000 a head would follow each student who enrolls in the charter school, local school officials are hostile. "If it means other programs in the traditional high school are cut, or class size is increased, then it will not be supported by our faculty," warns Dave Johnson, principal of LeSueur's high school. "All hell will break loose."

In Minnesota and elsewhere, it already has. The tensions around the table in LeSueur mirror those bubbling up around the state and the country as charter schools spread. Reform-minded teachers and parents are pitted against the powerful status quo of school boards, local bureaucrats and teachers unions. More than any kind of proposed public-school

reform to date, the charter school concept is causing public educators to stand up, take notice, and in some cases, even change the way they operate—but not without a fight.

Charter schools are the latest weapon in the battle to overhaul a public-education system that too often fails. Minnesota introduced the nation's first charter law in 1991, and similar measures have been passed since in eight other states, including California, Massachusetts and Michigan. At least 10 more states are mulling their own variation, in a sign that they have lost faith in their own school systems to do the job. So far, the nation's 41 charter schools teach more than 12,700 students.

Similar to Private Schools

While charter laws vary, they typically allow parents, teachers or just about anyone else to set up schools, so long as they win approval from the local school district or the state. The state pays the same per-student amount as it does to normal public schools in the area, and waives most regulations and union rules, including teacher-pay requirements. In return, the charter schools must deliver specific academic results.

Some see charters as an alternative to the controversial, and seldom-instituted, voucher system, in which students can apply their state aid to any public or private school. In practice, many charter schools seem like private schools. Several target low-income students, one focuses on sign language and deaf culture, and one stresses entrepreneurial skills by having students work as ranch hands and make wooden furniture to sell. A newly approved charter high school in Morton, Minn., near a Dakota Indian reservation, plans to teach the Dakota language to Native American teenagers. And Massachusetts has granted charters to local colleges and to Christopher Whittle's for-profit Edison Project.

Taking a Pay Cut

"Teachers who want to start something new don't feel they can do it in conventional schools," says Pam Girod, a Minneapolis teacher who took a \$9,000 pay cut to help found a charter school for inner-city children. Her Cedar-Riverside Community School, which operates out of a warren of rooms in a housing project nicknamed "the Zoo," focuses on giving individual attention to its kindergarteners through eighth-graders.

Starting a charter school from scratch isn't for the faint-hearted, and it isn't easy. Most are underfunded, a problem that ultimately could cripple or kill many of them. And proposed schools often are greeted with sneers and distrust from many public educators, who view their very existence as an insulting slap in the face—and who fear losing funding and jobs.

In Northfield, Minn., for example, par-

ents in 1992 proposed a 100-student charter school that would stress civic involvement and wouldn't use grades. The school would have paired sixth- to eighth-graders with mentors and put them to work on community projects such as building a bike path. But anxiety among local teachers over

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Continued From First Page

possible job cuts at their school undermined support, says Griff Whigley, one of the parents, who is head of technology projects at the Utne Reader magazine.

Teachers who came to Mr. Whigley's living-room meetings "would say they couldn't touch this with a 10-foot pole," he says. "The fear was there: If you pull 100 students from the system, whoever's lowest on the seniority list [at the existing school] is given walking papers." The Northfield school board voted against the proposal. (Appeals are allowed in most states, but few have succeeded so far.)

The parents' efforts didn't come to naught, though. In the wake of the charter threat, the school district introduced some new alternatives, including an antidrop-out program and a Spanish-language immersion program for 50 first-graders.

That kind of ripple effect may be the real contribution of charter schools, magnifying their impact well beyond the walls of the new schools. The mere threat of a charter school, even one that doesn't get approved, sometimes prods sluggish school systems to make changes.

In the suburb of Forest Lake, Minn., for example, parents proposed starting a Montessori charter school, in which children would learn at their own pace in mixed-age classes. Instead, the school district decided to start a Montessori program of its own. Says Ted Kolderie of the nonprofit Center for Policy Studies in St. Paul: "It's not the [charter] schools. It's the effect of the schools."

On the Fringe

Public-school opposition helps explain why most charter schools that have managed to win approval are the kind that don't pose a threat to the local schools. City Academy in St. Paul, for example, the nation's first charter school, was created specifically for high-school dropouts—and can't take students away from any other school. At Cedar-Riverside Community School in the Minneapolis housing project, students had been bused to 40 different schools. Of Minnesota's seven charter schools, five are specialty programs for

Continued to next page.

77X

groups such as inner-city or deaf children.

"We believe charter schools are on the fringe and will stay on the fringe," declares Robert E. Astrup, president of the Minnesota Education Association, a Minnesota teachers' union, who shrugs off the schools as "dead-end" experiments.

Making matters even more difficult for charter schools, many must scrape by with insufficient budgets. The state funds they receive must cover start-up costs including the purchase of chairs, books and computers. Most charter schools rely on private grants to help make ends meet, and at least one already has gone belly-up in California for financial reasons. "There are no resources for these schools at all," says Amy Stuart Wells, education professor at the University of California, Los Angeles. "The Clinton Administration has proposed a \$15 million grant program for charter schools that currently is before Congress."

Bringing Back Dropouts

The schools that do manage to beat the odds can boast of some successes. City Academy last year graduated 17 former dropouts, 15 of whom went on to college or vocational schools. The school doesn't look like much—it is housed in a modest recreation center in a working-class neighborhood, and textbooks are so scarce that

students mostly pore over photocopies. But its teachers lavish attention on the 40 students, demanding that each maintain a B average and even going to their homes to check on no-shows.

Typical of City Academy's students is Celena Longbehn. Short and slight, her body swallowed up by baggy jeans and sweat shirt, she explains that she stays with a young aunt and rarely sees her mother, who lives on welfare with a boyfriend in an apartment with no phone. Before coming to City Academy, she tried to commit suicide after one of her closest friends died in a gang-related shooting.

Since arriving at the school a year ago, though, Celena has thrived on the intense attention she gets. She works in classes of four or five students. She writes short stories, and is tackling an independent study of Islam for a project on world religions. Now she hopes to go to college. "I've learned more here than I have my whole life," she says. "Kids like us get lost in the public schools."

An 'Abysmal Job'

Charter schools for typical middle-class communities are far more unusual, as parents in the rural Minnesota town of LeSueur found out. A group of them felt that the local public schools weren't challenging enough, and that their children were bored.

The public schools are doing an "abys-

mal job," says John Knoblauch, father of a 12-year-old daughter and nine-year-old son. Mr. Knoblauch, a massage therapist in neighboring Henderson, says he pays about \$500 a year in property taxes that help fund the school system, but "I wouldn't even mind paying more if there was a movement afoot to actually educate human beings."

Frustrated parents and teachers got together more than a year ago and crafted their own vision of the ideal school. They decided they wanted a high school that would prepare students better for college and the working world. It would encourage entrepreneurship and stress computer use. The charter they drew up lists eight "standard competencies," including not just such basics as math and arts, but creating a "post-high-school plan" by preparing a resume, completing an internship, or interviewing people about their careers.

The group approached the school board in March 1993, but was promptly turned down. After a year of haggling, the group managed to get final approval for its New Country school for 80 seventh- through twelfth-graders, about 60 of whom would come from the local high school. But in order to do so, it had to agree to a financially onerous condition: New Country must compensate the existing high school for the \$150,000 a year in state aid it estimates it will lose. Most of the compensation will take the form of purchasing services such as athletics, band and chorus instruction.

It's All Wrong

Even that isn't enough for Mr. Johnson, the principal of competing LeSueur-Henderson High School, who had threatened that "all hell will break loose" if New Country was OK'd. He says his school will have to cut some classes and increase some class sizes as a result. "We're making things worse for 650 kids so 60 people can have something better," he says.

Others trying to start charter schools in the future are likely to face an equally uphill battle. The powerful American Federation of Teachers, an early proponent of

charter schools, now attacks the charter system for circumventing union rules and slashing teacher pay. The teacher who came up with the charter-school concept in the first place also disavows the way his theory has been put into practice.

Ray Budde, the retired teacher who introduced the idea in a 1988 think-tank journal article, says he proposed allowing teachers to experiment with different methods of teaching within school districts, following state and union rules. He never advocated chartering separate, independent schools. "I'm not happy with the tack [charters] have taken in many states," he says from his home in Attleboro, Mass.

Critics lambaste charters that are sometimes unfocused, and that leave room for abuses. The charter for the New Heights school in Stillwater, Minn., for example, has a fuzzy, New Age ring: It requires learning the "integration of physical, emotional and spiritual wellness" and the "relationships among living things and the physical world." Shortly after the school first started last fall, one of its co-founders — who also ran a ministry in a local prison — resigned in a controversy over whether he and some parents were trying to push the biblical teaching of creationism.

Incidents like that, and the ingrained resistance to change, make it that much harder for people like Joan Riedl, an elementary-school teacher who tried to start a charter school in St. Cloud, Minn., in 1992. The school would have relied heavily on computers and divided children into small groups. But Ms. Riedl says the school board kept asking for more detail in what she believes was a "delay tactic." Finally, it rejected the proposal altogether — but told the 10-year teaching veteran that she could try out her ideas within the district if she was willing to do so at starting salary, an almost \$12,000 pay cut. Ms. Riedl threw her hands up in frustration, and left teaching temporarily to write a book instead.

Ron Jandura, the local school superintendent, is unapologetic. Ms. Riedl's ideas, he says, were too vague to support a charter school. Says Ms. Riedl: "I found out the bureaucracy is really strong — and getting stronger."

Pupil Admission Requirements
(A.R.S. § 15-184)

- A Charter School shall enroll all eligible pupils who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building.
- If capacity is insufficient to enroll all pupils who submit a timely application, the Charter School shall select pupils through an equitable selection process such as a lottery.
- A Charter School may limit admission to pupils within a given age group or grade level.
- A Charter school shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability.
- A Charter School shall admit pupils who reside in the attendance area of a school or who reside in a school district that is under a court order of desegregation or that is a party to an agreement directed toward remediating racial discrimination unless notice is received from the resident school that the admission would violate the court order or agreement.

Finance
(A.R.S. § 15-185)

- A Charter School sponsored by a school district governing board shall receive per-pupil expenditures equal to at least the average cost per pupil for the district as a whole.
- A Charter School sponsored by the State Board of Education or the State Board for Charter Schools shall, as prescribed in law, calculate a base support level, transportation support level, capital outlay revenue limit and capital levy revenue limit.
- Adjustments for teacher experience index and rapid decline do not apply to Charter Schools.
- A Charter School that is sponsored by the State Board of Education or the State Board for Charter Schools may apply for approval to operate on a year-round schedule.
- The Charter School and the Department of Education shall prescribe procedures for determining average daily attendance and average daily membership.
- Equalization assistance for the Charter School for the budget year shall be determined by adding the amount of the base support level, the transportation support level, capital outlay revenue limit, and capital levy revenue limit for the budget year.

Transportation
(A.R.S. §§ 15-186, 15-816.06 and 15-901.A.9)

The transportation support level for the first year of operation shall be determined using an estimated transportation support level before the beginning of school. After the first one hundred days in session, for the first year of operation, the Charter School shall revise the transportation support level to be equal to the actual transportation support level of the Charter School.

Teachers/Employment Benefits
(A.R.S. § 15-187)

A teacher who is employed by a Charter School and who was previously employed as a teacher at a school district shall not lose any right of certification, retirement or salary status or any other benefit provided by law, by the rules of the governing board of the school district or by the rules of the board of directors of the Charter School due to teaching at a Charter School upon the teacher's return to the school district.

A teacher who is employed by or teaching at a Charter School and who submits an employment application to the school district where the teacher was employed immediately before employment by or at a Charter School shall be given employment preference by the school district if the teacher submits an employment application to the school district no later than three years after ceasing employment with the school district and a suitable position is available.

Stimulus Fund
(A.R.S. 15-188) (R7-2-316)

- The Charter School Stimulus Fund was established in the State Treasury for the purpose of providing financial support to Charter School applicants and Charter Schools for start-up costs and costs associated with renovating or remodeling existing buildings and structures.
- The Department of Education will administer the Charter Schools Stimulus Fund.
- If sufficient monies are available, each qualifying Charter School shall be awarded an initial grant of up to \$100,000 during or before the first year of the Charter School's operation.
- Applicants for Charter Schools that received the initial grant may apply to the Department of Education for an additional grant of up to \$100,000.
- If an applicant for a Charter School received the initial or additional grant and fails to begin operating a Charter School within the next 18 months, the applicant shall reimburse the Department of Education for the amount of the additional grant plus interest calculated at ten percent per year.

Vacant Buildings (A.R.S. § 15-189)

The Department of Education, in conjunction with the Department of Administration, shall annually publish a list of vacant and unused buildings or portions of building that are owned by this state or by school districts in this state that may be suitable for the operation of a Charter School.

State Board for Charter Schools
(A.R.S. § 15-182)

The State Board for Charter Schools is established consisting of members specified in law representing specific bodies or constituencies for purposes of sponsoring Charter Schools and recommending legislation pertaining to Charter Schools.

KEY ELEMENTS IN THE CHARTER SCHOOL STATUTE — *Arizona*

Definition of Charter School (A.R.S. § 15-181)

A Charter School is a public school established by contract with a district Governing Board, the State Board of Education or the State Board for Charter Schools to provide learning that will improve pupil achievement.

Purpose of Charter Schools

- Charter Schools may be established to provide a learning environment that will improve pupil achievement
- Charter Schools provide additional academic choices for parents and pupils
- Charter Schools may consist of new schools or all or any portion of an existing school
- Charter Schools must comply with all provisions of applicable law to receive state funding as prescribed

Sponsors of and Applicants for Charter Schools (A.R.S. § 15-182)

The Sponsor of a Charter School may be

A School District
The State Board of Education
The State Board for Charter Schools

The Applicant of a Charter School may be

A Public Body
A Private Person
A Private Organization

The Charter (A.R.S. § 15-183)

The Charter shall

- Include a description of the personnel policies
- Include a description of the personnel qualifications
- Include a method of school governance
- Describe the specific role and duties of the sponsor of the Charter School
- Provide for a Governing Body that is responsible for the policy and operational decisions of the Charter School

Charter School Requirements

A Charter School shall ensure

- Compliance with federal, state and local rules, regulations and statutes pertaining to health, safety, civil rights, insurance and education of children with disabilities
- That it is subject to the same financial requirements as a school district, including Uniform System of Financial Record, Procurement Rules and Audit Requirement
- That it designs a method to measure pupil progress toward pupil outcomes adopted by the State Board of Education, including participation in the Essential Skills tests, the nationally standardized norm-referenced achievement tests and the completion of an Annual Report Card
- That it is exempt from all statutes and rules pertaining to schools, governing boards and school districts except the aforementioned
- That it is nonsectarian in its programs, admission policies, employment practices and all other operations
- That it provides a comprehensive education program of instruction for at least a kindergarten or any grade(s) between one and twelve, but may emphasize a specific learning philosophy or style or certain subject area

Application for Charter

The Application Process

1. An applicant seeking to establish a Charter School shall submit a written proposal to the proposed sponsor.
2. The sponsor shall review the application submitted by the applicant within 90 days and may approve the Charter.
3. If the Charter is denied, the applicant will be advised in writing of the reasons for rejection.
4. Revised applications may be submitted.
5. An approved plan to establish a Charter School in effect for five years from the first day of operation.
6. At the conclusion of the first four years of operation, the Charter School may apply for renewal.
7. If the sponsor renews the Charter, it may be renewed for successive periods of seven years.
8. The sponsor may deny the request for renewal if the Charter School has failed to complete the obligations of the contract or comply with the law. The sponsor must give written notice of its intent not to renew at least 12 months prior to the expiration of the Charter.

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12 States Join Move To Pass Charter Laws

20 More Considering Legislation This Year

By Mark Walish

In Massachusetts, as lawmakers and policy analysts debate revisions to a new charter-school law, parents are voting with their pens. Applications have far outpaced the available slots at the 17 charter schools scheduled to open in the fall.

At the City on a Hill charter school in Boston, which will aim to instill its students with a spirit of public service, 140 applicants entered a lottery for the school's first 60 openings. All those prospective students had to attend a two-hour model town meeting just to qualify for the lottery.

Students and parents are not alone in their interest. Nearly 400 teachers have applied for the school's three teaching positions.

"It's been exciting" starting the school, said Sarah Kass, a former public school teacher who co-founded City on a Hill. "There is a desperate need for good public schools in the city of Boston."

The idea of giving individuals or groups the authority and money to run public schools is taking hold across the nation.

Charter schools are now legal in 12 states. And at least 20 more states are

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considering charter-school legislation this year.

More Than 200 Awarded

Such support appears to be moving charter schools from the frayed fringe into a prominent spot on the education-reform agenda.

More than 200 charters have been granted nationwide by local school boards, state boards of education, and other entities. Charters are awarded to independent groups, including teachers, parents, and foundations, enabling them to receive public money to create schools that are free of most regulations. A district typically loses a portion of its state per-pupil funding when one of its students enrolls in a charter school.

Both existing and proposed charter schools are diverse in size, theme, and socioeconomic makeup.

While there have been some problems—at least one charter has been revoked, and some charter schools' practices have led to lawsuits and community battles—supporters say the laws are working the way they were intended: to give parents an alternative to the public school system and to prod that system to shape up.

"Charter schools are generating tremendous energy," said Ted Kolderie, a senior associate at the University of Minnesota's center for policy studies.

In addition to increased legislative activity, existing and soon-to-open charter schools appear to be a hit with parents. In Massachusetts, parents have flooded charter-school organizers with more than 1,300 applications for the roughly 892 slots available in the fall, and they are still coming in. "Parents want this choice," said Ann Marie Tuda, a spokeswoman for the executive office of education in Massachusetts, which reviews charter applications.

Some Voice Skepticism

Opponents of charter schools have shifted their tactics from seeking to defeat new legislation to trying to water down the measures they believe have the support to pass. Mr. Kolderie said, "It's a totally different discussion this year," he said. "It means nothing to say you are for a charter law. Everything depends on how you define it. The whole legislative struggle is over the provisions."

Some people remain firmly opposed to charter schools or are skeptical about their value in helping reform education. "I see charter schools as a way of setting up a segregated school system again," said State Sen. Betty S. Holzendorf of Florida, who represents an inner-city Jacksonville district. "When the charter school fails, the local school board that has lost money will have to go in and salvage those children."

Both chambers of Florida's legislature have passed charter legislation this year, although differences in the bills must be reconciled.

Meanwhile, in a report released earlier this year, a major business organization grouped charter schools with such initiatives as school choice and education vouchers as forms of "starting anew."

The New York City-based Conference Board, whose membership includes more than 2,000 companies nationwide, suggested in the report that support for such measures by business leaders meant they were accepting the premise that the current education system is "irretrievably broken and cannot possibly be repaired by those working within it."

But many charter-school advocates take a different view.

