

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

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school agencies were given the staff and resources, as well as the responsibility, to monitor 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 trea-

sure 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 nonprofit 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. □