

CALIFORNIA'S CHARTER SCHOOLS

Promises vs. Performance

BY AMY STUART WELLS

IN THE winter of 1996, a research associate and I drove north from Los Angeles, through the vast and fertile San Joaquin Valley, to Sacramento. We were embarking on a new study of charter school reform in California. The second state in the country to pass charter school legislation, California had more students enrolled in charters than any other state. The California charter school legislation had gone into effect in early 1993. We proposed to evaluate some of the most prominent claims and assumptions about charter school reform in light of the day-to-day experiences of educators, parents, and students in charter schools and nearby public schools.

On the trip to Sacramento, we interviewed eighteen state policy makers, including state legislators, legislative aides, and state department of education officials, about

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what they assumed charter school reform could accomplish. During the next two-and-a-half years, nine research associates' and I traveled thousands of California miles conducting case studies of seventeen charter schools in ten school districts across the state. We sampled for diversity at both the district and school levels in order to capture the range of experiences within this reform movement. Data collection consisted of more than 450 semi-structured interviews with district officials, charter school founders, leaders, teachers, parents, governance council members, and community supporters, as well as educators at nearby public schools. We also observed district and charter school meetings and classes, and we collected hundreds of district and charter school documents.

As a result, we came to a clearer understanding of the complicated—and often contradictory—nature of charter school reform in California. We also became skeptical about a number of the claims that have driven this reform in California and across the nation. Thus, while we saw many vibrant institutions with happy educators, students, and parents, the charter schools we studied were not, for the most part, the highly autonomous, accountable, and efficient schools of choice promised by supporters. And we saw little sign that these schools would drive productive competition and innovation throughout the educational system—another important claim of the people who had campaigned for charter school reform.

The final report from our study *Beyond the Rhetoric of Charter School Reform* describes in detail the six major claims put forth by charter school proponents about what this reform will accomplish. The report also presents the fifteen major findings from our study, each of which speaks to one of the six claims or assumptions. In this article, I highlight four of these assumptions and some of the findings from our study that relate to them.

Accountability: To Whom and for What?

The accountability promised by charter school advocates is typically put in terms of student achievement. The claim is that these schools will do a better job of improving students' academic performance than public schools because they will be more accountable. If a charter school doesn't live up to commonly agreed-on standards or outcomes, it can be shut down—it's that simple. (Kolderie, 1992; Finn, Manno, Bierlein, and Vanourek, 1997; Hassel, 1996; Millot, 1996).

Yet, we learned from our study that "accountability," in the sense of agreed-on and narrowly defined student outcomes that charter schools would be responsible for meeting, was not consistent with the way most charter school founders thought about their goals—and was, for many reasons, not even practicable. One of the central goals of charter school founders is to escape an educational system that they perceive as overly prescriptive (see Rothstein, 1998). When we asked charter school founders and operators about how they wanted to use the autonomy promised by the reform, their responses varied greatly. However, they generally fit into one of three large themes: Some wanted to establish a school with a specific curricular focus; some wanted to create a safer school environment; and some wanted more flexibility in how they used public funds. None of these responses relates to accountability in terms of agreed-on standards for student achievement to which schools will be held, and in some cases, they contradict the concept of accountability as it is often described in the policy world.

Clearly, the value of these alternatives could not be accurately measured by state assessments or by any other common measure of student achievement; in fact, there is no one standard to which all these schools can be held accountable because they are using different means to accomplish different ends. But even if accountability were to be defined by student achievement, it would be difficult to establish, in part because the California state assessment system has changed three times since the charter school law passed but also because no baseline data on students entering charter schools were collected. Furthermore, some school boards find themselves under intense pressure to renew charters for schools that have garnered a lot of political support from their local communities or state charter advocates, regardless of the student outcomes the schools have shown.

Another problem regarding accountability is the confusion about *to whom* these schools are accountable. The local school board, as the chartering agency, and ultimately, the taxpayers are the obvious answers, but some proponents of charter reform talk about "market" account-

Key Aspects of the California Charter Law

- Charters are granted through local school districts for a period of five years; denied applicants can appeal to their county board of education and the state board of education.
- Both existing schools and new start-up schools can apply to become charter schools. The former are known as "conversion schools."
- Private schools are not allowed to convert into publicly funded charter schools.
- The cap on the number of charters has been raised to 250 schools for the 1998-99 school year and 100 new schools per year after that.
- Charter schools are allowed to have admissions criteria. Charter schools are supposed to reflect the racial make-up of their school district.
- Under the original law, charter school teachers were not required to be certified; after the 1998 amendments, charter school teachers who teach core classes must be credentialed.

ability, which means that charter schools' primary responsibility is to the needs and demands of parents who can simply "vote with their feet" and leave the schools.