"The ultimate purpose of these is not to create schools," Mr. Kolderie said. "It's about creating leverage and pressure on the mainline system to be responsive to people who want to improve it."

Former U.S. Secretary of Education Terrel H. Bell said in a recent commentary that the idea of charter schools "has emerged as possibly the most promising innovation" in school reform. (See *Education Week*, March 15, 1995.)

Mr. Kolderie noted that the charter-school movement is not really centrally planned or managed. "There's no real budget for it, and charter schools have spent hardly anything" when compared

Now Legal in 12 States, Charter Schools Gain in Popularity

with such initiatives as the New American Schools Development Corporation, he said.

Getting Organized

Nevertheless, the charter movement is becoming more organized.

The National Association for Charter Schools attracted nearly 200 people to Milwaukee for its second annual conference last month, including state officials, academics, and school operators, said Greg Morris, the founder of the association.

"There is a certain amount of common concern," he said. "The national association would like to see some mainstream schools started that are more susceptible to replication."

Charter proponents have even set up a home in cyberspace. The Charter School Forum on the America Online computer service has hundreds of participants, said Frank Dooling of Tacoma, Wash., who established it last year. The forum includes a message board and software libraries featuring the text of state laws and sample charter documents.

To reach the forum, subscribers of America Online can type the keyword "charter." Others can send e-mail to Mr. Dooling at afcf@ao.com.

Strong and Weak Laws

Analysts are paying close attention to legislative efforts this year. Charter-school advocates divide existing state charter laws into two categories: strong and weak. (See map, this page.)

"Strong" laws typically allow a high or unlimited number of new charter schools to be created. They waive most state and local regulations, and they give approval authority to some entity other than, or in addition to, local school boards. Advocates consider

six states to have strong laws. "Weak" laws are those that allow only existing public schools to be chartered, allow only the local school board to grant approval, or impose rules such as making teachers part of the local school system.

Louann Bierlein, an education-policy analyst who recently left Arizona State University in Tempe to work at Louisiana State University in Baton Rouge, cites Wyoming's new charter law as an example of a weak approach.

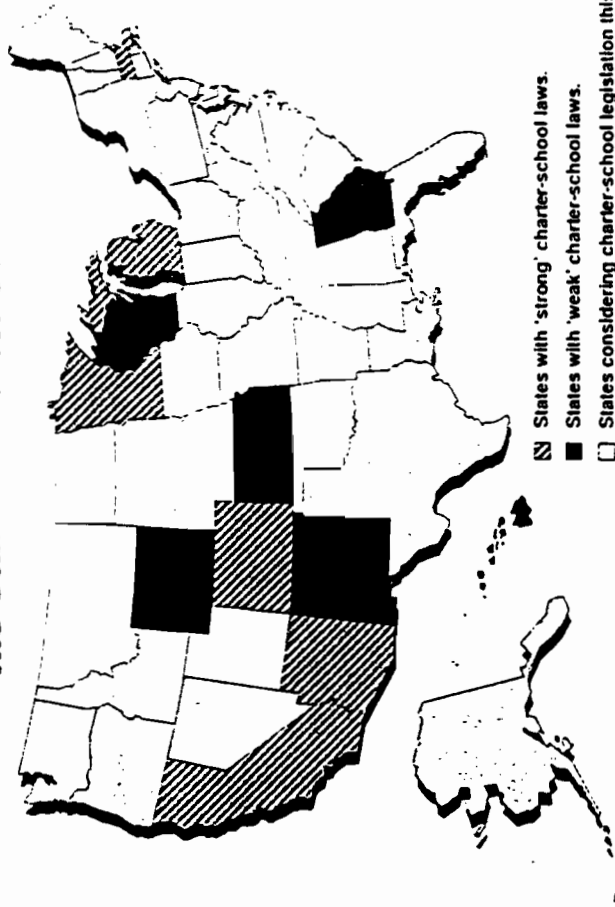
The law allows individuals to circulate petitions to create charter schools in existing schools, but it requires the signatures of 50 percent of the teachers within a school targeted for charter status. The law contains no effective waivers from state rules for charter schools nor any appeals process if the school board rejects an application. "With weak laws," Ms. Bierlein said, "groups that are opposed the charter law can say, 'See, I told you so.'"

Unions' Concerns

So charter advocates are wary when teachers' unions say they no longer oppose the concept of charter schools. The National Education Association has stressed that position recently, including at the National Association for Charter Schools conference. And the American Federation of Teachers says it supports teacher-led charter schools but not "absolute deregulation" of schools, said Jamie Horwitz, an A.F.T. spokesman. He said the charter concept is being used by some organizers as a vehicle for their own interests, including religious beliefs.

"Initially, those opposed to charters were trying to kill bills," Ms. Bierlein said about state teachers' unions and other groups. "This year, they are now engaging in

The State of Charter Schools



Under laws deemed "strong" by charter school proponents, a large or unlimited number of charters may be granted; some may go to new schools, applicants may seek approval from an entity other than local school boards, and waivers from state and local rules are permitted.

Laws deemed "weak" by proponents contain limiting provisions, such as rules allowing only existing public schools to seek charters, requirements that schools seek approval from local school boards, restrictions on the number of charters allowed, or inadequate regulatory waiver authority.

SOURCE: Center for Policy Studies, University of Minnesota.

the dialogue and focused on passing weaker versions."

Andrea DiLorenzo, a policy analyst with the N.E.A.'s center for the preservation of public education, said the union remains concerned about the rights of teachers.

"What happens with employee and student rights that have been built up over the years?" she asked. "We see this as one possible tool for school reform, but we certainly don't see it as a panacea."

Ms. Bierlein argued that inner-city educators are proposing charter schools focused on helping children at risk of failure.

In California, former Sen. Gary Hart, who sponsored the charter bill there, said he was happy to see schools in disadvantaged areas convert to charter status. California's law, enacted in 1992, allows up to 100 charters, and about 80 have been granted. Bills under consideration in the legislature would remove the cap.

"To my delight, we have seen a healthy number of charter schools

in the most disadvantaged areas," Mr. Hart said. "There is more parental involvement, and heavy focus on ways to save money. I've been impressed by their entrepreneurial spirit."



Joseph Miller, 4, watches as his mother, Pamela Miller, enrolls him in the Bilingual/International School in Northwest Washington.

Plotting a New Course for Education

Charter Schools Give Parents, Teachers Control Over What Students Learn

By DeNeen L. Brown
Washington Post Staff Writer

The flier came in the mail, announcing a chance to enroll in a D.C. public school that is starting from scratch. This program would be an experiment, with bilingual classes, no principal and required involvement from parents.

It sounded good to Anne Hemphill, who took her children to see what the new school was about. After getting more information, she signed up her 5-year-old daughter.

"My child is going into kindergarten," Hemphill said. "There is nothing detrimental that can happen that will mess up the rest of her life."

Warren and Amy Belasco, frustrated with their neighborhood school, saw the

new school as an alternative to private education for their son, who had been put on the waiting list at some of the best public schools in the District.

"We were one step away from a private school. It's like the last hope before pulling out of the school system altogether," Warren Belasco said.

By filling out applications for their children to attend the Bilingual/International School in the Crestwood neighborhood of Northwest Washington, Hemphill and the Belascos were stepping into one of the hottest trends nationally in education reform: charter schools.

Often defined as free public schools that are exempt from most school board regulations, charter schools usually have more freedom to hire and fire teachers, spend money and experiment with the curricu-

lum, classroom instruction and the length of the school day. Throughout the country, charter schools are being run by museums, community groups and universities, and most receive funding from state governments or school districts, usually based on the average per-pupil expenditure of educating students in that district.

In Washington, the idea of charter schools has been tossed around as a solution to problems plaguing the city's school system. Members of the D.C. Council have advocated charter schools, and a recent plan developed by House Republicans calls for the Smithsonian Institution, the Library of Congress and the National Science Foundation to sponsor such schools in the District.

D.C. School Superintendent Franklin L.

See CHARTER, B5, Col. 5

Charter Schools Give Parents, Teachers Freedom to Educate

CHARTER, From B1

Smith said charter schools are a way to appease parents who are unhappy with D.C. public schools and to keep them from leaving for private schools. "We know people are dissatisfied with the way things are going in many of our schools," Smith said. "So okay, fine. Let's see what we can do to create one that brings about the satisfaction."

Dena G. Stoner, executive director of the Washington-based Council for Educational Development and Research, an organization that has gathered research on charter schools, said school systems throughout the country have used charter schools to answer the complaints of parents dissatisfied with public schools.

"What was happening is, they were leaving the public school system. They were losing faith in the system," Stoner said. "The idea behind charters was to allow people to take public tax dollars and use them in their own design. It was a creative solution for middle-class parents and low-income parents who really did not have the choice of private schools because they couldn't afford them. Charter schools are a way to reinvent the public school system."

Since 1991, when the first charter schools were created in Minnesota, 19 states have passed legislation that allows for the creation of such schools. In a recent survey, the Education Commission of the States in Colorado and the Center for School Change at the University of Minnesota counted 200 public charter schools in states from Massachusetts to California. There are no official charter schools in Maryland or Virginia, but the idea is being discussed among state educators.

Although the D.C. Board of Education approved a school reform policy in the spring allowing charter schools, the policy is far more limited than the legislation passed elsewhere. In the District, charter schools are not independent of the school board. D.C. charters are allowed some autonomy to design education programs but don't have complete authority to hire and fire teachers. D.C. charter schools still fall under all the rules and regulations of the D.C. school board, and they must use the school system's curriculum as a base. The D.C. Council is considering legislation to create charter schools independent of the school board.

In addition to the bilingual school, which will open this fall in the Burdick Adult Education Center, 1300 Allison St. NW, there are a handful of existing schools that the superintendent now is calling charters. They include an Afrocentric program at Webb Elementary School, a non-graded school at Truesdell Elementary School and an academic program at Peabody Elementary School.

Smith said he was excited about the idea of charter schools but emphasized that the school board has approved only charters created by teachers.

"We're not approving parents who want to start schools on their own," Smith said. "This is a teacher-led charter over there [at Burdick]. We have some aggressive parents who are pursuing this. I don't mind that at all. But according to the legislation, we say teacher-led charters."

Glenda Partee, a parent who has worked with other parents and teachers to start the bilingual charter school, said she had reached a point where she was fed up with the school system. She said she wanted a bilingual program set up in her neighborhood school. When that was stalled, Partee looked elsewhere.

She found it impossible to enroll her child in the system's only fully bilingual school, Oyster Elementary School in Northwest Washington, where the waiting list is at least 200 names long. The last time Partee checked, her daughter was No. 182.

"This charter was a little wedge we saw to respond to consumer demand," Partee said. "If we can do this, perhaps other parents will feel more empowered. These are the kinds of things that will draw people back into the school system."

Partee said she and other parents, including Amy Belasco and Athena Viscusi, and bilingual teacher Marissa George gathered in January to plan their school.

"I decided what we needed was a clean slate to create a school from scratch with teachers who want to be there and parents who want to be there," said Partee, who called the school a community-teacher-parent-led charter.

They met with teachers who had expertise in bilingual education and with university deans and professors and other experts in bilingual education at think tanks. Their plan was approved by the school system in April, and the group started looking for a building. Earlier this month, they got word that there was room

at the Burdick center. They sent out fliers and asked Oyster to mail information about the school to parents on its waiting list.

The group also sent out word that they were looking for bilingual teachers. They interviewed 12 teachers in Partee's living room. "I helped Amy and Glenda do all the interviews for all the teachers. We needed a teacher there to ask specific questions," said George, who has taught in the District, New York and South America and started an international school in India.

Partee's group has sent the names of five teachers that it wants to hire to the school system, but it has not received word yet from school administrators. The school is negotiating for music and art teachers and librarians and may share a guidance counselor with another school. Two teachers will be transferring from other D.C. schools, and two are new to D.C. schools. One, who has worked as a teacher's aide, just completed requirements for her teaching certificate.

Not all the details of how the school will operate have been ironed out. So far, 135 children have signed up, about one-third of whom speak Spanish as their first language. The school, which is expected to enroll about 160 students from pre-kindergarten to fifth grade, will operate on a city-provided budget of about \$6,000 per student, which school officials said is the average per-pupil cost in the District.

Instead of a principal, the school will be run by two "lead teachers," who were selected by the school's founders. The lead teachers will act as administrators and teach classes.

Partee said classes initially will be taught in English and Spanish. Eventually, the founders said, they hope to add other languages. Each class will be taught in Spanish half a day. The rest of the day will be taught in English. Parents are required to contribute four hours a month as volunteers, painting classrooms, going on field trips, participating in classroom instruction or making phone calls to raise money.

"Parent involvement is the greatest predictor for school success," George said. "I can put my hands on 10 pounds of research that says that ... the success of this school really lies with parents."

On a welcoming flier, the school's organizers warned parents to be patient. "We want to be clear that the school is a 'work in progress.' In other words, the school will become what we, the parents, teachers and interested community, make of it."

Principal's 'dream come true'

Continued from 1D

both national interest and controversy as it seeks to blend capitalism with a quality, cost-effective education.

"I like how good they teach the kids. I'm learning a lot," says Elisha Gilley, 8.

What doesn't she like? "It's in a bad neighborhood. But I feel safe on the bus."

Of Sherman Independent School District's six elementary schools, Washington was the lowest achieving with some of the poorest students. Resources were scarce. There were never enough textbooks. Each classroom computer was shared by about eight students and teachers didn't get computers. Only \$2,000 was left for professional development.

Then Edison came in promising, while making a profit, to raise achievement at a cost of no more than the \$4,600 per pupil average the district already spent. Each teacher gets a laptop and the student-to-computer ratio drops to 4.5. As many as 400 desktop computers can go home with students.

"It's exciting watching it develop and grow," says Washington principal Ruby Jo Williams, who fought to bring Edison to the school although technically it put her job in jeopardy. All employees and workers had to re-apply for their positions.

Not everyone thinks school-for-profit is a great idea. Albert Shanker of the American Federation of Teachers says the lack of "clearly defined and institutionalized goals" pushes schools toward "fashionable ideas and seductive promises." Some school boards "throw up their hands altogether."

But today there is nothing but enthusiasm in the Washington Elementary hallways.

"It's just a dream come true," to be able to get all the resources needed, says Williams, who eventually was selected to lead the new venture.

Within the 66-year-old, two-story building, there are two academies for the 514 students: one for kindergarten through second grade; one for third- and fourth-graders.

Class size still hovers around 20 as before but each room has

a unique touch:

► Marc Alvarez's second-grade classroom has fat alphabets and charts hip-high to most adults. Everything looks shrunken but just right for the youngsters who scurry about to perform experiments, tend to a miniature greenhouse, write in journals or peck away on computer keyboards.

► Walking into Linda McDougal's third and fourth grade room is a visit to a cozy home, complete with valances on the door and a couch.

► Art teacher Sherry Hall escorts her charges to a large rectangular carpet square. There they begin the day discussing how art covers blouses, bookbags, shorts and sneakers. Jammed in her room is a piano, a blue-and-white old fashioned bathtub filled with a huge inflated globe and a gigantic inflated alligator.

The program extends the traditional 175-day school year to 203, lengthens the instruction day by 1.5 hours, provides extensive teacher training and up to five weeks of computer training for parents.

The curriculum emphasizes math, science, English and literature, history, economics and geography. These are interspersed with music, art, physical education and foreign languages.

Parent Stephanie West says she likes the idea that her third grader, Ronnie, "is going to get a better education, more hands on. I feel that we're going to give him a shot. It's not going to hurt to try."

West says when Edison officials talked about using the 150 computers to network with other Edison schools and relay messages from school to homes, "I just thought, man, that is so cool. This is just the neatest thing."

Whether the changes will bring success — higher test scores — is still anyone's guess. Superintendent Bob Denton speculates results won't come for two to five years.

Edison is one of a handful of profit-making companies operating public schools. All are in their infancy and have little proof of improved learning.

"Edison's game plan is not to replace public schools," says

Edison vice president Walter J. McCarroll. "What it is designed to do is to complement and stimulate." Seven to 10 Edison schools may open next year.

Edison's plan was debated within the Sherman Independent School District for more than a year. Skeptics questioned Whittle's finances, which dwindled with the sale of Channel One and other ventures. Some feared the program was too experimental.

John Blystone, the only school board member to vote against a five-year contract, says he wanted to wait at least a year to determine Whittle's financial condition. He also worried when other Texas school districts declined Edison's offer.

Denton says: "I've just always believed that we need to be looking for or at least be alert and willing to take reasonable risks. The public say they want options in education. I would feel more comfortable if those options were within the public school system."

Edison's promise of money and technology made the biggest impression on nearly everyone in Sherman, located north of Dallas near the Oklahoma border. During the summer, Edison spent about \$300,000 to rewire the building and do other start-up chores; \$93,000 went to train and pay stipends to teachers and staff for eight intensive weeks. Edison teachers get a 12% increase in their base salary.

A big feature of the project has yet to be fully tested: parental involvement. Only about a half dozen parents have responded to repeated letters sent by teacher Alvarez asking for volunteers.

"I'm going to start calling if I don't get them in," he warns. "They were told that this was going to be needed. That's one way we're different."



Life

WEDNESDAY, SEPTEMBER 13, 1995

COVER STORY

Good grade so far from pupils and teachers

Critics see 'seductive promises.' More school experiments, Page 7D

By Tamara Henry
USA TODAY

SHERMAN, Texas — The first thing kids see when they enter Washington Elementary School are marbles, the kind they love to shoot on playground dirt.

Clear and colored glass balls make up three windows facing the front doors. Larger-than-life drawings of marbles in rich reds, blues

and yellows decorate green entrance walls. Right away, kids know something different is happening here.

"There isn't anything I don't like about this school," says 9-year-old Amber Cook, rushing off to class.

Washington Elementary opened Aug. 1, the first of four public schools across the nation controlled by the private, for-profit Edison Project.

Other Edison Partnership Schools opened Aug. 14 in Wichita, Kan., and Aug. 21 in Mount Clemens, Mich. A Boston school opens Thursday.

The program was conceived in 1991 by the flamboyant, Knoxville, Tenn., entrepreneur Christopher Whittle as a bold experiment to see if private enterprise can jump-start the nation's deteriorating public schools. Edison sparks

Please see COVER STORY next page ►

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OPPORTUNITY DEFERRED

When the Florida legislature failed to gain final passage of charter school legislation this session, it may have been a victory for the bill's opponents, but certainly not for black children in the state's inner cities. For these children, who are expected to learn in some of the state's worst public schools, this failure means an even longer wait for educational opportunity.

