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Charter Schools 1995: A Survey and Analysis of the Laws and Practices of the States

*Including State-By-State Summaries, Cross-State Comparisons, Descriptions of Existing and
Proposed Schools, And Lessons Learned*

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Introduction

Thomas Mauhs-Pugh

In 1991 Minnesota enacted the first state legislation authorizing school districts to sponsor charter schools. Since then, at least ten additional states have enacted legislation enabling the creation of charter schools. At least seventeen others are considering such legislation at the time of this writing. Support for charter school legislation is high. As a school reform movement it has momentum. Momentum, however, does not imply clarity.

The term charter school is used to denote legislation and practice that vary widely. "In its 'purest' form, a charter school is an autonomous entity which operates on the basis of a charter or contract between the individual or group (e.g. teachers, parents, others) which organizes the school and its sponsor (e.g., local school board, county or state board). The charter or contract specifies such items as the educational plan for the school, specific educational outcomes and how they will be measured, the management plan for the school, and how the school will comply with other stated requirements." (Bierlein and Mulholland, Feb. 1994, p.1)

In general, a charter school is different than a traditional public school in its degree of autonomy. Charter schools are free from many district, state, and union regulations or requirements; including those governing curriculum, teaching methods, contracting for services and facilities, and the hiring of personnel. In exchange, charter schools are held accountable for student performance.

Charter school legislation varies on a number of counts, including:

- whether teaching personnel must be certified,
- how the charter school is funded,
- the amount of funding,
- whether existing private and/or public schools may convert to charter schools,
- whether the charter school may be, must, or cannot be legally independent of a traditional district,
- avenues for approval and appeal, and
- the means by which the school is held accountable for student performance, and the criteria used to determine that performance.

The variety in state law makes it difficult to analyze charter schools as a single reform. Ironically, such differences mirror one of the arguments in favor of charter schools: that by diversifying how schools are organized and what they do, we can better learn about the effects of diverse types of schooling. Diverse legislation provides an opportunity for analyzing the effect of specific permissive or constraining regulations. For example, preserving the public nature of schooling, and what that means, is an often voiced concern in response to many educational reforms now being considered, such as vouchers. Will private schools absorb desperately needed public funds, take only the best students, and result in a further stratification and segregation of society? Will they refuse to accept public money in fear of the regulation that accompanies it? Will they provide competition with traditional public schools that will result in the improvement of the education of all children? What are the benefits or pitfalls of various forms of relationship between the public and private sectors? The charter school laws of Arizona,

Michigan, and Minnesota, which allow the conversion of existing private schools into charter schools, may provide a laboratory for answering questions such as these.

This report cannot provide definitive answers to many of those questions. Charter school legislation is too recent, and there are too few charter schools which have been in operation long enough to draw hard conclusions about their effects. However, we do have sufficient evidence to respond to many of the claims made by both proponents and opponents of such legislation. In particular, we provide legislators, concerned educators and citizens, and policy researchers with evidence from the field to clarify what questions are being asked, what predictions are being made, and what answers are suggested by current practice.

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A Summary of Arguments For and Against Charter Schools

Elly Jo Rael

Arguments in favor of and opposed to charter schools reveal a wide variety of educator, parental, and constituent concerns. The following is a summary of the most prevalent or frequently raised arguments on charter schools, chartering laws and pending legislation. It is important to note that these arguments will be further examined in the State by State summaries, as well as throughout the information presented in this report on charter schools.

Charter schools initiate competition between schools which will improve education. If state legislation is relatively non-restrictive, permitting substantial autonomy, and does not limit the number of charter schools, then schools will have sufficient authority to create a variety of programs and methods, and a large number of charter schools will open. These schools will compete with current public schools for students, and hence funding. The competition will require all schools to attend to the needs of students and the desires of parents. The result will be improved education for all students, whether they remain in the traditional public school or attend a charter school.

Charter schools do not create school competition. The instability of reform laws, lack of adequate funding, the lack of a profit motive, and many remaining restrictions on who can establish a charter school and how it can be run will restrict their creation, as will the lack of technical assistance, start-up capital, and facilities. The application process (e.g. through a local school board) and accountability procedures (e.g. annual standardized tests) will both restrict the number of charter schools and reduce the variation between them. Most state laws also restrict the number of charter schools allowed.

If competition arises, education will not be improved. Too heavy an emphasis on reducing financial expenditure will lead to cut corners and inferior safety for children, reduced breadth and depth of academic program, and a reduction in non-academic programs. The result will be reduced quality of education for all students.

Removing regulations frees charter schools to innovate. Charter schools are likely to create learning environments which ensure that all students attain minimum levels of academic competency. This may be through the use and promotion of radical models of pedagogy or by allowing innovation through individualized curriculum planning and exercises. Such increase in innovation may have several effects: (1) Charter schools may be educationally superior; (2) they may serve as laboratories for programs that could be imported into public schools; (3) and, they could pressure public schools into changing and improving. We cannot know, necessarily, beforehand what the effect will be of removing certain regulations. Charter schools provide us with a laboratory to find out.

Public school regulations will be recreated or duplicated. Many current regulations exist in order to prohibit practices which we have determined to be illegal, morally wrong, unethical, financially or pedagogically incompetent, evidence of educational malpractice, or otherwise socially unacceptable. Other regulations correspond to system criteria for means of exchange, articulation between units and levels, and accountability. All of these factors still exist and will be brought to bear on

charter schools. In effect, the system will merely replicate itself and charter schools as innovation will be irrelevant. Moreover, if certain regulations or practices inhibit quality education or produce unacceptable inefficiencies; and are no longer pertinent, or have effects contrary to their intent, then why not remove these regulations from all schools?

Charter schools educate students of diverse backgrounds and multiple needs. Current charter school laws and constitutional provisions prohibit the discrimination of individuals on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services. In most states, enrollment must be open and tuition free to any child who resides within the school district or is from other districts. Empirically, many charter schools serve low-income, and/or at-risk and students with special education needs.

Charter schools are elitist. To the extent that charter schools can expel students and refuse to accept them, then regular public schools will become a dumping ground for the difficult or expensive to educate students, including those with antisocial behaviors and/or learning disabilities or physical handicaps. To the extent that they are allowed autonomy in selection of students, curriculum, pedagogy, and measurement of outcomes, charter schools may also lead to an increased stratification and fragmentation of society along lines of class, race, gender, language, mental and physical abilities, and social, religious, and political beliefs. Not only will such stratification be educationally harmful for some, but it will increase divisiveness in an already too fractured society. Rather than fragmentation, we need to revitalize a spirit of commonality through the public school system.

Charter schools add financial pressure to break up inertia. Putting financial pressure on the public schools is the only way to force them to change. As mentioned before, parent and student choice pressures schools to be accountable, and to accommodate their interests. If public schools fail to address concerns and interests, then they will ultimately lose students in their respective districts and a given percentage of per pupil expenditures.

Charter schools add financial burdens on all public schools. Charter schools are provided no capital or start-up costs and receive only a fraction of the per pupil expenditure of the public schools. So, they too must operate with inadequate funding. If successful, then charter schools, whether for-profit or not, create pressures for reductions in overall education spending while also creating pressure for freeing all schools from regulations that ensure educational corners will not be cut.

Charter schools are better focused on goals and purpose of programs. A school run by a group of faculty committed to a particular educational vision and operating with the support of sending parents, has a high chance for some version of success. Charter schools promote the development of such schools by switching the emphasis in the definition of an educational community from that of geography to that of commonality of interest.

Charter schools create instability and harm students education. The existence of charter schools are only quick fixes to the current problems faced in public education. Considering charter schools may be viewed as laboratories for non-traditional practices and pedagogy, their existence will vary. Charter schools create increased instability and may harm children's ability to integrate or adapt to the current public education system. Thus, we should put all our efforts into improve existing schools, and not sidetrack promising public school reforms now underway.

Charter schools promote teacher autonomy and empowerment. Due to decreased regulation teachers can maintain a greater sense of freedom to develop their own unique styles of pedagogy, and are able to adopt new methods without fear of administrative

sanctions. Thus, the best teachers in the educational system will be attracted by higher levels of autonomy. Furthermore, by empowering teachers, charter schools will increase teacher motivation and innovation making the profession attractive.

Charter schools create teacher impoverishment and teacher union dissension. The best teachers, attracted by some autonomy and being able to teach only those students they want to, will leave the public schools to teach in charter schools. Furthermore, charter school teacher salaries and benefits are not bound by previous collective bargaining agreements. Teacher unions caution policy-makers to resist efforts to make charter schools reduce teacher pay to save money. Given the relative inequity which currently exists between teacher pay and that of other professions, cutting corners can only have negative long-term educational consequences.

Charter schools increase local control. Through the emphasis on commonality of interests and the possible variations among charter schools, parents, students and community members can establish group cohesion by focusing on goals and purposes of charter schools. Maintaining levels of cohesion and understanding will most likely lead to a decrease in divisiveness and interest group politics.

Charter schools decrease local control. If charter schools are directly responsible only to a state board, then local voter control over the funding and operation of those schools will be eliminated.

Charter schools will increase abuses of the public trust. Interest groups have a stake in creating charter schools for their own purposes. The purposes and aims of the charter schools will become politicized and eventually charter schools will operate on the basis of political interests. Increased local control will result in an exclusionary and segregated school system.

Parents know what is best for their children and their education. Parents can make the right choice on where to send their children to school.

Limited information and/or misinformation can lead to bad-decision making. Not all parents take an active interest in their children's education. Some maintain minimal contact with teachers and school administration. Also, various definitions and aims of charter schools may not be clearly stated, misconstrued, or simply unavailable. In effect, how can we ensure that parents are informed, receive appropriate information, and know how to use it, in order to make wise decisions about where to send their child to school?

Charter schools cost less. Charter schools can operate effectively with less revenue than the public schools because they are free from the inefficiencies of public schools, namely inappropriate regulation, certified and unionized teachers on fixed pay scales, bloated administrative costs, and the failure to contract out services. Also, the fact that charter schools are chosen by parents and held accountable by the state with regard to safety issues and minimum levels of academic success ensures that relevant corners will not be cut. If they were, then parents would withdraw their children, or the state would withdraw its charter, and the school would close.

Charter schools impoverish already financially strapped schools and districts. Charter schools receive a percentage of per pupil expenditures which drains directly from the proposed annual budgets in many public schools. This will further deplete the amount of funding allotted among public schools possibly requiring the termination of teachers, programs, events, etc., lowering the overall academic standards among all public schools.

Charter schools provide school choice without threatening private institutions. Charter school legislation does not import intrusive federal or state legislation into the operating arena of existing private schools.

Charter schools are reconstructing existing schools and programs. Innovative

programs offered by charter schools are no different from programs that are currently being offered in certain regular public schools. Charters are not necessary in order to create innovative educational programs.

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ARIZONA

Lisa Studness & Valerie Wrenholt

Background Information

Educational reform was a central issue in Arizona's elections last November. By providing resounding victories for pro-school choice Governor Fife Symington and Superintendent Lisa Graham, the voters sent a strong message. The education status quo is no longer acceptable, and the need for fundamental reform is urgent. Though Arizona has many good public schools, overall it is not doing nearly as well as it should. Arizona ranks 35th nationally on student reading scores, and 44th in graduation rates. The need for reform is greatest in low income communities. Good schools offer the surest escape from poverty, but most low-income children are consigned to the worst schools. Choice gives parents a chance to get their children out of bad schools and into good ones. (The Arizona Republic 2/15/95)

In general, there has been strong support for charter schools in Arizona. Charter school proponents argue that the laws and regulations of public schools make schools homogeneous and fail to provide the best education possible for each individual student. Each child learns very differently, and so may require different teaching styles, curriculum, etc. Many see charter schools as laboratories for innovation. Supporters also argue that charter schools provide new professional opportunities for teachers. Charter schools give teachers more say and provide a way to bring new teaching methods to classrooms. Proponents see charter schools as a means of bringing competition to the field of education, contending that schools that do a good job will have plenty of students and those that do a poor job will be forced to shut their doors.

Opponents believe that there is a flip side to less regulation and governmental interference. Allowing districts the options of dropping courses such as environmental studies or Spanish might be making education less relevant to what is happening in our world (The Phoenix Gazette, 4/10/95). Others argue that charter schools help only a very small percentage of the population, and therefore are not a worthy cause. There has also been concern that charter schools would drain the best students and talent from school districts.

Legislation

The Arizona School Improvement Act, passed in 1994, provided for the creation of charter schools as alternatives to traditional public schools. The law established a new State Board for Charter Schools as a granting body for charters and appropriated \$1 million to assist charter schools with start-up costs. An unlimited number of charter schools are allowed by local board sponsorship, while the state Board of Education and state Board of Charter Schools can approve 25 charter schools a year each. The length of the charter is five years, and any public body, private person, or private organization can organize a charter school.

Arizona gives charter schools a great deal of autonomy from state and district rules. Charter schools are legally independent, and so they are not subject to district rules. Although Arizona charter schools are exempt from many state laws and regulations, such as teacher certification, compliance reviews and mandated classes, they are subject to federal, state and local laws dealing with health, safety,

civil rights, insurance and special education. In addition, charter schools cannot deny admission to students based on academic or physical abilities.

Charter schools can be sponsored by a school district, the state Board of Education or the state Board of Charter Schools. The law also allows public schools to issue charters, but so far, only one has done so. In addition, a bill has been approved by the Senate that would allow universities, community colleges, and county school superintendents to issue charters. Rejected applications may be resubmitted to the same body.

Arizona charter schools are eligible to receive grants up to \$100,000 for each of two years. In state-sponsored charter schools, state and federal funds flow from the state to the school. If a district sponsors the charter school, federal, state, and local funds flow through the district to the school. The amount of funds available to the school must be the minimum per pupil expenditure in the district.

Under the charter-school law, schools are required to maintain high levels of student academic achievement or risk losing their charters. The application process for a proposed charter school requires information about how schools plan to measure student improvement. Charter schools must design a method to measure student progress toward the outcomes adopted by the state board of education and must report annually on such testing.

Results of Law

Since September, when the law took effect, the state Board of Education and state Board for Charter Schools have given preliminary approval to about 30 charter-school applications and about 50 more are now under consideration. However, before actually receiving the charters, the applicants must undergo background checks and detailed scrutiny as to how the schools will be run. The schools, many of which would be started from scratch, have to find their own facilities, hire a teaching staff, and develop a curriculum. They receive no money for building or maintaining schools but can apply for \$100,000 from a state stimulus fund in their first year of operation. If all the proposed charter schools actually opened next fall, it is estimated they would have 8000 students, slightly less than 1 percent of the total public school population in Arizona. Based on this projection, the Legislature is expected to approve \$16 million in charter-school funding in next year's state budget. (The Arizona Republic 1/95-4/95; Congressional Quarterly Magazine, 2/95)

Four charter schools are ready to open in September 1995. For example, Foothills Academy, a private school, will go public as a charter school, focusing on college prep academics, leadership skills and the environment. Parents now pay \$4400 per year in tuition and fees for their children to attend the two-room schoolhouse. The public status, which means the school will get between \$4300 and \$4400 per pupil from the state instead of charging tuition, is expected to draw between 20 and 50 more students to the 23-pupil academy, which serves students in grades 6 through 12. It also means students from varied socioeconomic levels can attend the school since the absence of tuition will draw pupils from many areas. Although it will be a public institution and will need to serve a greater number of students, the school plans to keep its high standards. Strict behavior codes include automatic expulsion for drug use and an arduous application process that includes a six-page application and multiple interviews. The school's goal is to provide an alternative to gifted students who may need a different kind of an environment. Many of the students came from schools where they had been frustrated by the slower pace. Most parents were thrilled that the academy received charter

status because a much wider range of students will have access to the its wonderful resources.

There are many charter schools under consideration. The creators of EduPreneurship, which uses economics to teach core subjects like writing and math to fourth-through sixth-graders, wants to lease two buildings for a 99 student school. There is apprehension that the School board won't approve the \$30,000 lease, given the denial of a similar lease to the New School for Performing Arts last month. The New School's proponents had sought to lease 10 classrooms for a year-round high school offering intense performing and visual arts training coupled with academic classes. The three board members who rejected that lease cited the surrounding community's opposition to the new school and a fear that it would siphon talent and state funding from district schools. However, proponents argued that this economics school would not drain students from the district because the school would be a commuter school, drawing children from many areas.

In one district, Deer Valley, taxpayers were glad that the school board voted against the proposed charter school. The Deer Valley group wanted to open a school for kindergarten through 10th grade that, emphasizes a back-to-basics curriculum, foreign languages, phonics-based reading instruction and parental involvement. "The special interest proposal certainly does not benefit or include the majority of students in our district. The public school system should not and cannot cater to each individual request". (2/13/95 Arizona Republic) Concerns presented by parents included: Who would be liable when a child is injured or a parent sues, who will make sure the charter school does what it's supposed to, and can the district withdraw its sponsorship if the school doesn't do what it's supposed to? The school board president said he doesn't like having the district held accountable for what the school might or might not accomplish. The charter school law is unclear as to what the sponsoring agent (the school district, in this case) would be responsible for.

Conclusion

Fresh from enacting its path-breaking charter-school program last year, Arizona stands poised to set the standard for education reform in 1995 by passing the nation's most comprehensive school-choice program. Four charter schools are set to open this fall, and there are over 50 schools awaiting approval. The charter school idea has caught on quickly and successfully in Arizona. Charter schools are granted a great deal of autonomy in Arizona, which holds promise for success. There is a lot of enthusiasm, but at the same time some school districts have already rejected charter school proposals. Funding and talent drain from school districts do pose relevant concerns. The ambiguity, in the charter school law, on the sponsoring agent's responsibility also needs to be addressed. It is too early to measure results, but Arizona's high level of charter school activity is very promising.

For a bibliography of sources on charter schools in Arizona, click [Here](#).

CALIFORNIA

Phaedon Sinis & Kelly Roda

Legislative History

California has a relatively long history of educational reform. The most significant of the reform efforts before 1992 was the Hughes-Hart Educational Reform Act of 1983, which raised standards for schools, lengthened the school day and year, changed the curriculum, attracted better teachers, changed the textbooks, and instituted various other reforms. (Possibly as a result, test scores rose, drop-out rates fell, and diversity in higher-level courses rose.) More recently, voucher programs have been proposed, and one reason charter school legislation was supported by some incumbent educational interests was to neutralize the voucher movement. This may have worked; in 1994, California's state-wide referendum on vouchers was defeated by an unconventional coalition that included teacher unions (such as the National Education Association) and organizations like the Ludwig von Mises Institute, a market-oriented think tank in Alabama.

It was in this political environment that charter school legislation passed in 1992, although some incumbent interests such as the NEA were also opposed to this less sweeping reform. Most opponents of the charter school bill are described by a Southwestern Regional Laboratory (SRL) report as incumbents of the educational system with an interest in maintaining the status quo. In general, local teachers' unions were opposed to charter schools. These unions viewed the absence of licensing requirements in charter schools as a threat to the high salaries of the licensed, unionized teachers in public schools. Another reason for opposition to charter school legislation was the fear of a "creaming effect," in which the charter schools attract and recruit the best students and teachers from public schools, leaving the public schools with difficult-to-educate students and mediocre teachers. Other arguments against charter schools cited the outflow of dollars from public schools to charter schools, theoretically weakening public schools, and skeptics dismissed charter schools as unnecessary, alleging that they would not result in the needed reforms.

The American Federation of Teachers, an influential union, initially supported charter schools in theory but opposed specific charter school legislation in California because it granted an exemption from regulations on teacher licensing to charter schools and thus ran against the interests of the union.

The proponents of charter schools, led by state senator Gary Hart, the sponsor of the bill, cited numerous reasons for their support. The proponents argued that charter schools would introduce competition and incentives for reform in the educational system; that they would introduce choice, variety, and innovation in public schools; that they would result in more individual, specialized education for more students; that they would liberate publicly-funded schools from state and local educational regulations; and that the innovations of charter schools could serve as models for existing public schools, thereby improving them.

Contents of the Bill

California's Charter School Act of 1992, passed and signed in September 1992, allows the establishment of 100 charter schools throughout the state with no more than ten in any district. Any individual may develop a charter but must have the support of 10% of the teachers in one school

district or 50% of the teachers in one school to submit the charter for approval.

Within thirty days of receiving a petition for a charter school, the school board must hold a public hearing on the provisions of the proposed charter. A public hearing helps indicate how much popular support there is for the charter school in question. Within sixty days of receiving the petition, the school board must approve or reject the charter. If the charter is rejected, the petitioner can appeal to the county superintendent. The county superintendent must then create a review panel that consists of three teachers from other school districts in the county. The review board determines if the charter was fairly considered and if not, the charter is returned to the governing board for reconsideration. If the charter is rejected again, another public hearing may be held at the request of the petitioners, and the charter is considered one last time by the county board of education.

Charter proposals are required to address a variety of operational procedures, including admission requirements, accountability, and financial audit procedures. There are no regulations requiring charter schools to hire licensed teachers, but the charter must describe the qualifications used to hire employees. Charter proposals also mention the goals of the school and how they are to be met. Charters are granted for 5 years and subsequent renewals are awarded at 5 year intervals.

Once the school has been established, it receives 100% of the average per-pupil spending in that school district for each regularly attending student. A charter may be revoked by the person or group that approved the charter if the charter school violates a law or fails to meet its own criteria for operating procedures, conditions, or educational standards.

Results of the Law

The fears of opponents have not been substantiated; in fact, many of the predictions of supporters such as those mentioned above have become a reality. According to the SRL report, approximately one-third of the districts with charter schools have encouraged public schools to follow the examples set by charter schools in educational practices. One fourth of the districts plan to restructure their systems as a direct result of the existence of charter schools. This evidence shows that charter schools are indeed influencing public education in a positive manner in California.

Despite these successes, the SRL report describes teacher unions who still oppose the establishment of charter schools in their districts. The unions are the primary force that stands in the way of increasing competition through the expansion of the number of charter schools. They cite the same reasons for their opposition as they did prior to the passing of the legislation.