The issue of accountability can be further muddied by the chartering document itself, which serves as a formal agreement between the charter school and the granting agency. In theory, this agreement spells out the goals, purposes, and desired student outcomes of the charter. In reality, however, these outcomes are frequently ill-defined. Thus, local school boards in California are often put in the difficult position of holding charter schools accountable for elusive goals at a time when state and district assessment systems have been in flux and, therefore, cannot offer any objective measure of student achievement. As a result, school board members have tended to feel more comfortable holding charter schools fiscally responsible than academically accountable. Indeed, three out of the four charter schools that had been closed in the ten districts we studied were shut down for fiscal reasons.

Thus, although the claim that charter schools will be more accountable than public schools seems relatively straightforward, a look below the surface reveals that there has been no consensus about what these schools will be accountable for or to whom.

Autonomy: How Many Degrees of Separation?

We also examined the claim that charter schools, because they are independent from what is often called "the public school bureaucracy," will empower educators to better serve students. In fact, the range of autonomy varies tremendously from one district to the next and, even within a single district, from one charter school to the

next. Some charter schools have no more autonomy than nearby site-based management schools; others are separately funded and operate almost as their own school districts. In between these two extremes are large numbers of schools where the degree of autonomy varies according to what aspect of their operations one looks at. The reality is that, although some charter schools want to be autonomous and independent, when trouble, questions, or controversy erupts, the charter schools often fall back on the district's bureaucracy for help.

Despite this variation in the degree of autonomy that charter schools enjoy, we found teachers' satisfaction with their jobs to be very high for the most part. They especially enjoy the often small, intimate environments of charter schools. Still, some are becoming aware that teaching in small schools, as most charters are, can have costs. For example, one teacher, who spoke enthusiastically about working in a small school in which staff have "a lot to say," also noted a downside: "It's overwhelming sometimes because there is so much that we all need to do above and beyond our teaching."

Most charter school teachers are proud of their esprit de corps and their commitment to these new schools, which they often say distinguish them from counterparts in more traditional settings. Interestingly, this difference has not, thus far, extended to teaching techniques. The vast majority said they have not changed the way they teach. Thus, while charter school teachers enjoy greater autonomy than most public school teachers, the freedom to do what they want in the classroom has apparently not changed the instructional core.

Efficiency:

It Will Only Take You So Far

Another central claim put forth by charter school advocates is that these schools, forced to do more with less money, will be more efficient in their use of funds than traditional public schools. And, in fact, California charter schools (like those in most states) do receive less public funding than regular public schools because they are not eligible for capital funding. Thus, many are obliged to pay for their facilities out of the per-pupil operating funds (see Finn, Manno, and Bierlein, 1996; and Kolderie, 1992). Furthermore, because charter school money in California is funneled through the districts, charter schools across, and even within, school districts receive different amounts of public funding, depending on their ability to negotiate with district administrators.

We also found that efficiency will only take you so far. Most charter schools, because they receive less public funding than regular public schools, tend to rely heavily on funds from private sources to survive. In some schools we studied, as much as 40 percent of their operating revenue came from private funds. And this reliance on private fundraising puts charter schools in poor communities, where wealthy donors are in short supply, at a distinct disadvantage (Scott and Jellison, 1998).

In wealthier (and predominantly white) areas, charter schools are able to garner more community resources to enrich their programs. The fact that these schools probably also have parents who are well connected makes

doing this especially easy. Charter schools in poor and predominantly minority communities are often forced to pull in corporate support and facilities from outside the community. And this need to scrounge for money and resources can mean more responsibility and a heavier workload for an already strapped staff. It also means that charter schools in poor communities are likely to be less stable financially and lack basic resources.

For example, when a governance board member at a charter school with plenty of resources told us about the school's abundance of computers and a business manager at another school reflected on its \$400,000 budget surplus, we thought about other charter schools we had seen that were housed in facilities with no running water, heat, or adequate classrooms for the students.