The proposal would have allowed individuals to set up innovative, performance-based public schools, provided that an implementation plan and curriculum were approved by the local school board. While public education funds would be used, charter schools would remain free of many of the regulations that can hamstring public schools. Concerned teachers, parents, organizations and businesses could have set up the schools where they saw an educational void. Schools could be geared toward excellence in math, science or any other worthwhile educational pursuit. In addition, the bill prohibited racial and other types of discrimination. The schools would be open to any child living in the school district. Home education programs, private and religious schools would not have been eligible for charter school status.

Black children are particularly central to this legislative battle, because ironically, the arguments against the bill hinged on the effect the proposal might have on them. Many black legislators led the charge, arguing

that black children could potentially be excluded from charter schools. And moreover, wealthy white businessmen would be more likely to provide additional funding to predominantly white charter schools in affluent areas than to schools located in black communities.



T. Williard Fair

These arguments have nothing to do with the reality of life for poor black children who live in inner city communities like Miami's Liberty City, known for its poverty and street crime rather than educational excellence.

While the proposal could provide new educational opportunities for all children, affluent white or black children don't need charter schools to get an excellent education. Their schools are more often pristine, cheerful places to learn. Black children in Liberty City do.

Initially, the issue was not a priority for black legislators as a whole. However, in an underlying climate of racial distrust in many corners of the state, it became political fodder readily accepted by some blacks who truly believe — without any basis in fact — that charter school legislation was another plot by whites to victimize them. People who make decisions based solely on emotion rather than fact are found in every racial and ethnic group. However, when these individuals are allowed to influence policy, the result is always tragic.

Despite the political hysteria, the plan picked up some supporters among black legislators concerned about the future of

inner city children. When House and Senate charter school proposals were voted on in their respective chambers, five of the legislature's 18 black lawmakers voted for the plan, including House Education Committee Chairwoman Cynthia Chestnut (D-Gainesville) and Miami legislators Rep. Larcenia Bullard and Sen. Daryl Jones. Ultimately, the bill was killed under the crush of massive legislative packages being considered in the final hours of the session. However, precious time was wasted battling against the bill in a session that lasts only two months.

Clearly the issue will be ripe for change in the 1996 session. Education reform will happen in Florida, because conservatives currently riding the political wave want it to happen. The black community must be ready to meet the challenge, and fight for what it desperately needs from any such efforts.

We must not be afraid to work with people who do not look like us, simply because the issue they are fighting for is in their interest. The challenge for us is to figure out how to address our interests through working with others.

When I heard about the charter schools initiative, I did not see it as an elitist idea being articulated by evil people who were antiblack. I saw it as a proposal by a group of people who were dissatisfied with what the public education system was doing for their children. And since I had the same dissatisfaction, I was interested in their proposal.

My problem is not them, it is my dissatisfaction with what is happening to my children.

Before the legislative battle heats up yet again, let us answer the question: Why then, do black children in poor, crime-ridden communities need charter schools?

Because of the uniqueness of their experience, children who are surrounded by urban decay must be educated differently. While some dedicated school officials clearly understand this fact, it is not the priority of the school system. The black community must make alternative education its priority.

Through its behavior, the larger educational system is seemingly saying that it must make special allowances for those who have had a trying life experience, those who are descended from an oppressed group of people. It is not essential, for example, that they behave, follow instructions and excel as other children do. The system may be well-intentioned, but it is wrong.

All children, regardless of where they live, require discipline and incentive to succeed, but teaching methods must be varied based on need. The same is true in the best private schools where some students are geared toward the sciences, while others focus on creative arts. Charter schools would have provided a unique opportunity to tailor schools to meet the needs of inner city children, rather than attempting to educate them in the same fashion as children who grew up in stable communities.

You can't take children out of a disorderly environment, transfer them to an orderly environment and by some magical process, expect them to be orderly. That's alien to their socialization process. You cannot expect kids who must navigate an environment geared totally toward competition, to come prepared to function in a process where cooperation is required in order to be successful. However, when the children do not conform immediately, they are labeled as troublemakers who are intellectually inferior and effectively

dismissed.

These factors, though sad, have nothing to do with intellectual capability, and are hardly insurmountable. However, these children need "behavior management" before learning can take place. Children must be taught discipline before they can learn. We know that it works. The Urban League, through its "Efficacy" program, has already been successful at instilling discipline and respect in young children that then allows them to take instruction.

However, as important as discipline is, poor black children must also be taught that they are not victims. As long as they believe that their destiny is controlled by whites or anyone else, they are headed for failure. Children who are told repeatedly that they will amount to nothing and that learning is too hard can find no other result.

Kids are made victims. It has nothing to do with environment or economics. It has everything to do with the attitudes of the adults around them.

Because of the great need for educational alternatives, many individuals and organizations were lining up to start charter schools. I was one of them. In partnership with the Foundation for Florida's Future, the Urban League was preparing to establish a school in Liberty City, that would have focused on discipline and reading skills for young children. I advocated for the proposal before the legislature, particularly among my friends in the Black Caucus.

Charter school supporters are already gearing up for next year's battle. Meanwhile, for Liberty City children, the clock is ticking.

— T. Willard Fair

T. Willard Fair, known to legislators of every political stripe, has served as president and chief executive officer of the Urban League of Greater Miami for the past 30 years.

Existing Charter School Laws: Analysis of "Stronger" Components

	AL (94)	AK (95)	AR (95)	CA (93)	CO (91)	CT (93)	DE (93)	FL (93)	GA (93)	IL (94)	IN (93)	LA (95)	MA (94)	MD (94)	MI (94)	MN (93)	MT (93)	NC (93)	ND (93)	NE (93)	NH (93)	NJ (93)	NY (95)	OK (93)	OR (93)	RI (95)	SC (93)	SD (93)	TN (93)	TX (93)	UT (93)	VA (93)	VT (93)	WA (93)	WI (93)	WY (95)		
	Stronger																	Weaker																				
Non-local board sponsor available	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
OR Appeal process exists																																						
Any individual or group can attempt to organize a charter proposal	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Automatic exemptions from state laws/rules & local policies	x	+	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Fiscal Autonomy - school has complete control over funds generated by their student count (including salaries)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Legal Autonomy (e.g., teachers are employees of school, not local district)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
OR the charter (not the law) determines the level of legal autonomy																x																						
No (or very high) limits on the number of charter schools which can be formed (compared to total population)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Some % non-certified individuals can teach at charter school (w/out having to seek a waiver or alt. certification)	x	+	-	x	x	x	x	x	x	x	x	x	x	x	x																							
Other "Stronger" Components	7	7	7	7	6	6	6	6	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	

Stronger charter school law components are those which are most true to the charter school concept, tend to challenge the status quo aspects of the system, and theoretically may lead to broader student impacts and ripple effects. Component #1 (availability of non-local board sponsorship or appeal) is considered a vital component in order to get an adequate number of charter schools started. In Delaware, up to 35% noncertified teachers may be utilized if no qualified alternative certification program exists (and presently there is no such program in the state). In Michigan, the issue of automatic law exemptions is still unclear, and certification is required except in university-sponsored schools wherein higher education faculty can teach. Based upon the "open enrollment" charter school portion of Texas' charter school bill, eligible organizations are limited to public or private higher education institutions, a non-profit, or a governmental entity. California's charter schools are allowed by law to be legally and fiscally autonomous, but this depends upon the provisions of a given school's charter. Legally, Colorado's charter schools are to remain a part of the local school and to receive at least 80% of their funds, in practice, however, many are operating quite autonomously. In Wisconsin, charter schools are automatically exempt from most state laws and rules, not local board policies. Also, recently enacted provisions strengthen the law for potential charter schools within the Milwaukee district only in that such schools can become legally and financially autonomous, and have access to an appeal process involving the new state secretary of education.

New era begins in Arizona

First day of classes lets students make history, not just read about it

By Angela Rabago-Mussi
THE PHOENIX GAZETTE



Tom Tingle / THE PHOENIX GAZETTE

Edu-Prize Charter School at the old Greenfield Elementary School in Gilbert opened Tuesday. Bryan Brown, an instructor from DePalma's Action Karate, helps Kyle Thompson, 9, of Chandler, with his kicks.

It was like any other first day of school — students slinging backpacks filled with blank notebooks and sharpened pencils as they searched for their seats in a new classroom.

As they looked for their names on the yellow pencil-shaped tags taped to the desks, they probably didn't realize that they were making history — the first students in the first charter school

to open in Arizona.

About 110 first- through sixth-graders started school Tuesday at Edu-Prize, a year-round charter school housed in the old Greenfield Elementary School, 55 N. Greenfield Road in Gilbert.

Lynn Robershotte and JoAnne Curtis, former teachers at Frost Elementary School in Mesa, founded the school and had spent the day before meeting with parents, prepping classrooms and

See ■ SCHOOL, Page B8

making sure the building was ready.

The two spent nine months preparing for this day, when their vision of a school where children would get personal attention and learn to think, not regurgitate, was realized.

"It's wonderful," Robershotte said. "It's great to have a dream for how a child should be taught and see it fulfilled."

Edu-Prize promises science-based learning and small classes, a maximum of 16 students. The school will run on a year-round calendar with 45 days of classes followed by breaks of 12 to 35 days.

Children of different ages and grade levels are mixed in the classes, similar to the one-room schoolhouse concept. The goal is to make the classroom less competitive and more of a family atmosphere, with older students mentoring the younger ones.

"The children (of different ages) help each other immensely," Curtis said. "The younger ones mellow out the older ones while the older ones bring out the young ones, who are more shy."

Each classroom has a specific theme: The Bookstore, Japanese Boutique, Native American Boutique, Mineral Market, Bird House, Plant Nursery and Sweet Factory. Students will rotate every nine weeks from room to room.

In the morning, students are taught the basics with material related to their classroom theme. During the last hour of the day they have apprenticeship training. For example, the Native American group will make their own Indian artifacts and one class will produce a newspaper.

Students will learn computers on 46 new IBMs from a technologist with a computer science background. They take karate class from a local business or can sign up for dance classes. They also will learn Spanish and sign language.

"We maxed the budget this year to make it happen," Robershotte said. "I asked everyone to think of things that they had always wanted but couldn't get because of bureaucracy or funding or just the size of the classes."

That freedom to try new ideas attracted 18 faculty members, including two special education teachers. Three teachers are full time.

Pam Thompson, decided to leave Frost to become one of the first charter school teachers.

"I felt this was a good choice because it matched my philosophy of teaching and there was the bonus of only 15 students per class and the year-round schedule," she said. Ten of her former students followed her to the charter school where she will be teaching full time.

The school has not had problems attracting students. It has 110 students enrolled, with room for 10 more.

There are waiting lists for the next few years. One family has even signed up their 1-year-old to start school in five years.

Melissa Burkett, a mother of two first-graders, signed her daughters up for school the day before classes began.

Her daughters had attended private Catholic school but tuition was increasing every year and she saw the charter school as a good alternative.

"I don't see anything different between this and private school, except for religion. But I can teach that at home on my own. I just don't want them stuck in the wrong type of program," Burkett said.

Parent volunteers have been an integral part of getting the school started. Since there is no cafeteria, moms and dads have signed up to deliver food from local fast-food restaurants each day at lunch.

At the end of the school day parents stayed to share ideas about a possible music program and planned what days they would volunteer in the classroom.

"When you give ownership to the parents they love it and respond to that," Robershotte said.

She said the hardest part of building the school was navigating through the red tape of a new system. Since this is the first year for charter schools, everyone involved was learning.

Robershotte and Curtis had to write a detailed proposal for the school which came to more than 100 pages and then had to submit an addendum for even minor changes to the program. Finding a location, hiring faculty and getting the state funding were other hurdles.

"There are so many issues, and because we're at the forefront we hit every one of those issues nose on," Robershotte explained. "But as this continues it will be easier for people."

For the first day of school, Curtis' class in the Native American Boutique read a book about a blind Indian boy named "Boy of Strength of Blue Horses." Then each received a feather to keep and remind them to think of a name that they would like to be called.

In their journals they wrote, and the younger kids drew, what they had learned.

By 3 p.m. they had gathered up lunch boxes and backpacks and, clutching the drooping feathers in their hands, said goodbye to Curtis as they ran to meet their parents or car-pool drivers.

"The day went great," Robershotte said with a sigh as she waited for the last students to leave.

"Some of the logistics were tough to work out, but it was the first day of school."

90x

THE PHOENIX Gazette

State makes it tougher to open charter schools

By Karina Bland
THE PHOENIX GAZETTE

It just got harder to open your own school.

State Department of Education officials are beefing up the application process to start a charter school, adding extensive background and credit checks as well as fingerprinting applicants.

"That will tell us right away whether they are a bona fide contender or not," spokeswoman Kathi Haas said.

Charter schools allow anyone or any group to form its own school as long as it adheres to state and federal laws regarding civil rights, health, safety, insurance and special education.

One charter school — Edu-Prize in Gilbert — opened Tuesday, and more than 40 are slated to open in the fall, including Life School College Preparatory in Mesa, the ABC Alternative Learning Center in Phoenix and the Arizona Career Academy in

Tempe.

The department and the state charter schools board, the two state agencies authorized to do so along with school boards, have approved 46 charter schools.

Five others were chartered by school districts, in Payson, St. Johns, Winslow, and two in Springerville.

Queries have poured in from 170 people and groups about opening char-
See ■ CHARTER, Page B8

■ CHARTER

From B1

ter schools next year, said Kathryn Kilroy, the department's executive director of charter schools.

Those applicants — and anyone who sits on the proposed school's governing board or financial backers — will face more intense background, reference, credit and criminal checks, state Superintendent of Public Instruction Lisa Graham is expected to announce today.

Applicants also will be fingerprinted.

The change comes after a half-dozen charter schools — approved by either the department or charter school board — had their charters yanked.

Background checks had revealed some applicant's bad credit histories or other personal problems.

The Shelby School near Payson, for example, lost its charter because of bad credit reports and tax liens against some

of its officials, department records show.

Another charter school, the Phoenix Academy of Learning, was rejected because its owner had filed for Chapter 13 bankruptcy protection after a divorce and illness two years ago.

The McGuffey Basic School in Mesa was not approved after a background check revealed its founders had owned a trade school that went bankrupt in 1991.

The more intense background checks are a matter of protecting children and the state, Kilroy said. Charter schools get public funding.

"We have had instances when people have withdrawn (after learning about the required background checks) because they have known it would be in their best interest," she said.

When the state boards of Education and Charter Schools began taking applications

for charter schools last fall, officials didn't do background checks on the people proposing the new schools.

Complaints from the public and their own checking prompted them to do so.

"It's a live and learn process the first year," Haas said.

Charter schools were approved last year as part of the Arizona Schools Improvement Act, which included open enrollment and funding for at-risk preschools.

If background checks reveal something unsavory about an applicant, that applicant can push ahead with an application, Kilroy said.

However, the information the background check turned up would be included in the application, which likely would not be approved by either the state board or charter schools board.

Thursday July 27, 1995

I can't think of a single charter school that is filled with overachievers. They are all getting students with academic problems, even the ones who billed themselves as wanting to attract the best and the brightest.

JOHN KAKRITZ

CHIEF EXECUTIVE OFFICER, ARIZONA CHARTER SCHOOLS ASSOCIATION

Charter schools drawing at-risk kids

By Hal Mattern
Staff writer

When Arizona approved the creation of charter schools last year, some critics worried that they would lure the best and brightest students away from the regular public schools.

The result, they predicted, would be the equivalent of state-funded private schools that cater to a select group of elite students.

And while some of the state's 46 new charter schools have attracted several top students, many of them also have acquired their share of students who are performing at well below their grade levels.

"They are not getting only the cream of the crop," said John Kakritz, chief executive officer of the Arizona Charter Schools Association.

"I can't think of a single charter school that is filled with overachievers. They are all getting students with academic problems, even the ones who billed themselves as wanting to attract the best and the brightest."

The first Arizona charter schools, which receive public funding and cannot charge tuition, opened in August.

About half of them were formed specifically to deal with special-needs or at-risk students and former dropouts who require individual attention.

But what has surprised many charter-school officials is the number of at-risk students who have enrolled at the other institutions, the ones that stress traditional academics, college-preparatory courses and the arts.

Some schools say that up to one-half of their students need academic help.

Still others say they have a disproportionate number of students who suffer from such learning problems as attention deficit disorder.

What appears to be happening is the parents of some children who are having academic or discipline problems in public schools are seeing charter schools as potential saviors — or as a last resort.

'Please help my child'

"We had a number of desperate parents call and say, 'Please help my child,'" said Jim Alverson, founder of Life School College Preparatory, a Mesa charter school with 100 students.

Alverson said that many charter-school officials are finding that their student populations mirror those of regular public schools, albeit on a much smaller scale.

"We have kids who get suspended," he said. "And we've had a little brush with drugs and weapons. But just a little one."

Other charter-school officials say that grade inflation at some public schools also is a factor.

"A lot of our students just cruised along (in regular public schools) getting As and Bs," said Cuyler Reid, a co-founder and board member of Valley Academy, a northwest Phoenix charter school for 530 students, kindergarten through 12th grade.

"But they can't do A and B work. It's not that they aren't intelligent kids. They just haven't been taught."

None of which surprises state Sen. Mary Hartley, D-northwest Phoenix.

"I think a lot of these charter-school people went into it thinking they were going to do wonders," said Hartley, a member of the Senate Education Committee.

"But they are finding that they have the same problems as (regular) public schools."

Because they receive state funding, charter schools have to accept all students, as long as they have room.

"If parents want their children to go to this school, even if they have no background in the arts, we have to take them," said Mark Francis, founder and head of the Arizona School for the Arts, a downtown Phoenix charter school that has several at-risk students in its student body.

Still, all of the charter-school officials said that once such students are enrolled, the schools do the best they can to improve the students' academic performance, often with good results.

"We have kids who have become motivated about academics for the first time," Francis said. "We're meeting their needs. We are thoroughly committed to their success."

However, the effort — providing tutoring and intense individual instruction — can strain charter schools, which have small staffs and tight budgets.

\$4,000 per student

They receive about \$4,000 per student in state funding, about average for regular public schools. But unlike regular public schools, charters cannot raise additional money for construction and equipment through bond issues.

That has forced them to use their student funding to remodel and equip their facilities and to buy computers, severely cutting into their operating funds.

Many of them also seek donations and grants, but that isn't always successful, as Francis learned recently.

At-risk students

Francis said that about half of his 160 students are working below grade level and are at risk of becoming dropouts. He applied for a \$30,000 dropout-prevention grant from the state Department of Education to help pay teachers to tutor his at-risk students.

But the state Board of Education delayed approval of the application, saying it needs more information about the school's at-risk problem.

Some board members also said the grants should be restricted to schools that deal specifically with dropouts.

"Just because we have the arts doesn't mean our kids aren't at risk of dropping out," Francis said. "We spend an extra large amount of money on our arts program. That's what makes us unique."

"To say we also have to work with at-risk students but that we can't qualify for a grant to help us do that is ridiculous."