Some people predicted that by limiting the number of schools to 100, the ability of charter schools to introduce competition into the public school system would also be limited. Nevertheless, this limit has had no impact because by April 1995, only 83 charters had been approved. According to the SRL report, some reasons for the slow growth in charter schooling are that starting a school is time-consuming and burdensome; that developing and meeting standards for accountability is difficult; that there is no funding for starting charter schools; that the degree of autonomy desired will not exist; that teacher unions are unsupportive of charter schools, thus making hiring of teachers more difficult; and that there are other, more convenient alternatives available for parents.

The creaming effect predicted by opponents has not occurred. The Description of Charter Schools..., a

government publication, lists and describes the first 39 charter schools in California. Of these, none are targeted towards gifted children; in fact, five specifically cater to at-risk students and two focus on special education. The majority of charter schools focus on new, innovative, or "alternative" teaching techniques for mainstream students.

One such school is the Open School: Center for Individualization in Los Angeles. It existed as a magnet elementary school and converted into an experimental learning center. The unique characteristics are that children are not grouped by ages or grades, and there is team teaching. It appears very similar to the Montessori style of education. Another charter school, set up in Victorville, is called Options for Youth Charter School. This school targets students who are dropouts or potential dropouts, and its goal is to show such students the relevance of education. It also helps them attain a high school diploma and possibly go on to college, and focuses on potential career options. A third charter school in Oakland is called the Lazear Middle School Charter and it caters to students between 6th and 8th grade who are presently learning English as a second language. It hopes to allow students to gain competence in English while continuing to develop their Spanish. It focuses on communication skills and helping students assimilate into American society. Although many unique charter schools exist in California, these three are representative of the diversity in education offered by charter schools.

The effects of charter schools are not yet definitive, because they have not existed for very long. However, the evidence thus far indicates that charter schools have been a fairly successful venture.

Conclusions & Future Prospects

Charter school supporters predict that in the long term, they will improve learning by encouraging different methods of teaching; by enabling entrepreneurs to bring innovative techniques to education; and by providing an incentive for existing public schools to improve. Charter schools have not existed long enough to yield substantial conclusions, but these predictions by supporters are becoming a reality.

Here is a [Gopher Server](#) containing a good deal of information about charter schools in California. For a bibliography of sources on charter schools in California click [Here](#).

Colorado

Tiayana Marks & Elly Jo Rael

Background Information

As early as 1987 Colorado began their educational reform initiatives. Colorado educators recognized the diversity of its youth and the need to establish an educational system which fostered the notion that "different pupils learn differently." Realizing the importance of creating "more flexible ways of educating all children within the public school system," the General Assembly sought "to create an atmosphere in Colorado's public schools where research and development in developing different learning opportunities is actively pursued." As a result, in 1993 the state authorized the creation and maintenance of Charter Schools as a means of expanding choice and providing innovation in Colorado public schools (Colorado Senate Bill 93: Section 22-30.5-102).

According to Mary Anne Raywid, prior to charter school enactment and legislation, major educational developments had been occurring in Jefferson County (Jeffco), "the largest school district in Colorado." Regarded as "a reform-minded and innovative district," Jeffco first restructured its education system through the creation of three alternative schools. These schools thrived and become very popular. However, upon recommendations made by the district's own School Improvement Council, no such schools were added in the district over the ensuing seven year period. "It seems it was one thing to set up two or three such alternatives to the standard program, but it was quite another to move to accommodate more than 1.5% of the student population into this form of arrangement (Raywid p. 555)."

Then in 1990, two important developments occurred which influenced the events in Jefferson County and impacted education in the state. First, opposition to school choice appeared in the form of a newly appointed administrator from Minnesota, Lew Finch. This, in turn, created various levels of factionalization among faculty/teaching staff, other administrators, parental groups, and community members. As a result, administrative opposition to proposed initiatives like school choice became central to the debate on educational reform in the state.

The second development, which was in direct conflict with the first, was the growing interest and pursuit in promoting charter schools. This charter process created an avenue for educators, parents and community members to design schools which would allow certain degrees of autonomy, creativity and innovation.

Legislation

The first Charter School bill was introduced in 1992. "It sought to encourage educational innovation and make schools more receptive to the parents" and students issues and concerns through diminishing the degree of state regulations placed upon public school systems. The bill, introduced by Rep. John Irwin, generated substantial opposition due to its proposed elements. "It called for the establishment of a single school district" which would be recognized exclusively for innovative public schools. Additionally, "it stated that any school in the state could choose to leave its local district to become part of the statewide innovative district instead." (Raywid, p. 556)

Then, in June 1993 the Charter School law passed. The intent of charter schools in Colorado is to make individual schools "autonomous entities, free from the laws and

regulations that constrain public schools." However, under Senate Bill 93, a charter school is not a separate legal entity independent of the school district, but rather is a public school defined uniquely by a charter and partially autonomous while remaining within the school district (Section 22-30.5-104).

Colorado has authorized up to 50 Charter Schools to be created prior to July 1997. Under Colorado law, charter schools which target students at risk of school failure receive preference for approval by local school boards. However, rejected applicants may appeal to Colorado Board of Education, which can overturn local board decisions. Upon reaching the 50 charter school limit, individuals or groups may also enter an appeals process through the Colorado Board of Education (Beirlein & Mulholland, Feb. 1994).

Enrollment in a charter school is open and tuition free to any child who resides within the school district granting the charter, and is open to students from other districts. Under Colorado law, any school must accept students from other districts. However, priority is given to indistrict students if and when there are staff and space limitations.

Colorado law further maintains certain provisions regarding accountability. Approved and operating charter schools are held accountable to their primary constituents (i.e. parents, teachers, and students). Similarly to other public schools, charter schools are held accountable to the state of Colorado with regard to performance evaluations and outcomes. Colorado charter schools are subject to the Colorado's Standards Based Education Act, which states that content standards and assessments must be developed locally. They must also meet or exceed state model standards and participate in the Colorado Student Assessment Program beginning in 1996. Furthermore, a plan for evaluating student performance must be included in proposals and reports seeking renewal of charter contracts.

According to finance guidelines, state and federal funding flows from the state to the county to the district and then to the charter school. Additionally, local funding flows from the district to the charter school. At least 80 percent of the per pupil operating revenue of the district, including state and local funds, follows the student to the charter school. And, the actual amount of funding is subject to negotiation with the district (Colorado Senate Bill 93: Section 22-30.5-112).

Arguments

The arguments presented in favor of charter schools are many. To begin, proponents of charter schools believe that a combination of state laws and regulations, coupled with local requirements and varied constraints, have made the public schools too homogeneous and have consistently interfered with the intended diversity of the educational process; thus, innovative schools are necessary. Secondly, it is argued that schools should be controlled and responsible to those immediate members of the district. Thus, with the creation of charter schools, parental, teacher, and student choices would expand and also facilitate an overall professional growth of teachers. Finally, this new innovation in Colorado public schooling would be held accountable to the outcomes specified in the respective charter contracts. This, it is proposed, would greatly increase levels of academic performance and overall emphasis on intended purposes of specific schools in the educational system.

In contrast, opponents (i.e. legislators, political groups, educational organizations, residents and parental groups) believe that local needs are being met and their local districts are indeed innovative. They argue that charter schools violate the concept of neighborhood schools and threaten equity. In her article on two charter schools

in Colorado, Raywid explains that "Charter Schools represented efforts to take away `our tax dollars' in order to form schools that would enjoy private status." In addition, both the Colorado Association of School Boards and the Colorado Education Association assert that they were not in opposition of the idea of charter schools, but supported it in an acceptable format. Raywid further quotes, "CASB has tried to fashion...[a bill]...compatible with local district responsibilities and operations (557)." In effect, opponents have either staunchly opposed the creation and implementation of charter schools, or have been willing to evaluate the new charter process as long as it resembles the prescribed local district responsibilities.

Charter School Results

While there have been several charter school proposals submitted in Colorado, recently six out of eight have been turned down. According to local boards of education, programs outlined have allegedly either been insufficiently innovative; duplicate existing programs (failing to expand choice); the proposers failed to demonstrate a level of acceptance or demand for the program they proposed; and/or failed to include the a detailed budget outline (Rocky Mountain News: Feb 12, 1995).

Unfortunately, at this time there is no evidence regarding the current performance and assessment of students in existing Colorado charter schools. According to Mary Anne Raywid's article, "It is too soon to tell whether charter schools are 'redefining the future of public education,' as has been suggested, or whether they will actually be used as 'the tool for reinventing public education,' which Colorado's Gov. Roy Romer has said they can be.(Raywid, p. 560)" However, she also maintains an optimistic outlook like many other educators, parents, and educational reform groups.

Charter Schools Approved and Operating

In October 1994, the Colorado Department of Education established the Charter Schools Technical Assistance Strategy and field team which gathered a listing of Colorado Charter Schools. The fourteen currently operating are listed along with a brief description of enrollments, grades served, and program. Of the fourteen, six reflect programs for the gifted and talented. However, the remainder establish programs which vary in many respects from traditional content and curriculum offering students opportunities to learn in outside the classroom, develop their own educational plan, and foster their own curiosities.

The following is a complete listing and summary of the fourteen Colorado Charter Schools:

The Connect School, Pueblo County School District 70, is a grade 6-8 middle school. Its focus is on the students experiences outside the traditional classroom. Hence, it utilizes multiple community resources for learning, such as museums, parks, libraries, computer labs, and mountain experiences.

Academy Charter School, Douglas County School District, is a K-7 school with 350 students. It emphasizes high academic standards based on the Core Knowledge curriculum. The school is also operated by a unique governance structure consisting of elected parents.

Pueblo School for the Arts and Sciences, Pueblo 60 School District, is under the operation of the University of Southern Colorado. It serves approximately 300 students in grades K-9. It is based on the Paideia model for academic excellence.

The EXCEL School, Durango 9-R School District, opened in

the fall of 1994. It currently serves 120 students from grades 6-9, planning eventually to expand to grades 6-12. Under the guidance of Fort Lewis College, the school emphasizes high standards, individual success in academics, and learning contracts. The school also plans to serve as a professional development center in the region.

Community of Learners, Durango 9-R School District, opened in the fall of 1994. It began with 60 students in grades 6-8, but eventually hopes to expand to grades 6-12. Its emphasis is on student-centered and self-directed learning, individual learning plans, and learning in the community.

Clayton Charter School, Denver Public Schools, is a preschool through 2nd grade program serving 88 students initially, hoping to expand its service to 125 students from at-risk families. The program is based on High/Scope curriculum, and emphasizes parent involvement and family social services.

Community Involved Charter School, Jefferson County, is a college preparatory K-12 school for 500 students in south Jefferson County. It supports open education, active and experimental learning, self-direction and personalized learning, and basic academics.

Sci-Tech Academy, Jefferson County, is a college preparatory school in south Jefferson County. It opened initially with 100 students in grades 6-11, but plans to expand to 500 students in grades K-12. The program includes a liberal arts curriculum, with a focus on science, math, and technology.

Core Knowledge Charter School, Douglas County School District, is an academically focused school which opened with 165 students in grades K-6. Its curriculum is based on Core Knowledge principles and a second language. It is also sharing varied resources with the Academy Charter School.

Academy of Charter Schools, Adams 12 Five Star District, is a school which plans to offer classes from K-12 to 300 students located on various campuses. *The Core Knowledge (E.D. Hirsch) model is used for K-6 grades.

Jefferson Academy, Jefferson County R-1, is located in north Jefferson County. It serves approximately 190 students in grades K-6. Its program emphasizes fundamental academic education using the Core Knowledge curriculum.

Eagle County Charter Academy, Eagle County School District, serves 64 students in grades 5-7. Its program is based on a trimester, block scheduling system, with small class ratios (16:1). It emphasizes academic standards and assessment while fostering self-confidence, independence, critical thinking, independent study and active, experiential learning.

Stargate School, Adams 12 Five Star School District, began with approximately 125 students in grades 1-5, eventually hoping to expand service to students from ages 3-18. It is based on the notion that gifted students are frequently at-risk from under-service in their conventional setting. Thus, the school offers multi-age classes and programs that are interdisciplinary, flexible, individualized, competency-based and incorporate off-campus opportunities. Also, each student has their own personalized learning experience and plan.

Battle Rock Charter School, Montezuma-Cortez School District, is a very small school serving 32 students at the elementary level. It was established to create and maintain innovation in a very small, isolated community.

Conclusion

From alternative programs to charter schools, Colorado has proven itself as a very reform-minded and innovative state. With the implementation of charter school legislation to the actual operation of fourteen charter schools, there has become a rippling effect throughout the state. Many educators, parents and educational groups remain enthusiastic and optimistic with Colorado's efforts to innovate, despite several currently rejected charter school proposals. Issues of funding still pose problems and concerns for all those involved in the evolving process. Though it is too early to examine the results, charter schools seem to have found legitimacy and permanence in Colorado.

For a bibliography of sources on charter schools in Colorado, click [Here](#).

CONNECTICUT

Phaedon Sinis & Kelly Roda

Legislative History

Connecticut's bill proposing charter schools is currently under consideration in the state Senate. Two previous charter school bills, introduced in 1992 and 1993, were defeated in the legislature because of high opposition to school choice. This year, SB 209 brought up vouchers as a possibility for educational reform. There appears to be a lot of opposition to this bill and perhaps SB 309 on charter schools is a response to this opposition. Educational reform has been a focus in the past few years in Connecticut. The two major concerns lately have been the racial imbalance in school districts and disproportionate funding.

Charter schools have spurred an on-going debate in Connecticut. A main concern of the unions is that under the charter bill teachers may be "exploited" because there will be no standard pay and no union requirements. A more widespread concern is that home schools could be set up with public funding under the guise of "charter schools." A third concern is that it is difficult to accurately assess charter schools. Rebuttals to these concerns revolve around the fact that such schools are voluntary and that charter schools will have to attract their students to continue operating.

One state representative believes the "creaming effect," which pulls the best and brightest students and teachers from traditional public schools, should be a consideration. He worries that money and high-achieving students will be pulled out of public schools, and that reforms should take place within the existing system. According to proponents, this has yet to happen in other states, and most likely will not occur in Connecticut.

Proponents of the bill have many reasons to support it. One state senator argues that it will offer children, parents, and teachers more choice. The chairman of the State Board of Education believes that charter schools will foster creativity and more efficient allocation of funds. Another reason mentioned in favor of charter schools is that they will help break up the public school monopoly, make all schools more efficient, and empower parents. Responding to concerns surrounding accountability, supporters of the bill have suggested a variety of possible techniques for assessing education.

Supporters maintain that the charter school bill, rather than exploiting teachers, gives schools the freedom to allow teachers to set their own salaries, giving them a greater degree of professional authority while bringing them into cooperation with the school management instead of in conflict, as teachers often are under union agreements.

Contents of the Bill

The proposed Connecticut bill will allow any person, association, non-profit organization, for-profit corporation, public or independent institution of higher education, local or regional board of education, or regional educational service center to apply to the commissioner of education to create a charter school. All schools established under this legislation must be public. Two charter schools are allowed in each district with up to 20 charter schools in the entire state for the next two years. Applicants must provide a variety of information in their application such as their mission, purpose, procedures for governing the school, the

financial package, admissions criteria and so on. Within sixty days of submitting an application to the commissioner, a copy of the application will be filed with the local or regional board of education of the school district. Within thirty days of receiving the application from the commissioner, the local or regional board of education will make a recommendation to approve or reject the charter. If approval is recommended, a public hearing takes place. If it is not rejected by over two-thirds of the state board of education after the hearing, the charter school is approved. If the local or regional board of education recommends rejecting the charter, after the hearing has taken place, two-thirds of the state board of education must support the charter for it to be approved.

Each charter school is granted a 5-year contract that may be renewed by reapplying. The governing council of each school must submit a report each year on how the school is meeting the standards enumerated in the original charter. Charter schools will receive 80% of the per-pupil cost of education in each district for each student who enrolls. Teachers in charter schools are not required to be certified. The districts in which the charter schools reside are responsible for providing transportation services to the schools.

Conclusions & Future Prospects

While other Connecticut bills proposing charter schools have failed, this bill appears likely to pass. There is currently strong support for charter schools among Connecticut's voters. But for the bill to pass, some adjustments will probably have to be made in order to satisfy less radical reformers, such as requiring teacher certification. Other states have already set up charter schools that have been fairly successful and Connecticut will probably follow suit. Whether or not these charter schools will fulfill all of the expectations placed upon them by proponents of the bill remains to be seen.

For a bibliography of sources on charter schools in Connecticut click [Here](#).

FLORIDA

Allison Padavan

Legislative History

In the Florida legislature some common fears were echoed in a two day debate over the issue of school choice. The hope of proponents was a quality education for the children of the state. Critics feared a variety of consequences: one concern was that minority students from families uninformed about such choices may be left out, coupled with the so called "creaming effect."

Individual members of both houses expressed concerns about returning to segregation and their displeasure with the possibilities that school vouchers might follow the establishment of charter schools. Several black legislators charged that charter schools would not only lead to segregation but "set up a system for the affluent (The Miami Herald, 4/21/94)."

The Governor of Florida, Lawton Chiles, supports the legislation and, working very closely with his Education Commissioner Frank Brogan, countered the opposition's claims by stating that charter schools would benefit minorities in poorer neighborhoods. They were able to form a coalition of support including five black lawmakers in both houses. The original bill did not include money for transportation, which would be detrimental to poor children since getting to school would be more difficult for their parents to afford. This concern was resolved by a compromise that required that sixty percent of transportation costs must be provided by local school districts (The Miami Herald 4/21/94). Concerns relevant to the original legislation included: how charter school applications would be appealed to the State Education Department if turned down by local school boards; how many charter schools a given school district could have; how the charter schools would be governed and the issue of religious affiliation.

Salient points of the bill

As of this point in time there appears to be agreement that religious organizations will not be able to run charter schools. As of the recess on May 13 the houses reached an agreement on the number of charter schools per district: districts with 50,000 or more are allowed five schools, those with fewer than 20,000 are allowed only two schools. Agreement on the appeal process was also reached: if a local school district turns down an application for a charter school, the applicant may appeal to the State Board of Education. Further discussion of the bill and the final vote will resume in next year's session.

POINTS FROM THE BILL: FORMATION

Charter schools may be formed either:

(a) By creating a new school. A proposal for a new charter school may be made by an individual, teachers, parents, a group of individuals, a for-profit corporation, or a non profit corporation.

(b) By converting an existing school to charter status. In the case of an existing public school, the proposers shall be the principal, teachers, and/or parents at the school.

SPONSORS

a) The organizers of a charter school may apply to, and

the school may be sponsored by, any of the following:

1. The district school board
2. The State Board of Education
3. The Board of Regents

b) The district school board shall have the first right of refusal. Within 60 days a decision to deny or accept the charter application shall be made. The entity applying for the charter may then apply sponsors If a district school board denies a charter, the school board shall provide a written description of the reasons for the denial to the applicant. The applicant must include this document any following application made to alternate sponsors.

c) The sponsor shall accept the responsibility to monitor the flow of cash and disbursements to the charter school
NUMBER OF SCHOOLS

d) Up to three charter schools in districts with 50,000 or more students

No more than one school in districts with fewer than 50,000 students

Conclusions

The legislation will pass a form of the charter school bill in the upcoming session. Encouragement from legislators, such as Governor Chiles, may have an impact on seeing that as many charter schools are formed as possible benefit poor students a choice, where previously none existed.

For a bibliography of sources on charter schools in Florida click [Here](#).

GEORGIA

Neal Dickert Jr.

Background Information

Georgia enacted its first piece of charter school legislation in 1993. Governor Zel Miller (D) proposed and rallied support for the bill, which eventually passed the state House of Representatives by a vote of 171-3. Apparently, the most vocal opposition to the bill came from freshman Republicans in the House of Representatives who, thinking that Miller's plan stopped short of adequate reform, "wanted to expand parental involvement in school decisions to seek waivers and develop new programs" (Cumming, Atlanta Journal and Constitution, C4, 3/11/93). It would seem that these opponents to the bill assumed that Miller's bill was at least a step in the right direction, so they ended up voting for the bill. On March 14, 1995, the Miller-backed Amendment 19 passed through the House. This proposal amended the law so as to lessen the number of votes required from two-thirds to a majority in the areas of charter school nullification, charter renewal, and charter update (Amendment 19). Miller was also able to achieve his goal of granting \$5,000 to charter schools in the planning process (Bierlein and Mulholland, April, 1995). Other current initiatives to reform Georgia's legislation include the plans of Rep. Kathy Ashe (R), Sen. Sallie Newbill (R), and Rep. Charlie Smith (R). These plans call for the elimination of the public school requirement, and Ashe's bill calls for the awarding of \$100,000 planning grants for charter applicants (Cumming, AJ&C, C4, 3/11/95 and Cumming, AJ&C, C3, 2/11/95). These primarily Republican reform efforts will most likely be introduced during the next session. Opponents of the suggested reforms include the Georgia Association of Education, a group which fears that the plan may divert money from the public schools and put it into elitist schools' hands. Another significant group typically opposing charter schools in general is the religious right, who do not want the schools to have more freedom and thus possibly implement more religiously offensive programs.

Legislation

Georgia's law remains one of the most restrictive of all states. Although it sets no limit to the number of charter schools allowed within either the state or the district, it requires, most importantly, that only existing public schools can convert to charter school status and does not allow for open enrollment. Georgia grants up to five years as the term of charters before they must be reviewed and renewed. Quite significantly, however, the law contains

"a mechanism for declaring the charter null and void if a majority of the faculty, and instructional staff of the school, and parents present at a meeting called for the purpose of deciding whether to declare the charter null and void request the state board to withdraw the charter or if, at any time, in the opinion of the state board, the school enjoying charter school status fails to fulfill the terms of the charter" (GA Code Ann. §20-2-255, (f),1)

It is important, though probably obvious, to note that Georgia charter schools are not legally autonomous. They are in fact highly subject to local board control, although they must also be subject to the state board. The application process for Georgia stipulates that a majority of the faculty, staff, and parents be in favor of having it. In order to submit a proposal to the local board. Then, with the local board as sponsor, the applicant presents its

proposal to the state board, and then it proceeds to the state board for final approval. The legislation does include the opportunity to resubmit an application to the state board and give state aid to making the charter acceptable. Finally, in terms of funding, the amount of funding that a school is to receive is a part of the charter agreement.