Finally, the success of well-financed schools in getting resources for their students could have important policy implications. It could fuel the flames for spending less public money on education and ultimately encourage the privatization of public education.

Choices:

But Who Makes Them?

Proponents of charter school reform also claim that these publicly funded schools provide greater educational choice to disadvantaged groups who have traditionally had the fewest choices in education (Hill, 1996; Finn et al., 1997; and Nathan and Power, 1996). We learned, however, that while charter school reform provides some families with increased educational choices, in many cases the charter schools themselves have considerable control over who will become a part of their school communities. These schools, more than the parents, are choosing.

The process by which charter schools maintain control over their enrollment begins with word-of-mouth recruitment efforts and the networks through which the schools are publicized and information is disseminated. Charter schools have the flexibility to recruit from specific targeted communities based on geography, racial/ethnic composition, language proficiency, or "at-risk" characteristics. In fact, we found that few charter schools sent out districtwide brochures describing their program, the way magnets and other schools of choice routinely do.

Admissions requirements and processes are another way in which charters are able to shape their student body, as traditional public schools seldom can. The California law allows charter schools to establish admissions criteria "if applicable," and most of the charters in our study have done so. These criteria include specifying which students have priority (for example, siblings, children of staff, etc.) and which students (and parents) are a good "fit" with the school community (see Lopez et al., 1998).

Furthermore, about three-quarters of the charter schools in California require parents to sign a contract (SRI, 1997). The scope of these contracts varies, although about 40 percent specify that parents must be involved at the school in various capacities for a certain number of hours per month or per year. Some charter schools also require students to sign contracts regarding appropriate behavior.

Charter school founders, educators, and parents at these schools frequently mention these contracts and the con-

trol they provide in terms of who attends and who is asked to leave as one of the main benefits of charter reform. Here is how one parent at a charter school in our study described the benefit of parent contracts:

Every single parent is accountable, along with their child. We sign contracts, and because the parent knows the child is accountable, and the child knows the parent is accountable, you have a lot better team work. And you just have a much better cooperative atmosphere in your school.

Obviously, the contracts, like the criteria of “fit,” are more likely to discourage certain groups than others—single parents, parents working long hours or at more than one job, and those whose jobs do not permit them to take time off from work—in other words, a disproportionate number of poor, minority parents.

Who has choice of charter schools is also shaped by the transportation provisions (very few school districts provide transportation to charter schools, and generally only for students at converted public schools). And finally, there is the issue of the disciplinary requirements for students enrolled in charter schools and the expulsion practices employed. In most charter schools we studied, these tended to be more stringent than in regular public schools; indeed, in many of the schools, students could be asked to leave for disciplinary or academic reasons.

The mechanisms that charter schools use to shape their school communities strongly affect who enrolls and who doesn't. Thus, even when the charter school operators are seeking a racially diverse student body, the racial segregation of the local community coupled with the lack of transportation for students from other communities make it almost impossible to achieve this goal. California charter school legislation states that charter schools should reflect the racial make-up of their school districts. However, there seems to be little monitoring of this aspect of the law: In ten of the seventeen charter schools we studied, at least one racial or ethnic group was over- or under-represented by 15 percent or more in relation to its district's racial make-up. In nine of these schools, the percentages were off by more than 15 percent for two or more racial or ethnic groups. This finding should raise yet another set of accountability concerns with regard to charter schools. But perhaps more important than the racial/ethnic balance of the charter schools is the issue of whether they are able to attract the most involved parents to their schools and the effect this could have on the nearby public schools.

Conclusion

Over the last two-and-one-half years, those of us carrying out the UCLA Charter School Study learned that people who work in and send their children to charter schools tend to be highly committed to these schools. And we saw charter schools that have accomplished a great deal, despite limited public funding. Yet, for all the impressive achievements of individual schools, when we stepped

back to consider the larger public implications of charter school reform in California, we became concerned.

For example, although “accountability” was a rallying cry of those who lobbied for charter school reform, we found little evidence that charter schools are more accountable for student outcomes than the public school down the street—or that the reform is likely to lead in that direction. While charter schools were often more autonomous than regular public schools, their degree of autonomy varied widely. Moreover, regardless of the degree of autonomy charter schools achieved, people who taught there reported little change in what goes on in the classroom.