Francis and other charter-school officials aren't about to get any sympathy from critics like Hartley, who also is a member of the Alhambra Elementary District board.

"At every charter school I've visited, the first thing they mentioned was money, or the lack thereof," Hartley said. "I find that ironic, since public schools have been criticized for saying they need more money."

She said she always tells charter-school officials the same thing.

"This has been happening for a long time in the public sector, and now you are in the public sector."

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PacificSun

THE NORTH BAY'S BEST EVERY WEEK

MARCH 15 - MARCH 21, 1995

Charter schools

How effective is this new trend in education?

BY MARGARET LUKENS

The California State Education Code is a titanic monument to micro-management. It runs to 7,800 pages in 11 volumes and details *everything*, down to the contents of the first aid kit that accompanies students on a field trip and the number of electrical sockets required in each classroom. Two years ago, the passage of Senate Bill 1448, written by former state senator Gary Hart, effectively swept away the albatross of the state Education Code for up to 100 "charter schools." But California's 18-month experience with the infant charter school movement still yields many more questions than answers.

There are two ways to create a charter school: Either the school board and a majority of the staff and parents agree on a charter and gain state approval to convert

an existing public school to charter status, or a group petitions the local school district to approve a charter school, which becomes an addition to the local public school system. (An independent "private" school is not eligible to convert to charter school status.) In either case, the new charter school is under the responsibility but not the authority of the local school district. It is free of the state Education Code (mostly) and receives public funds (of indeterminate amounts) while accepting students from anywhere in the state by some fair process (one hopes) while hiring, developing and retaining qualified staff (we think).

Jane McDonough is the director of Sonoma Charter School. Now in its seventh month of operation, Sonoma Charter serves about 230 kids, kindergarten through eighth grade, in the 5,000-student Sonoma Valley Unified School District. The classes at Sonoma Charter are organized into multi-age "clusters" of 75 students each, with a kindergarten through second grade group called cluster one, a third- to fifth-grade group called cluster two, and a sixth- through eighth-grade group called cluster

three. Each cluster has a "lead teacher" authorized by the director to hire two "partners."

When McDonough wants to have a staff meeting, she meets with three teachers who represent the interests of their partners and relay all necessary information to them. Staff meetings can therefore take place while learning continues in the classroom. The school calendar is 190 days long, 10 days longer than the current state standard, and operates year-round, with a 60-day term followed by a 20-day vacation.

McDonough came to Sonoma Charter from Monte Rio in western Sonoma county, where she had been a superintendent-principal for nine years and a classroom teacher before that. When asked what prompted her to accept the position at Sonoma Charter, she replies "Fear. Excitement. Danger." She was drawn to the "entrepreneurial" aspects of charter schools, the opportunity to take a risk and to be held accountable for the results. She was drawn to the idea of working with an involved and committed group of parents and community supporters, contrasting it with her inability to get a

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out with some frustration that the teacher teaming and multi-age grouping which are the pride of the charter schools already exist to some extent in the regular schools.

It is too soon for test scores or any other objective measure to register the effectiveness of charter schools. The only evidence so far is anecdotal. Even if charter schools do show above average performance, many would argue that it has less to do with innovative teaching or programs that could

serve as a model for improving the rest of the system than it does with skimming the cream of the most involved parents from the rest of the school system. Parental involvement is known to be a strong indicator of a child's academic success.

The rising chorus of complaints that our schools are not responsive to their constituents—the students and their parents—ensures that the trend toward increased choice in education will continue. Who will be served and who will be left behind remains to be seen.

Group pushes for 'charter schools'

By Ruth E. Sternberg
Dispatch Staff Reporter

Let Ohio's innovative educators design their own schools. Give them room to use alternative teaching methods for children with special needs.

Let them bend the state rules, continue to bring in the unions, even school textbooks.

Then give them your blessing — and your funding.

That's the message from education reform proponent Jeanne Allen. The president of the Center for Education Reform in Washington, D.C., spoke yesterday to Ohio legislators and education officials in the telephone forum.

She urged state lawmakers to pass one of two pending bills that would allow for the creation of charter schools.

The bills, one of which has passed the House and is pending in the Senate, would allow teachers,

"We have given (teachers) so many things they have to do to run their daily lives. . . . This is a way to release them from those shackles."

Jeanne Allen
on constraints of state regulations

parents or other interested groups to create alternative schools to serve niches not covered by the public school system. The schools would not be part of local school districts but would receive public school money.

The school would get a "charter," which means it would be recognized and accepted by the State Board of Education and the Ohio legislature.

Such a system of charter — or community — schools exists in 19 states, Allen said. Some specialize in educating pregnant teens, while others are geared toward helping dropouts. Still others ply an Afrocentric philosophy or address the unique

problems of inner-city youths.

Some charter schools teach with computers or use group learning methods and some don't use textbooks at all. Others hire local businesspeople as teachers.

Allen touted charter schools as a way to serve the needs of all kinds of learners — especially those who seem to fall through the cracks.

"It's what I truly call the new neighborhood school," she said.

She also espoused the philosophy as liberating to educators who feel burdened by state regulations. Charter schools are allowed to "break" state rules. They may not follow the curriculum models or the

same rules for purchasing supplies.

"We have given (teachers) so many things they have to do to run their daily lives," Allen said. "Dare you go outside of that system, there are repercussions. This is a way to release them from those shackles."

State school board members who attended the talk said they hope some version of the charter system will become law in Ohio. Discussion is on the agenda for Monday's board meeting, said Arline Smith, chairwoman of the legislative and budget committee.

Yet it is unclear when the matter will resurface in the Senate. The concept has been debated by legislators and the Ohio School Boards Association, who argue over who will control the schools.

Suggestions for control range from local school boards to various governmental bodies, a university or — as suggested in the House version — a new state Community School Commission.



Tim Borelli/Dispatch

Jeanne Allen urges lawmakers to pass legislation to create "charter schools."

Meanwhile, charter proponents are spreading the word. School officials from throughout Ohio were invited to yesterday's presentation, sponsored by the Buckeye Institute for Public Policy Solutions, a Dayton-based think tank.

Two Upper Arlington school officials — board President Ed Sciala and Assistant Superintendent Robert O'Brien — attended, though they did not offer opinions. O'Brien did say, however, that the idea is "exciting. It's a healthy experience to see educators pushing things forward."

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JULY 2ND 1994

Charter schools Free at last

WASHINGTON DC



BILL CLINTON expressed his approval for the idea in his State of the Union address in January. Roy Romer, the Democratic governor of Colorado, fought hard and successfully to get an enabling law through his state's legislature. William Weld, the Republican governor of Massachusetts, thinks it is an idea whose time has come and says he cannot wait to see its effect.

The brave new idea is charter schools, and the essence of it is simple: allow someone other than school boards to set up and run public schools. Charter schools are either started from scratch or formed by converting existing public schools to charter status. The founders may be parents, teachers, public bodies such as museums and universities, or in some cases profit-seeking private enterprises. Typically, charter schools are separate legal entities—able to hire people and hold property—and not merely an arm of the school system. Teachers are employees of the individual school; some even opt to be owners, with shares in the partnership in charge of the school.

The basics of public schooling remain in place (no fees, no teaching of religion, no selective admissions). But by granting charters for public schools outside the existing system, people with innovative ideas for education can put them into practice free from the drag of the public-school bureaucracy. California has a 13-volume education code; charter schools can ignore it.

They may offer unconventional hours, experiment with curricula, specialise in certain types of teaching, design programmes tailored to a particular community. Instead of churning out what cynics call BTUs (butt-time units), they aim to satisfy their customers. Nobody is obliged to go to them; the schools depend on the choices of parents and children, and on the money that follows each child.

Passing legislation allowing charter schools has been a hard, state-by-state battle. Teachers' unions and school boards have put up stiff resistance. But Republicans like the charter idea because it offers greater choice; Democrats like it because (unlike more radical reforms, such as vouchers, that would channel tax dollars to private as well as public schools) it keeps more obviously within the bounds of free public education. Politicians have been urged on by parents desperate for better schools. As a result, charter-school laws have been spreading.

Minnesota was first, in 1991. California followed the next year. In 1993 six more states passed what they described as charter-school legislation. Kansas and Arizona approved laws this year. New Jersey may be next; there, as in Arizona, the governor prefers school vouchers but may well take charter status as a feasible second-best.

There is no standard model for organising charter schools. Some states (such as Massachusetts) have passed bold legislation; others (such as Georgia) have been more cautious. Colorado introduced an appeals procedure so that school boards could not on their own block applications for charter schools; Massachusetts has gone a step further, and put the state's education secretary in charge of the vetting process. Most states have limited the number of charter schools (up to 100 in California, 50 in Colorado, 25 in Massachusetts, 20 in Minnesota). But Michigan set no limits at all.

How well are the reforms working? It is

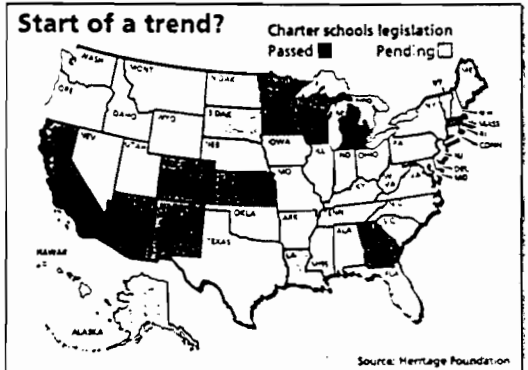
early days. Few charter schools are up and running (about three dozen in California, six in Minnesota, two in Colorado), and the experience is mixed.

Some schools seem to be translating local control into efficient management. But charter advocates would like to see more evidence of innovation. It turns out that the mere business of setting up a school uses up vast amounts of creative energy. "This is not for the faint of heart," says Barbara O'Brian of the Colorado Children's Campaign, a child-advocacy organisation. One of the two schools already open in Colorado had a terrific year, the other a rocky one.

Still, the monopoly in public schools is breaking up. Competition is bringing experiments and forcing assumptions to change. Even some people in the teachers' unions and on school boards are starting to embrace the charter-school idea. The unions see such schools opening despite their opposition, and have an interest in be-

ing constructively involved. The school boards, traditionally just suppliers of education services, have the opportunity to become purchasers on behalf of the citizens they serve, and to think afresh about the sort of education they ought to be buying. One school-board executive argues perceptively that "moving away from the role of exclusive provider of education services may be a blessing in disguise."

AMERICAN SURVEY



THE ESSENTIALS OF THE CHARTER SCHOOL STRATEGY

The purpose of a charter school law is to increase student achievement and graduation rates. It makes schools accountable for results rather than for process. It gives educators freedom to create better programs. It lets new organizations set up and run public schools. The intent and the effect is to stimulate existing public school districts to change and to improve.

*

- 1: The state opens the way for more than one organization to start and run a public school in the community.

The organizers may be teachers, parents or some community institution; perhaps a college or university. Their school may be a new school, or may be an existing school converted to autonomous public status.

- 2: The school is public. This remains public education.

The school is chartered by public law to carry out a public purpose under contract to public authority. There can be no religious character to the instruction, no charging tuition, no selective admissions, no discrimination. Health and safety laws must be followed.

- 3: The school will normally become a discrete entity.

The law may let the school choose any form of organization available under general state law; or may specify that it will be (say) a non-profit. As an entity the school will have its own board. So there is real site-management. Teachers, if employees, will have full rights to organize and bargain collectively. The bargaining unit, however, will be separate from the district bargaining unit.

- 4: The organizers can approach either a school board or some other public body to be their 'sponsor'.

The law will define the public bodies authorized to grant charters. The local board is normally included. (It may want to convert its existing schools). But the law will also let organizers approach the state board, or a board in the public post-secondary system, or a new entity created for this purpose, or even a city or county -- for a charter.

- 5: The school accepts an accountability for performance.

The school is chartered for a limited term. Renewal depends on performance; and the contract may be terminated for cause. The school is thus directly accountable to public authority as well as to its parent/student community. This 'contract' arrangement distinguishes the charter idea sharply from the voucher idea.

Charter Status Pays Off, in Cash

Vaughn school has \$1.2-million surplus in first year of statewide program

Forget bake sales. Principal Yvonne Chan dreams of bigger things, such as who should be her school's investment counselor. She's going to need one.

Last year, Chan's Vaughn Street Elementary School in Pacoima applied for and was granted charter status within the Los Angeles Unified School District. The statewide charter program allows a limited number of public schools to operate independently of their parent districts while continuing to receive district funding. The school changed its name to the Vaughn Next Century Learning Center, but that was hardly the only difference.

Chan and her charges have rung up a surplus of \$1.2 million this year, an astonish-

ing feat in a school system that has been forced to cut more than \$1 billion from its budget over the last several years. Another LAUSD charter campus in the Valley—Fenton Avenue School—is projecting a \$200,000 surplus. These examples are two of the best arguments yet for site-based management.

First, Chan scaled back administrative costs. Vaughn did its own hiring rather than paying the district for personnel services. Public schools are also funded according to student attendance, and Vaughn achieved a daily rate of 99%. Telephone calls were made to students' homes whenever they were absent, and incentives for perfect attendance were created.

Chan will use the surplus to

buy surrounding properties for use as a cultural center and library, and for more classroom space for a school so overcrowded that it needs three rotating schedules to accommodate its students.

Such extra effort is essential at Vaughn. Its students, who are mostly Latino and poor, live in one of the San Fernando Valley's toughest neighborhoods. Vaughn students are among the lowest-achieving in a district that as a whole was lackluster in the recent California Learning Assessment System exams.

What Vaughn has saved can now be directed toward improving academic performance. In the meantime, its noteworthy success ought to be studied closely by the rest of the LAUSD.

Donna L. Clovis

Transcript for Charter School Presentation

If you found that you needed open heart surgery, would you seek out an unlicensed doctor to perform your surgery? If you needed someone to build your house, would you seek out an unlicensed carpenter to build it? If you needed someone to educate your precious children, would you seek out unlicensed teachers? Unprepared and unlicensed personnel in charter schools spell out disaster for our children and our future.

Just as we would seek a well trained and licensed cardiologist to perform heart surgery and a licensed, well trained carpenter to build our house, so do we find it necessary to provide well trained and licensed professionals to teach our children. Education is the fundamental basis of our society. Well educated students taught by licensed personnel will have the necessary thinking skills to find the cure for cancer and AIDS. These students will be well trained to find the way to balance the national budget and find a solution for world peace. If our children are not educated properly, our society will suffer the consequences. If the United States is to continue as a world power, we cannot ask for anything less than quality education provided by licensed educators.

Another disadvantage to charter schools is the lack of compliance to curriculum standards. New Jersey has been diligently working on a core curriculum of standards for the state to insure quality education for all students. Can charter schools exist in our state without compliance to these high academic standards? Can these high academic standards be reached without qualified teachers instructing our students?

We cannot risk placing our children into the hands of the inexperienced and untrained in charter schools. Rather, let us make improvements in our current public educational system. Let us create partnerships between parents and members of the community. Let us create partnerships with businesses and corporations.

There is a saying, "A whole village raises and educates a child." Let us create the innovative partnerships to help licensed educators in public schools to do the job that they do best and that is to TEACH.

DRAFT

Post-It™ brand fax transmittal memo 7671		# of pages ▶
To	Joyce Kasey	
Co.	John Henderson	
Dept.	Phone #	
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A+ FOR KIDS
Testimony
by
John Henderson

THANK YOU FOR THE OPPORTUNITY TO TESTIFY.

NJSBA BELIEVES THAT SOME VERSION OF THE CHARTER SCHOOL LEGISLATION WILL PASS THE LEGISLATURE AND BE SIGNED BY THE GOVERNOR. THERE IS ENOUGH ENERGY TO MOVE THEM, BASED ON THEIR OWN MERITS IN THIS NATIONAL CLIMATE OF INNOVATION, SMALLER GOVERNMENT AND ACCOUNTABILITY. HOWEVER, ADD TO THIS MIX OF GENERAL GOOD FEELINGS TOWARD THE PROPOSALS THE FACT THAT THE CHARTER DEBATE OCCURS IN NEW JERSEY IN THE MIDST OF A RANCOROUS PUBLIC FIGHT ON VOUCHERS, IN WHICH THE LEGISLATURE AND VIRTUALLY EVERY PUBLIC INTEREST GROUP HAVE DUG IN AGAINST THE GOVERNOR AND DEPARTMENT OF EDUCATION. IN THIS ATMOSPHERE, CHARTER SCHOOLS TAKE ON ADDED "ALTERNATIVE" APPEAL TO LEGISLATORS EAGER TO DO SOMETHING TO SHAKE UP THE STATUS QUO.

100X

BUT ALL THE MORE REASON TO CAREFULLY STRUCTURE THEM. FROM THE BOARD MEMBER'S POINT OF VIEW, BOTH BILLS CURRENTLY BEFORE THE LEGISLATURE HAVE PROVISIONS REQUIRING MODIFICATION.

FIRST AND FOREMOST, MODIFICATIONS ARE NEEDED IN THE FUNDING AREA. BOTH BILLS REQUIRE ALL STATE AID AND LOCAL SHARE TO ACCOMPANY THE STUDENT TO THE CHARTER SCHOOL. THE PROBLEM HERE IS THAT OF FIXED OR RESIDUAL COSTS. AS MUCH AS 30% OF DISTRICT OPERATIONS IS NON-PERSONNEL, FIXED/RESIDUAL COSTS. BY WAY OF EXAMPLE, IN A DISTRICT WITH 3500 PUPILS IN FIVE BUILDINGS, THE LOSS OF 300 STUDENTS TO A CHARTER SCHOOL MAY COST THE DISTRICT AS MUCH AS \$3 MILLION IN STATE AND LOCAL FUNDS; YET THERE WOULD STILL BE FIVE BUILDINGS TO RUN, WITH DEBT SERVICE TO BE PAID, MAINTENANCE TO BE PERFORMED AND SPACE TO BE HEATED AND INSURED. IN RECOGNITION OF THIS PROBLEM, CHARTER SCHOOL INITIATIVES IN OTHER STATES HAVE LIMITED THE FUNDING THAT FOLLOWS THE CHILD TO LESS THAN 100% OR ALLOWS THE MATTER TO BE NEGOTIATED DIRECTLY BETWEEN THE DISTRICT AND/OR THE STATE AND THE CHARTER SCHOOL. COLORADO, FOR EXAMPLE, LIMITS THE FUNDING OF A CHARTER SCHOOL TO 80% OF THE TOTAL STATE AND LOCAL AID PER CHILD. ON THIS POINT, S-1796

EXACERBATES THE FIXED COSTS PROBLEM BY ALLOWING AN UNLIMITED NUMBER OF BOTH CHARTER SCHOOLS AND OF STUDENTS TO GO TO A SINGLE CHARTER SCHOOL. A-592, AT LEAST, PUTS LIMITS ON BOTH THE TOTAL NUMBER OF CHARTER SCHOOLS ALLOWED IN THE STATE AND THE PERCENTAGE OF STUDENTS THAT CAN BE DRAWN FROM ANY ONE EXISTING SCHOOL.