Results of Law

To this date, Georgia has no active charter schools, although there are schools in the application process. Addison Elementary, a average-size school in a middle-income section of Cobb County became the first applicant when over ninety percent of faculty, staff, and parents voted to apply for charter school status (Wisniewski, AJ&C, B5, 6/27/94). The school is in the state board approval process at the moment. If awarded, Addison's charter will allow for a more child-centered approach (Cumming, AJ&C, C1, 2/11/95) by lessening restrictions on when the school must administer assessment tests, on funding for children learning at a slower rate, and on staff development planning (Coleman, AJ&C, G1, 3/16/95). Currently, there are two other schools in the process of applying to their local boards for charter status (Bierlein and Mulholland, April, 1995).

Conclusion

The current Georgia legislation provides some interesting insight into what sort of charter school legislation is possible and what sort of legislation is effective. In short, it is important to note that Georgia's law ignores the common argument for charter schools for the purpose of establishing school choice and competition. Rather, like that of New Mexico, it seems that Georgia's law exists to facilitate, within the system, the lessening of certain restrictions in order to promote the improvement of the educational system as it is. It in no way provides for any sort of radical restructuring of the system, as it maintains, above all, the public school requirement and does not provide for open enrollment. However, because the application process is so extensive, the law does not seem to be very user-friendly. The notion that the charter can be repealed at any time also would represent a very threatening prospect to prospective applicants as well. As a result of these restrictions, very few schools have applied for charter status. Thus, Georgia's legislation was never intended to be, and could never be without significant change, an impetus to inspire the typical vision of a charter school system in which there are smaller, highly focused and innovative schools which encourage competition among schools for students. However, it seems that the law contains too many restrictions even to accomplish its minimal purpose of lessening bureaucratic red tape in specific cases.

There is one more important possible criticism to Georgia's law that merits mention. Charter schools are frequently criticized for possibly facilitating a "creaming" process of separating the elite students (often wealthy) from the poor students (frequently ethnic minorities and lower socioeconomic groups) by making the public schools dumping grounds for the difficult to educate. The validity of this argument is questionable, but the notion that charter schools may imply a sort of elitism is a frequent and important objection to the idea of charter schools. However, while these criticisms normally apply to schools with much more autonomous laws than Georgia, there may still be the possibility of elitism inherent in Georgia's law. It is in some ways an elitism that already exists due to schools' reliance on the local economy for funding. It could occur that only wealthier, already efficient schools will be able to take the initiative and garner the support (particularly parental) necessary to achieve charter status. In this respect, it would seem that this law may allow for the "already good" to get better and ignore the "bad," less

economically advantaged, schools which already seem to be the most problematic. This argument is supported by the fact that Addison Elementary, the sole applicant to date, serves a middle class constituency and was not a blatantly inefficient institution before the charter (assuming the charter passes). It simply seems that, by keeping the "system" exactly as it is and leaving all reform completely internal, Georgia may ignore the schools that really need improvement.

For a bibliography of sources on charter schools in Georgia click [Here](#) .

HAWAII

Neal Dickert Jr.

Background Information

The state legislature of Hawaii passed its current charter school law during 1994. In addition, information has been sparse both as to which groups supported and opposed the legislation and as to any other schools that have considered submitting applications to obtain charters.

Legislation

Hawaii's law represents one of the more restrictive examples of charter school legislation in the United States. First, Hawaii will only grant charters to existing public schools. Second, Hawaii limits the possible number of charter schools to twenty-five (It is important to note, however, that Hawaii has but one school district and that twenty-five schools in Hawaii produces a relatively high ratio of charter schools to total schools.). One very interesting aspect of the Hawaiian legislation is its application process. Once a proposal has gained the support of three-fifths of the faculty, staff, support employees, and parents, the charter receives automatic approval from the state board of education, except in cases where the state board sees conflicts between the proposed program and statewide standards. Amendments to charter applications can be made by local school boards, and charters are essentially guaranteed for four years given no violations of statewide requirements. Finally, whether the schools will be legally autonomous entities is currently under review by the office of the attorney general.

Results of Law

As of April 1995, one proposal has been entered, and that school, Waialae Elementary, became a charter school within 30 days after the application was submitted. It is unclear from research what sort of changes or innovations are part of Waialae's charter.

Conclusions

Hawaii often terms its charter schools 'student-centered' institutions. Thus, it seems that the purpose of the law is to lessen regulation within the public school system in order to promote more innovative techniques within the current educational framework, specifically within individual schools, as opposed to inspiring system-wide competition. It is unclear if Hawaii allows for open enrollment. If not, the competition and school choice motive would not be a factor at all in Hawaii's charter schools. Though it is speculation, as information has been unavailable as to what sort of school Waialae is, it would seem that the result of the Hawaiian legislation will not be any sort of radical restructuring of schools. Instead, the law seems to serve as an institutional measure to allow for the elimination of bureaucratic regulations in specific instances (Bierlein and Mulholland, April, 1995 and GAO Report, 1995).

For a bibliography of sources on charter schools in Hawaii click [Here](#).

IDAHO

Lori Shyavitz & Lester Eggleston Jr.

Background Information:

Although the Idaho Charter School bill passed unanimously in the House Education Committee, it failed to gather a majority vote in the Senate Education Committee (Fadness, Mar. 21, 1995; Pg. A9). The bill proposed by Rep. Fred Tillman R-Boise allowed for the establishment of charter schools by teachers, parents, or businesses. State aid would not be meted to either religiously affiliated or private schools. Charter schools would accept their students through open enrollment. Charters are accepted by the local school board and can be revoked by the state or local school board. The drawback is the lack of start-up costs (Wicklaine, Feb. 1, 1995, p. 2C). The bill had bipartisan support and opposition. The Idaho PTA opposed the bill. The following are issues influencing the supporting and opposing groups.

Legislation:

Choice:

Opponents fear the sponsors will profit off the schools. Nick Hallett, former Meridian superintendent, "If people make money and kids get an education and the customer is satisfied I don't see a problem with that. In the end, the customer will make good choices." (Vogt, Nov. 12, 1993, p. 2C). Charter schools empower the parent, the group who (ideally) knows the most about their own child. Willie Sullivan, a candidate for Superintendent of Public Instruction in 1994, questioned the necessity of charter schools if parents were empowered with the ability to choose within the public school system. Charter schools are viewed as a means to increase local control in education (Stuebner, Feb. 20, 1995, p. A7).

Elitism:

Charter schools, by appealing to the most talented students, will leave "less motivated students behind. Yet, Tillman's counter argument cited existing charter schools in Minnesota and New York where both ends of the spectrum were represented. Opponents of the bill believe that "The state's duty is to provide a thorough education for all students, not grant special privileges to some" (Jacobs, Dec. 15, 1994, p.1C).

Opponents:

Senator Gary Schroeder-R, a member of the Senate Education Committee and a staunch opponent of Idaho's charter bill, is fearful that charter schools will attract such extremists as Richard Butler and his Aryan Nations. He sees no safeguards in the charter school proposal which would prevent the formation of such white supremacist schools. He comments that "If we have a plan to make schools better, let's make them all better. I'm going to fight taking part of (state) money to make exclusive schools." (Jacobs, Dec. 15, 1994, p.1). Schroeder also claims that the increase in charter school support is pushed by advocates of home schooling.

For a bibliography of sources on charter schools in Idaho click [Here](#).

Illinois

Lori Shyavitz & Lester Eggleston Jr.

Background Information

A charter school bill was passed in the Senate last year but did not pass in the Democratic controlled House of Representatives. Unions (specifically the Chicago Teachers Union) do not like the idea of schools being excused from standard regulations. The Illinois Federation of Teachers is a significant financial supporter of the Democratic Party in Illinois. Therefore, it was not unusual for the Democratic Party to be in opposition to this bill. No further action has been taken regarding this bill in recent months.

Legislation:

- Public school is accountable to its sponsor
- operated in a nonsectarian, non religious, non-home-based manner
- subject to statutory and constitutional prohibitions against discrimination.
- prohibited from charging tuition
- administered by a governing body in a manner provided by the charter

(U.S. Department of Education, Policy Briefs; Report 2, 1994.)

Supporters:

Republicans - This party believes in the idea of a "less intrusive government." However, school reform will be mandated once again by the state officials (St. Louis Post-Dispatch. Jan. 30, 1995).

Illinois PTA - see charter schools as an opportunity for change within the present public school structure. However, they are not viewed as realistic solutions to school problems dealing with the quality of education in Illinois or to school funding issues. In their statement, the PTA outlines their expectations of any charter schools that are created in Illinois (NCREL Mar. 3, 1995).

Click [Here](#) for a copy of the PTA report.

Illinois Education Association - agreed to support the proposal for forty-five pilot charter schools after Republicans added certain concessions to the bill. These included protection of teachers' jobs and input into how the schools would operate. (See opposed) (Chicago Tribune. Feb. 16, 1995).

Governor Jim Edgar- proposed charter school legislation to create at least twelve charter schools in the state of Illinois (NCREL : Mar. 3, 1995).

Click [Here](#) for a copy of Edgar's proposal.

Republican-controlled Illinois Senate - Approved legislation creating forty-five experimental charter schools. They were to be divided equally throughout the state. "It's an opportunity to do something different, an alternative to what we refer to as 'public education, '" said Sen. Patrick

O'Malley, R-Palos Park sponsor of the legislation.
(Gannett News Service: Apr. 21, 1994)

Opponents:

Chicago Teachers Union - an affiliate of the Illinois Federation of Teachers, remains opposed to the idea of charter schools being excused from state laws governing all public schools. There is a question as to how the Illinois Education Association and the House Republican leaders reached an agreement and switched sides so quickly. (Chicago Tribune, Feb. 16, 1995).

Democrats - The main reason this party opposed the reforms for many years was because they received financial and campaign support from the Illinois Federation of Teachers.

Democrat-controlled Illinois House - Rep. Joel Brunsvold, D-Milan, opposed Hoeft's amendment, saying there is no proven need for charter schools. Rep. Barbara Flynn Currie, D-Chicago believes that charter schools "have no proven track record." She suggests that the state should provide waivers of strictly enforced school laws to help individual schools deal with specific problems (The State Journal-Register(Springfield, IL). Apr. 28, 1994, p. 3).

Private Citizens - Some citizens of Illinois fear that the new charter school bill would not serve in the best interest of the children as it is currently written. Others believe that the law would open the way for private school vouchers and other attacks on the private school system. There is a concern about granting charters to private-profit making corporations. There is also concern about allowing charter schools to choose students selectively. Finally, it is feared that charter schools will be funded by the same system that currently distributes educational funding unequally throughout the state. (Chicago Tribune. Jan. 23, 1995)

For a bibliography of sources on charter schools in Illinois click [Here](#).

Indiana

Lori Shyavitz & Lester Eggleston Jr.

Background Information:

The Indiana Charter School bill failed to gain a majority vote in the General Assembly on April 29, 1995 (Labalme, Apr. 30, 1995, p. B4). Charter schools were championed by conservatives. The bill was composed by Sen. Morris Mills R-Indianapolis. In the bill, charter schools could be created by teachers, community leaders, or an independent group (such as a corporation) (Shankle, Indianapolis Business Journal. 15:51, p. 5). Opponents to the bill were teachers unions, because it limited collective bargaining, and many Democrats (who received support from these strong unions).

Some opponents to the bill, such as the Indianapolis Education Association, see it as a decrease in the quality of education due to the fact that "teachers [would be] replaced by less-qualified interns" (Shankle, Indianapolis Business Journal. 15:51 p. 5).

Opponents also state that charter schools will become private schools that are publicly funded. There was no mechanism to fund their implementation. Although teachers opposed the bill that failed in the General Assembly, they are not opposed to the concept of charter schools.

For a bibliography of sources on charter schools in Indiana click [Here](#).

KANSAS

Candace Crawford

Legislative History

Kansas passed their charter school law in April of 1994.

Summary of Legislation

The law limits the number of schools to 15 statewide and each district can have no more than 2 charters operating. Any group may apply for a charter including educational contractors and parents. In order to apply, a group must submit a petition to the local school board of the district in which they want to locate their school. Once the local board approves the charter, it is sent to the state board of education who reviews the charter for parts not in compliance with federal and state laws and regulations. If the charter passes the review, the state board of education approves the establishment of the charter school. The charter school may then apply for a waiver from local school district regulations and state regulations. The waiver must first be approved by the local school board, then it may request on behalf of the charter school a waiver from state board regulations. However, the school is still legally an entity of the local school district.

Results of The Law

No charter schools exist in the state of Kansas. One application had been approved by a local school board but the state board declared it incomplete.

Conclusion

Kansas's charter school law is just over a year old. There has not been enough time to notice any effect of the law. There are a few things that could be added to the law to strengthen it and make it more conducive to the establishment of charter schools. First, the legislators of the state could lift the cap on the amount of charter schools that can exist. Second, the law could be amended to provide an appeals process for charters rejected by the local school board. These amendments would greatly strengthen Kansas's law and encourage groups to apply for charters.

For a bibliography of sources on charter schools in Kansas click [Here](#).

LOUISIANA

Lisa Studness & Valerie Wrenholt

Background Information

In 1995, a charter school bill was presented to the Louisiana legislature. Senate Bill 1305 allowed for the establishment of "quasi-public schools that receive some public funds but are not bound by traditional public schools rules and regulations (Redman, *The Advocate*, Apr. 21, '95). The Council For A Better Louisiana encouraged the Legislature to pass the bill after a report by the group concluded that the current Louisiana public school system was "outdated and requires significant restructuring" (Meyers, *Sunday Advocate*, Apr. 16, '95). This sentiment was felt throughout Louisiana by proponents of the bill.

Proponents of charter schools, including the Louisiana Association of Business and Industry and the Associated Professional Educators of Louisiana, believe that through the creation of charter schools competition will be brought into the educational arena. Students would benefit from this increased competition because poor quality schools could not survive in a competitive market. Also, because more choices would be available, charter schools would have to offer innovative curriculums which focus on student performance and achievement in order to attract interest from parents. These innovations might enhance Louisiana's traditional public school system.

Opponents of charter schools claim that charter schools are a step toward a voucher system in Louisiana. A voucher system is opposed by many because they perceive it as a way that public funds could be spent by parents to pay tuition at private schools. State Sen. Larry Bankston, a proponent of charter school legislation countered this concern when he said, "This (charter school legislation) is not the first step to vouchers. This is the last defense against them" (Redman, *The Advocate*, Apr. 21, '95).

Another concern of charter school opponents is that charter schools in Louisiana would "skim" the better students from the public schools leaving the public system with students more difficult to educate. This would then make the charter schools look better. Louann Bierleirn, who prepared the Council For A Better Louisiana report, said, "'They (charter schools) can't pick and choose kids'" (Redman, *The Advocate*, Apr. 21, '95). Although this may be true nothing up to date has been included in the bill which will expressly promote charter schools set up to target students who are at risk of failing or dropping out. However, charter schools would be subject to all established state regulations on desegregation, including enrolling low income students in the same percentage as local public schools.

Legislation

A state Senate committee in Louisiana approved Senate Bill 1305, a charter school bill, on April 20, 1995. The bill must now go to the full Senate for consideration. The current bill would allow for up to eight charter schools to begin operating in the state. The legislation allows for local control, but there will still be many state restrictions in place. Local boards would be able to approve five year charters. Groups seeking charters must include at least three people holding Louisiana teaching certificates. These groups could include a group of three or more teachers, a group of ten or more citizens, a non-profit, public service

organization, a business, or a Louisiana college. Public schools could also transform into charter schools with the approval of two thirds of the faculty and two thirds of the parents present at a public meeting. Charter schools would be evaluated periodically in order to determine whether they are in fact providing quality education. After satisfactory assessment these charter applications could then be renewed for five more years.

Under the legislation charter schools would still be accountable under many state regulations. The charter schools would have to periodically assess student performance through standardized tests and other statistical information. Statewide minimum graduation requirements would still be required. General health and safety codes must be maintained. All laws for open meetings and open records would also be required. Per student funding would be equal to the average per pupil expenditure of the local district. Charter schools could also solicit funds from other sources including grants and loans. At least seventy-five percent of the teachers in charter schools must be state certified.

Conclusion

The legislation in Louisiana was approved by the Senate Education Committee and will likely be passed by the full Senate. The bill is comprehensive and adequately addresses the concerns of many interest groups. The bill encourages innovation by charters schools, but a complete separation from the Louisiana public school system is impossible because of the restrictions that have not been lifted from the charter schools. If the eight charter schools initially established work well, many more charter schools may be integrated into the Louisiana's public school system.

For a bibliography of sources on charter schools in Louisiana click [Here](#).

MASSACHUSETTS

Lori Shyavitz & Lester Eggleston Jr.

Background Information

The 1993 Education Reform Act signed into law by Governor William Weld-R, provided sweeping changes to the Massachusetts educational system. For example, tenure has been eliminated, teachers need to be recertified every few years, and the formation of charter schools has been approved. The act was proposed by the Joint Committee on Educational Arts & Humanities as a result of public demand to do something about the decay of public schools. Steve Wilson was appointed by Governor Weld to help draft the charter schools legislation. (National Public Radio, Oct. 25, 1993, Transcript #1281-9). Since it's inception there have been sixty-seven proposals for charter school submitted for approval. Seventeen are scheduled to open in September of 1995. (Palumbo, Mar. 15, 1994, p. 39).

Funding:

Senate President William Bulger is calling for the state to allocate funds to prevent the impoverishment of the remaining schools in the public school district. The prevailing view is that since charter schools are under state control, the state should be responsible for their funding. Four options have been presented by legislators. Three of them call for the direct state funding of charter schools. The fourth uses the school choice funding formula. This plan reimburses communities who lose students to other districts seventy-five percent of the money lost in the first year, fifty percent in the second year, and twenty-five percent in the third year (Athans, Mar. 8, 1995, p. 23). As the members of the Massachusetts legislative committee proposed shifting the responsibility of funding charter schools to the state, House Ways and Means Chairman, Thomas Finneran stated that "no additional funds were available to charter schools" (Wong, Mar. 29, 1995).

Recently, the House Ways and Means Committee recommended that \$8 million dollars should be allocated to the communities containing charter schools to help defray their costs for the upcoming year. This would help allay the fears that charter schools would take money out of the public school system. Groups opposed to charter schools, such as the Massachusetts Teachers Association, have also reacted positively to the committee's proposal. President Robert Murphy stated, "Clearly it is good in the sense it should reduce the harm to public schools. . . It appears [the funding] is separate from the education reform money" (Wong, May 9, 1995, pp. 1, 26). Public school programs, such as new kindergarten classes, are still in danger of being cut due to the lack of complete funding for charter schools at the state level. Local districts must fund charter schools.

The praise given to the House Ways and Means Committee's proposal to assist in providing funds to charter schools by their opponents (such as teachers unions) may be short-lived. One day after the House publicized its plan, the Senate Ways and Means Committee recommended that money originally designated for statewide educational reform should be used to support charter schools. The Massachusetts teachers unions (who are opposed to this concept) have argued that "the [funds created in the 1993 Education Reform Act] were chiefly designed to boost public education statewide" (Wong, May 10, 1995, p. 34) and that the loss of this money would result in

cutbacks in existing programs.

The gap between the quality of a traditional public school education and a charter school education may expand tremendously in impoverished communities. In Boston, for example, the per pupil expenditure is normally \$5851. Students enrolled in charter schools will receive \$7013. Therefore, these students may be able to receive more educational benefits. "The losers will be students whose 'regular' schools have no libraries, guidance counselors or algebra courses" (The Boston Globe, March 16, 1995, p. 35).

Innovation:

Proponents of charter schools view them as entities that encourage innovation in a public school system that does not allow for "big, substantive changes" (Aucoin and Wong, Mar. 26, 1995, p. 1). Charter schools are "laboratories of change" which may implement more challenging curricula, smaller class size (and, therefore, individualize instruction), longer school days, greater parental involvement, and integrative learning (Aucoin and Wong, Mar. 26, 1995, p. 1). For example, families with elementary school-aged students enrolled in the Boston Renaissance Charter School will be given a home computer. Charter schools can "encourage experimentation, strengthen accountability and weaken bureaucratic abuses and gridlock associated with top heavy administrations and teacher unions" (Providence Journal-Bulletin, April 18, 1995, p. 8A). Such reform has been minimal in the current system due to the volume and the extent that regulations rule public education in Massachusetts.

State Education Secretary, Piedad Robertson, claims charter schools will "energize public schools" (Aucoin and Wong, Mar. 26, 1995, p. 30). Due to the success of students (such as higher test scores) which is assumed to occur after the implementation of their innovative programs, charter schools will become the model for improvement throughout public schools.

Segregation Effect:

Opponents to charter schools fear that their introduction will benefit the most motivated students and parents and students in the upper tracks. The "hard to educate" children will be left behind. However, schools have been formed to educate "at risk" kids such as high school dropouts or potential dropouts (the Lowell Middlesex Academy Charter School), and for homeless youths and wards of the state (Boston University Charter School at Fort Devens).

Similarly, opponents claim that wealthy students will be the group that is best served from their creation. However, students from affluent families are not able to circumvent the enrollment system in that according to Massachusetts's charter school law, lotteries must be held if the number of applicants exceeds the number of slots for a school (Taylor, Mar. 26, 1995, Northwest Weekly p. 1). This is seen in the Community Day Charter School in Lawrence, where the students in grades K-6 were chosen through a lottery with those children living in the charter school's community getting priority.

Also, ethnocentrism may become a problem for charter schools. For example, the Academy of the Pacific Rim, which was supported by Boston's Asian community, will focus on Asian languages and culture. In a city with a history of fragile inter-ethnic relations, this may create further rifts between the members of Boston's Asian population and other ethnicities.

Ignoring Reform in the Public School:

Opponents to charter schools warn that they are not the cure-all to American public education. The President of the

American Federation of Teachers, Albert Shanker stated in a gathering at Harvard University's Graduate School of Education "more energy is going into creating those alternatives than into making fundamental improvements in existing public schools where a majority of school children are - and will be - enrolled" (Hart, Apr. 2, 1995, p. A33). Currently, the charter schools can only serve less than one percent of the state's school population (Gannett News Service, Apr. 4, 1995).