One could say that charter schools made more efficient use of the public money they received, but it would be more accurate to say that the extreme scarcity of public funds meant that charter schools were obliged to supplement them from private sources. We saw how difficult it was for charter schools in low-income communities to acquire these additional resources. As a result, charter schools in well-off neighborhoods were more likely to have adequate resources than schools in poor neighborhoods. The illusion of efficiency that this creates could lead to diminished political support for public funding of education as a whole.

And despite claims that charter schools would increase choice for families who have generally had the least, we found that most schools were able to choose which children would attend.

Finally, we found a troubling lack of concern about whether the charter schools mirror the racial make-up of their districts, as the law requires. Most charter schools were not in compliance. And even when the charter school operators sought a racially diverse student body, the racial segregation of the local community, together with the fact that student transportation was not available in most cases, made it almost impossible to achieve this goal. Meanwhile there was almost no monitoring of this aspect of the law.

So far, California's charter school reform is not living up to many of the major claims made by its supporters. Instead of improving the lot of children and communities currently served by the most troubled public schools, charter schools may be working best for middle-class families who live in neighborhoods that probably already have decent public schools. Policymakers have a lot of work ahead of them if they propose to bring charter school reform in California in line with its rhetoric. □

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Learning from California

BY F. HOWARD NELSON

ALTHOUGH MANY people have reservations about the charter school movement—in particular, about how the laws were written and are being carried out in their state—they are unlikely to turn back the clock to the days when this popular reform was just an idea. However, there are things that can be done to make charter schools more accountable and to promote innovation and diversity. Here are a few suggestions for fixing some of the biggest problems in charter school law and practice.

Accountability

1. Make state-level agencies play an important role in academic accountability. The UCLA study found that charter schools are seldom held accountable for academic outcomes, in part because of the reluctance of local school boards to monitor charter schools. (See previous article.) Such reluctance is not surprising. Local school boards that authorize charters routinely feel that charter schools have been forced on them because of local political pressures. This makes it difficult for boards to deal objectively with educational accountability issues in these schools. State monitoring agencies are much more likely to be objective because they are free from local political influence. They also have a lot more experience in judging a charter school's success than any local board is likely to have.

2. Adequately fund and staff state charter school agencies. Educational accountability could improve dramatically if state charter school agencies were given the staff and resources, as well as the responsibility, to monitor

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charter schools. In addition to state testing results, this review could include curriculum, educational programs, and the compliance of schools with their own charter. Massachusetts, one of the best-staffed states relative to the number of charter schools, has closed charter schools for educational reasons without the benefit of a fully implemented state testing program. The Massachusetts state office even hires groups to do professional school inspections of charter schools.

3. Slow down the growth of charter schools. Growth often outstrips a state's ability to fund and staff adequate academic monitoring, and the problems are likely to begin before a charter is even authorized. Without the time and resources, states cannot weed out proposals that are shaky or poorly designed. They are also likely to let slip by the slick packages that "cookie cutter" charter school companies put together for well-meaning community groups that don't feel they have the time or expertise to go it alone. Chartering agencies, including school districts authorizing charter schools, need to gain some experience with a few charter schools before authorizing such schools in great numbers. President Clinton's goal of 3,000 by the year 2002—about 100 schools in each of the states with a charter school law—sacrifices educational accountability for the sake of growth.

4. Make applicants compete for charters. Competition is a basic principle of the charter school movement. Yet, many state charter school laws allow practically any person, organization, or company to get a charter. While the marketplace may drive weak charter schools out of business because of low enrollment or fiscal problems, students in those schools suffer. Also, operators of failed charter schools often bilk the public treasury along the way. Competition for a limited number of charter school slots would clearly result in stronger, more sustainable charter schools.

Funding

1. Make the public funding for charter schools fair and adequate. Charter school opponents frequently seek to fund charter schools at a lower level than traditional public schools. This strategy creates some undesirable fallout for students and teachers. For one thing, it seriously undermines the status of teachers in public as well as charter schools. Underfunding charter schools leads to low-paid, inexperienced teachers; and it fosters exemptions from teacher certification requirements, teacher retirement plans, and collective bargaining. Even more important, many charter schools make up for low public funding through philanthropic donations, which may come with ideological strings. Dependence on private donations also has equity implications, a point that the UCLA report makes when it stresses the disproportionate share of private funding enjoyed by charter schools with students from middle-income families. Finally, inadequate public financing for start-up and facilities is partly responsible for the explosion of well-capitalized business-run charter schools in some states.