SECOND, IN AN EFFORT TO ASSURE "CHANGE" IN THE SPECIAL NEEDS DISTRICTS, THE ASSEMBLY VERSION MANDATES AT LEAST ONE CHARTER SCHOOL FOR EACH SPECIAL NEEDS DISTRICT. BAD IDEA. FORGET THE UNTOWARD INTRUSION INTO LOCAL DECISION-MAKING; THE ESSENCE OF CHARTER SCHOOLS IS THE CREATIVE INSPIRATION OF ITS ORGANIZERS. THAT CANNOT BE LEGISLATIVELY COERCED. FURTHERMORE, NO OTHER STATE MANDATES THE CREATION OF A CHARTER SCHOOL UNDER SUCH CIRCUMSTANCES NOR HAS ONE BEEN NECESSARY, GIVEN THE POPULARITY OF CHARTER SCHOOLS IN URBAN SETTINGS. THE ASSOCIATION MUST INSIST ON REMOVAL OF THIS PROVISION IN A-592.

THIRD, NJSBA ALSO NEEDS CLARIFICATION/REVISION TO THE SECTION CONCERNING THE RETURN TO THE DISTRICT OF STAFF ON LEAVE TO THE CHARTER SCHOOL WHO ARE DISSATISFIED THERE OR DISMISSED;

THEIR RETURN TO THE DISTRICT CANNOT BE AUTOMATIC AND IMMEDIATE AS IS IMPLIED CURRENTLY. THE FLOW OF OPERATIONS IN THE DISTRICT MAY NOT ALLOW ACCOMMODATION OF RETURNING STAFF MEMBERS IN THE MIDDLE OF THE YEAR AND THE REASONS FOR THE DISMISSAL MAY BE RELEVANT TO THE APPROPRIATENESS OF THEIR RETURN AS WELL. A DISCUSSION OF THESE FOLLOWS.

THE OTHER SUBSTANTIVE DIFFERENCES IN THE LEGISLATION INVOLVE: THE ROLE OF THE PRIVATE SPONSORS FOR THE SCHOOLS; THE USE OF CERTIFICATED STAFF; AND THE TRAIL OF EMPLOYEE BENEFITS. WHILE THE ASSOCIATION HAS NO SPECIFIC POLICY ON POINT FOR ANY OF THESE ISSUES (AND THEREFORE NO POSITION ON THEM), THE RESOLUTION OF THESE DIFFERENCES BETWEEN THE SPONSORS WILL PROVE DIFFICULT.

S-1796 TAKES THE "STRONG" APPROACH TO EACIL. ITS PROPONENTS ARGUE THAT CORPORATE SPONSORSHIP CAN MOST READILY DEAL WITH THE ENORMOUS START-UP COSTS INHERENT IN ANY UNDERTAKING OF THIS COMPLEXITY. IN EFFECT, USING THE STATE AID PER CHILD AVAILABLE WILL NOT BE ENOUGH TO GET THESE SCHOOLS GOING. CONCERNING CERTIFICATED STAFF, S-1796 SUPPORTERS ARGUE THAT THOUSANDS OF QUALIFIED EDUCATORS—INCLUDING MOST

COLLEGE TEACHERS—ARE NOT CERTIFIED AND LIMITING THESE SCHOOLS IN THEIR ACCESS TO THIS TALENTED INDIVIDUALS CRIPPLES THE CHARTER SCHOOL INITIATIVE FROM THE START. BESIDES, THEY ARGUE, THE COMMISSIONER MUST APPROVE THE STAFF CHOICES IN GRANTING THE CHARTER. FINALLY, THE SENATE VERSION WANTS THE FLEXIBILITY OF THE CHARTER SCHOOLS FURTHER ENHANCED BY ALLOWING THEM TO CUT WHATEVER DEALS THEY WANT WITH STAFF CONCERNING BENEFITS AND SALARY.

A-592 TAKES THE MORE CONSERVATIVE, OR "WEAK," APPROACH TO EACH DESIGN ELEMENT. PROPONENTS OF THIS APPROACH ARGUE THAT CHARTER SCHOOLS ARE A BIG GAMBLE AND THEIR SUCCESS IS BETTER ASSURED WHEN SPUN OFF OF EXISTING EDUCATION STRUCTURES. OTHERWISE, PERSONS WITH GOOD INTENTIONS BUT LITTLE EXPERTISE IN EDUCATION COULD EASILY DROWN IN THE EFFORT; A HIGH FAILURE RATE WILL DAMAGE THE IMAGE OF THE CONCEPT AND THE EFFORTS OF ALL CHARTER SCHOOLS. FOR THIS REASON A-592 REQUIRES THAT ONLY CERTIFICATED STAFF BE USED, SINCE THESE INDIVIDUALS BRING A BASELINE OF EXPERTISE AND KNOW THE ROPES OF PUBLIC EDUCATION. AND, THE A-592 TEAM SAYS, PROBABLY ACCURATELY, THAT FEW TEACHERS WILL LEAVE THE REGULAR SCHOOL FOR THE CHARTER ONE, IF THEY CANNOT

AUTOMATICALLY TAKE THEIR BENEFITS PACKAGE WITH THEM. ON THIS ISSUE, THEY ARE PERSUASIVE, SINCE NOT EVEN THE HIGH TIER PRIVATE SCHOOLS OFFER BENEFITS COMPARABLE TO WHAT IS TYPICALLY AVAILABLE IN PUBLIC SCHOOLS. IN RESPONSE, THE S-1796 SIDE WOULD SAY THAT EXISTING STAFF MEMBERS ARE NOT THE TARGET, OF THE NEW SCHOOLS, THAT A DIVERSE FACULTY EAGER TO TRY NEW AND BOLD IDEAS IS THE GOAL AND THAT THESE PEOPLE WILL NOT GENERALLY COME FROM THE EXISTING RANKS OF PUBLIC SCHOOL EDUCATORS.

IN CONCLUSION, NOBODY HAS TESTIFIED TO DATE THAT CHARTER SCHOOLS ARE ANYTHING BUT A MINOR COMPONENT OF SCHOOL REFORM. THEY ARE CERTAINLY NOT A PANACEA. FURTHERMORE, FOR ALL OF THEIR APPEAL ON PAPER, STARTING THEM IS A PRODIGIOUS TASK, PERHAPS THE REASON WHY THREE STATES THAT HAVE APPROVED LAWS FOR THEIR CREATION HAVE YET TO APPROVE AN APPLICATION FOR ONE.

STILL, IT IS A REFORM WHOSE TIME HAS COME AND THE ASSOCIATION SHOULD BE THERE TO GREET IT IF ONLY TO SHAPE IT.

CONCLUSION

WE CAN SUPPORT THE BROAD CONCEPT BEHIND THE BILLS. BUT THERE ARE STILL TOO MANY DEVILS LEFT IN THE DETAILS OF THE BILLS. THE ASSOCIATION, THEREFORE, MUST SEEK AMENDMENTS TO ANY COMPROMISE VERSION OF THE LEGISLATION TO:

1. OBTAIN A MORE EQUITABLE DISTRIBUTION OF FUNDING THAT RECOGNIZES THAT RESIDENT SCHOOLS HAVE CERTAIN FIXED COSTS REGARDLESS OF THE NUMBER OF STUDENTS THAT ATTEND THE SCHOOL.
2. DELETE ANY MANDATE TO FORCE THE CREATION OF A CHARTER SCHOOL IN ANY DISTRICT.
3. SPECIFICALLY LIMIT THE NUMBER OF PUPILS WHO CAN LEAVE A DISTRICT TO ATTEND A CHARTER SCHOOL.
4. ESTABLISH FORMAL PROCEDURES FOR THE RETURN OF STAFF ON LEAVE TO THE CHARTER SCHOOL PRIOR TO THE END OF THEIR LEAVE.

NEW JERSEY SCHOOL BOARDS ASSOCIATION
LEGISLATIVE ANALYSIS

BILL NO: S-1796 (1R)
(EWING, LaROSSA)
A-592 ACS (1R)
(ROCCO, DORIA)
YEAR: 1995
SUBJECT: CHARTER SCHOOLS

PROVISIONS

S-1796 and A-592 establish within the Department of Education (DOE) a charter school program which shall provide for the approval and granting of charters to charter schools. The comparison of the bills' provisions follow.

PROVISION

S-1796

A-592

Applications to
establish a charter
school may be
made by

two or more certified teachers or
administrators; ten or more parents; an
existing public school; an institution of
higher learning; a business or corporate
entity; or other appropriate organizations
as determined by the commissioner.

ten or more teaching staff members, ten or
more parents with children attending school
within the district; or a group of five
teaching staff members and five parents; an
existing public school if at least 51% of
teaching staff and 51% of parents sign a
petition; an institution of higher learning in
conjunction with five teaching staff members
and five parents of children attending school
in the district.

Applications/
approval process

Private or parochial school applications
specifically prohibited.

not stated (but inferred)

submitted to the local board of education
(or state superintendent in the case of
takeover districts) by December 15 of the
year preceding establishment of the school.
The board/state superintendent shall review
the application and forward it with an
advisory recommendation to the
Commissioner within 60 days of receipt of
the application. The decision of the
Commissioner shall constitute final agency
action.

submitted to the local board of education (or
state superintendent in the case of takeover
districts) by December 15 of the year
preceding establishment of the school. The
board/state superintendent shall review the
application and forward it with a
recommendation to the Commissioner within
60 days of receipt of the application. The
decision of the Commissioner shall
constitute final agency action.

John M. Henderson
October 19, 1995

107X

Applications for charter shall include <hr/>	identification of the charter applicant, name of the proposed school, proposed governance structure, educational goals and methods of assessing whether students are meeting the goals, the policy and criteria for admissions including age and grade range, the school year and the school day calendar, the curriculum to be offered, a description of staff responsibilities, procedures to be implemented to assure parental involvement and a description of the facility.	identification of the charter applicant, name of the proposed charter school, proposed governance structure, the educational goals and methods of assessing whether students are meeting the goals, the policy and criteria for admissions, the school year and school day calendar, the curriculum to be offered, plans to achieve racial and ethnic balance and information on the manner in which community groups will be involved, procedures to be used in disciplining students, the financial plan including provisions for auditing operations, a description of and justification for any waiver requests and a description of the facility.
Revocation of charter <hr/>	by the Commissioner (according to procedures to be developed) if school has not fulfilled or violated any condition of its charter. Commissioner may also place a charter school on probationary status to allow implementation of a remedial plan; if plan is unsuccessful, charter may be revoked.	same
Tort liability <hr/>	Employees of charter schools shall be considered public employees and the Board of Trustees shall be considered the public employer.	same
Funding <hr/>	The resident school district shall pay the charter school the following: the local levy budget per pupil amount for the pupil's specific grade level as well as any categorical amounts due; and any applicable federal amounts.	same
Length of charter <hr/>	shall be for a period of not more than five years.	shall be for a period not to exceed three years and may be renewed for a five-year period.

Admissions policy/ unique mission	Schools shall not discriminate on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a handicapped person, proficiency in the English language or any other basis that would be illegal if used by a public school district.	same
	However, a charter school may limit admission to a particular grade level or areas of concentration of the school such as mathematics, science, or the arts. A charter school may establish reasonable criteria to evaluate prospective students, which shall be outlined in the school's charter.	same
Transportation	shall be provided to the charter school on the same terms and conditions as transportation is provided to students attending schools in the district.	same
	Non-resident students shall receive transportation services pursuant to regulations established by the State Board.	same
Student withdrawal and discipline	A student may withdraw at any time. A student may be expelled based on criteria determined by the Board of Trustees upon recommendation of the principal and in consultation with the student's teachers.	not stated The procedures to be used in the disciplining of students and information on the manner in which the charter school shall comply with current statute (<u>N.J.S.A. 18A</u>) addressing the suspension or expulsion of students.
Size of school and student enrollment limits	Schools may be of unlimited size. Preference shall be given to students who reside in the school district in which the charter school is located. If space is limited, students shall be selected on a random basis. If space is not a problem, non-resident students may be enrolled as outlined in the school's charter.	Charter schools, other than those established for a currently existing public school, shall not have an enrollment in excess of 300 students or greater than 20% of the student body of the local district. same

	In such cases, the student's district of residence shall permit and pay for the attendance of that student; the charter school shall not charge tuition to the student.	same
Location of charter school	may be located in part of an existing public school building, in a space provided on a public work site, in a public building, or any other suitable location.	may be an existing school building or be located in part thereof; in space provided on a privately owned site; in a public building, or any other suitable location.
	The facility shall be exempt from public school facility regulations except those pertaining to health and safety.	same
	A charter school shall not construct a facility with public funds.	same
Other state regulations	The Commissioner of Education may exempt the school from state regulations concerning public schools, except those pertaining to assessment, testing, civil rights and student health and safety, if the Board of Trustees satisfactorily demonstrates to the Commissioner that the exemption will advance the educational goals and objectives of the school.	The charter school shall comply with all state and federal laws, rules and regulations pertaining to public schools except where the charter school has received a waiver from state regulations pursuant to the provisions of this act.
Grievances/complaints	Any individual or group may bring a complaint to the Board of Trustees for resolution. If not satisfied with the board's decision, they may present the complaint to the Commissioner for resolution.	A Grievance Committee in each charter school is established to facilitate the consideration of complaints from individuals or groups concerning an alleged violation of the charter. The membership shall consist of nine members, seven appointed by the district board of education (or, in case of takeover districts, by the state superintendent). Members must include: two charter school teachers; two charter school administrators; one noncertified charter school employee; and two parents of students enrolled in charter schools. The remaining two shall be one representative of the Commissioner of Education and one member of the local board/state superintendent.

		The grievance committee shall make a recommendation to the Board of Trustees concerning the disposition of the complaint. If the sponsor of the complaint is not satisfied, the sponsor may also petition the Commissioner for relief.
Academic standards	Students shall be required to meet the same testing and academic performance standards as established by law and regulation, including the High School Proficiency Test (HSPT), and Early Warning Test (EWT).	same
	Students shall also meet any additional assessment indicators which are included within the charter.	not stated
The charter school shall be a body corporate and politic	with the powers necessary for carrying out its charter program, including but not limited to: adopting a name and corporate seal (which must include the words "charter school"); suing and be sued, acquiring real property from public and private sources; receiving and disbursing funds; make contracts and leases for services and goods; incurring debts in anticipation of funds; soliciting and accepting any gifts or grants for school purposes.	same
Subcontracting/ Privatization of Services	Schools that wish to contract out for substantially all educational services must have contract terms approved by the Commissioner.	Board of Trustees is authorized to contract for services, equipment and supplies; shall not, however, contract for the services of certified personnel except as such contracting is authorized in State Board regulations for public school districts.
Special requirements of charter schools	Must include as part of admissions policy, a description of the procedures to be implemented to ensure significant parental involvement in the operations of the school.	They shall be accountable to parents, the public and the state with the delineation of accountability reflected in the charter and strategies developed for meaningful parent and community involvement. They shall not provide any religious instruction nor display religious objects and symbols on the premises. They shall not advocate unlawful behavior.
Annual report	shall be submitted to the Commissioner by August 1 of each year in such form as the Commissioner may prescribe.	same

	The information shall include: a discussion of progress made toward its goals as outlined in its charter; an annual audit conducted pursuant to the provisions of <u>N.J.S.A. 18A:23-1</u> .	not stated
	The report is to be made available to the parent or guardian of each student enrolled and to each parent or guardian of a student who has applied for admission.	The report is also to be submitted to the local board of education and the county superintendent of schools.
Maximum number of charter schools permitted	is unlimited	is limited to three in counties over 500,000 (Hudson, Bergen, Essex, Middlesex, and Camden) and two in all others. However, each special needs school district would be mandated to have at least one and no more than three charter schools.
Role of the State Board of Education	is to promulgate rules and regulations to effectuate the purposes of the act.	same
Staffing/leaves of absence	A teacher or administrator may request a renewable two-year leave of absence and the board must grant the initial request.	A tenured or non-tenured teacher or administrator may request a leave of absence for up to three years, which approval shall not be unreasonably withheld by the board.
	At the end of two years, the staff member may apply to return to the district or to extend the leave, which permission may not be unreasonably withheld by the board.	not stated
	At the end of the fourth year, the staff member may either return to the district or remain at the charter school. However, if the staff member chooses to continue with the charter school they must resign from their district position.	not stated
	not stated	A teacher or administrator who leaves or is dismissed from charter school shall have the right to return to his former position in the local district which granted the leave.
Board of Trustees	has authority to decide matters related to operations of the school including: budgeting, curriculum, operating procedures authority to hire, fire and contract with teachers and staff to provide services.	same

Collective bargaining agreement	The Board of Trustees shall bargain collectively on salary and other issues and may choose whether or not to adopt the terms of the local district's collective bargaining agreement.	The board shall adopt the terms of the applicable local district bargaining agreement except in the areas of the schedule and the school calendar, including length of school day and school year.
Staff certification	Teaching and administrative staff members need not hold the appropriate New Jersey certification.	All teaching and administrative staff shall hold appropriate New Jersey certification.
Tenure	The Board of Trustees may retain or waive tenure for its employees. If tenure is granted to an employee, the tenure shall be applicable only to employment by the charter school. The charter school's tenure policy shall be outlined in its charter.	Teachers on leave shall not accrue tenure in the public school system but shall retain tenure (if they had it prior to the leave) and shall continue to accrue seniority in the public school system if they return to the district when the leave ends. A teacher employed by a charter school shall accrue tenure in the charter school pursuant to current statute.
Other employee benefits	All employees of a charter school may be enrolled in the appropriate public employee retirement system and in the health benefit plan of the district in which the charter school is located. The contributions to these plans shall be made by the state and the charter school, respectively, as is currently the practice under statute.	All employees of a charter school shall be enrolled in the appropriate public employee retirement system and in the health benefits plan of the district in which the charter school is located. The contribution to these plans shall be made by the state and the charter school respectively, as is currently the practice under statute.
Formal evaluation of the charter school initiative	is not provided for	Six years following the effective date of the act, public hearings are to be held in the north, central and south to receive input from the educational community and public. The Commissioner shall submit to the Governor and the Legislature an evaluation of and recommendation on the advisability of continuation of the program.
Effective date	immediately	same

HISTORY

S-1796 was introduced on February 9, 1995 and was referred to the Senate Education Committee. It was the subject of one committee hearing on March 23, 1995 and two public hearings on April 6 and April 28. Testimony by the professional organizations could be described as tentative, endorsing the concept but troubled by some of the details.