Supporters:

Governor William Weld-R.
Steve Wilson - Special Assistant to Governor Weld. He helped to draft the charter schools legislation.
Martin Kaplan - (Democratic Chair of the Education Committee)
Robert V. Antonucci - Commissioner of Education
Representative Mark Roosevelt (D - Beacon Hill) - Chief sponsor in the House of Representatives.
Senator Thomas Birmingham (D - Chelsea) - Chief sponsor in the Senate. "When viewed in it's totality, I think that it is simply incontrovertible that this bill represents an historic and giant step forward for education in this commonwealth." (National Public Radio, Oct. 25, 1993, Transcript #1281-9).

Opponents:

Massachusetts League of Women Voters- Doesn't believe that one person (Secretary of Education), should have sole power over which charter school applications are accepted. (National Public Radio, Oct. 25, 1993, Transcript #1281-9).

Massachusetts Municipal Association - Financial Components- Senate President William Bulger, are calling for the state to allocate funds to prevent the impoverishment of the remaining schools in the public school district. The prevailing view is that since charter schools are under state control, the state should be responsible for their funding.

Massachusetts Federation of Teachers
Education Association of Worcester
Massachusetts Association of School Committees

Court Case:

One example of the legal battles going on between opposing sides is the proposed suit to be filed by the law office of Carl D. Goodman. They are in pursuit of preliminary and permanent injunctions prohibiting the use of tax dollars for the funding of charter schools. They propose that General Legislation chapter 71, section 89 is invalid on the basis that:

(1) the statute does not provide for the establishment of public schools, but the establishment of private schools which are funded by public funds. This is in violation of the Anti-Aid Amendment to the Massachusetts Constitution. (Mass Const. amend. art. XVIII;)

(2) The Charter School law does not provide for public accountability. This is in violation of Part 1, Art. V of the Massachusetts Constitution; and

(3) that the delegation of authority to approve charter school applications to the Secretary of Education was an improper delegation of legislative authority.

A memorandum is scheduled to be filed within 2-3 weeks of May 17th, 1995.

[Click here to see a copy.](#)

Legislation

The number of charter schools allowed in Massachusetts is limited to 25. Charters are assigned for a period of five years and will not go into effect until September, 1995. Charter school students do not pay tuition. Only three quarters of one percent of the number of children attending public schools in Massachusetts can be enrolled in charter schools. Thus, 2964 is the maximum number of children who can attend the seventeen charter schools due to open in September, 1995. Finally, the formation of charter schools will not influence Proposition 2 1/2.1

These schools may be sponsored by a business or corporation, at least two certified teachers, or greater than or equal to ten parents. Although charter schools are viewed as a means to increase local control in education, school boards and parent groups are eliminated from the chartering process in that a charter school application can only be approved in the Massachusetts's Executive Office of Education. The sponsors submit their application to the State Secretary of Education (Piedad Robertson) who has the authority to approve or reject the charters. There is no appeals process.

Even though charter schools are open to all students (on the basis of space availability), preference for attendees is given to students who live in the district in which it is located. If the number of applicants exceed the number of available slots, a lottery is held to select the remaining students. However, Massachusetts does give trustees the right to set minimum academic standards for student eligibility in their charters. The students are able to return to their district's public school at any time during the school year if they are unhappy with their charter school education.

The manner in which charter schools are funded depends upon whether or not they are situated in communities containing a positive foundation gap or a not positive foundation gap. If there is a positive foundation gap, the district in which the student lives is required to pay the charter school the average cost per student. On the other hand, if there is no positive foundation gap, the district pays the lesser of the average cost per student in their district (if that is the location of the charter school) or that of the charter school's. In Boston, the average cost per student was determined by dividing the current school budget by the number of students enrolled. Funding for special needs students is the responsibility of the district in which the student lives.

Although charter schools are public schools, they are independent of outside control over their integral and daily operations. Thus, they do not have to comply with most state regulations (excluding those pertaining to health, safety, and anti discrimination). In addition, no private or parochial schools can submit a charter application. Similarly, locations for charter schools are restricted to space in an existing public school, a public building, or space in a privately owned building (such as an office building or a mall). Thus, finding space to hold a charter school has been an obstacle of the sponsors.

Teachers hired for charter schools do not maintain their union ties (if they previously taught in a public school system). They are only covered as public employees in matters pertaining to collective bargaining and tort liability. The teachers have the option of taking up to a four year leave of absence to teach in a charter school. If at the end of four years they would like to continue teaching in the charter school, they are required to resign from their

teaching position in the traditional public school district. Teachers are not required to be certified, but each charter must specify their necessary qualifications.

Charter schools are required to provide parents or guardians of their students as well as prospective families with an annual progress report. "Students in Charter Schools are required to meet the same performance standards, testing and portfolio requirements set by the board of education for students in other public schools" (Chapter 71, Section 89 of the 1993 Massachusetts Education Reform Act). This report cites the schools' budget and solvency, the manner in which they have been meeting the goals stated in the charter, and the schools' achievements. If the conditions of the charters are not fulfilled, the school may be placed on probation and ultimately shut down. "If they can't deliver, we'll shut them down." Piedad Robertson (Aucoin and Wong. The Boston Globe. Mar. 26, 1995, p. 30).

Results of Law:

Piedad Robertson, the Secretary of Education, has approved twenty-one charter schools. (seventeen of which are scheduled to open in September, 1995). They are:

- 1) Boston: Academy of the Pacific Rim Charter School
- 2) Boston: Boston Renaissance Charter School
- 3) Boston: City on the Hill Charter School
- 4) Boston (Dorchester): Neighborhood House Charter School
- 5) Boston: YouthBuild Charter School
- 6) Cambridge: Benjamin Banneker Charter School
- 7) Lower Cape Cod (Brewster): Cape Lighthouse Charter School
- 8) Chelmsford: Chelmsford Charter School
- 9) Fall River: Fall River Atlantis Charter School
- 10) Fort Devens (Ayer/Harvard): Boston University Charter School
- 11) Fort Devens (Ayer/Harvard): Francis W. Parker Charter School
- 12) Franklin: Benjamin Franklin Classical Charter School
- 13) Hull: South Shore Charter School
- 14) Lawrence: Community Day Charter School
- 15) Lawrence: Lawrence Family Development Charter School
- 16) Lowell: Lowell Middlesex Academy Charter School
- 17) Marblehead: Marblehead Community Charter School
- 18) Martha's Vineyard: Martha's Vineyard Charter School
- 19) Springfield: North Star Academy Charter School
- 20) Springfield: Sabis International Charter School
- 21) Williamsburg: Western Massachusetts Hilltown Charter School

Descriptions of the first schools approved can be found

[Here](#).

Of these schools, five will specifically target "at risk" children, and five schools will house elementary-age students.² Three schools will educate various grade levels, and two are specifically for middle schoolers.³ Finally, two Massachusetts schools will base their schools on science and the Asian culture respectively.⁴

Conclusions:

Although Massachusetts has passed charter school legislation giving the schools a great deal of autonomy (charter schools are considered to be separate corporate and political entities), questions regarding their funding and the limits on their creation still remain. In 1998, there will be a study and evaluation of the established charter schools by the Department of Education. Depending upon their

review by the general court, the laws governing their regulation will either become more restrictive or allow for more independent control. Charter schools are viewed as the means to decrease state bureaucracy in education. However, charter school applications can only be approved by the State Secretary of Education. This seems to be a paradox to the supporters' attempts to decentralize the government. As the first 17 schools are not scheduled to open until September, 1995, the effect of charter schools on Massachusetts's education system has yet to be determined.

The Commonwealth of Massachusetts

Executive Office of Education

APPROVED 1994 CHARTER SCHOOL APPLICATIONS

Below is a summary of 12 charter school proposals that the Executive Office of Education has assessed as possessing the necessary criteria, in accordance with Chapter 71, 89 of the Education Reform Act of 1993, for becoming fully operational charter schools.

1. Boston: City on a Hill Charter School

Basic Facts: The proposal for City on a Hill was submitted by two certified teachers, presently working in the Chelsea school system. This school intends to enroll 60-100 students, representing diverse ethnic, racial and socio-economic backgrounds. The school's grade levels will be 7-12. To date these two teachers have raised \$59,000. A Working Cabinet has been assembled to raise funds and promote the school's model. Among those already committed to serving on this cabinet are: Christopher Lydon; Alden Raine (former Director, MassPort); Sylvia Schoenbaum (immigration attorney); Tom Hennesey (Headmaster, Boston High School, and former New England Patriot); and others.

A National Advisory Board formed to promote the school include: Michael Dukakis (former Governor of Massachusetts); Edwin Delattre (former President of St. John's College, current member of the National Endowment for the Humanities, and Dean of Boston University's School of Education); and John Stewart (Education Director of the John F. Kennedy Library).

School Focus: Civic Education emphasizing commitment to community service and/or work internships will be a basic component of every student's program; weekly "Town Meeting" where students and staff are encouraged to engage in dialogue concerning school policies and direction.

2. Boston: YouthBuild Charter School

Basic Facts YouthBuild, a non-profit Community Based Organization located in Roxbury, provides former drop-outs and disenfranchised youth with academic and vocational skills. YouthBuild offers a full-time academic program combined with a vocational construction component which includes, renovating abandoned buildings as housing for homeless families. Students are also exposed to computer technology, particularly business and construction software, making YouthBuild's job placement highly successful. In the class of 1993, 80% of YouthBuild graduate qualified for job placement, and 100% of them were placed in jobs averaging \$10/hour. With a 70% retention rate and on-third of its graduates going on to higher education, YouthBuild has generated extensive local and national attention.

Grade Levels YouthBuild's students will not be placed in traditional grade levels, instead they will be in competency-based groups. Individual Education Plans track the academic and vocational progress of each student.

3. Boston: Boston Renaissance Charter School

Basic Facts In a partnership between the Horace Mann Foundation and the Edison Project, the Boston Renaissance Charter School intends to implement its ambitious school design which is the result of 18 months of research and development grounded in original educational innovations. The school will be located in Boston's South End, serving a racially, ethnically, and socio-economically diverse student population.

Every student will have a computer in his or her home, allowing content interaction between teachers, students, and parents. The school will be open for 12 hours per day, with a 7-8 hour academic day, for 210 days of instruction (30 days longer than the mandated minimum). Among the school's objectives are: teaching all students a second language; ensuring computer and technological literacy; encouraging heavy parental activity and involvement; strengthening character and values in all students.

The school intends to open in August 1995 with an anticipated first year enrollment of 700, growing to 1,100 over a period of 6 years. Beginning with grades K-6, the school will evolve into a full K-12 operation.

4. Boston: Neighborhood House Charter School

Basic Facts: The applicant, Federated Dorchester Neighborhood Houses, Inc. (FDNH), intends to establish a K-8 school with an enrollment of 135 at-risk students (drop-outs, court or DYS involved students with histories of academic, emotional and behavioral problems). The FDNH's charter school, The Neighborhood House Charter School, will operate for 227 school days. The school's teacher/student ratio will be limited to 1:10. The FDNH has a long and successful track record in addressing the needs of at-risk students. It presently operates two well-known middle schools, the Log School and the Little House, both with sizable waiting lists. The charter school proposal has generated extensive community support, such as: Georgette Watson of the Governor's Alliance Against Drugs; Dr. Barry Zuckerman; Ralph Martin, Suffolk County District Attorney; Linda Carlisle, DSS Commissioner; and numerous other community based organizations.

School Focus: One of the basic tenets of the school is the belief that the neighborhood community and the school are one. The charter school will integrate school-based services, by joining together classroom education, social services and parental involvement. Each family enrolled at the school will be required to participate in the Family Cooperative, creating a social infrastructure among families, and offering GED and ESL classes, as well as other support services. In addition to an Individual Learning Plan for each student, families will be asked to commit to a Family Learning Plan. According to the school's proposal, standards set in the Basic Skills will meet or exceed the academic standards set by the Board of Education.

5. Lower Cape Cod (Brewster): Cape Cod Lighthouse Charter School

Basic Facts: The Lighthouse Charter School's founding coalition include parents, community and institutional leaders. Several local institutions have already agreed to join the school to form the "educational village", they are: the Cape Cod National Seashore; Center for Coastal Studies; the Cape Cod Museum of Natural History; the Academy for Performing Arts; and the Castle Hill Center for the Arts. The school's governing Board of Trustees will consist of parents, teachers, students, and representatives of the above institutions. The school will serve approximately 100-120 students in grades 6-8, with the possibility of expanding to include grades 9-12.

School Focus : The Lighthouse Charter School holds as its

central belief that "it takes an entire village to raise a child" (African proverb). The school will foster an appreciation for the environment and institutional resources around which science curriculum and thematic learning will be based. Mastery of basic skills will serve as the school's central focus.

6. Fort Devens (Ayer/Harvard): Boston University Charter School

Basic Facts: Boston University Charter School intends to establish a residential school, operating 24 hours a day, for students who are unsupported by a home or family structure, specifically homeless youth and wards of the state. The school will draw on the vast human and physical resources made available as a result of military realignment (e.g. former military personnel with teaching and training experience, accountants and engineers, in career transition due to military contraction will be utilized). The school will initiate operations with 150 students in grades 7-11 and will add grade 12 in the second year increasing the student population to 180 students. The Boston University Charter School is the outgrowth of a successful summer (1993) program, First in Peace. Boston University's initiative is being led by Rear Admiral W. Norman Johnson, USN (ret.), Vice President and Dean of Students. A career Naval officer, a native of Roxbury, and a decorated Vietnam combat veteran, Admiral Johnson played a key role in the racial integration of the Navy and in developing educational and technical training and support programs to promote equity and diversity in the armed forces.

School Focus: The Boston University Charter School will prepare students to enter higher education or technical careers upon graduation. A close relationship between BU's various schools/departments and area businesses will be developed allowing students to choose a path suitable to their interests. Community service and volunteerism will be required for all students. The school will rely both on traditional academic instruction and vocational/technical (hands-on) approaches.

7. Fort Devens (Ayer/Harvard): Francis W. Parker Charter School

Basic Facts: The Francis W. Parker Charter School takes its name from the New England native schoolmaster and Union Army colonel who was referred to as the "father of progressive education" by John Dewey. Initially the Parker School will enroll 100 students in grades 7-8. It anticipates growing to 350-400 students in 3 to 4 years, expanding one grade level at a time to cover 7-12. The school will be located near the intersection of Route 495 and Route 2, thus drawing a diverse student population from such communities as Lawrence, Worcester, Gardner, and Concord; all within a 30 minute commute.

School Focus: The Parker School's philosophy is based on the nine principles of the Coalition of Essential Schools. A strong emphasis is placed on such basic or core skills as reading, writing, and mathematics; rather than attempting to cover the content of many subjects, the school will instead focus on depth and mastery in a few essential areas. "Less is More" describes the Coalition of Essential School's philosophy of the secondary school curriculum. Total Quality Management principles will be used. Students and parents will be asked to enter a compact prior to admission.

8. Franklin: Benjamin Franklin Classical Charter School

Basic Facts: The Benjamin Franklin Classical Charter School plans to locate in the Town of Franklin, "the fastest growing town in the Commonwealth." The school's Founding Coalition is made up of local parents. With a rapidly increasing

elementary and secondary school children in the town, the charter school will off-set this surge by enrolling 270 students in grades K-8. The school will limit classroom size to under 20 students at all times.

School Focus: The Benjamin Franklin Classical Charter School plans to provide its students with a classical education based on the Core Knowledge Sequence. A strong emphasis is placed on Basic Skills acquisition. The school's goal for academic performance is for its students to attain levels at least 10% higher than those students in the same grades in traditional public schools.

9. Hull: South Shore Charter School

Basic Facts: The South Shore Charter School will initially enroll 60 students: 20 in a K-1 class, and 40 in grades 11 and 12. The school's Founding Coalition include teachers, parents, members of the local business community, public officials, and representative of higher education. The founders intend that the school become a Family Learning Resource Center for the South Shore area. Parental involvement in the child's learning process is central to the school's philosophy. In addition, the school volunteers will be recruited.

School Focus: Significance is placed on interdisciplinary projects. Students will have the option to take classes at various colleges and universities (and earn college credit). Students will be exposed to environmental issues through participation in the Hull Environment and Service Corps -- the first Youth Community Service and Conservation Corps in the US that is part of a Public High School.

10. Lawrence: Community Day Charter School

Basic Facts: The Community Day Charter School is a neighborhood school developed and supported by parents. Support for this school's proposal include various public officials, a college president, State Representative Gary Coon, State Senator John O'Brien, members of the business community, many other respected community members. The school plans to enroll 140 students in grades K-6, with a teacher/student ratio of 1.5 to 20.

School Focus: The school's academic approach is based on interdisciplinary learning, integrated themes and mixed age grouping. The bilingual program proposed is a form of immersion -- non-English speaking students and English speakers will learn together, with instruction in English. Parents will also receive ESL and literacy training.

11. Lowell: Lowell Middlesex Academy Charter School

Basic Facts: The Lowell Middlesex Academy Charter School proposal is the outgrowth an existing school sponsored and operated by Middlesex Community College (MCC). Established in 1989, Lowell Middlesex Academy has served over 400 students, all of whom were drawn from the official dropout rolls of Lowell High School. The Academy Charter School plans to enroll 100 students in grades 9-12. Maximum class size will be 20 students. The school will follow the MCC academic calendar. Classes will be held between 11:00 AM and 8:00 PM. The school will continue to operate at its current location: the City Campus of Middlesex Community College, in downtown Lowell. Students will continue to have access to the college's facilities, including the library, computer labs, and cafeteria.

School Focus: The Lowell Middlesex Academy Charter School is based on the Middle College model developed by New York City's LaGuardia Community College; it will provide an academically challenging environment for at-risk youth (ages 16-22). The school intends to implement a new curriculum that departs from the traditional, lecture-oriented approach. Instead, interdisciplinary and hands-on activities, community

service and job internships, will be combined in an integrative fashion. The school will increase its involvement with the college's 2+2 Program (allowing high school students who participate in college classes to receive both high school and college credit).

12. Williamsburg: Western Massachusetts Hilltown Charter School

Basic Facts: The Western Massachusetts Hilltown Charter School proposes establishing a regional school with an enrollment of 35 students (47 by 1999) in grades K-4. The school intends to offer a rural educational alternative in the area. The school will be accessible to the seven hilltowns in Hampshire County: Chesterfield, Curnrnington, Goshen, Plainfied, Westhampton, Williamsburg, and Worthington. The Founding Coalitions consists of parents, teachers, and community members.

School Focus: This charter school seeks to be a "community" school, using a child-centered educational approach where children are encouraged to take initiative, make decisions and follow through on tasks. The school will employ the Reggio Emilia educational philosophy, based on the premise that the arts provide the ideal language for young children to creatively investigate and learn. The applicant cites five primary issues this school will address: 1) the need for a child-centered approach to education; 2) the need for a collaborative approach to education; 3) the importance of a thematically unified curriculum fully integrating the arts; 4) integrating family involvement in the educational process; and 5) the need to integrated the school experience into the rich fabric of the community and rural environment.

For a bibliography of sources on charter schools in Massachusetts, click [Here](#).

Michigan

Sarah Godshall & Jennifer Hill

Michigan is at the forefront of educational reform. Governor John Engler has supported drastic measures that call for a changed public education system in all areas, including funding and school choice.

Background Information

Michigan Public Act Number 362 of 1993 provided for the creation of charter schools which were not subject to state regulation, other than the minimum regulations imposed by the Board of Education (Sanchez, A1)

Teacher's unions and the ACLU brought forth a legal suit on the basis that charter schools are unconstitutional since they use state funds but are not regulated by the State Board of Education and therefore are essentially private schools. In the fall of 1994, Ingham County Circuit Judge William Collette issued an order temporarily restraining the creation of charter schools until the constitutionality of Act 362 was determined. On November 1, 1994, Collette ruled that the charter schools may not receive public funds. Governor Engler and the state legislature responded by drawing up new legislation with more stringent direct regulation by the state (Associated Press, Nov., 59A; Leavitt, 3A.)

Michigan Public Act Number 416 of 1994 was passed on December 14, 1994 by the Michigan Legislature. The Act "governs the establishment and operation of a Public School Academy", otherwise known as a charter school (Michigan Public Schools Q & A, 1.)

The following is a list of the arguments in favor of charter school legislation in Michigan. Among the proponents of charter school legislation and charter schools are Governor Engler, Central Michigan University and Wayne State University:

- ¥Charter schools allow for smaller class sizes and more updated resources (Sanchez, A1.)
- ¥Charter schools foster competition between schools (Sanchez, A1.)
- ¥In practice, charter schools have provided sufficient opportunities for under-privileged students (Sanchez, A1.) (See New Branches Public Academy, below.)
- ¥Since the public education system is so large in Michigan (serving over a million and a half students), charter schools will not have widespread negative effects on existing public schools, as opponents fear (Sanchez, A1.)
- ¥Charter schools will provide a forum for testing efficiency and innovation of teaching styles and other educational tools that may or may not be used in existing public schools (Sanchez, A1.)
- ¥The old system does not work. Changes are necessary. Existing public schools do not close despite many failures and shortcomings. Charter schools lose their charter if they do not produce the results specified in the charter (Pyle, A1.)
- ¥Charter schools give parents choice and alternatives the system is lacking (Crockett, B11.)
- ¥Parents are part of the children's education. Since the chartering process (see below) requires educational goals and a mission statement, parents can assess the school and can provide grounds for improvement (Crockett, B11.)

The following is a list of arguments against charter

school legislation. Members of the opposition in Michigan include the Michigan Education Association (MEA) and many local teachers' unions, the Michigan chapter of the American Civil Liberties Union and other civic groups (Sanchez, A11; Walsh, A14.):

a)The State Board of Education has little control over charter schools, which are required only to meet the minimum requirements of the state (Sanchez, A1.)

b)Charter schools are not considered "public schools" by many (Sanchez, A1.)

c)Charter school legislation moves funds from needy public schools to "private" schools which advocate certain morals (Sanchez, A1.)

d)Charter schools have been deemed unconstitutional by a district judge (Sanchez, A1.)

e)Charter schools take the most gifted and talented from the public schools, creating a "creaming" effect (Crockett, B11.)