2. Insist that charter schools be funded for what they do. Certain groups of students—at-risk, low-income, low-achieving, bilingual, special education and high school students—cost more to educate than others cost. Charters should receive the same per-pupil funding for these students as a district school would. Minnesota, Florida, the District of Columbia, and some other states provide significantly more funding for difficult-to-educate children. Some states like Massachusetts, however, base charter school funding on school district averages that include special education programs for at-risk children whether or not the charter schools have high-cost students.

3. Require full disclosure of private gift giving. In most states, the non-profit sponsor of the charter school can receive gifts on its own and hide the privately raised resources from

the financial accounting for public funds. This can lead to the situation described in the UCLA report, in which some schools (those with wealthy donors) are much better financed than schools that need to get along mostly on state funding. At least, states should follow Massachusetts' lead and make the comparative fiscal position of charter schools clear by requiring full disclosure of private gift giving.

4. Publicly fund state technical assistance centers. In addition to agencies that grant and/or monitor charter schools, most states have technical assistance centers funded by a combination of federal, state, and philanthropic funds. (Some are already operating, with private funding, in states that do not yet have charter school laws.) These centers help applicants write charter school proposals and assist with start-up and routine operations. If the technical assistance centers do not get adequate public funding, philanthropic funders with a specific ideological perspective are oftentimes only too willing to step in. Technical assistance functions should be kept separate from monitoring functions.

Choice and Student Characteristics

1. Recognize that charter schools should not necessarily reflect the demographic characteristics of the host school district. The UCLA researchers found that many charter schools exercise considerable control over the types of students they serve and that charter schools seldom reflect the racial/ethnic make-up of their host school district. Given the rhetoric about charter schools as an instrument of equity, this is an important point. However, it is also important not to demean either the many charter schools that serve at-risk youth or those that embody the powerful commitment of minority communities to education and self-determination. Furthermore, as charter schools mature, the enforcement of special education laws and fair admissions is improving.

Innovation and Empowerment

1. Insist that charter schools promote innovation. Charter schools are supposed to give people a chance to try out innovative practices that would not be possible in traditional public schools, and that promise is at the heart of the charter school movement. Without it, the movement is just privatization by a different name. UCLA researchers point out that the vast majority of charter school teachers still use conventional instructional techniques, the ones commonly found in regular public schools. The real danger, however, is that innovation will no longer be a principal objective of charter schools. In many states, charter schools do not have to promise innovation—providing a choice or alternative is enough. Other states put a premium on programs that work—which can be found in public schools, too—rather than placing emphasis on innovation.

2. Require innovation and autonomy in business-run schools. The innovation problem is particularly acute with business-run charter schools. Sometimes described as “chain,” “cookie cutter,” or “franchise” schools, these for-profit schools oftentimes enroll more than 1,000 students, with class sizes no different from public schools. Instructional programs—the same ones commonly found in traditional public schools—are standardized across all schools run by the business. Neither parents, community groups, nor teachers are empowered; nor is there room for innovation. Business could play an innovative role by freeing educators from some aspects of running a school—like financial paperwork and the paperwork required to comply with government programs—so that they can concentrate on children. Several small businesses already provide such services to dozens of charter schools. Of course these firms also need to be monitored and supervised to protect charter schools.

3. Empower charter school teachers. Like innovation, teacher autonomy and empowerment are focal points of the charter school concept that have been lost. The original charter school idea envisioned groups of teachers—freed from administrative interference—starting charter schools to experiment with new ideas. Several states encouraged professionalism by requiring certification and membership in teacher retirement systems. Because teachers could easily move between the two types of schools, it was easy to imagine innovations spreading as well. And even today, Minnesota requires that teachers be on charter school governing boards, and career educators are a big part of the charter school movement in that state. However, a very different profile of charter school teachers is emerging in most places. In return for smaller classes and collegial working conditions, young, inexperienced charter school teachers sacrifice pay and benefits. But these young teachers often sink under the enormous demands on their time, and they are likely to find charter school administrators too dictatorial. As a result, teacher turnover is very high in charter schools. At this point, the chasm between traditional public school teachers and charter school teachers may be too wide to bridge. Nevertheless, the public school teachers need to support charter school laws that give teachers a powerful voice in how their schools are run, as well as the economic benefits and security necessary to allow career teachers to work in both sectors. □

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