The Senate Education Committee heard the bill again on May 8, 1995. As a result of input from the hearings, several major amendments were made to S-1796 to bring it closer to A-592. The most significant of these changes was to invoke local board input/recommendation in the same manner as the Assembly version. Testifying in support of S-1796 and preferring it over A-592 were the New Jersey Business and Industry Association (NJBIA), representatives from the Edison Project and Education Alternatives Incorporated, and the New Brunswick-based Partnership for New Jersey. While the New Jersey Principals and Supervisors Association (NJPSA) testified on this bill, its preference remains with A-592 since it protects the interests of administrators. But most interesting was the complete absence of representatives from the New Jersey Education Association (NJEA) and the New Jersey Association of School Administrators (NJASA). The bill was released by a vote of 4-0 with the significant abstention of committee vice-chairman Senator Joseph Palaia, who believes strongly in the need for certificated administrators to run the charter schools.

A-592 was introduced on January 11, 1994 and assigned to the Assembly Education Committee. The bill was heard in committee on April 27, 1995 and released unanimously (7-0). NJPSA, NJASA and NJEA supported the bill; only NJASBO opposes any version of charter legislation outright. NJSBA secured an amendment to A-592 concerning staff tenure rights. As amended, under A-592, staff members could obtain tenure only at the charter school (unless they had it before going to the charter school) but they could not bring it back with them to the district.

A-592 passed the Assembly (66-4) on May 22, 1995 and was sent to the Senate Education Committee.

RELEVANT NJSBA POLICY

File Code 5117 supports choice within the public schools when local communities have made that determination. These plans could include choice among schools in the district (intradistrict choice), including charter or magnet schools, or could extend to schools in other districts (interdistrict choice) when the school board has established a mutually agreeable contract with other school districts.

NJSBA opposes any choice proposal, such as vouchers or tuition tax credits, that include private or religious schools because the Association opposes the use of public funds for non-public schools. State oversight should be limited to ensuring compliance with state law in such matters as racial balance.

COST TO DISTRICTS

It is not possible to determine the approximate cost to districts at this time (see DISCUSSION below).

BACKGROUND

The first charter school law was passed in May 1991 in Minnesota. Shortly thereafter, the Winona, Minnesota Board of Education approved the nation's first charter school, called the Bluffview Montessori School, which

gave up its private-school status and complied with state regulations governing its operation. California became the second state to approve charter schools in 1992. As a gauge of the popularity of this innovation, when this analysis was first completed in May of this year, 12 states had provisions for charter schools, with legislation pending in 14 more; there were 134 charter schools in actual operation. Five months later—October 15, 1995— Delaware, New Hampshire, Texas, Louisiana, Arkansas, Alabama and Rhode Island have been added, bringing to 19 the number of states which have approved charter schools. There are now over 200 (almost half of which are in California) in operation, serving more than 70,000 pupils. About half the charter schools in operation are designed to serve "at-risk" students.

The National School Boards Association supports charter schools as long as there is local board of education involvement.

One interesting turnaround in the debate on charter schools is their embrace by the NJEA, which in 1992 termed them, "racially and economically divisive." That organization had also thought it inappropriate for parents and teachers to be running schools. With changes in the current proposal to satisfy the first two concerns, NJEA speaks now of turning teachers' creativity loose and says the experiment is "worth a shot." The NJASBO opposes them in any form, while the NJASA has given tacit support. On the other hand, the DOE so enthusiastically supports both S-1796 and A-592 that it has on staff a full-time consultant to advocate for and refine the initiative.

Even the federal government is solidly in the act. On October 1, 1995 Education Secretary Richard Riley announced a \$2.1 million, four-year contract for a study on the effectiveness of charter schools. The Education Department plans to give \$536,000 for the first year to a consortium of RPP International of Berkeley, Calif., the University of Minnesota's Center for Applied Research and Educational Improvement in Minneapolis and the Institute for Responsive Education in Boston. Riley also announced \$5 million in grants to support charter schools in Arizona, California, Colorado, Georgia, Louisiana, Massachusetts, Michigan, Minnesota, Texas and New Mexico.

DISCUSSION

A. What Are They? Why Are They Popular? How Are They Doing?

In its purest form, a charter school is a public school operated under a contract or "charter." The organizers may be teachers, parents, or others from the public or private sector, while those who oversee the contract/charter, the sponsors, may be local school boards, state education boards, or some other public authority.

Two characteristics of charter schools that account for their rapidly growing public appeal are that, in all cases, the contract specifies the terms under which the school may operate and the student outcomes they are expected to achieve. Secondly, the contract is set at such a length—three to five years—that evaluation of the project is both certain and essential for its continuation. As indicated in BACKGROUND above, that appeal is substantial.

Unfortunately, the charter schools innovation is still so new that no school has completed its first charter; therefore, a comprehensive evaluation cannot take place. Nevertheless, both the Education Commission of the States and the School of Public Affairs/Morrison Institute of Arizona State University—perhaps the nation's leading think tank on the issue—monitors the progress of the various charter schools and reports

trends which are emerging.

First, alleged fears concerning elite schools and desegregation are not substantiated so far. Many charter schools have chosen to target students who are not succeeding in the traditional public school setting. In fact, perhaps the nation's most successful charter school, Minnesota's City Academy, reports that within its first two years, nearly 75% of its initial group of 60 students (all former dropouts) had completed graduation requirements. Another example is I Tom Escuela of Centro de Armistad, a trilingual/tricultural (Spanish/English/Yaqui) community-based school organized in part by the town of Guadalupe, Arizona.

Second, charter schools focus larger percentages of existing funds on instructional activities. Through the use of creative volunteers and other efforts, some charter schools are saving money on the business side of schooling. On the other hand, charter schools are not immune from problems. Some have had difficulty managing administrative operations and in securing buildings and capital equipment. Indeed, the revocation of Los Angeles-based Edutrain's charter due to financial mismanagement underscores both the potential fiscal pitfalls of charter schools and the management challenges.

Third, some ripple effects across the broader public education system are becoming visible. Charter schools not only serve the students they attract but, ideally, their existence challenges "regular" districts to see things differently. For example, a Montessori-type program is now being offered by one Minnesota district after parents sought unsuccessfully to establish one under the charter law. Massachusetts law, which encourages private sponsorship of schools, has caused the Boston school board and its teacher union to initiate a process to create their own charter-like schools.

B. What Types of Charter Schools Are There?

If New Jersey is to become the 20th state to have charter schools, what type of charter school program should it consider? Researchers speak of two types of charters, characterized as "strong or weak." They are labeled one way or the other depending on their design elements in four areas.

Design Element	Strong Charter	Weak Charter
Organizer Options	Almost any group, including existing private and parochial schools, can organize and apply for a charter.	Only certificated teachers can organize and apply for a charter.
Sponsorship Options	Corporations, private business interests, educational entrepreneurs are welcome to apply.	Only local boards can be sponsors.
Legal and Fiscal Autonomy	Schools granted a great deal of financial and legal autonomy, including automatic freedom from most state and local rules (called "super waivers").	Schools would remain part of the district and would appeal for waivers on a case-by-case basis.
Employee Requirements/ Protections	Does not require staff to be state-certified or the local bargaining agreement to be in force; tenure protections, if any, are left to the individual charter.	Requires state certification of staff, enforcement of the local bargaining agreement and retention of tenure provisions.

C. What Types of Charters Are Promoted by the Pending Legislation?

Using the above research model, S-1796 favors a relatively strong charter program; A-592 supports a weak one.

Like A-592, S-1796 prohibits the conversion of existing private schools to charter schools. This is important to the debate, not only on charter schools but on vouchers. Neither proposal, on this point, gives comfort to the argument that charter schools are a "back door" to vouchers. Indeed, in those states where private schools have become charter schools they must abide by the laws governing public charter schools (e.g. not charging tuition, accepting all students, being nonsectarian, etc.).

The Senate version does have both lower parental and/or teaching staff organizing thresholds than the Assembly bill. It also seeks sponsorship for the schools from private businesses and corporations, as well as an unspecified provision for sponsorship by "other appropriate organizations."

With one dramatic exception, both bills approach the issue of legal and fiscal autonomy in comparable ways. There are no "super waivers" of regulations granted automatically in either bill and the responsibilities of the charter school as a legal entity are well-delineated in both. In fact, with regard to the bills' proposed rules and regulations exemption, the same basic process and benefit is now available to regular schools through the Equivalency and Waiver Process Code (N.J.A.C. 6:3A-1) adopted by the State Board of Education in June 1995. In fact, the State Board has granted more than 40 waivers.

In order to counter the argument that charter schools will "siphon off of the local district's academically talented" students, neither bill permits the creation of pure academically gifted and talented charter schools, though they do allow for the creation of schools focusing on the needs of at-risk youth.

The most striking contrast between the bills is on the issue of employee requirements and protections. Those in A-592 closely parallel the existing labor contract operative in the resident district. With its allowance of the use of non-certificated staff and loose tenure protections, S-1796 takes the opposite approach to further "enhance creative thinking and innovation," according to chief sponsor Senator Jack Ewing.

D. NJSBA And The Bills

Some version of these proposals is expected to pass the Legislature and be signed by the Governor. There is enough energy to move them, based on their own merits in this national climate of innovation, smaller government and accountability, and because of the concept's success, in its initial stages at least, elsewhere. However, add to this mix of general good feelings toward the proposals the fact that the charter debate occurs in New Jersey in the midst of a rancorous public fight on vouchers, in which the Legislature and virtually every public interest group have dug in against the Governor and Department of Education. In this atmosphere, charter schools take on added "alternative" appeal to legislators eager to do something to shake up the status quo.

But all the more reason to carefully structure them. From the board member's point of view, both bills have provisions requiring serious modification. A discussion of these follows.

First and foremost, modifications are needed in the funding area. Both bills require the state aid and local share to accompany the student to the charter school. The problem here is that of fixed or residual costs. As

much as 30% of district operations is non-personnel, fixed/residual costs. By way of example, in a district with 3500 pupils in five buildings, the loss of 300 students to a charter school may cost the district as much as \$3 million in state and local funds; yet there would still be five buildings to run, with debt service to be paid, maintenance to be performed and space to be heated and insured. In recognition of this problem, charter school initiatives in other states have limited the funding that follows the child to less than 100% or allows the matter to be negotiated directly between the district and/or the state and the charter school. Colorado, for example, limits the funding of a charter school to 80% of the total state and local aid per child. On this point, S-1796 exacerbates the fixed costs problem by allowing an unlimited number of both charter schools and of students to go to a single charter school. A-592, at least, puts limits on both the total number of charter schools allowed in the state and the percentage of students that can be drawn from any one existing school.

Second, in an effort to assure "change" in the special needs districts, the Assembly version mandates at least one charter school for each special needs district. Bad idea. Forget the untoward intrusion into local decision-making; the essence of charter schools is the creative inspiration of its organizers. That cannot be legislatively coerced. Furthermore, no other state mandates the creation of a charter school under such circumstances nor has one been necessary, given the popularity of charter schools in urban settings. The Association must insist on removal of this provision in A-592.

Third, NJSBA also needs clarification/revision to the section concerning the return to the district of staff on leave to the charter school who are dissatisfied there or dismissed; their return to the district cannot be automatic and immediate as is implied currently. The flow of operations in the district may not allow accommodation of returning staff members in the middle of the year and the reasons for the dismissal may be relevant to the appropriateness of their return as well. A discussion of these follows.

The other substantive differences in the legislation involve: the role of the private sponsors for the schools; the use of certificated staff; and the trail of employee benefits. While the Association has no specific policy on point for any of these issues (and therefore no position on them), the resolution of these differences between the sponsors will prove difficult.

S-1796 takes the "strong" approach to each. Its proponents argue that corporate sponsorship can most readily deal with the enormous start-up costs inherent in any undertaking of this complexity. In effect, using the state aid per child available will not be enough to get these schools going. Concerning certificated staff, S-1796 supporters argue that thousands of qualified educators—including most college teachers—are not certified and limiting these schools in their access to this talented individuals cripples the charter school initiative from the start. Besides, they argue, the Commissioner must approve the staff choices in granting the charter. Finally, the Senate version wants the flexibility of the charter schools further enhanced by allowing them to cut whatever deals they want with staff concerning benefits and salary.

A-592 takes the more conservative, or "weak," approach to each design element. Proponents of this approach argue that charter schools are a big gamble and their success is better assured when spun off of existing education structures. Otherwise, persons with good intentions but little expertise in education could easily drown in the effort; a high failure rate will damage the image of the concept and the efforts of all charter schools. For this reason A-592 requires that only certificated staff be used, since these individuals bring a baseline of expertise and know the ropes of public education. And, the A-592 team says, probably accurately, that few teachers will leave the regular school for the charter one, if they cannot automatically take their benefits package with them. On this issue, they are persuasive, since not even the high tier private schools offer benefits comparable to what is typically available in public schools. In response, the S-1796 side would

say that existing staff members are not the target, of the new schools, that a diverse faculty eager to try new and bold ideas is the goal and that these people will not generally come from the existing ranks of public school educators.

In conclusion, nobody has testified to date that charter schools are anything but a minor component of school reform. They are certainly not a panacea. Furthermore, for all of their appeal on paper, starting them is a prodigious task, perhaps the reason why three states that have approved laws for their creation have yet to approve an application for one.

Still, it is a reform whose time has come and the Association should be there to greet it if only to shape it.

CONCLUSION

While NJSBA can support charter schools, there are still too many devils left in the details of these bills. The Association, therefore, must seek amendments to any compromise version of the legislation to:

1. Obtain a more equitable distribution of funding that recognizes that resident schools have certain fixed costs regardless of the number of students that attend the school.
2. Delete any mandate to force the creation of a charter school in any district.
3. Specifically limit the number of pupils who can leave a district to attend a charter school.
4. Establish formal procedures for the return of staff on leave to the charter school prior to the end of their leave.

**TESTIMONY ON PROPOSED CHARTER SCHOOL LEGISLATION
A+ FOR KIDS TEACHER NETWORK**

December 5, 1995

Jessica G. de Koninck, Legal Counsel

Thank you for the opportunity to address proposed legislation concerning the establishment of charter schools in New Jersey. The following remarks are offered on behalf of the City of Trenton Public Schools.

The charter school concept is an interesting one which is experiencing various levels of success in practice as it moves past infancy in those few States which have both instituted and implemented charter school legislation. None would argue against the desirability of creative and effective innovation in public education. However, as charter schools are so new; it is wise to proceed with caution while the jury is still out. If charter schools are to work in New Jersey and achieve the goal of enhancing public education for all students, not just an elite few, proposed Assembly bill 592 and Senate bill 1796, establishing a charter school program, must face careful scrutiny to make sure that the bill appropriately focuses on this goal of universal educational excellence.

There are some problems. First there is no funding attached to the bills. Section 13 of S 1796 requires the school district of residence to pay directly to the charter school for each student enrolled an amount equal to the local levy budget per pupil in the district for the specific grade level. At a time when the local tax dollar is being stretched beyond its limits, taking those dollars out of the district is unrealistic. The local district simply does not experience a dollar for dollar savings for each student leaving the district. Additional money will have to be found to make up for the loss related to charter school pupils in order to cover fixed costs such as utilities and maintenance.

Second, the proposed legislation creates increased bureaucracy and, presumably, increased administrative costs. A popular axiom used to explain the relatively high cost of public education in New Jersey is the unusually large number of school districts. Duplicate

districts multiply administrative costs without any concomitant benefit in the classroom. Under the proposed legislation,

Charter Schools are to be managed by a "board of trustees." Is this not just an additional school district with a different name?

Under Section 7 of S 1796, a Charter School is a "body corporate and politic." It possesses the features inherent to all local governmental entities including the ability to receive and disburse funds, make contracts, acquire property, incur temporary debt, etc. What remains unclear is who is responsible for the liabilities of the charter school if it is unable to meet its obligations. Will that become the responsibility of the local school district? Further, there is nothing in the legislation or supporting documentation to suggest why it is necessary to create additional governmental entities in order to reap the benefits of charter schools. If the charter school model is, indeed, a good one, individual school districts should be given the authority to incorporate the model without the creation of additional bureaucracy.

As a district, we are committed to educational excellence and equity for all students. Section 8 of S 1796, presents some difficulties in that regard. The so called "open enrollment" provision permits admission to a charter school to be limited, not only based on grade level, but on subjects of concentration and residence. These restrictions have the ability to open the door to inequity.

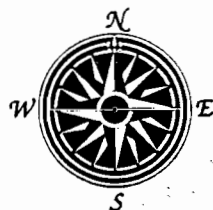
The bill raises administrative issues as well. If a student withdraws from a charter school and reenters the district's schools, what happens to the money paid on behalf of that student? If a student is expelled from a charter school, must the district enroll that student in its schools?

Section 16 of S 1796, relating to leaves of absence, makes it difficult for school districts to plan and to staff positions. The provision relating to a two year extension of that initial leave could conceivably mean that a teacher on leave will have been replaced by a teacher who subsequently becomes tenured. Upon the possible return of the first teacher, the district may be placed in the unfortunate position of having to institute a reduction in force. At best, the district will be burdened with displacement in the work force.

On a positive note, S 1796 may afford the opportunity for innovative programming. It may afford school districts facing overcrowding and growing populations an alternative for some students, potentially reducing the need for additional capital investment. A charter school which focused on the needs of students who are already placed out of district might be able to provide better services for such students closer to home and at a lower cost to the district.

One charter school model, not anticipated in the legislation, might be a partnership with a local college or university. In the case of the Trenton School District, this could be Trenton State, Rider or Princeton. A charter school operated by an institute of higher education could provide educational benefits for all concerned, and would bring the resources of the institution to the charter school students. Additionally, private funds could be solicited from major corporations to underwrite the cost of the charter school and to afford its students the opportunity to attend college. In a similar vein, a local hospital could be involved in a charter school partnership to provide students exposure to the various health care fields.

In conclusion, it remains too early to tell whether or not charter schools will work for New Jersey. It is, therefore, necessary for the legislature to move with extreme caution. Any charter school program must be created in such a way as to be a benefit to the local public schools. A charter school system which simply siphons off money from the public schools without a guarantee of return, will undermine the public schools without adding benefit or value.



Pioneer Institute for Public Policy Research

Policy Directions

Number 1
April 1995

Charter Schools: Fears and Facts

With the passage of the 1993 Education Reform Act in July of that year, charter schools burst onto the educational landscape in Massachusetts. In the intervening months, substantial debate has ensued regarding the true nature of these new schools. As charter school founders around the state have endeavored to develop their organizations, more and better information about charter schools has become available. In the following pages, Pioneer has compiled current, comprehensive information about charter schools in Massachusetts and their role in public education.



The Fear: Charter schools will be nothing more than private schools.

Since they are governed by a board of trustees that is not accountable to any local public authority (such as a school committee), charter schools are no different than private schools. Consequently, money taken away from school districts to pay tuition at these schools is money that is taken out of public education.