Summary of Legislation

A public school academy is defined as a governmental body, which includes any combination of grades K-12. An authorizing body is a "public educational institution that has been granted the power to issue contracts to those interested in establishing and operating a Public School Academy" (Michigan Public Q & A, 1.) These bodies may include one of Michigan's fifteen public state universities, intermediate school districts, community colleges, and local school districts except those classified as fourth class or primary districts. Community colleges are limited to authorizing only one charter school; state public universities are limited to a combined total of seventy-five schools (Michigan Center for Charter Schools, 2.)

An individual is allowed to apply to establish and operate a Public School Academy. These individuals are granted a contract by authorizing body, that is subject to the constitutional powers of the State Board of Education. Components of a contract include the following: "educational goals of the school and the methods by which they will be assessed", "the governance structure of the school", "age or grade range of the pupils attending the school", and "the articles of incorporation" (Michigan Public Q & A, 1.)

The chartering (or contracting, which is the term used in the Act) process in Michigan is as follows. An application is filed with the authorizing body (the Act currently has information it requires for the application, but does not have a single or specific application) by a corporation. Profit or non-profit organizations may apply to an authorizing body, so long as the organization meets existing regulations regarding religion and the schools (Michigan Center for Charter School, 1.) The authorizing body may or may not evaluate any applications, and the Act does not require that applications be evaluated under a certain time frame. The body may or may not offer any contracts, and in the case of competing applications, the determination is made on resources, goals and proposed students (McClellan, Point 5.) Rejected applications are appealed to the voters (McClellan, Point 6.)

The major responsibilities of the authorizing body include reviewing and evaluating each proposed and existing school in the areas of educational goals, State regulatory codes, articles of incorporation, programs and practices of the school (Michigan Public School Academies Q & A, 2.)

A Public Academy's admissions process can be restricted along the lines of ages, grades, and enrollment numbers, but

cannot be selective. If there are more applicants than available spaces, a random selection process is used among those students who are new applicants to the schools. The academy cannot discriminate on the basis of any abilities, intellectual or athletic, and cannot use testing or other measures as a basis of admissions, even though the academy may have an intellectual focus (Michigan Public Q & A, 2.) The only acceptable preferential status is granted to siblings of enrolled students (Michigan Center for Charter Schools, 1.)

Public Academies in Michigan may not charge tuition. Since the charter school is defined in the Act as a school district, it is able to receive state funds according to the State Constitution. Each academy receives funding on a per-pupil basis. The funding is capped at the amount spent in the local school district, and ranges from \$4,200 to \$5,500 per student. Public Academies may receive additional funding from categorical grants, other public sources and/ or private sources (Michigan Center for Charter Schools, 1, Michigan Public School Academies, 2.)

Teachers in Public Academies must be certified, with the exception of those Public Academies which are run by state universities or community colleges.

Under Public Act 416, the charter school/ public academy is a public school, which means that it is "part of a changed, but constitutional, public school system for Michigan" (McClellan, Point 1.) It is also a government entity, and therefore may collect State funds and is exempt from taxing.

Private schools may convert to charter schools, granted that they become a government body. New Branches School is an example of this (see below).

Results of the Legislation

There are eight existing Public Academies in Michigan, several more (the number is yet to be determined since applications are pending) are expected to open by September of 1995. The eight existing Academies are described in the following paragraphs.⁵

New Branches School in Grand Rapids, MI was chartered by Central Michigan University in August of 1994. On September 27, 1994, State Superintendent of Public Education, Dr. Robert E. Schiller visited the school and determined that it has met all of the necessary requirements of a Public School Academy under Public Act 362 (the first charter school legislation in Michigan.) At that time he determined also that New Branches was eligible for state funds for the academic year in progress. The school began as a private school that ran on a budget that was limited by the \$2,200 per-pupil tuition. Legislation allows for an expected \$5,300 per pupil, replacing tuition. The founder of the school, David Lehman, sees charter schools as a way to provide a variety of choice for taxpayers. The class sizes at New Branches are small and the school stresses arts and foreign languages. The seventy-two students are chosen by a random drawing, and learn in an environment without grade levels or academic grades. One-quarter of the students are on the federal free or reduced lunch program (State Board of Education, September 27, 1994.)

Northlane Math and Science Academy also received its charter from Central Michigan University in August of 1994. The school was visited and approved by Dr. Schiller on October 4, 1994. It serves 39 students from kindergarten through eighth grades (State Board of Education, October 4, 1994.) It is a "Hands on, experimental, cooperative learning, with emphasis on interdisciplinary instruction. Students use computers daily" (Operational, 1.)

Horizon Community High School received its charter from Wyoming Public Schools. Dr. Schiller visited and approved of

the school on October 4, 1994. The school provides students with a "strong academic core curriculum" as well as "experience with technology applications, community service and career exploration (State Board, October 10, 1994.) The approximately 300 students range in ages from fourteen to nineteen.

Macomb Academy in Township, MI was chartered by Macomb Clinton Intermediate School District. Windover High School in Midland, MI received its charter from Midland Intermediate School District. The school faced closing due to lack of funding after Judge Collette's ruling in November. Academy of Casa Maria in Detroit, MI received its charter from Central Michigan University (State Board, October 20, 1994; Tribune Wires, 3.)

West Michigan Academy for Environmental Science in Grand Rapids, MI received its charter from Kent Intermediate School District. The hands-on science school has one hundred-twenty kindergarten through seventh graders. Creative learning, using the natural surroundings is stressed and school days are one hour longer than most public schools) (Sanchez, Al.)

Aisha Shule/ W.E.B. DuBois Preparatory Academy in Detroit, MI was chartered by Detroit Pubic Schools. Proponents of this formerly all-male black academy say that the setting will bolster self-esteem in the youth. Former President Bush and the Heritage Foundation endorse such schools, while the ACLU, National Organization of Women (NOW) and Council of the Great City Schools oppose these schools. The school is seen as a remedy for the tough setting of the inner-city and provides opportunities for under-privileged youth. Opponents argue that public education is for everyone, and these schools were discriminating against women. In August of 1991, girls were allowed to enter the public school (Associated Press, September 11, 1991, 5; Celis, Section 4, Page 3; Richter, Part A, Page 4.)

Conclusions

The eyes of legislators around the country are on Michigan. With the passage of Michigan Public Act 416 of 1994, the state legislature has shown its strong support for the schools and for educational reform. Over thirty new charter schools are expected to join the existing eight in the fall of 1995, and many more in the years to come. As the law moves from its infancy stage to its more productive years, the results of the law and the effect of the law on education in Michigan will be more easily assessed.

NOTES (From Section)

1 According to Proposition 2 1/2, property taxes can only be raised a maximum of two and one-half times from the present rate. Communities can vote to over ride this legislation in order to create additional funds.

2 At risk kids: YouthBuild Charter School, Neighborhood House Charter School, Boston University Charter School, and Lowell Middlesex Academy Charter School. Elementary age students: Boston Renaissance Charter School, Community Day Charter Schools, and Western Massachusetts Hilltown Charter School.

3 Various grade levels: City on a Hill Charter School, Benjamin Franklin Classical Charter School, and South Shore Charter School. Middle School: Chelmsford Charter School and Francis W. Parker Charter School.

4 Cape Cod Lighthouse Charter School and Academy of the Pacific Rim Charter School

5Due to the recent passage of Michigan Public Act 416 and the declaration of unconstitutionality of Michigan Public Act 362, the status of some former charter schools and the number of pending applications changes often and any data supplied in this report is likely to become outdated.

For a bibliography of sources on charter schools in Michigan, click [Here](#).

MINNESOTA

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Susan Vernal

Legislative History

In 1991, Minnesota became the first state to pass ground-breaking legislation authorizing the existence of charter schools. Charter schools were not the first radical reform effort debated in Minnesota. "Between 1985 and 1988 Minnesota... became the first state to pass statewide public school choice legislation." (Sautter, pp. 7-8) This plan allowed parents to choose to which public school they wanted to send their child or children. Charter schools grew out of this legislation as a way of expanding parental choice. Many people were and are opposed to the idea of charter schools for a variety of reasons. Districts, for example were reluctant to approve charter schools because they take money away from the district. Teachers were worried that charter schools would make the faculty and administration left behind feel abandoned. Also, there was a fear that faculty would "become sharply divided over the benefits and risks of a specific proposal or even the merits of attaining charter status" (Amsler, pp. 4-5). Furthermore, many people were worried that teacher salaries would be lower in charter schools because they would have lower funding and high start-up costs. Many were also concerned about job security. If teachers took a leave of absence to teach at a charter school then when they returned the staff hired to replace them would be laid off. Also, if many students left the district to attend charter schools, fewer teachers would be needed. (Amsler, p. 4)

The Minnesota Education Association and the Minnesota Foundation of Teachers opposed the proposal because they felt that "charter schools would drain resources away from other public schools and the idea in essence creates publicly funded private schools" (New Education 46). In addition, they believed these schools would lack accountability. Opponents were also worried that charter schools would lose money because they "would not have the 'economies of scale' that favor school districts." (New Education 46) They would, however be free from public bidding constraints, and therefore they would possibly be able to "negotiate more cost effective agreements" (Amsler 5). Furthermore they would be free to hire whomever they wanted for however long they needed, depending on their needs.

There are many people who felt charter schools were an incredible innovative idea. Minnesota state Representative Becky Kelso, one of the legislative authors states, "The gift of charter schools is the gift of freedom." (Sautter, p. 3) Ted Kolderie, senior associate at the center for policy studies in Minneapolis believes that:

"The charter school idea offers a way to broaden quality choice within public education. It offers a middle way between traditional public education and the 'choice' proposals that use vouchers for private education" (Sautter p. 3).

Prior to enactment, the hope was that charter schools would provide a better education for students. Charter schools would allow for innovation in teaching and they could cater to children

who had difficulty learning in a traditional school. Also, charter schools would provide competition for public schools. If many students were leaving public schools to go to charter schools, then the public schools would have to raise their quality of teaching to avoid losing students. This would raise the quality of both charter and public schools because they would be competing against each other. As a result, students would receive a better education than they are receiving now, regardless of which school they attended.

Charter schools would also provide an accountability that was not available with the traditional public school system. Because charter schools would be based on a renewable charter, they could be discontinued if they failed to produce the outcomes they specified in their agreement with the sponsor. Even though Minnesota had radical school choice legislation in effect, this type of accountability was not available within the public school system. Supporters of the bill hoped that charter schools would increase access to innovative programs, increase quality, reach dropouts, replace failing schools, offer innovative learning opportunities, and solve problems flexibly (Sautter, pp 5-6). Also, elementary school enrollment is predicted to rise by 12 percent and secondary school enrollment by as much as 25 percent by the year 2003. Charter schools could help alleviate the burden on public schools by providing more schools. Furthermore, charter schools could act as "testers" for ideas because of their size and flexibility. Then, if the program or idea proved to be successful, it could be implemented on a broader scale (Sautter, pp. 6-7).

Summary of Legislation

Despite opposition, mostly from teacher unions, the bill was passed. The unions, however, did have an effect on the final bill. They successfully lobbied to require at least one certified teacher as one of the organizers of a charter school. The final bill also eliminated the option of having the state school board sponsor a charter school and restricted sponsorship to local school boards. The bill also limited the number of charter schools allowed to eight and allowed a renewable charter to be granted for three years. Charter schools would receive the same general education revenue as other schools, which is the "state average general education revenue per pupil unit, calculated without compensatory revenue, plus compensatory revenue as though the school were a school district" (Minnesota b 1). However, charter schools cannot issue bonds or levy taxes.

[Not reproduced for this gopher-accessed document are a series of charts summarizing the Minnesota charter school law. The interested reader is referred to Bierlein and Mulholland's 1992 "Charter Schools: A Viable Reform Initiative," Appendix A.]

Results of the Law

By Spring of 1993, more than twenty schools had applied for charter school status. Because of the limit on the number of charter schools, only eight were approved. Those schools that were denied sponsorship were generally programs that already existed in public schools. School boards are reluctant to sponsor them because they feel that if the program is already working in public schools there is no reason to establish it in a charter school format. There is also a higher chance of obtaining a charter for a school that targets a specific population, such as at-risk students, that are not adequately served in existing public schools. (Sautter, p. 7)

The Minnesota House Research Department conducted a survey of school board members and asked them to describe issues raised in debating the charter school proposals. Most reported

focusing on concerns, rather than benefits of charter schools. Almost a third of the responses (61 percent) were concerns whereas only 39 percent were potential benefits. Though there were many concerns listed, the majority were either insignificant or addressed by the charter proponents (Minnesota House Report, p. 24). The issues raised can be broken down into four main categories, the effect the charter school may have on the district, philosophical issues, issues specific to the individual proposals, and issues concerning the educational approach of the charter school.

Benefits and Concerns Raised by School Boards

Effect on the District (Minnesota House Report, p.28)

33 percent of the concerns listed focused on the effect the charter school would have on the sponsoring district. The biggest complaint (49 percent of the responses) was that districts would lose revenue when students left to attend charter schools. Another 23 percent felt that charter schools would drain the resources of the sponsoring district. For example, there was concern that operating a charter school would use district personnel time. 14 percent also thought that charter schools would be elitist, "creaming" the best students from public schools and leaving the rest behind. Another 14 percent thought there would be district liability problem.

Of the 13 percent who believed there would be positive effects for the sponsoring district, 35 percent thought that charter schools would put the district on the cutting edge of reform. The rest of the responses were about evenly split. They believed charter schools would reduce costs or that the district could learn from the charter. 18 percent gave responses other than these three.

Philosophical Issues (Minnesota House Report, p. 29)

In this debate, the two biggest concerns were the fear that charter schools lacked the support of the community and that they didn't have enough accountability. An additional 17 percent objected to the concept of a charter school. Other responses given "were that the charter school was a risk for the district;" (Minnesota House Report p. 30) they were inequitable because they had an unfair advantage because they were free from regulation; allowing one charter school would set a precedent and make it more difficult to refuse later ones; and charter schools would cause an unacceptable erosion of local control. (Minnesota House Report p. 30)

The main benefit of charter schools is the extra choice for parents and students. In addition, charter schools promote more parental and community involvement. Many supported charter schools as a means of general educational reform. Furthermore, charter schools offer more freedom for teachers because there is less regulation, and there is more freedom from bureaucracy.

Specific Proposal (Minnesota House Report, pp. 30-31)

The main concern with some of the specific proposals was that the proposal was not viable. Other concerns were the motives of the personnel involved, the facilities for the school, the effect on other districts, or poor design of the school. Also mentioned was the concern that the charter school was being used only as a method of keeping a public school open that was slated for closure.

There were only two benefits associated with specific proposals. One was the opportunity

to keep open a school that was going to be closed. The school boards were sympathetic to the desire of local people to keep their school open. (This can no longer occur since an amendment was added to the law in 1993 that made this illegal.) The school boards were also impressed by the commitment of the proponents of charter schools.

Educational Approach (Minnesota House Report, pp. 26-27)

There were only 13 percent of the school boards that were concerned about the educational approach of charter schools. Almost half of the concerns given were that the choice already existed in the district. The rest were either concerns about a specific curriculum, concerns that the needs of a specific population were not being met, or concerns about the quality of education.

Half of the benefits associated with the specific educational curriculum were support for the specific curriculum proposed by a charter school. Another 37 percent felt that charter schools met student needs and an additional 14 percent felt that charter schools were beneficial for students.

Charter Schools Currently in Operation

(Unless otherwise noted, the information from this section is derived from the Minnesota House Report)

Bluffview Montessori

In November 1991, Bluffview Montessori in Winona became the first school to have its charter approved by their local school board. The State Board approved it in December 1991 and it planned to open in the fall of 1992 following a Montessori curriculum. Opening the school was not easy, however, because in March 1992 "two of the original charter signers left Bluffview over a contract dispute." (Minnesota House Report, p. 56) As a result, the charter school had to submit a new proposal in July 1992 which failed to pass the school board. The proposal was resubmitted in August 1992 but it was not passed again until December 22, 1992. The school finally opened on March 2, 1993. As of February 1994, the school enrolled over 75 students in grades K-8, and "also operates a private Montessori pre-school. The school leases space in part of an old district high school that is now privately owned" (Minnesota House Report, p. 56).

Bluffview Montessori is the only charter school that has a nationally recognized curriculum. The curriculum is based on developmental learning and uses Montessori materials. The teachers in this school are required to be Montessori taught. Kindergartners learn things such as practical life activities, for example, carrying objects and pouring liquids. They also do sensorial activities and language activities (Minnesota House Report, p. 40).

City Academy

In September 1992, City Academy in St. Paul became the first charter school to open. This school was created to help inner-city dropouts return to school. By keeping classes small, City Academy gives individual attention to each student. They use an "interdisciplinary approach within the standard academic divisions and use multiculturally sensitive text." According to Milo J. Cutter, a City Academy founding teacher, "One of the keys to our success is our size. We are small enough to give these students the attention they need and deserve. It makes a big

difference" (Sautter 2).

Because of this new charter school, the students who were at one time high school dropouts now aspire to attend college and many take classes at local colleges. Cutter believes,

"...the biggest benefit is that we are held accountable....We listen to what the students want and need because we ask them....We also have the flexibility to respond... We can change the curriculum to meet these needs as soon as we see them. Anywhere else it would take a year to change. It is much better than anything we have known in the traditional setting" (Sautter p. 3).

City Academy serves mostly minority students, including a mix of African-Americans, Hispanic-Americans, American Indians, and European-Americans. (Sautter, p. 27) There are not many women enrolled in the Academy, although they are presently trying to raise that number. The overall goal of the school is "to provide resources for life-long education and social participation aimed at the elimination of self-defeating or destructive behaviors."(Minnesota House Report, p. 37) Other outcomes include achieving grade level in reading and math, maintain smoke free, chemical free involvement in the school, remain arrest free, maintain attendance, and receive appropriate assessment and placement counseling and follow-up support from a vocational counselor (Minnesota House Report 37).

Toivola Meadowlands

Toivola Meadowlands (TM) is a rural school located in St. Louis County in Northeastern Minnesota. It was planning on closing when the charter school legislation was passed and it applied for charter school status. It was the second charter approved and it opened in September 1993. People have criticized TM because it had been a public school that was going to be shut down but after charter school legislation was passed they applied and were granted charter school status. This created a debate over whether public schools that were slated for closure should be allowed to apply for charter school status. In the original law, this was allowed, but in 1993 an amendment was passed that prohibited schools that were going to close from becoming charter schools. The board of TM argues that though the school applied for charter status because of its impending closure, it meets the requirements for a charter school and thus should not be criticized. TM encourages multi-age learning and community activities. TM believes that when students graduate, they should be able to "demonstrate the knowledge, skill, and ability to communicate with words, numbers, visuals, symbols and sounds...understand the diversity and interdependence of groups and individuals in society...and demonstrate the knowledge, skill, and attitudes essential for maintaining a balance among career, personal, and family activities" (Minnesota House Report, p. 39).

Metro Deaf School

Metro Deaf School in Forest Lake was sponsored in April, 1992 and opened in September 1993. As the name implies, this is a school for the hearing impaired. MDS is an American Sign Language school that serves under 20 students in K-7. It is an alternative to the residential Minnesota State Academy for the Deaf in Faribault, MN. "MDS incorporates student created learner outcomes, ASL, deaf history and culture, and family education into its bilingual - bicultural curriculum. This strategy is based on the idea of total communication" (Minnesota House Report 57).

Cedar Riverside Community School

Cedar Riverside was also approved in April, 1992 and opened in the fall of 1993 in Minneapolis. This school was established as a community for low-income children and families. Many of the students are from one parent families or immigrant families. About 95 students attend the school; 30% live in the high-rise apartment complex where the school is located. The school serves as a stable environment with an on site social worker for people whose lives have been extremely unstable.

New Heights Schools, Inc.

New Heights Schools, Inc. located in Stillwater was approved by the State Board of Education in February 1993 and opened that fall. Approximately 200 students in grades K-12 attend this school for "at-risk" students. Only about 30% of these children would fit into a traditional "at-risk" category (Minnesota House Report p. 58) Students are encouraged to think purposefully, direct their own learning, and communicate effectively, and work productively with others. Graduates have to provide "two or more culminating demonstrations during the last three years prior to graduation that demonstrate...comprehensive outcomes in an interdisciplinary and life context, in-depth exploration of an issue, topic, or theme." This is reviewed by representatives of the school and community (Minnesota House Report pp. 36-37).

Skills for Tomorrow

Rockford school district approved Skills for Tomorrow in 1993 and it began operating in Minneapolis in March 1994. This school is a vocational/ technical school that allows students to participate in business internships during school. It prepares students to enter the workforce or a postsecondary vocational training program after graduating (Minnesota House Report 58). This school operates year- round, with breaks interspersed at 5-6 week intervals.

Schools Opened in the 1994-95 School Year

There are six charter schools that opened in the 1994-95 school year. All of these schools are radically different. They range from New Visions School in Minneapolis which targets at-risk children with reading and learning problems and uses intensive sensory-motor stimulation and EEG Neuro Feed-back and accelerate learning, to Minnesota New Country School in LeSueur, which is a computer-infused school that provides an individual educational program that uses a multi- disciplinary approach. Other schools such as the Emily Charter School and the Parents Allied With Children and Teachers (PACT) teach to a multi-grade level. The following charts compare the currently operating charter schools. The first one compares enrollment and population characteristics for schools in operation through April 1995 and the second compares revenue and teacher salary in the six charter schools open as of February 1994.

Approved Charter Schools

In addition to the 13 open schools, there are also 4 schools that have been approved but have yet to open. The Prairie Island Community School sponsored by the Red Wing School Board plans to open in the Spring of 1995. It will be a culturally based K-12 school, operating year-round, with a large amount of parental involvement. Right Step Academy sponsored by the St. Paul School Board plans to open in the Fall of 1995. It will have both a residency and a

day-school program for 14-21 year old at-risk students. This school will be an alternative to incarceration and it hopes to help students achieve their full potential. World Learner School of Chaska sponsored by the Chaska School Board, hopes to open in the Fall, 1995, serving students from ages 6-12. Like Bluffview, this will be a Montessori school. Community of Peace Academy, sponsored by the St. Paul School Board, will open in the fall of 1995, serving grades K-8. This school will emphasize the community. Classes will be small, with teachers teaching the same students for a two-year cycle (Minnesota Department of Education 6).

Parental Reactions to Charter Schools

A survey of parents conducted by the Minnesota House Research Department in 1994 shows that many parents are satisfied with their child's charter school. Most parents listed curriculum and school features as their reasons for choosing a charter school. They liked the idea of small classes and the school environment offered by their respective charter school. The survey also showed that many parents were satisfied with the charter school's curriculum, teachers, school features, and the effect on the students.

The students who attend Toivola-Meadowlands (TM) and their parents are very satisfied with the school. In a "Letter to the Editor," TM students write "charters allow students to be creative and to have more responsibility in their education....charters also give the students actual experiences of dealing with the business world" (North Central Regional Lab 2). According to Dick Raich, a parent of a student at TM, "Charter Schools allow in house decision- making, which eliminates 'all the bureaucracy of getting things done' and leads to better communication among parents, students, and teachers" With the charter school students have regained an interest in learning (8).

Raich also points out that charter schools are not necessarily for everyone. He says, "Why would you want to change something in a community where education is acceptable? They have the outcomes they want. They see what they want coming out of the public schools" (8).

There are however, problems with Toivola-Meadows and other charter schools. Tim Robinson, another parent of a child who attends TM, wholeheartedly supports the school. He says, however, "I feel the transportation issue is inadequately addressed in the law. When there is a transportation problem, there is no solution. This should be fixed" (10).

In the Minnesota Research Report Study, the most frequently cited sources of dissatisfaction included lack of resources at the school, transportation, inadequate space, the school's administration, negative effects on students, and the turmoil of the school's first year.

Four Main Areas Charter Schools Are Experiencing Problems

(Unless otherwise noted, the information in this section is derived from the Minnesota House Report)

Transportation

Charter Schools have been experiencing transportation problems. Currently, "the district in which the charter school is located is required to provide transportation for students who live in the district." (Minnesota House Report p. 46) If a child attending the school lives outside of the district, the parent must get the child to at least the border of the district of the charter school.

This creates problems for charter schools because they are limited to the traditional school year. Districts are angry because this arrangement is very expensive and inefficient for them. For the Metro Deaf School there is an additional problem because it involves special education students. If the district placed the child in the school then the district must provide transportation such as in the other cases. If, however, a parent places the child in the school, they must supply their own transportation.

Facilities

Charter schools also have a problem finding and maintaining facilities. Because they do not have the option of levying taxes or obtaining a bond, they must try and find inexpensive facilities. Some of the charter schools are currently housed in old school buildings and they are paying minimal rent. They must, however, pay for repairs and renovations which can be expensive, especially in old buildings. Other charter schools are finding homes wherever they can, usually in cramped quarters.

Special Education

Charter schools must also learn how to handle special education students. When they were first established, many were not aware of the rules governing funding. Therefore they were unprepared to provide the testing and assessment that was expected of them. Also, some assumed the resident district would simply give them money to cover the costs. The charter schools many times had to hire someone else to come in and help them figure out the process. In other cases, they had to work with the sponsoring district, with whom they were not always on the best of terms.

Relationship with the Sponsoring District

Since their conception, charter schools have had a problem with the sponsoring district. Because the district must approve a charter, and that new school would take money away from the district, some board members may not want to approve any charters because they would lose money. As a result, the law was changed to allow the state school board to review cases where a charter received at least two votes from a school board. This makes it a little harder for individual board members to not approve charters on a monetary basis, but it is still possible. Also, districts may be scared of being "shown up" by the new charter school and losing their students and teachers to the new school.

Some schools, such as City Academy, do have positive relationships with their sponsoring district. City Academy, however, teaches children that have left the public school system and are not necessarily wanted back. This may be one of the reasons their relationship is not so antagonistic. The two charters mentioned that do serve a general student population, TM and Bluffview, do not have a good relationship with their sponsoring school district, reinforcing the idea that the relationship with the district depends on who the students attending the charter school are.

Conclusion

Currently there are 17 charter schools that have been approved and 13 are in session. It is still very early to evaluate the long term effects of charter schools because they have only been in

effect for less than three years. They appear to be working, and many of the concerns that people had before the schools were established are not proving to be valid. In a survey done of school superintendents by the Minnesota House Research Department, two superintendents reported that "...students are now being served by the charter that were not being served before" (Minnesota House Report 41). This statement shows that charter schools are not causing the "creaming" of students from public schools that so many people were worried about. It has been shown that most of the schools currently in operation target a specific non-elite population and therefore can not possibly "cream" the best students. Also, it has been shown that it is easier to form a charter school that targets a specific population rather than converting an existing program. This also make "creaming" more difficult because if schools are being set up for at-risk students, then no one is creamed from the public schools.

Charter schools are by no means a panacea for the problems in our educational system. They are not perfect. There are definitely problems that still need to be worked out, such as transportation, but these can be fixed with time. As more charter schools come into operation they will learn from the mistakes of the early ones. Though they are still very new, charter schools are having a small impact on the public education system. According to Ms. Hunter of the Minnesota State Education Department, "What we're finding is that the charter-school proposals are a catalyst for getting districts to start paying attention and listening to what the learners are needing and the parents are requesting" (Walters). For a bibliography of references on charter schools in Minnesota, click [Here](#).

Missouri

Candace Crawford

Legislative History

Missouri enacted a law in 1993.

Summary of Legislation

By the year 1997, the state board of education will select three school sites to participate in an experiment called "The New Schools Pilot Project". This project allows a school to be managed by a team of five members that would include at least one person to be designated the principal of the school. The management team is responsible for hiring staff but must follow the existing rules of collective bargaining. The management team may apply for a waiver exempting them from certain rules and regulations from the state board of education.

Results of Law

No charter schools exist in the state of Missouri.

Conclusions

Missouri's legislation cannot be considered charter school legislation. It subscribes to none of the precepts of charter schools as set forth in documents such as Moulholland and Bierlein's "Charter Schools: A Glance at the Issues," the GAO Report "Charter Schools: New Model for Public Schools Provides Opportunities and Challenges" or the article in Time entitled "A Class of Their Own." Those precepts include such as entering into a contract with the state. According to Missouri's law an entity does not even apply for a charter. a group is granted permission to run an experimental school. Missouri was also not included in Moulholland and Bierlein's report recently released in April 1995, "Charter Schools Update and Observations Regarding Initial Trends and Impacts." Missouri's charter school law will need major overhaul and may even need a new law all together to be conducive to charter schools.

For a bibliography of sources on charter schools in Missouri, click [Here](#).

NEW HAMPSHIRE

Phaedon Sinis & Kelly Roda

Legislative History

In New Hampshire, educational reform has been an important issue because the quality of public schools in most districts fails to meet the expectations of parents. Some attribute this deficiency to a lack of extensive state funding for public schools; others attribute it to a lack of competition and incentives for improvement. Charter schools moved to the forefront of the debate when Jim Rubens, a state senator, campaigned heavily on reforming education by allowing local districts to establish charter schools. By May 23, 1995, both legislative houses in New Hampshire passed a bill allowing the establishment of charter schools, and Governor Steve Merrill has expressed his support for the reform, so the bill will soon be signed into law.

A Valley News article (3/11/95) described the enthusiasm of parents and educators who want to set up their own schools. One issue the parents emphasized was affordability; they argued that charter schools will enable them to design the education they want for their children, while offering it to other parents as well at public expense. They also discussed the element of consistency for children's education from year to year; and they predicted that charter schools will "set the tone for how schools should function." A Manchester Union Leader article (3/10/95) contrasted the arguments for and against the NH charter school bill. One of the concerns it mentioned was that public money will flow from traditional public schools to charter schools, forcing taxpayers to "make up the difference." Another concern was that most public school expenses are fixed, and that loss of funding will be disastrous for public schools. Others accused the bill of allowing parents to send kids to essentially private schools with public money. One school board leader alleged that such a bill will be detrimental to the community democratic process of running education. Sen. Rubens countered that allowing parents the exit option, or the option to pull their children out of the traditional public schools to take advantage of better educational opportunities, will be more productive and less divisive in improving education. Rubens also argued that charter schools will foster innovation, attracting the best teachers to create their own curricula.

Contents of the Bill

The bill, called the Charter Schools and Open Enrollment Act, allows two NH-certified teachers, ten parents, or a non-profit organization to propose a school charter that addresses issues such as curriculum, academic goals, annual budget, location of facilities, methods of assessment, and various other details concerning their operation. Such schools will be exempt from state educational regulations, and the board of trustees will have full authority to oversee the operation of their school. Each charter school will receive 2/3 of the average per-pupil cost of public education in its district; the other 1/3 will remain in the public school system.

The law will go into effect July 1, 1995 but the first charter schools will not open for another year because of the approval process required by the bill. For the first 5 years, a maximum of 35 schools will be permitted to open, with no more than two per year in each district. During this

time, a legislative oversight committee will be formed to periodically review the progress of charter schools. After the year 2000, the limit on the number of charter schools will be eliminated.

Conclusions & Future Prospects

Charter schools will very likely become a success in New Hampshire, because the legislation does not restrict competition. Although it initially imposes a relatively generous limit of 35 schools, this limit will be lifted in the year 2000. Because the limit is not likely to be reached by 2000, it will probably not hinder competition. Another reason charter schools might be a success is that they will be completely free from all state and local regulations except basic health and safety regulations. This degree of autonomy will allow unprecedented opportunity for innovative reforms. Charter schools can introduce a highly competitive environment in the New Hampshire public education system.

For a bibliography of sources on charter schools in New Hampshire, click [Here](#) .

New Jersey

Sarah Godshall & Jennifer Hill

Legislative History

New Jersey is on its way to becoming yet another state with approved charter school legislation. Governor Christine Whitman has proposed a bill to establish charter schools. The Assembly Education Committee approved the bill by a 6-0 vote. The bill will now be presented to the full Assembly. The bill has received strong support from the New Jersey Education Association. It has also been endorsed by the New Jersey Boards Association, the New Jersey Principals and Supervisors Association, and the New Jersey Association of School Administrators (Young, A6.) The bill has won the favor of the unions because it incorporates, among other things, protection for school employees. However, the union opposes releasing schools from state regulations

Summary of the Legislation

The bill, which has captured bipartisan support, includes the following:

- 1) 10 or more teachers, parents, or any combination of the two, as well as a college or university - in cooperation with parents and teachers -can begin a charter school.
- 2) provides a cap on the number of charter schools that can be created based on the population of a given county.
- 3) private schools, parochial schools and existing public schools could not become charter schools.

Despite this provision, State Education Commissioner Leo Klagholz, along with Rutgers University Professor Frank Esposito, who serves as an Education Department consultant, suggested the bill allow existing private schools into the fold. However, the idea was opposed on the grounds that allowing private schools to become charter schools would mean that the state was funding private education (Thompson, March 24, 1995, A10.)

There is another charter school bill currently before the Senate Education Committee. However, the bill differs from the Assembly bill in two ways.

- 1) the bill does not provide a cap on the number of charter schools that can be created.
- 2) the bill allows businesses to create charter schools, whereas the Assembly bill does not.

Expected Results of the Legislation

Charter schools are intended to give parents alternatives to the traditional public schools as well as increase the quality of education overall through competition. An opinion printed in The Record argued that "charter schools draw a tiny portion of students. The real battle is to improve the huge public districts, especially in poor cities...Charter schools would be an ornament to the public system, not a substitute for far-reaching reform" ("Desperate Effort to Save the School Voucher Plan", B6.)

Governor Whitman has postponed voting on her voucher proposal. The voucher proposal is considered more controversial, so it has been separated from charter school legislation. Originally, Governor Whitman's bill also called for the creation of a program in Jersey City which would give eligible public school students vouchers that could be put towards private school tuition (Thompson, November 22, 1995, A3.)

Existing Schools That Have Already Sought Reform Through Autonomy, Accountability, And Competition

Although New Jersey has yet to pass any charter school legislation, the school district in Montclair, New Jersey has successfully implemented a magnet school program aimed at facilitating desegregation. The Montclair model is described and evaluated in detail in a paper entitled Choice in Montclair, New Jersey: A Policy Information Paper. The authors, Beatriz C. Clewell and Myra F. Joy, briefly outline the proponent and opponent arguments that surrounded Montclair's plan. Clewell and Joy stated that proponents of choice believed that it would promote educational excellence, increase parental involvement, encourage varied program offerings, and improve racial balance. Opponents, on the other hand, believed that choice would result in better educational opportunities only for white, middle-class, and highly motivated students, increase transportation costs for the school district, cause resegregation of schools, and result in a lack of diversity in program offerings. Through their efforts, important information can be gained about the effectiveness of school choice and issues surrounding creaming and segregation.

Since Montclair's plan was aimed specifically at reducing racial segregation, the schools were careful to avoid what Charter School opponents have referred to as the creaming effect. In Montclair, school choice did not result in increased segregation in schools divided along racial and class lines. Since the Montclair system is made up of magnet schools and not charter schools, the experiences within their school system may not play out exactly in a charter school system. For example, Montclair schools are still monitored by a school board and they are not freed from the state regulations that charter schools are unhindered by. However, the Montclair model is still helpful. Like charter schools, magnets schools operate in a market system. If parents aren't satisfied with the services offered at one school, they can-- barring overcrowding -- enroll their child in another school. This competitive climate forces schools to be as efficient and goal-oriented as possible.

For a bibliography of sources on charter schools in New Jersey, click [Here](#).

NEW MEXICO

Neal Dickert Jr.

Background Information

The New Mexico Charter Schools Act came into effect after the state legislature passed it in 1993. As stated in the legislation, the law's purpose is "to enable individual schools to restructure their educational curriculum to encourage the use of different and innovative teaching methods and to enable individual schools to be responsible for site-based budgeting and expenditures" (NM Stat. Ann. 22-8A-3). Since then, it has been in the process of accepting and reviewing applicants for the five charter schools which it permits. There have been no additions to the law since its enactment; however, the state's republican governor recently vetoed an attempt to increase planning grants for prospective applicants from the current \$5,000 which is routinely given (Bierlein and Mulholland, April, 1995).

Legislation

There are several key aspects of the New Mexico law that distinguish it as one of the more restrictive pieces of charter school legislation. It requires that only existing public schools be allowed to become charter schools and does not provide for open enrollment (Millot, 1995). The application/approval process is also quite restrictive. It requires at least sixty-five percent support from the teachers at the school and the significant involvement in planning and support for the measure from the parents whose children attend the school. The state board of education is responsible for approving the charter proposal, and there is no appeals procedure. In terms of waiving requirements, a New Mexico charter school must follow any non-waived requirements for public schools. Once a school receives a charter, the school is allowed to operate for a five year period, after which the state board will review the school's progress based upon the charter agreement and decide whether to renew the charter. In addition, the schools established under this law are not legally autonomous. They remain under the authority of local school boards (Bierlein and Mulholland, April, 1995, Millot, 1994 and GAO Report, 1995).

Results of Law

Four schools to date have converted to charter status, all at the beginning of the 1994/1995 school year. These schools are Turquoise Trail Elementary (Santa Fe), Broad Horizons Educational Center (Portales), Taylor Middle School (Albuquerque), and Highland High School (Albuquerque). According to Richard LaPan, Charter School Coordinator, the state expects to determine the fifth conversion this summer in order to have that school converted for the 1995/1996 school year. The exact format of these schools is unclear from the literature obtained, although it is known which state requirements have been waived for the schools. Both Turquoise Trail and Broad Horizons received waivers with respect to the distribution of instructional material funds, and Broad Horizons also received a waiver in order to extend the school day (New Mexico Department of Education packet, p. 2).

Conclusions

What can we conclude about New Mexico's legislation? Essentially, we must view this law as a sort of "experimental" law. Because it only allows five schools and specifies that the applicants must be existing public schools, the law does not seem to favor radical reform. For

the same reasons and also the lack of open enrollment, it also ignores any element of competition or school choice for parents and students. Thus, as the legislation only allows entire public schools with their current student body to become charter schools, the law does not provide for any smaller scale experimentation which would seem would be necessary in order to sponsor any truly radical reform within a school. A New Mexico charter school will simply benefit from certain waived restrictions on how a school should be run. As a result, specifically due to the public school requirement, the law basically precludes any extensive charter school system but may be effective in allowing for the lessening of some unnecessary restrictions and for the promotion of innovative techniques and more student-centered learning programs.

For a bibliography of sources on charter schools in New Mexico, click [Here](#).

OHIO

Tiayana Marks & Elly Jo Rael

Background Information

In May of 1994, Senator Anthony C. Sinagra proposed a charter school bill. He was urged to do so by two Cleveland neighborhood coalitions called CATCH (Churches Acting Together for Change and Hope) and WECO (Working for Empowerment through Community Organizing). CATCH is made up of 12 West Side churches, both Protestant and Catholic and WECO is composed of 10 East side churches.¹

Supporters argued that charter schools (termed "community schools" in the bill) promote student achievement, increase parental participation and teacher accountability. However, the bill failed. In opposition, the Ohio Education Association (OEA) argued that Ohio's schools are in trouble because they lack sufficient funds and charter schools would further diminish financial resources.²

Currently

The idea of state-wide charter school legislation is not dead in Ohio, but there is no pending legislation. However, in Cleveland the organizations of CATCH and WECO have formed a coalition called WECAN (Westside Eastside Congregations Acting Now). WECAN, the Cleveland Citizen's League, and other Cleveland organizations are working together on a proposal for community autonomous schools in Cleveland. Community autonomous schools are similar to charter schools, but they offer more autonomy options for schools. Community autonomous schools allow for varying degrees of autonomy depending on the capability of the school. These schools would be developed through a transitional process that works on making schools capable of being autonomous and maintaining accountability.³

For a bibliography of sources on charter schools in Ohio, click [Here](#).

OREGON

Tiayana Marks & Elly Jo Rael

Background Information

The charter school debate is currently going on in Oregon. Some of the arguments in support of the charter school bill include the following:

1) Charter schools allow for freedom to develop innovative curricula, focus on specialized learning areas, and create more efficient and productive organization.⁴

2) Charter schools are held solely accountable for insuring that their students meet state educational standards, and in exchange for this responsibility the regulation burdens are lifted. Deregulation gives charter schools the freedom to allow for creative teaching and learning.⁵

3) Charter schools help local boards assume a policy role as opposed to the role of the provider. Charter schools allow the school to be the provider of public education.⁶

4) Charter schools allow choice for everyone not just those who can afford to choose alternate schooling for their children.

Arguments against charter schools are based on the following concerns:

1) Charter schools will suck money away from public schools because public money follows students to charter schools, and because private schools are eligible to convert to charter schools.⁷

2) There are concerns about what percentage of the per pupil expenditure would follow students to their respective charter schools. The average per pupil expenditure is just that, a statistical average. The academically "average" student, however, is relatively inexpensive to educate. The non-average students, those who have special needs or who face significant obstacles (i.e.. students with discipline problems, students who are mentally challenged or at-risk, and students who are learning English as second language) are more expensive to educate.⁸

3) Charter schools will become elitist, and public schools will be the dumping ground for the most difficult to educate.

Currently

Charter school bill 2892 has passed in the house and is awaiting action from the senate. Some of the important provisions of the bill include the following (see House Bill 2892):

1) Parents, teachers, school administrators, or any other persons or groups may submit a proposal for a charter school.

2) Charter school proposals are to be submitted to a sponsor. A Sponsor is defined as a board of a common school district, a union high school district, an education service district, a community college district, an institution of higher education in the State System of Higher Education or the State Board of Education.

3) If a sponsor rejects a proposal the applicant may resubmit the proposal after amending it, or the applicant may submit the proposal to another sponsor.

4) A charter school is a discrete legal entity. This would give charter schools a lot of autonomy.

5) Charter schools must meet requirements for student

performance or be subject to closure.

6) Charter schools must have a way to inform families of prospective students of the availability of the charter school to ensure that members of racial and ethnic groups have an equal opportunity to choose that school.

For a bibliography of sources on charter schools in Oregon, click [Here](#).

Pennsylvania

Sarah Godshall & Jennifer Hill

Legislative History

Pennsylvania Governor, Tom Ridge, has devised his own charter school proposal, which requires the state to allocate \$1 million so that communities can create charter schools that are planned by parents, teachers, and community members. Ridges proposal, which includes a voucher program, was strongly opposed by a coalition of over 30 organizations, including the Pennsylvania State Education Association, which is the state's largest teachers union. The coalition claimed the plan was unconstitutional and a drain on public schools (Snyder, A1.) An editorial written by Ron Bowes and printed in the Pittsburgh Post-Gazette Bowes argued that "The teachers unions, which struggled to help teachers receive just wages and fair treatment, are now taking the lead in preventing the passage of legislation which would help primarily poor parents choose the best schools for their children" (Bowes, D3.)

Summary of Legislation

On May 9, 1995, Governor Ridge announced his education reform initiative, called the Keystone Initiative for a Difference in our Schools (KIDS). Included in the initiative are:

- 1) school choice, competition, and local control
- 2) \$1 million provision for charter school proposals
- 3) \$38.5 million reserved for a school choice program

that would allow parents the option of sending their children to a public, non-public, or parochial school. The poorest children in 1/3 of the state's school districts will be given

Education Opportunity Grants for the first year of the program (Pr Newswire Association, May 8, 1995.) This measure will most likely combat opponents' fears that school choice programs will result in "creaming" and turn public schools into dumping grounds for unmotivated and problematic students.

Expected Results of Legislation

If Governor Ridge's initiative is passed, it may prove to be the panacea for Wilkinsburg School District which has unsuccessfully been attempting to turn its Turner Elementary School into Pennsylvania's first charter school. The district has met opposition to its decision to contract with Alternative Public Schools (APS) of Nashville, Tennessee. Concerned citizens formed the Wilkinsburg Residents Against Profiteering. Wilkinsburg Education Association sued the school board on the grounds that the plan, called the Turner Initiative, violates Pennsylvania's Public School Code. In addition, the Association, which is composed of 141 members, sees the plan as a threat to job security and an attempt on the part of the district to undermine the teachers union (Haynes, B1.) In March 1995, Common Pleas Court Judge Judith L.A. Friedman granted Wilkinsburg teachers an injunction that prohibited the school district from signing a contract with APS. However, Governor Ridge supports Wilkinsburg School Districts attempts to reform its schools.