The Facts: Charter schools are public schools in every sense of the word. They are authorized and chartered by a public agency (the Executive Office of Education). They are subject to critical state regulations,

If anything, charter school founders are augmenting the resources devoted to public education through their tireless fundraising efforts and their countless hours of volunteer work.

including those regarding special education, bilingual education, academic standards and assessments, health, and safety. They may not accept any private tuition payments. They must abide by strict non-discrimination standards governing admissions.¹ Money spent on charter schools does not diminish the resources available for public education by one penny. If anything, charter school founders are augmenting the resources devoted to public education through their tireless fundraising efforts and their countless hours of volunteer work.

¹ In many respects, charter schools are held to a stricter non-discrimination standard than established public schools. In most school districts, students are assigned to specific schools based on many different criteria including race, disability, and academic achievement. Charter schools are prohibited from using such criteria to screen their applicants.

The Fear: Charter schools will bankrupt conventional public schools.

Each student that chooses to attend a charter school carries a tuition—payable by the home school district—equivalent to the average cost of a public education in the home town.² But school districts have tremendous fixed costs that are not reduced when a student leaves. A student's home district should not be responsible for transferring any more than its marginal saving.

The Facts: Charter schools are specifically intended to stimulate innovation and accountability within the framework of public education. There are two mechanisms by which this stimulus is transmitted to the established public schools: openness and competition. Charter schools must be, and are, open to all educators who wish to learn how to do things better. Some charter schools plan to establish centers to propagate the lessons they learn.³ However, the recent track record of existing public school systems clearly indicates that a willingness to share ideas and best practices is not enough; the spur of competition—including its financial risk—is also needed to shake-up entrenched bureaucracies.

Insulating school districts from the financial risks associated with competition (through a state reimbursement for school districts or new state appropriations for charter schools) would actually create a perverse incentive, whereby each student lost to a charter school would *increase* the per-pupil resources available to the district. Equally important, such an approach would put taxpayers in the position of paying twice for educating each charter school student—once to cover the costs of education at the charter school and once to reimburse the school districts that lose students.

Empirically, the true fixed costs of most school districts are not as great as many people believe. Below are the FY 1992 fixed costs of each school district wherein an approved charter school resides *as reported by the districts themselves to the Department of Education (DOE)*.⁴

District	Total Costs Per Pupil	Fixed Costs Per Pupil	Fixed Costs as a Percent of Total
Ayer	\$4,097	\$516	13%
Boston	\$6,273	\$643	10%
Chelmsford	\$4,320	\$725	17%
Fall River	\$4,189	\$27	1%
Franklin	\$3,896	\$1	0%
Hull	\$4,611	\$4	0%
Lawrence	\$3,638	\$113	3%
Lowell	\$4,183	\$322	8%
Marblehead	\$5,474	\$15	0%
Nauset	\$6,345	\$698	11%
Springfield	\$4,076	\$64	2%
Williamsburg	\$4,304	\$4	0%
Average	\$4,587	\$261	6%

The largest fixed cost of most labor-intensive organizations, like schools, is real estate, specifically land and facilities. For most school districts, this cost is either financed by the town or heavily subsidized by the state (via the School Building Assistance Fund). Without the burden of this fixed cost, the vast majority of school expenses are (or should be) variable; they rise or fall with enrollment.

In the event that school districts find it difficult to adjust to a declining enrollment, alternatives exist that can mitigate this short-term pain—none of which involve the appropriation of new money. For example, DOE could offer fast-track consideration of requests for regulatory relief or waivers. Districts should be

encouraged by the state to collaborate with their local charter schools to minimize redundancy and share costs in the delivery of certain educational and social services. Renting excess space in existing school buildings to charter schools would be an obvious way for school districts to recoup some of their losses.

² If a student lives in an "above foundation" district and enrolls in a charter school located in a district spending less per-pupil on its public schools, then the student's home district pays only the per-pupil amount of the district where the charter school is located.

³ Marblehead Charter School and Francis W. Parker Charter School.

⁴ School District Profiles, Executive Office of Education, June 1993.

One possible legislative vehicle for mitigating transition costs, especially in smaller districts, would be to give the Secretary of Education authority to waive the requirement that charter schools give priority in admissions to children residing in the town where the school is located—thereby spreading the potential enrollment across several districts.

The Fear: Charter schools will be a magnet for private/parochial school students.

The primary audience for charter schools will be parents who currently send their children to private and parochial schools, since they have the most to gain (i.e., no more tuition payments). Forcing school districts to pay for the education of students who are not even enrolled in public schools today is unfair.

The Facts: Do charter schools attract a disproportionate share of private school students? The evidence so far decisively refutes this claim, as the chart at left indicates.⁵

Charter School	Total Applicants	Applicants from Private/Parochial Schools
Marblehead Community	136	8 (or 6%)
Lawrence Community Day	160	12 (or 8%)
City on a Hill (Boston)	131	23 (or 18%)
South Shore	162	5 (or 3%)
Francis W. Parker	144	10 (or 7%)

Many local school districts do not bear the full financial burden for students who transfer from private schools to charter schools. For school districts that are "below foundation," the state will increase Chapter 70 aid to finance the addition of each new student to the public education rolls. For FY 1996, the reimbursement amount is equal to 50 percent of a district's foundation budget.

Furthermore, the very question implies that public schools are better off when fewer children attend them. Advocates of public education should cheer when private school students decide to enroll in public schools. The fact that charter schools are attracting some private schools students should be considered a victory for public education, not a threat.

The Fear: Charter Schools will be an unfunded mandate on municipalities.

Proposition 2 1/2 specifically prohibits the state from imposing a program on municipalities without adequate funding to cover the costs. Forcing towns to pay tuition for students attending charter schools is simply an illegal, unfunded mandate.

The Facts: The charter school law does not have any effect on the level of spending a town or city commits to public education. It does not require the appropriation of a single new dollar by any municipality. Towns and cities are free to decide how much money they will spend on

The underlying issue here is who should control education funds: parents of school-age children or school committees.

public education.⁶ They are not free, however, to limit their spending only to schools that are directly managed by municipal government. The underlying issue here is who should control education funds: parents of school-age children or school committees.

Virtually everyone agrees that parents should have the right to choose the schools their children attend. Even the staunchest defenders of the education establishment have had to concede the point. Ernest Boyer of the Carnegie Foundation for the Advancement of Teaching, one of the most outspoken critics of parental choice, wrote in 1992 that choice "can, indeed, empower teachers, engage parents, and improve the academic performance of students."⁷

There are two basic points of agreement on this subject. First, parental wishes in a matter as life-shaping as education should not be ignored or overridden by bureaucrats or politicians.

⁵ Enrollment data current as of April 3, 1995.

⁶ Within the parameters of the town's Foundation Budget.

⁷ Ernest L. Boyer in *School Choice* (The Carnegie Foundation for the Advancement of Teaching, New Jersey, 1992), xvi.

After all, parents know their children best and care for them most. Moreover, parental primacy in the area of child rearing is a fundamental bulwark of a free society and should be reinforced. Second, the mere act of selecting a school creates a level of involvement in the education of one's child that is hard to establish in the context of involuntary school assignment. Parental involvement in education, in turn, is widely viewed as a necessary, albeit not sufficient, key to the success of any school.

The Fear: Charter schools will only duplicate quality programs that already exist in the established public schools.

Traditional public school systems have a wide variety of programs like magnet schools, exam schools, and enrichment programs that clearly demonstrates their commitment to innovation and quality.

The Facts: For many years, public schools have regularly introduced new pedagogies and programs. Too often, though, these initiatives burn out after an initial flare of energy and vision, or evolve into disconnected, unproductive appendages of the dominant status quo. Without dramatic restructuring of the current bureaucratic framework, no *internal* catalyst can produce meaningful and lasting reform. Will charter schools leverage innovations that have originated in existing public schools? Yes. The difference, however, is that charter schools place these innovations at the center of their school designs, rather than at the periphery.

An important component of this structural difference is that charter schools are driven by parental choice. A charter school's survival depends on its ability to draw and satisfy students and parents, a dynamic to which most public schools are not subject. Oversubscription indicates validation, while undersubscription signals a need for reassessment and action if failure is to be avoided. For charter schools, parents are the ultimate judge

Charter School	First Year Enrollment	Applications Received	Current Waiting List
South Shore (Hull)	150	162	12
Hilltown Collaborative (Williamsburg)	40	80	40
Francis W. Parker (Fort Devens)	100	122	22
Marblehead Community (Marblehead)	132	136	4
City on a Hill (Boston)	60	131	71
Community Day (Lawrence)	110	160	50

of what is good enough for their children. Early indications are that charter schools are an alternative that many parents prefer. Preliminary enrollment figures for charter schools that have early admissions deadlines are shown at left.⁸

The Fear: Competition in public education will be destructive.

Education is not like business. Improving student outcomes is a result of collaboration, not competition. Charter schools should not challenge the established public school systems for students and funding, but instead should be managed under the umbrella of the local school districts.

The Facts: What distinguishes charter schools from other education reforms is that they forcefully confront the centrally-managed structure of public education, which is at the core of so many of our problems. Charter schools replace the bureaucratic culture of the present school system with an entrepreneurial model, built around empowered school principals and parental choice. The direct product of such a model are schools with freedom from external constraints, strong distinctive cultures, and a sense of ownership on the part of

⁸ Enrollment data current as of April 3, 1995.

parents, students, teachers and administrators. Without true independence from the prevailing infrastructure of traditional public education, charter schools, like so many past reforms, will provide at best only incremental improvements.

Without true independence from the prevailing infrastructure of traditional public education, charter schools, like so many past reforms, will provide at best only incremental improvements.

Protecting school districts from any financial risk or placing charter schools under the tutelage of local school committees would end any hope that school districts would rise to the competitive challenge. Already, the spur of competition has produced the first stirrings of change in several school districts—before the first charter school even opens.

- The Boston Public Schools and the Boston Teachers' Union are preparing to launch six Pilot Schools, based on the charter school model.
- The Nauset Regional School district is planning to open a new "school within a school" specifically to compete with the Light-house Charter School on Cape Cod.

■ In Marblehead, the middle school's site council has formed a subcommittee to implement some of the reforms that are spelled out in the Marblehead Charter School application.

- The Williamsburg School Department has initiated a low-cost after-school child-care program for elementary school parents to help offset the financial impact of losing students to the Hilltown Charter School.
- In Hull, the school department has reduced its budget by capturing efficiencies in heat, transportation, and insurance, in response to the prospect of losing students and revenue to the South Shore Charter School.

This is the kind of stimulus for change that charter schools are supposed to generate. Protecting school districts from the financial risk associated with competition would likely end such spirited responses.

The Fear: Charter schools will skim the cream off the top.

Charter schools will attract only the most motivated students and parents, further isolating disadvantaged students in the established public schools.

The Facts: Even the most cursory examination of the missions and marketing strategies of the approved charter schools will dispel this concern: ⁹

- Of the 21 approved charter schools, eight are specifically targeted at low-income or at-risk students (38%), and eleven are located in urban centers (52%).
- The total projected first-year enrollment of the eight schools for low-income or at-risk students is over 800 (about 25 percent of the total projected first-year enrollment for all approved charter schools).
- None of the approved charter schools are focused specifically on gifted students, although many offer enriched or rigorous scholastic programs.

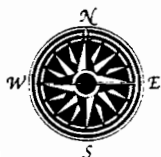
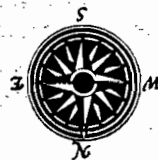
These statistics notwithstanding, what if some of the charter schools would disproportionately attract motivated students and parents? The current bureaucratic system tends to put barriers in front of motivated students and parents who try to make their local schools more responsive to their needs. The real question we should be asking is why conventional public schools are not attractive to motivated students and parents? ☉

⁹ Based on approved charters issued by the Secretary of Education in 1994 & 1995.

Pioneer Institute's *Policy Directions* are a series of publications that provide specific, technical information or guidance on current public policy issues. *Policy Directions* are based on Pioneer's published research, testimony, and symposiums. Nothing written here is to be construed as necessarily reflecting the views of Pioneer Institute or as an attempt on its behalf to aid or hinder the passage of any legislation.

Charter Schools: Fears and Facts

Pioneer Institute
for Public Policy Research



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WHY ARE CHARTER SCHOOLS EXPANDING WHEN THEY HAVE NOT BEEN SUCCESSFUL IN IMPROVING MATHEMATICAL OR READING SCORES IN ANY OF THE EIGHTEEN STATES THAT HAVE THEM OPERATING? 1) GREED, PEOPLE MAKE MILLIONS SMOOTHLY SELLING HIGH PRESSURED, GLIB FANTASIES OF WHAT CAN BE DONE BY WAVING THEIR "MAGIC WANDS" AND 2) GREED FROM POLITICIANS WHO HAVE NO INVESTED INTEREST IN NOR ANY REAL DESIRE TO HELP THE CHILDREN WHO FALL PREY TO THE MAGICIANS WHO CLAIM TO WAVE THE MAGIC WAND AND MAKE EVERYTHING OK. CHARTER SCHOOLS CAN WORK IF REAL TEACHERS HAVE THE POWER TO EXPEL THE CHILDREN WHO DISRUPT AND TEACH THE CHILDREN WHO WANT TO. WHY CAN'T PUBLIC SCHOOLS HAVE THE POWER TO TEACH THOSE WHO WANT TO LEARN? WHY ARE SCHOOLS IN URBAN AREAS SUCH AS NEWARK TIED WITH ONLY TWO SUSPENSION PER STUDENT PER YEAR? UNREALISTIC RULES GOVERNING STUDENT BEHAVIOR HAVE OUR CHILDREN LIVING WITH DISRUPTION AND UNACCEPTABLE BUILDING BEHAVIORS AS A NORMAL SCHOOL FUNCTIONING. CHARTER SCHOOLS COME IN FOR 3 TO 5 YEARS WITH THE ABILITY TO HIRE ANYONE FOR ANY POSITION. ARE THE PEOPLE QUALIFIED FOR THE JOBS? ARE TEACHERS GIVEN THEIR BENEFITS AND TENURE? IS THIS AN ATTEMPT TO DISMANTLE THE UNIONS OF OUR STATE'S PUBLIC SCHOOL SYSTEM'S EMPLOYEES? IN BALTIMORE, PRIVATIZED SCHOOLS LOST 3 PERCENTILES IN READING AND 4 PERCENTILES IN MATHEMATICS WHILE THE NINE CONTROL PUBLIC SCHOOLS GAINED IN THOSE SAME PERCENTILES. IF THE TRUTH MATTERED AND CHILDREN OF THE POOR AND DISADVANTAGED MATTERED, CAREFUL THOUGHT WOULD BE GIVEN TO THOSE WHO SINCERELY APPLY FOR CHARTERS AND TO THE PRESENT PUBLIC SCHOOLS WHO ARE MANY OPERATING IN AN ENVIRONMENT WHERE DISRUPTION OF THE LEARNING PROCESS BY ANY MEANS POSSIBLE IS BECOMING A NATURAL STATE OF AFFAIRS THAT OUR CHILDREN ARE LEARNING TO ACCEPT AS NORMAL AND LIVE WITH FOR THE REST OF THEIR LIVES AS POORLY EDUCATED INDIVIDUALS WHO SUFFER ALL THE NON-OPTIONS AVAILABLE TO POORLY EDUCATED PEOPLE.

IF THE GOVERNMENTAL POWERS THAT EXIST WANTED TO IMPROVE EDUCATION IN URBAN AREAS, DRUGS WOULD NOT INUNDATE THE SCHOOLS, HOMES AND LIVES OF OUR CHILDREN. REMOVAL OF DISRUPTIVE STUDENTS TO OTHER SCHOOLS GEARED FOR THEIR EMOTIONAL, SOCIAL AND MENTAL PROBLEMS WOULD EXIST. PRIVATE SCHOOLS WORK BECAUSE DISRUPTION IS NOT A DAILY PART OF THEIR STUDENTS' SCHOOL DAY, MANY TIMES PERIOD BY PERIOD. THOSE WHO WANT TO GIVE CHARTER SCHOOLS TO OUR STUDENTS MUST FIRST ASK THEMSELVES IF THEY WOULD SEND THEIR CHILDREN TO CHARTER SCHOOLS. IF THE ANSWER TO THIS QUESTION IS YES, THEN WE COULD BE ASSURED THAT THE CHARTER SCHOOL IS ALL THAT IT SHOULD BE AND NOT A RUSE TO LINE SOMEONE'S POCKETS WITH TAX DOLLARS.

Martha Nolley
Weequahic High School
Newark, N.J. 07112

130X

MISSION STATEMENT FOR A CHARTER SCHOOL IN NEW JERSEY

Final Version

Introduction

The New Jersey Senate and State Assembly are considering separate bills that would allow the formation of charter schools, as is already legislated in nineteen other states. The Gifted Child Society Inc. would like to establish such a charter school and has produced this document to describe how the school would operate. To this end, the Society seeks :

- To advertise the initiative to members of the State Legislatures involved in drafting the charter school legislation
- To represent parents who seek more choice in the public school system
- To seek support and involvement from industry, institutions of higher learning and other sources to cover start-up costs

1. Mission

"To establish a charter school for elementary grades that offers an educationally challenging curriculum to high ability students."

2. Reason

The Federal law that allows states to form charter schools describes the two primary goals as improving educational standards and giving parents more choice.

The school's challenging and flexible curriculum will empower students to reach their full potential in an environment that stresses academic rigor and fosters achievement commensurate with each student's ability. This approach can also serve as a model for raising "the ceiling of educational accomplishment" for all students in all schools.

(Phrase in quotes from : "National Excellence - A Case for Developing America's Talent").

This new school, with its focus on educational achievement, will offer parents more choice in the public school system.

3. Academic Philosophy

The school will embrace and extend a standard core curriculum that is academically rigorous and internationally competitive. Instructional methods will stress higher levels of thinking, problem solving, creativity, future orientation, global awareness and leadership. The tuition will provide individualized instruction where appropriate, and will include the arts and the use of the latest technology.

4. Location and Size

The school will be located in central or northern New Jersey so as to be easily accessible from a wide area and thus give maximum opportunity to prospective students. The school is expected to eventually cover grades K-6 with an average class size of 11.

5. Funding and Budget

The school will be funded using per-pupil grants from the local school district, exactly as for public schools. A provisional budget has been devised that assumes a grant of \$9000 per pupil per year, which is commensurate with the average funding for existing State schools.

6. Admissions Policy

Admissions will be primarily based on the student's ability to learn. The selection criteria will include the student's performance in standardized tests, other evidence of ability such as advanced emotional or social maturity, and recommendations from education professionals.

The school will comply with all applicable State and Federal regulations regarding equal opportunity in defining and administering the admissions process. There will be no discrimination on the basis of race, creed, color, sex or religious orientation.