An editorial printed in the Pittsburgh Post-Gazette on April 1, 1995, made the following point: "The teachers were given an opportunity to recreate Turner within the context approved by the board and the superintendent. If they refused or failed, then a privately run charter school was an obvious

and reasonable alternative. If the law does not permit such an approach, the law should be amended."

Existing Schools That Have Sought Reform Through Autonomy, Accountability, And Competition

In Philadelphia, Pennsylvania, charter schools-within-schools have been implemented. These schools have been in use in Philadelphia since 1989 and in 1993, there were 95 charter schools-within-schools in 22 of the city's high schools. Approximately 4,000 students participate (Weber, D1.) The high schools are divided into groups of 200 to 400 students--a plan considered more manageable than the traditional design. The academies are supervised by an independent, nonprofit corporation called Philadelphia High School Academies Inc. The corporation acts as an advocate, fund-raiser, and mediator among corporate sponsors, school administrators, teachers, and students (Weber, D1.)

These schools are created and planned by teachers, however they are not independent legal entities. In fact, much of the characteristics of charter schools that allow them to be innovative are not present in the Philadelphia schools. The schools do not sign a contract outlining their plans, they are not held accountable for student outcomes, and they do not risk abolition if their goals aren't fulfilled. In addition, the schools are subject to the same rules and regulations of traditional schools.

The schools-within-schools has been considered a success so far. As a result of this reform measure, overall attendance and grades have improved. Philadelphia's model is cited in the National Education Association's (NEA) position on charter schools. The NEA praises the Philadelphia School District for "promoting fundamental restructuring of governance, instruction, parent involvement, and assessment practices within the City's public, comprehensive high schools."

Schools in Pittsburgh have also implemented elements of accountability, decentralization of administration, community and parent involvement, and public/private partnerships. The district's central administration is being reorganized and decentralized in order to cut administrative costs. Furthermore, in exchange for increased accountability, individual schools are given more autonomy which allows the schools to design the curriculum to meet the needs of its students, while also fulfilling the district's goals. Central offices now serve a support capacity for the schools. Although these schools have adopted many of the characteristics of charter schools, the schools are still under the direction of the central school board.

There are magnet options at the elementary, middle school, and high school levels. Among the options parents and students can choose from are an International Studies Elementary School, aimed at familiarizing students with other languages and cultures; Arsenal Geographic and Life Sciences Middle School, which engages in projects with the Pittsburgh Zoo, the Pennsylvania Conservatory, the National Geographic Society, and The Carnegie; Rogers School for the Creative and Performing Arts, also a middle school, emphasizes development of both artistic and academic skills and bases acceptance on either an audition or a portfolio. On the high school level, the options become even more numerous and diverse. Students can choose from schools focused on computer science, law and public service, mathematics and science, and vocational/technical studies, to name a few. In addition students in all three levels can enroll in traditional schools that emphasize discipline and structure while offering a more traditional curriculum.

Using The Pennsylvania And New Jersey Models to Address the

Information Issue

Informing parents of their options must be in place for school choice to accomplish its intended goals. In Montclair, brochures that describe each magnet school are available. In addition, the district hosts open houses and meetings that allow parents to familiarize themselves with the different schools. It is worth noting, however, that Beatriz C. Clewell and Myra F. Joy cite researchers' findings that the level of parental awareness differed along race and class line, with educated Whites possessing the greater awareness of their options (Clewell, 2.)

In Philadelphia, information about the school options are made available through radio advertisement and a publication called Options for Learning, which briefly describes 50 schools. Moreover, there is a 24-hour information hotline. Visits to the district office and various guidance counselors are encouraged. Philadelphia also offers a unique information service called the Desegmobile. The Desegmobile is described as a camper-style van that stops in various places throughout the city and allows parents to walk through and view artwork and display cases from various schools (Zerchykov, 37.) There are individuals on board the van to answer parents' questions.

In Pittsburgh, the Director of Public Information is in charge of writing and distributing information detailing school choice. Furthermore, a parent information center is being developed. The center's goals are to educate and train parents to make the best academic decisions for their children. There is an emphasis on attracting even the hard-to-reach parent (Zerchykov, 39.) The federal funding that Pittsburgh receives enables the city to mail a guide about its schools to every household in the city prior to registration. Parent meetings are organized to help parents receive feedback and recommendations from one another. There is also an Option Information Fair that parents can attend, as well as a City-wide steering committee that convenes monthly to discuss parent education and services.

For a bibliography of sources on charter schools in Pennsylvania, click [Here](#).

SOUTH CAROLINA

Allison Padavan

Legislative History

In 1995 Bill 3388, "South Carolina Charter Schools Act of 1995," was brought before the General Assembly of the State of South Carolina. The bill "allows for the formation of charter schools. A charter school is defined as a public, nonsectarian, non-religious, nonhome-based, nonprofit school which operates within a public school district, but is accountable to either the South Carolina Board of Education or the local board of trustees. The proposed legislation does not address the number of charter schools allowed in the state or a school district (Summary, p1)." As of April 1995, the Bill had just begun to be studied by a subcommittee of the Education and Public Works panel (Island Packet, 4/19/95).

The impetus of the movement is in Hilton Head, where proponents had hopes of opening a school by September '95, but may have to wait considering the law is not passed yet. Rep. Scott Richardson, R-Hilton Head Island, was the leader of the legislation's formation. He points out that the bill doesn't guarantee that people will be able to open a charter school, "It will be up to them and their superintendents to decide if this is the best thing for their community. The bill will set the game field for them to play on (Island Packet, 1/5/95)."

Proponents of the legislation, aside from the politicians involved, include community members, both students and parents. One member of the movement was quoted as saying, "We want to increase the quality of education through competition. We want to give everyone a choice- across racial spectrum, across intellectual spectrum, and across economic spectrum (Island Packet, 11/18/94)."

Concerns over the ramifications of charter schools have been voiced by a number of organizations. Some parents expressed concern over who would go to the charter schools and who would get 'left behind.' Several members of the Hilton Head chapter of the League of Women Voters "raised concerns about such issues as financial accountability, whether charter schools fit the definition of public schools and what impact charter school would have on other public schools in the school district (Island Packet 4/19/95)." Resegregation is another shared concern. Superintendent Barbara Nielsen, who has similar concerns, was quoted as saying, "It is very important for everyone to understand that they cannot be used as a way to resegregate, not by any category. They must be fair, and all children must have equal access to them (Island Packet 11/23/94)."

Denis Doyle, a consultant for the Beaufort County School Board expressed a concern, shared by the county's superintendent Richard Flynn, over the appropriateness of charter school for small communities, "in great big cities...charter schools make a lot of sense because it cuts through a lot of bureaucracy and red tape...In small communities, like Beaufort, you will have to think about it for different reasons. Beaufort is not bureaucratic. Beaufort is straightforward (Island Packet 11/18/94)."

Salient points of bill

APPLICATION

The charter school application shall be a proposed agreement and include:

- a) a mission statement

- b) goals, objectives, and pupil achievement standards
- c) evidence that an adequate number of parents, teachers, pupils, or combination support the formation
- d) description of the educational program, pupil achievement standards, and curriculum
- e) description of the plan for evaluating pupil achievement, types of assessments, time lines for achievement and procedures for taking corrective actions

APPROVAL

The approving body:

- a) may establish a schedule for receiving applications
- b) hold community meetings to obtain information to assist in their decision to grant an application
- c) deny an application if it does not meet requirements and provide written explanation within five days of reasons for denial. Applicant may appeal to State Board of Education or amend application to conform. Approving body has 30 days to approve or deny.
- d) becomes school's sponsor upon approval of application.

APPEALS

a) Second opportunity for appeals exists should State Board of Education remand the decision to the local board of trustees for reconsideration and the local board still denies. A final decision will be made within 30 days. This is not subject to appeal or review by the courts.

Conclusions

Among the SC School Boards Association, the SC Association of School Administrators, and the Palmetto State Teachers Association there is reserved support for charter schools. All these groups will endorse the legislation, however, only if local school boards maintain authority and responsibility for the establishment of charter schools. It is likely that the charter school bill will be passed in the next legislative session. However, there does not seem to be a great number of groups waiting to open such schools.

For a bibliography of sources on charter schools in South Carolina, click [Here](#).

TEXAS

Lisa Studness & Valerie Wrenholt

Background Information

In 1995, the Texas educational code was rewritten by the Senate Education Committee. The 1,088 page document offered "'a veritable smorgasbord'" of educational options to update the current public school system (Walt, Houston Chronicle, Feb. 10, '94). One of the components of the document is a bill which would allow for the creation of charter schools in the state.

Opponents of the charter schools bill fear that the initiation of charter schools will lead to more racial, socioeconomic, and academic segregation than currently exists in the public school system. Magnolia McCulloch of Dallas fears that charter schools would "resegregate" Texas. She fears that charter schools could be "another way to get rid of African-American males" (Walt, Senate Panel..., 1A). There is currently a federal desegregation rule which prohibits the state from making any changes resulting in changing the racial makeup of a district by more than one percent, but charter schools could potentially upset this court mandated balance by radically shifting racial populations.

Another major concern in Texas is how much local control should be given to districts. Eric Hartman of the Texas Federation of Teachers stated this concern when he said, "We had local control for 140 years and in that time Texas schoolchildren's performance was at the bottom level" (Walt, Senate Panel..., 1A). Under the charter school bill most decisions would be given to local districts. This local control would allow for greater innovation by charter schools in approved home school districts. These innovations would be expected to bolster student performance. The trade off would be delivered academic results in exchange for greater local control.

The Houston Independent School District school board, the Texas Business and Education Coalition, and many professional organizations support charter schools, although their support includes many stipulations regarding who has the authority to grant charters, who will be eligible to receive charters, and what state laws will be waived for charter schools.

Legislation

The Texas education reform bill, a component of which is charter schools, is supported by both the House of Representatives, the Senate, and Governor George Bush. The two houses began meeting April 10, 1995, to reach a compromise regarding their respective education reform bills. If the houses successfully reach a compromise and the bill is signed by the Governor, as is expected, charter schools would be allowed in Texas.

Texas charter schools would be free of most state restrictions, but would not be granted complete autonomy. Under the Texas bill, charter schools could be created by anyone, but would then be subject to local school board approval. Charter schools could only be formed in home-rule districts. These home rule districts would be distinct entities from general and special districts. The designation as a home-rule district would have to be approved by at least five percent of the district's registered voters or at least two thirds of the school board.

Home rule charters would still be bound by some state mandates including minimum standards for students and no tolerance policies toward drugs and violence on campus. Schools would also be prohibited from any type of discrimination on the basis of gender, national origin, ethnicity, religion, disability, or academic or athletic ability. Charter schools would be required to follow federal guidelines regarding special education and bilingual programs.

Conclusion

Senator Bill Ratliff probably best summed up charter school legislation in Texas when he said, "'I think generally people are favorable to the idea (of charter schools). I think the devil will be in the details as to what things they (the Legislature) allow the charter schools to do'" (Markley, The Houston Chronicle, Dec. 18, '94). If the current debates regarding class size caps in grades kindergarten through four and restrictions regarding the Texas' no pass, no play regulation are solved by the Legislature, charter schools may be created in Texas. Although under the past Texas education bill there was no explicit provision which would not allow for the creation of charter schools, the passing of the Texas charter school legislation is hoped to stimulate charter school creation. "There is a keen interest in charter school status and relief from state mandates; a similar TEA (Texas Education Association) program, The Partnership School Initiative, drew applications from 2,000 schools (99 were granted)" (Overview...). Texas is currently seeking major changes and innovation in education and many Texans view charter schools as a initial solution to a better educational system.

For a bibliography of sources on charter schools in Texas, click [Here](#).

VIRGINIA

Allison Padavan

Legislative History

Supporters of charter schools in Virginia reflect the same point of view as those in Florida and for the same reasons. They feel that charter schools are more responsive to community needs, more accountable, facilitate more involvement of parents and teachers, and foster competition in a given school district, thereby helping strictly public schools to do better.

Critics cite the issues of elitism, segregation between students of different socioeconomic backgrounds and a diversion of money from regular schools (The Virginia Pilot and The Ledger Star, 1/5/95).

The Virginia School Boards Association and the Virginia Association of School superintendents both voted against the creation of charter schools. In stating their opposition they emphasized concerns of potential financial disparity between the current public schools and proposed charter schools. They feel if certain schools should be freed from specific rules and requirements as a way of stimulating quality education then all schools should be given the same prerogatives.

Legislation creating charter schools was introduced in both the Virginia Senate and the General Assembly at the request of Governor George Allen. While the State Board of Education has not come out in favor of the measure, many of its members have indicated general but conditional support of the concept. Various members question the potential of increased disparity among students, the education of special education children as well as the need to have discrimination prohibitions clearly spelled out in the law.

Despite the comprehensive content of the legislation and the Governor's strong support, both houses of the legislator have decided not to debate the issue during the 1995 session. The Senate and the House of Delegates voted to refer the proposal to a one year study. Five delegates and four senators will have been appointed to study charter schools. (Roanoke Times and World News, 2/3/95).

Although the Senate sponsor of the bill is from Roanoke, his enthusiasm for the legislation is not shared by the relatively large Roanoke school district. Their opposition centers about a number of key charter school issues: potential for reduction in public school funding, elitism, costs of transportation, teacher certification, and a potential for lower teacher wages, and appropriate educational assessment measures (Roanoke Times and World New 2/4/95).

On the other side of the issue, the Secretary of Education for Virginia, Beverly H. Sgro, citing her alliance with Governor Allen, strongly supports charter schools. Her reasons are highlighted by the need for meaningful reform of education and a recommendation from the Governor's Commission on Champion Schools, a group of 53 Virginians representing various professions and interests. She makes it clear that the Governor's bill ensures that all educational standards will be met specifically in math, science, and social studies. In addition, safety, health, and civil rights laws must be adhered to.

Secretary Sgro outlines step by step all of the positive aspects for charter schools, including increased academic potential, flexibility and accountability, and better

opportunities for students with special needs and interests. She refutes those who feel funding losses to public schools might occur and highlights the value of competition between charter and public schools.

In response to the earlier criticism from the Roanoke district with regard to teacher certification requirements, she points out the values of allowing charter schools to invite professionals such as engineers to teach math and a "retired symphony conductor to teach music (Roanoke Times and World News 2/4/95)."

One of the few administrators in Virginia to support charter schools is Portsmouth School's Superintendent Richard Trumble. In differing with the association he belongs to, he echoes all the positive reasons outlined by Secretary Sgro with special emphasis on the targeting of gifted students and learning disabled students.

Another supporter is Michelle Easton, a member of the Virginia State Board of Education. In countering the elitist charges she points out since wealthy parents already have the ability to place their children in private upscale schools, why shouldn't poor parents have the same opportunity to improve the quality of their children's' education.

Others who feel charters schools would lead to a dismantling of public schools include school teachers, a number of legislators in both houses, and the Virginia Conference of the NAACP, which raised the issue of resegregation.

Salient points of the bill

The bill, introduced on Jan. 23, 1995, was referred in both houses to the Committees on education and is similar to charter school laws currently in effect in other states such as Minnesota: It provides for the submission of a proposal to local school boards to include a mission statement, goals and performance standards, evidence of parental and teacher support, a statement of need and a description of governance. Anti discrimination standards are clearly stated and schools must be nonsectarian. If a local school board rejects an application an appeal may be made to the court having jurisdiction.

State and local funds would be allocated on the same basis as public schools including federal money for disabled pupils. Enrollment would be open to any child residing in the district and may be open to children outside the district if desired.

Conclusions

Virginia seems to be more divided over the issue of charter schools than many other states. There are strong members to both the proponent and opponent sides. As evidenced by the legislators' call for a one year study of the issue, it is clear that many conflicts need to be resolved before the state can begin to think of passing the bill and allowing any charter status to be granted.

For a bibliography of sources on charter schools in Virginia, click [Here](#).

VERMONT

Phaedon Sinis & Kelly Roda

Legislative History

Vermont's proposed legislation has passed the state Senate and is under consideration in the state House.
Contents of the Bill

This bill will allow partnerships or corporations to run 10 experimental charter schools. These schools will be greatly deregulated, although they will still have to abide by civil rights statutes, health and safety rules, basic accounting principles, and labor and collective bargaining laws. Applications for charters will be accepted by a specific deadline each year and will be granted for five years. A proposed charter must contain specific information concerning the operation and assessment of the charter school. For each charter school student, the complete average per-pupil spending will be transferred to the charter school, leaving none in the public school of the student's home district, but the local government can impose a limit on the number of students attending a charter school.

Conclusions & Future Prospects

Jeb Spaulding, a Vermont state senator and the chairman of the Senate Education Committee, argues that in the future, such schools will invigorate education by involving parents; that the quality of education will rise; that innovation will occur by allowing entrepreneurs greater freedom to develop new kinds of schools; and that the system will become more responsive to the needs of students and parents. One criticism is that the innovation and the best students will move to the charter schools and leave the original public schools as a dumping ground. This fear is unsubstantiated by evidence from other states; in fact, charter schools in California are often geared towards difficult-to-educate children.

It does not seem likely that Vermont's school system will be drastically changed for the better because of this bill, however. First of all, Vermont's unique school choice system implies that charter schools will not bring significant change to a school system in which choice already exists (Lieberman, pp. 244-247). And the cap imposed on the number of charter schools will prevent further competition from arising.

For a bibliography of sources on charter schools in Vermont, click [Here](#).

WASHINGTON

Tiayana Marks & Elly Jo Rael

Background Information

Charter schools as an educational reform measure have been a topic of debate in Washington for a couple of years. Some of the support for charter school legislation has been based on the following arguments: (See note 1 at bottom)

a) Charter schools add an element of competition. Competition in providing public education will exist if there are a large number of charter schools competing with each other and regular public schools for students. This competition will lead to improved education for all students because regular public schools, feeling financially strapped due to loss of students, will improve their educational services to attract students. Charter schools will provide improved education to attract students in order bring money into the school and to meet state achievement standards because if charter schools fail to meet state standards they will be shut down.

b) Charter schools will be able to meet the diverse needs of students.

c) Charter schools will increase parental involvement in educational decision-making processes, and make public schools more responsive to parental concerns.

d) Charter schools will not become elitist schools if mandates are made to insure that charter schools admit a certain percentage of at-risk, low-income, and other disadvantaged students.

Despite these pro-charter school arguments the first attempts to bring forth charter school legislation failed. Rep. Wes Pruitt proposed House Bill 2673 in Jan. 1994, and Senator John Meyer proposed a similar measure, Senate Bill 6226. One of the arguments that Pruitt presented was that charter schools would break up the monopoly that school districts have over the provision of educational services. (See Note 2.)

The Washington Education Association (WEA) and the Washington State School Director's Association (WSSDA) strongly opposed the charter school bill. Union members felt that charter schools were a step towards privatization, and privatization was a threat to the union. Also, a WEA spokeswoman, Teresa Moore, and then State Superintendent of Public Instruction, Judith Billings, argued that Washington did not need charter schools because the school reform laws already in existence encouraged innovation. (Note 3) Furthermore, the Legislature had granted all 108 applications made by public schools for waivers of state regulations.

Other arguments that opposed charter school legislation in Washington were based on the following concerns: (Note 4)

a) Charter schools may heighten race, class, and academic differences in public schools despite contract provisions that forbid discrimination of any sort in the student application process.

b) Charter schools will fall apart when the founding parents lose interest as their children move on.

c) Charter schools are not a lasting or broad solution to public education.

d) What about teacher job security?

e) Charter schools may lower the standards of teachers.

Currently

House Bill 1147 for the provision of charter schools passed in the House in March and has been sent to the Senate. This is the first of any charter school legislation to get House and Senate approval in order to bring it to a vote⁵.

Opposition remains with the WSSDA, but the WEA has not opposed the bill. Below are some important provisions of the bill (see House Bill 1147):

1) The bill allows for only 10 charter schools statewide, and no more than one per district. Allowing only 10 charter schools may hinder the competition argument because there would not be a sufficient number of students attending charter schools to provoke the other public schools to improve their educational methods.

2) Charter schools must hire state-certified teachers. This addresses the concerns of those people that feel teacher standards would become lower if non-certified teachers were hired. However, these fears about employing uncertified teachers are based on the assumption that state-certified teachers are competent to teach and uncertified teachers are not competent.

3) The bill does not allow charter schools to limit their admissions on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability. Furthermore, it does not allow a charter school to limit admission to residents of a specific geographic area if the percentage of the non-Caucasian population in this specific area is not greater than the percentage of the non-Caucasian population in the school district where the geographic area is located. These admissions provisions make it a violation for charter schools to become elitist schools. Violating these admission laws are grounds to have a charter revoked. Also, these open admissions policies counter the argument that the public schools will become a dumping ground for the most difficult to educate.

4) Charter schools must have a board of trustees that will be the governing body of the school. The board of trustees must consist of teachers employed in the school, parents of the students enrolled in the school, and other individuals. This provision allows parents and teachers to have an important role in the functioning of the school. This provision holds parents and teachers responsible for the maintenance school and educational achievement of the students.

5) Nonprofit organizations or cooperatives, public college and university teacher preparation programs, and existing public schools are eligible to establish charter schools.

6) Charter school applications are to be submitted to the local school board for approval. If an application is rejected, the application may be submitted to the state board of education.

7) Charter schools have to meet health, safety, and civil rights requirements.

Footnotes

- 1 The Seattle Times, "Charter Schools May be Answer to Parents' Concerns" October 12, 1993, Pg. E10.
- 2 News Tribune, "Legislature '94: Charter Schools Would Break 'Monopoly,' Backers Say" February 1, 1994, Pg. B3.
- 3 News Tribune, B3.
- 4 The Seattle Times, E10.
- 5 News Tribune, "House Approves Pilot Plan to Create Innovative Schools" March 12, 1995, Pg. B6.