7. Recruiting and Marketing

Candidates for admission will be drawn from the surrounding geographic area. Since there is not one private or public school in New Jersey that caters to the needs of high ability students, we do not expect a shortage of applicants.

About the Society

The Gifted Child Society is a non-profit organization dedicated to the needs of gifted children. Since 1957 it has provided educational programs to over 40,000 students, and in 1975 it was named a "national demonstration model" by the U.S. Office of Education. The Society's activities include Saturday workshops, a six-week summer camp and an annual conference. The Society also promotes awareness on the special needs of gifted children, and operates a national information hotline to provide advice and guidance to parents.

The Society has its headquarters at : 190 Rock Road
Glen Rock,
New Jersey 07452-1736
Tel. : 201 444 6530
Fax : 201 444 9099

Any correspondence regarding the Charter School initiative should be addressed to the Society's Executive Director, Gina Ginsberg Riggs.



Gifted Child Society, Inc.

190 Rock Road, Glen Rock, N.J. 07452-1736

Phone 201-444-6530

Fax 201-444-9099

FACT SHEET ABOUT THE GIFTED CHILD SOCIETY

WHAT IS THE GIFTED CHILD SOCIETY?

A non-profit organization that has served over 40,000 gifted children and their families since 1957. The U.S. Office of Education named it a national demonstration model in 1975.

WHAT DOES THE GIFTED CHILD SOCIETY OFFER?

Year-round programs for gifted children of all ages on Saturdays and summer weekdays
After-school classes in science enrichment, social skills, study skills, and S.A.T. preparation
Parent seminars and programs
Conferences for parents and educators
National information hotline for parents of gifted children or PING
Testing, evaluation and diagnostic services

WHICH CHILDREN ARE ELIGIBLE FOR SOCIETY PROGRAMS?

Eligibility requirements for Saturday classes and summer program reflect current thinking in education of the gifted. Eligibility form must be signed by school principal or psychologist.

WHAT COURSES ARE OFFERED FOR GIFTED CHILDREN?

Age-appropriate classes in the sciences, humanities, mathematics, arts and computer application, designed for the special needs of gifted children.

WHAT IS OFFERED FOR PARENTS OF GIFTED CHILDREN?

Weekly discussion groups, seminars, circulating library and conferences
Information about education of the gifted on local and national levels through PING, mail and phone contact

WHAT SERVICES ARE OFFERED FOR EDUCATORS?

Workshops, conferences, other programs

WHAT ADVOCACY ACTIVITIES ARE OFFERED?

Legislative efforts on state and national levels to provide funding for gifted children
Promotion of public recognition of special needs of gifted children by the public at large
Participation in national and state leadership training programs for gifted and talented
Assistance and support for parents of gifted children throughout the nation

133X

A non-profit organization providing services for gifted children since 1957.

THE WORK GROUP
TESTIMONY TO NEW JERSEY STATE SENATE AND ASSEMBLY EDUCATION
COMMITTEES
on
CHARTER SCHOOLS

Good afternoon. My name is Deborah Reese. I am President/CEO of The Work Group, Inc., a nonprofit education and training corporation located in Pennsauken, New Jersey.

The Work Group, Inc. is a unique non-profit, community-based organization, committed to a high standard of excellence in the education and training of the undereducated and the underskilled. We employ creative, highly experienced specialists, many with a national reputation, who are free to experiment and create new strategies to meet today's education and employment training issues head-on.

The Work Group's passionate commitment to disadvantaged young people has led us to develop an extremely successful dropout youth program -- known as the New Jersey Youth Corps of Camden County. Our Youth Corps is the largest in the State of New Jersey, and provides education and training for high school dropouts between the ages of 16 and 25. The program is full-time, year-round and voluntary. Last year, of the 160 high school dropouts we served, nearly 9 out of 10 who completed the Youth Corps program were placed in employment, higher education or vocational training programs.

The Work Group has received numerous awards and recognitions for its expertise and results in working with at-risk youth:

In 1990, The United States Department of Education awarded the New Jersey Youth Corps a National Diffusion Award, designating the Corps as one of the most effective programs in the United States, meriting replication nationwide.

In 1995, The National Youth Employment Coalition identified The New Jersey Youth Corps as one of the ten most effective youth education and workforce preparation programs in the nation.

I am here today in support of Assemblyman Rocco's and Senator Ewing's pending Charter School Legislation. This legislation provides an opportunity for entrepreneurial, community-based organizations like ours to continue our success in educating and training urban youngsters who are currently at risk within the traditional school system.

In New Jersey, the most urbanized state in the nation, there are 27,000 young people between the ages of 16 to 24 who are poor, unemployed, and school dropouts (US DOL, 1991). Most New Jersey cities have high school dropout rates in excess of 60%. The dropout rate is even worse, however, if you look at middle school enrollment numbers. In the City of Camden, only 30% of the students beginning the seventh grade will receive their high school diploma.

Most successful work with drop-outs and at-risk youth is done in small, non-institutional organizations like The Work Group. These organizations form the backbone of our nation's "second chance" system, and have been of critical importance to at-risk youth, particularly in urban areas, where up to 70% of young people have dropped out of the traditional schools. In spite of this reality, current political changes and federal budget-balancing has effectively eliminated second-chance education and training opportunities for urban youth. In New Jersey, solutions like the proposed Charter School legislation must be found, or several generations will be lost.

From our perspective as a long-term educational provider in the "second chance" system, the Charter School legislation will accomplish two important goals:

- 1) The Charter School legislation acknowledges the importance of children who do not respond well within the traditional educational system and deserve an alternative.
- 2) The Charter School legislation acknowledges the limitation of the current public school system and recognizes the importance of entrepreneurial and innovative educational providers who currently are excluded from the educational mainstream.

Our support of the Charter School legislation is contingent on two conditions:

First, the legislation must allow the Charter School's Board of Trustees the highest degree of flexibility possible. To be successful, Charter Schools must not be encumbered by those things which currently constrain our educational institutions.

- They must be allowed to hire the most talented educators, irrespective of tenure and seniority.
- Certification requirements must be dramatically liberalized.
- Charter Schools must be allowed to establish curricula, and set school calendars based on the needs of those being served.
- They must be free of slow-moving bureaucracy. Charter Schools must be able to move rapidly in response to the ever-changing marketplace, and the concerns of our customers -- parents, children, and employers.

Second, Charter Schools should be held accountable for results. The state should participate in the setting of standards, but minimize legislating methodology, and regulating process.

Under these conditions, The Work Group would support Charter School legislation, and would welcome the opportunity to turn our New Jersey Youth Corps program into an approved charter high school.

In closing, let me say that given the national emphasis on educational reform, it is encouraging that New Jersey legislators Rocco and Ewing have drafted legislation to open the educational marketplace to others committed to educating New Jersey's young people.

The successful education of young dropouts is essential to our nation's future -- especially the urban poor who desperately want to become part of the economic mainstream. It is long past the time to challenge our state's major education and training institutions to increase their effectiveness in preparing all students to take their place in our nation's workforce. It is time to change the law and permit nontraditional, innovative educational programs to compete in the educational marketplace.

At a time when some in America appear to be forgetting the needs of some segments of our population, it is encouraging that New Jersey lawmakers are taking this stand. Charter Schools will undoubtedly prove to be a powerful vehicle to assist in promoting comprehensive educational reform and ensure that all of New Jersey's children receive a high quality public education.

December 5, 1995

Rosemary Brooks Bittings
95 Parker Ave
Maplewood, N.J. 07040

TESTIMONY ON CHARTER SCHOOLS
BY
ROSEMARY BROOKS BITTINGS
OF THE
IRVINGTON SCHOOL DISTRICT
AND
NEW JERSEY STATE INSTRUCTIONAL COMMITTEE

For: A+ for Kids and Sta
Senate & Assembly
Educational Committ

Date: December 5, 1995

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CHARTER SCHOOLS

All of New Jersey's students are entitled to quality education. We need to provide the time, talent, and resources to support the efforts of communities and educators statewide to restructure our schools to meet the needs of our students and the future of our state.

Certainly proposals that foster greater flexibility and creativity in the public school system are desirable, and many such innovations are already occurring. Some New Jersey public school districts now offer magnet schools and alternative schools that target specific populations. These schools feature creative teaching which results in successful student experiences.

Charter schools are a more recent suggestion offered as an option to redesign the school structure. While it is difficult to render a simple definition because of the variety of proposals, charter schools are public schools operating as autonomous mini-districts. They operate under a charter that is separate from the local district and are managed by an independent board of trustees. The board of trustees oversees a budget that is independent of the local school district's budget and oversees the entire operation of the charter school.

Criteria for Charter Schools

- *1. Charter schools shall be public schools that have open admissions, are tuition free, and are without special fees.
- *2. Charter schools shall abide by all federal and state nondiscrimination, equal education opportunity and labor laws..
3. A charter school shall be nonsectarian and not home based.
- *4. Charter schools shall have a defined mission, goals, and educational objectives. They should be held accountable by the State Department of Education for accomplishing the mission, achieving the goals, and reaching the objectives defined in the charter.
5. Charter schools shall be designed to promote educational innovation.

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CHARTER SCHOOLS - 2

6. Charter school programs shall be research-based and replicable in other public schools.

*7. The charter school and its board's authority and responsibility shall be clearly defined. The law shall require an application to include:

(a) a mission statement for the charter school;

(b) goals and objectives to be achieved by the charter school that would not be achievable in the traditional or alternative public school;

(c) evidence of support from all stakeholders in the district, including majority representative organizations where appropriate, the superintendent and local board of education;

(d) a description of the educational program;

(e) a description of the curriculum;

(f) a description of pupil assessment;

(g) a description of governance and operation;

(h) a description of employer-employee relationships, including collective bargaining where appropriate;

(i) a plan to deal with displaced employees or students;

(j) a plan to deal with transportation needs, including those of low-income students or those displaced by a charter, as well as the costs of such a plan;

(k) a description of a fiscal and academic accountability plan; and

(l) a description of the physical plant.

*8. Charter schools shall be created by, and have a teaching force composed of state certified teaching staff members

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CHARTER SCHOOLS - 3

- * 9. The Commissioner of Education with approval of the State Board of Education shall have authority to approve and revoke charters under rules developed and approved by the State Board of Education.
- * 10. The charter school law shall limit the number of charter schools that may be created within the state so that this experiment may be assessed to determine its feasibility. Charter schools shall be authorized for no more than five years.
- 11. Charter schools shall be adequately funded by the State.
(See questions)
- * 12. Charter schools shall meet safety and health standards applicable to those of existing public schools.
- 13. There shall be voluntary staff and student participation in charter schools.
- * 14. Charter school employees shall be directly involved in the design, implementation, and governance of the school. The school's governing body should also include representation from parents of children in the school and community members.
- * 15. Charter school employees shall be covered by the collective bargaining agreement in the district where the charter school is located.
- * 16. Charter school employment conditions shall be equal to those of teaching staff members and other employees under New Jersey law governing public schools, and should include tenure, due process, seniority, health insurance coverage, and, coverage in the TPA&F or PERS retirement plans as appropriate.
- * 17. The charter school shall be accountable for the use of all its resources and shall be subject to annual fiscal audits and program evaluation.
- * 18. These programs must adhere to state-mandated requirements with no possibility of waivers.

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**Testimony - Joint Education Committee
December 5, 1995**

Charter Schools

Judith Cambria, Education Director
League of Women Voters of New Jersey

Thank you for the opportunity to testify on charter schools. I am pleased to speak on behalf of the members of 62 Leagues of Women Voters in New Jersey.

The League has a half century history of support for public education backed by continuing action to achieve equal opportunity and high quality education, and to meet New Jersey's constitutional requirement for a "thorough and efficient system" of public education. In the past five years, League members have studied and taken positions on a number of issues related to educational quality: goals of education; teacher preparation, teacher certification and recertification; professional development; state monitoring; state curriculum requirements; site-based management; and most recently, school choice. This year, League members reached agreement to oppose the use of public funds to support students in private and religious schools.

The League of Woman Voters is both willing and eager to support new approaches to education which will improve the quality of education for all children. We want to assure that each student is well prepared academically and with other life skills which will enable him/her to lead a productive life and compete equally with peers.

The establishment of charter schools is proposed as a means of achieving a variety of goals. These include: increased educational choice for students and parents; increased parental participation in education; increased diversity in educational options; increased decision-making responsibility and power at the individual school level; and, improvement of existing public schools through competition.

The proposed charter schools are to be public schools with the same status as regular public schools under the control of local and state boards of education and the NJ Department of Education. This legal status would make them eligible to receive public tax dollars in the same amounts as regular districts. In the view of the League, the extension of this status requires that charter schools meet significant standards of accountability to government and the public.

To insure that charter schools achieve the desired positive outcomes without negative effects on the public school system and the state, the League believes charter school legislation must include the following features.

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O Charter schools must be fiscally and educationally accountable to the government and citizens who fund them. Access must be assured to all records by appropriate government agents to assure both fiscal accountability and conformance with provisions of the charter. Charter schools must participate in state testing and other measures designed to evaluate the academic achievement of students in public schools. They must provide regular reports with comprehensive information which is made readily available in the community where the school is located as well as to state officials.

O Charter schools must be subject to the requirements of open public meetings and right to know legislation. Citizens who are footing the bill have the right to be present at meetings where a small group of citizens has the legal power to make decisions on the spending of tax dollars and the quality of education to be provided, as well as the right of access to records of any publicly funded school.

O Existing private and religious schools must not be eligible to receive charters and be treated as "public schools". Private and religious schools already provide alternatives, diversity and competition. Charter schools must increase additional alternatives by funding new schools, not subsidizing existing schools with few places for additional students. Charter school legislation must not be used to create highly funded private schools masquerading as public schools when no state legislature or public referendum by citizens anywhere in the United States has approved even a lower-funded state system of school vouchers for private schools.

O For-profit companies must be excluded from setting up charter schools. No portion of the public tax dollars raised to support education should be diverted to provide profits for owners or stockholders. For-profit schools have failed to establish their ability to run schools which produce improved educational achievement. Moreover, numerous scandals accompanied the for-profit schools which were started in the 1960s. The United States experience with for-profit schools at the post-secondary education level has been very negative for the individuals who failed to receive meaningful training.

O Charter schools must not drain local school districts of fiscal resources leaving the vast majority of students to suffer the effects of larger classes, less educational opportunity and other negative effects of reduced funding.

O Charter schools must not exacerbate racial, ethnic or class segregation either within the district or across district lines.

O Legislators should design charter school legislation so that it affirms and carries out important goals and strategies of the State Board and Department of Education for improving education. The state is expending enormous energy devising plans to improve "public" education. These plans are found in the complementary documents, the Strategic Plan for Systemic Improvement of Education in New Jersey and the Comprehensive Plan for Educational Improvement and Financing. Charter school legislation should support,

not undermine, such initiatives as core curriculum standards; teacher certification, recertification and professional development; state monitoring; rewards and sanctions; and regionalization into comprehensive K-12 districts.

- There must be strong provisions for non-discrimination and random selection of students to assure that all students have equal access to charter schools. Both private choice programs in foreign countries and uncontrolled public school choice plans in the US show significant tendencies to increase segregation by race and ethnicity and by socioeconomic status. Even in plans with seemingly strong restraints against such results, schools have found means to select more advantaged students. Oversight must be included in the legislation to assure that results, as well as the words, are non-discriminatory.
- The State Board of Education should have responsibility for approving charter schools. This important responsibility should be wielded by the nonpartisan, citizen board rather than a single individual, the Commissioner of Education, whose term of office is coterminous with that of the Governor and who can be removed at the pleasure of the chief executive.
- Charter schools should be nonsectarian and be school, rather than home, based.
- In order to provide accountability to local taxpayers and to intensify the positive effects of charter schools on the improvement of conditions in regular public schools, charter schools should have a legal relationship with the local school board of education as occurs in such states as Minnesota and California. Leaders of proposed charter schools should be required to submit their charter for endorsement by the district. Lack of endorsement would not necessarily result in the denial of a charter by the state.
- Charter schools in urban areas should be designed to serve and to respond to the particular and specific needs of disadvantaged children.
- Charter schools should be required to have parent and community representation on the governing body as well as employee involvement in decision-making and governance of the school. The benefits of site-based management inherent in charter schools must not be undermined.
- Charter schools should be required to have certified teachers.
- At least in the initial years, charter schools should be limited in number so the state can carefully monitor their activities and determine if they are achieving the expected results before embarking on a large and expensive program which could drain fiscal resources from existing public schools.

December 3, 1995

Mr. Darby Cannon III
Office of Legislative Services
State House Annex CN068
Trenton, New Jersey 08626
Fax # 609-984-9808

RE: Public hearing on Charter Schools - December 5, 1995 (1:00pm) -- hosted by "A+ for Kids."

Dear Darby,

Per my phone conversation with Mary Lutz, the following is written testimony for consideration by the Senate and Assembly Education Committee and to be included in the record.

Thank you.

Distinguished committee and panel members:

My name is LuAnn Laddin and I represent the *Jersey City Coalition for Alternative Public Schools - JCCAPS*. We are a group of more than 125 families who have dedicated themselves to changing the current public school system in Jersey City. New Jersey spends approximately \$9,300 to send a child to school in Jersey City and our schools are still inadequate. A perfect example of this is that approximately 50% of all teachers who live in Jersey City send their children to private school as does our school board members. We are faced with a serious dilemma. Where do our children go to school? Most of us cannot afford nor want private schooling for our children. The answer unfortunately, for most is to move away from Jersey City. However, we believe charter schools are our answer.

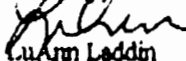
Our group is in the final stages of submitting a proposal to Commissioner Leo Klagholz to have Jersey City become a charter school site in New Jersey for the 1996-97 school year. Our school, *The Community School*, will be a place that celebrates and respects the ethnic and economic diversity of Jersey City. The school will be a cooperative so that teachers, parents, administrators, it's board members, and the community will all work together to provide excellence in education. Classrooms will have a low student/teacher ratio. Our goal is for children to be excited about learning and have the skills necessary to excel. Admittance to the school will be by lottery -- the children of founding parents and members of the coalition will *not* be guaranteed admittance.

We fully support the proposed legislation for charter schools. We applaud your efforts and those of your colleagues in making a difference in the educational system in New Jersey.

On a personal note: I am currently an acting board member of JCCAPS and very active in my community. I have two children -- a 5 year old in kindergarten and a 2 and a half year old. I work freelance in computer software and market research. Unfortunately, due to work, school, and baby-sitting schedules, I am unable to attend today's hearing. It is sad for me to see three neighbors move this past summer because of the public school system in Jersey City. And, unless changes are made *now*, my family will be forced to be next. We have a *crisis* in education -- we need your support!

Thank you.

Sincerely,



LuAnn Laddin
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Jersey City, NJ 07307
201-798-4356

Fax #: Attention: Matt Laddin - 201-236-5890 (phone: 201-236-5834)

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