For a bibliography of sources on charter schools in Washington, click [Here](#).

WISCONSIN

Candace Crawford

Legislative History

Wisconsin's charter school law was passed in August 1993. The original bill which was opposed by such groups as the Wisconsin Education Association and the Department of Public Instruction was heavily sponsored by governor Tommy Thompson. Starting in 1994, Governor Thompson has tried to expand Wisconsin's charter school law including proposals to remove the limit of ten districts, allow charter schools to hire uncertified teachers and allow private contracting for the hiring of personnel. Governor Thompson's new proposals have created an uproar among several groups including the state superintendent of schools, Democratic leaders and teacher's unions across the state.

Summary of Legislation

The number of schools allowed to be chartered has been limited to 20, 2 per district in ten districts. Two groups can charter a school: a local school board or any other group. For a local school board to receive a charter they must submit a petition to the state superintendent. For an other group to receive a charter, they must submit a petition signed by at least 10% of the teachers in a district or 50% of the teachers at any one school. After obtaining the appropriate signatures, the petition must be submitted to the local school board which must have a public hearing within 30 days of receipt to determine community support for the school. After the hearing, the school board may grant the charter. If the school board receives a charter it may hire a management team to run the school.

According to the Wisconsin law, "A charter school is an instrumentality of the school district in which it is located (Wisconsin State Charter School Law)." The school has complete control over its budgetary processes but the district holds the power to grant, revoke and control any other aspect of a charter school within its district.

Results of Law

Three charter schools are up and running in Wisconsin. They are all in separate districts and serve different students. Two are schools within schools and the other started from the ground up.

Beaver Dam

Beaver Dam serves 70 at risk students from grades 6-12. The school is located in area with a population of about 15,000 with 3400 students in grade K-12. The school was started from the ground up after studying 15 programs for at risk students in Illinois and Wisconsin. The middle school students attend a typical 7 hour school day while the high school students generally spend 3-3 1/2 hours in the classroom. The rest of their day is spent in the community completing on the job training. The school is staffed by five teachers and a social worker that addresses the student's social and emotional needs. Each student has an individual learning plan which addresses the needs of that particular student and the school creates a family atmosphere for its students. Some students will graduate with the Wisconsin High School Equivalency Diploma or a portfolio of their job skills.

The major problem the school had in starting up was

garnering support from the local community to pass a budget referendum. In the state of Wisconsin, there is a revenue cap on funding that can only be waived through referendum. The school was allotted a budget of \$350,000 but needed more money to lease and modify an old building and to hire new staff. The founders of the charter first had to explain exactly what the revenue cap was and then they had to fight a perception that the school district was trying to get rid of the "bad" kids. Many people were wondering where this building was to be located that was going to put away these "bad" kids. After explaining to the community the purpose of the school and its plan, the referendum passed on a 2-1 margin with strong union backing.

The school is trying to develop a competency degree. It would not be based on the traditional units for graduation like four years of English, but would be based on skills that each student has gained from on the job training. The main goal is to prove to people that Beaver Dam's students meet a workplace readiness guideline.

Madison Middle School 2000

The city of Madison is the capital of Wisconsin and contains a population of about 200,00. It is a University town which offers a nice place for family. In the last decade or so there has been a migration from Chicago, located 2 1/2 hours away in nearby Illinois, from housing projects such as Cabrini Green. The new population has brought to the city of Madison a cultural diversity but it has also caused some uneasiness in the city. It is a place that has high graduation standards and high student achievement standards for its students. Middle school 2000 is located in West Madison but serves children mostly from South Madison. The school is a conversion school and serves 6-8 graders. It does not serve a specific population of students but has a breakdown of 30% of students above grade level, 30% at grade level and 30% below. There are about 80 students per class that are selected by a student selection committee. The school uses an integrated curriculum with a strong computer focus. Each classroom has five computers and there are powerbooks for students to take home for outside assignments. Madison is co-housed with a pre kindergarten/early childhood program. The students have book buddies and helps out with the other program. They also have e-mail pen pals at the local university that they meet at the end of the school year.

One of the start up problems Madison had was when the technical director proclaimed that middle school kids did not need the type of technology the school wanted him to build and promptly quit. They also had problems with hiring staff for the new school. Currently they have been trying to find a site and have had backlash from the South Madison community who wants a 600 student comprehensive middle school within walking distance of their community. However, Middle School 2000 is a small school with about 240 students with creators who have a very different focus.

Recently the referendum bond passed for the school to build at a site on the outskirts of South Madison. They would like to get all the details worked and erect a permanent facility for the school. They would also like to initiate a contract system with parents, who would have to pledge 2 days of their time in a school year to help around Middle School 2000. The school would also like to have elected positions for their school governance council which comprises 5 different committees that cover different areas of school operation.

Stevens Point

The city of Stevens Point is a small city of about 26,000 people located in a rural area. However the school

district that includes Stevens Point serves about a population of about 50,000. It is a collection of four small towns all within one area that contains a lot of large crop farms. The population is not a very diverse one but is becoming more so with the arrival of a huge migrant Asian population.

Stevens Point is a school within a school and serves students grade 10-12. The school's goal is to have students from many different ability ranges but mostly serves the needs of the middle of the road or average student. The school also wanted to include students with disabilities in its program. They wanted to do an integrated curriculum with courses such as Technical Thinking and Cultural Heritage. The school is run on a block schedule with classes ranging in duration from 30 minutes to 80 minutes. The students only attend for half a day in the mornings. The students also do some community work and get some on site job experience.

Stevens Point's main problem starting up was funding. The school board was having a hard time giving up budgetary responsibility to a group of people not necessarily associated with them. In its contract the school had to stipulate that it would follow the budgetary policies of the district. The local union believed that the teachers hired at Beaver Dam was trying to bust up the union. The teachers had to reassure them they had no intentions of leaving the union and that was another point stipulated in the contract. The third problem they had was not knowing what to do. It was a learn as you go process. They have also run into a problem with the usual school gossip accusing the teachers who work with the program as creating an elitist group of students and not working as hard as other teachers in the building.

Stevens Point plans to follow the sophomores that are in the program until they graduate. They hope also to follow them two years after they are out of high school in order to measure the effect of the program on the students. They hope to get out in the community more next year and maybe do some classes at the local university. Next year they will also switch the program to the afternoon so that they can run past the typical 3:00 PM school day.

Conclusions

Wisconsin's law is a good start. Governor Thompson has been working on expanding Wisconsin's highly restrictive charter school law for over a year now. Some of his proposals include removing the limit of ten districts, allowing charter schools to hire uncertified teachers and allowing private contracting for the hiring of personnel. However, Governor Thompson's new proposals have created an uproar among several groups including the state superintendent of schools, Democratic leaders and teacher's unions across the state. Many see the governor's proposals as purposefully "trying to divide the community." (John Matthews, director of Madison Teachers Inc., Capital Times 1A, Feb. 10, 1995). Others such as Senator Joseph Wineke a democrat from Verona thinks "he's intent on destroying public education" (Jeff Mayers, Wisconsin State Journal, 1A, January 26, 1995). But the governor contends that he wants to give "every single school... the freedom and the flexibility to educate our children as they (parents, teachers and administrators) know best" (Jeff Mayers, Wisconsin State Journal, 1A, January 26, 1995). However, to further meet the needs of charter schools in his state, Governor Thompson needs to add a few more suggestions to his proposal. He needs to include an appeals process for rejected charters and a provision that would make charter schools legally autonomous from the local school district. As seen with Stevens Point, the local school board and administration can pressure petitioners to include items in their charter to

restrict their freedom in running their school.

For a bibliography of sources on charter schools in Wisconsin, click [Here](#).

AUTONOMY

Neal Dickert Jr.

Level of autonomy is certainly one of the key issues in the charter school debate, as increased autonomy is what makes a charter school different from a regular public school. Often, the level of autonomy granted is the central factor in comparing various charter school legislation and activity. However, autonomy occurs in various areas of charter school activity, and what is often so interesting about it is the many ways in which states have dealt with different aspects of it in their charter school legislation. This section will provide a cross-sectional view of how the eleven states who currently have charter school laws deal with various issues of autonomy.

The first key aspect of measuring autonomy is perhaps the most visible and the most symbolic of a state's law. This characteristic is whether a charter school in a particular state is a legally autonomous entity or subsumed under the control of other bodies. States whose laws are typically considered more autonomous tend to allow their schools to be legally autonomous; whereas those less autonomous states more frequently place charter schools under the authority of some board, usually the local school board (Bierlein and Mulholland, April, 1995). In fact, Arizona, California, Massachusetts, Michigan, and Minnesota all allow charter schools to be, in most cases, legally autonomous entities, often structured as non-profit corporations. The only state that has significant established charter school activity but still puts the charter school under the authority of the local school board is Colorado. But, almost all of the states with fairly minimal activity allow the local board to have control over charter schools. Georgia, Kansas, New Mexico, and Wisconsin all do so. In the typical category of lower autonomy legislation, the only state that is questionable is Hawaii. In Hawaii, the issue of legally autonomous schools is being considered by the Attorney General (Mulholland and Bierlein, April, 1995). For Hawaii to grant legal autonomy would be an unprecedented event, as its law is one of the most restrictive, allowing only conversions to charter schools from existing public schools.

Another significant element of legislation which is an issue of school autonomy is the system employed to waive requirements. Here again, there seem to be two main options. Either the legislation offers a blanket exemption, in which a charter school is automatically free from all or most state and/or district regulations, or it offers a sort of line-item waiver in which certain requirements are removed as specified in the charter proposal or as requested by a charter applicant. Obviously, the first of these two options appears to offer a much greater amount of autonomy to charter schools, as it essentially allows charter applicants to make up their own rules; whereas the other option only lets charter applicants ask for permission to ignore certain rules. Arizona, California, Wisconsin, and Minnesota are the states whose laws offer blanket exemptions. Massachusetts and Hawaii also offer options near blanket exemptions, and Georgia allows those exemptions specified in the charter. Colorado, Missouri, Kansas, Michigan, and New Mexico have more stringent laws, requiring waivers for every exemption requested (Millot, 1994, Bierlein and Mulholland, April, 1995).

In short, each of these states deal with the issue of exemption differently, and, a blanket exemption does seem to grant much more autonomy than the line-item exemption option. However, it is important to note that, even in a state where the applicant is applying under blanket exemption, the state may still be reluctant to

disregard state regulations. The real difference between the two programs is essentially symbolic, as the two methods are basically a statement of user-friendliness. Both programs could allow the exact same charter school to exist by exempting certain regulations or deny the same school by asserting the necessity of other regulations, but it seems to be the case that blanket exemption laws encourage applicants more than the more restrictive item-by-item waiver systems because of their freer form and decreased bureaucracy.

Yet another significant issue in the realm of autonomy is admissions requirements. It must first be mentioned that the states of New Mexico, Hawaii, and Georgia essentially remove themselves from this issue, because their laws only allow conversion to charter schools from existing schools, thus leaving the constituency of the schools exactly the same. Their admissions standards remain identical. However, in states providing for school choice, admissions requirements are very controversial and diverse. The most common system of admissions is to ban any form of discrimination based upon athletic or intellectual ability, race, etc. Then, if there are too many applicants at a school, there will be a lottery to decide who will attend the school within the specified geographic area of eligibility. Massachusetts probably grants the most amount of autonomy in terms of admission, allowing for selection based upon certain minimum academic standards. On the other hand, California is much more restricted in who its schools can admit and refuse.

Can charter schools hire uncertified teachers? This issue also enters into an evaluation of the operational autonomy of a charter school. Minnesota, Missouri, Wisconsin, and, in almost all cases, Michigan are the states which rest fairly resolute on this issue, not granting individual applicants the ability to choose whether they will hire uncertified teachers. In most other cases, depending upon their exemption style, the other states offer the possibility of negotiating an exemption from this requirement according to the procedures outlined in their legislation. For example, in New Mexico, unless the requirement that only certified teachers be hired were waived by the board, a charter school would be expected to comply with that rule. On the other hand, in Massachusetts, a charter school, in applying, would be free to design its own system for the hiring of teachers. If the school were approved, the school would follow that hiring procedure, but it would never have to ask for a waiver of that requirement.

Other issues of school/teacher relations illustrating the amount of autonomy granted by states' legislation include whether charter schools are subject to collective bargaining agreements, whether they have the right to hire and fire teachers, and whether charter school teachers remain in the state retirement system. A comparison of these additional issues gives an idea of how much autonomy states really tend to grant in employee/employer relations. While almost all states keep its charter school teachers within the retirement system (Michigan and Minnesota are uncertain.), these other aspects of employment vary greatly. Massachusetts, Minnesota, Missouri, and Colorado, for example, offer a great deal of autonomy to individual schools in teacher relations, Massachusetts granting schools significant autonomy in all of these areas. On the other hand, Wisconsin and Kansas offer almost no degree of autonomy in any of the areas of teacher/school relations. Georgia, Arizona, California, Michigan, and New Mexico all offer the possibility of negotiating autonomy on employment issues (Millot, 1994).

One of the most important areas of charter school activity in which autonomy is a vital issue is the area of funding, and the approaches vary extremely from state to state. This section will simply look at which states are and are not autonomous for their operations funding, or the federal and state funds upon which they operate. Arizona (although the amount depends upon whether locally sponsored or state sponsored),

California, Massachusetts, Michigan, and Minnesota are all autonomous in this respect. Colorado is guaranteed to obtain at least eighty percent of operation funds, and Hawaii is generally autonomous, despite the fact that it may receive only the average per pupil amount received by the department of education. In Georgia, Kansas, and Wisconsin, the charter designates the amount of funding. And, in New Mexico, appropriate administrative costs can be withheld at the district level before it reaches the schools (Bierlein and Mulholland, April, 1995).

While the above-mentioned areas of charter school autonomy focus on the operation of the schools, it is also very important to consider the amount of autonomy granted in the application process, specifically, what sort of groups, etc. may submit a proposal to form a charter school. In this area, there are large disparities between states, evidence of their often completely different charter school goals. For example, Georgia, Hawaii, and New Mexico only allow existing public schools to convert to charter status. Thus, there is very little autonomy in these states as to who can start a charter school. These highly restrictive laws are completely different from the much more accessible, less restrictive laws of virtually all of the other states. Arizona allows for any public or private group, or individual to organize a charter school proposal. California is similar in saying that anyone can circulate a petition to establish a charter school (Bierlein and Mulholland, April, 1995). It even allows such schools as home schools to obtain charters. Colorado, Michigan, and Wisconsin also allow for essentially any group or individual to propose a charter school, although Wisconsin also allows for a local school board to establish charter schools. Minnesota, in keeping with its strict adherence to teacher certification, only allows certified teachers to organize charter schools. Massachusetts requires at least two certified teachers or at least ten parents, or any other individuals or groups. Finally, Kansas allows for essentially anyone to organize a charter school, including school district employees and educational services contractors. Thus, it becomes apparent that there is a very wide range of what types of schools can be established as charter schools in different states (Millot, 1994 and Bierlein and Mulholland, April, 1995).

The above areas are some of the most significant in terms of charter school autonomy. From the high correlation between the number of schools established and level of autonomy, it seems evident that degree of autonomy functions as a major incentive in the establishment of charter schools in the United States.

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The Chartering Process

Kelly Roda

OBSTACLES

While the legislation regarding the chartering process varies widely from state to state, the obstacles that individuals have run into when proposing schools have been similar. The obstacles that exist for those proposing charters are the same reasons that the Southwest Regional Report mentions to explain why the one-hundred charter school limit in California has yet to be reached. These are that starting a school is time-consuming and burdensome; that developing and meeting standards for accountability is difficult; that there is no funding to start proposals for charter schools; that the degree of autonomy desired will not exist; that teacher unions are unsupportive of charter schools, thus making hiring of teachers more difficult; and that there are other, more convenient alternatives available for parents. Charter school proposers are running into these hindrances all over the country.

Although charter schools exist to improve schools, there is no doubt that money is a main concern for charter school proposers. In order to gain support for a charter school, a certain degree of propaganda must be used. Creating and distributing information takes time which could otherwise be used to earn money. While spending money trying to disseminate their ideas to teachers, parents, administration and other influential people to gain support, individuals seeking a charter are losing potential capital. In order for a charter proposal to be successful, money is a necessary ingredient.

It would be naive to think that legislation does not have some effect on the possible difficulty one has creating a charter school. In some states, chartering a school is a long, drawn out process without a chance of appealing. This discourages individuals to propose schools. Other states have a quick process set up that requires little time. According to the GAO report, schools seeking the most independence are the least supported by the districts (p.9). Thus, it may be difficult for the most innovative schools to find the sponsors that some legislation requires.

Interpreting how legislation will effect the relative facility of obtaining a charter without having a good knowledge of the political background in that state is impossible. For example, in Massachusetts the approval of the Secretary of Education is the only thing required to start a charter. One does not know, however, how difficult this is to obtain without investigating Massachusetts and the present Secretary of Education. Nonetheless, legislation can be a major obstacle for those proposing charters.

Another main obstacle is creating the proposal itself. One has to create a school that will appeal to the general public in order to be successful. Simply satisfying all of the questions that charter school legislation asks can be incredibly arduous. Addressing issues such as employee standards, employee benefits, employee salary, transportation for students, food services, the location of the school, the types of facilities to be provided, and so on can be an extraordinary task. Each issue has to be delved into and considered from all angles; keeping in mind financial concerns, interest groups, as well as the desire to create

a fine educational institution.

When added altogether, there are many obstacles that one proposing a charter school must overcome. While this makes the charter process time consuming and complex, it also discourages those who are not truly focused on improving the educational system. It takes a motivated person, who is very frustrated with the present traditional school system or very excited about the possibilities of new innovation to attempt to create a charter school.

LEGISLATION

ARIZONA

An unlimited number of charter schools are allowed by local board sponsorship, while the state Board of Education and state Board of Charter Schools can approve 25 charter schools a year each. The length of the charter is five years, and any public body, private person, or private organization can organize a charter school. Charter schools can be sponsored by a school district, the state Board of Education or the state Board of Charter Schools. In addition, a bill has been approved by the Senate that would allow universities, community colleges, and county school superintendents to issue charters. The application process for a proposed charter school requires information about how schools plan to measure student improvement. Charter schools must design a method to measure student progress toward the outcomes adopted by the state board of education and must report annually on such testing. Rejected applications may be resubmitted.

CALIFORNIA

Any individual may initiate the charter but they must have the support of 10% of the teachers in one school district or 50% of the teachers in one school for the charter to be proposed for approval. Within thirty days of receiving a petition for a charter school, the school board must hold a public hearing on the provisions of the proposed charter. A public hearing helps indicate how much popular support there is for the charter school in question. Within sixty days of receiving the petition, the school board must approve or reject the charter. If the charter is rejected, the petitioner can appeal to the county superintendent. The county superintendent must then create a review panel that consists of three teachers from other school districts in the county. The review board determines if the charter was fairly considered and if not, the charter is returned to the governing board for reconsideration. If the charter is rejected again, another public hearing may be held at the request of the petitioners, and the charter is considered one last time by the county board of education.

COLORADO

Under Colorado law, charter schools which target students at risk of school failure receive preference for approval by local school boards. However, rejected applicants may appeal to Colorado Board of Education, which can overturn local board decisions. Upon reaching the 50 charter school limit, individuals or groups may also enter an appeals process through the Colorado Board of Education (Charter Schools: Policy Brief, Feb. 1994).

CONNECTICUT

The proposed Connecticut bill will allow any person, association, non-profit organization, for-profit corporation, public or independent institution of higher education, local or regional board of education or regional educational service center to apply to the commissioner of education to create a charter school. Applicants must provide a

variety of information in their application such as their mission, purpose, procedures for governing the school, the financial package, admission criteria and so on. Within sixty days of submitting an application to the commissioner, a copy of the application will be filed with the local or regional board of education of the school district. Within thirty days of receiving the application from the commissioner, the local or regional board of education will recommend to approve or reject the charter. If approval is recommended a public hearing takes place. If not rejected by over two thirds of the state board of education after the hearing, the charter school is approved. If the local or regional board of education recommends rejecting the charter, after the hearing has taken place, two third of the state board of education must approve of the charter school in order for it to be approved.

FLORIDA

Charter schools may be formed in Florida either:(a) By creating a new school. A proposal for a new charter school may be made by an individual, teachers, parents, a group of individuals, a for-profit corporation, or a non-profit corporation. Or (b)By converting an existing school to charter status. In the case of an existing public school, the proposers shall be the principal, teachers, and/or parents at the school. A private school, parochial school, or home education process is not eligible for charter school status.

The organizers of a charter school may apply to, and the school may be sponsored by, any of the following:

1. The district school board
2. The State Board of Education
3. The Board of Regents

The district school board shall have the first right of refusal. Within 60 days a decision to deny or accept the charter application shall be made. The entity applying for the charter may then apply [sponsors] If a district school board denies a charter, the school board shall provide a written description of the reasons for the denial to the applicant. The applicant must include this document in any [following] application made to alternate sponsors. The sponsor shall accept the responsibility to monitor the flow of cash and disbursements to the charter school.

GEORGIA

The application process for Georgia stipulates that a majority of the faculty, staff, and parents be in favor of having it. in order to submit a proposal to the local board. Then, with the local board as sponsor, the group presents its proposal to the state board, and then it proceeds to the state board for final approval. The legislation does include the opportunity to resubmit an application to the state board and give state aid to making the charter acceptable.

HAWAII

Hawaii will only grant charters to existing public schools. Once a proposal has gained the support of three-fifths of the faculty, staff, support employees, and parents, the charter receives automatic approval from the state board of education, except in cases where state boards see conflicts between the proposed program and statewide standards. Amendments to charter applications can be made by local school boards, and charters are essentially guaranteed for four years given no violations of statewide requirements.

IDAHO

Although the Idaho Charter School bill passed unanimously in the House Education Committee, it failed to gather a majority vote in the Senate Education Committee (Fadness, Mar. 21, 1995; Pg. A9). The bill proposed by Rep. Fred Tillman R-Boise allowed for the establishment of charter schools by teachers, parents, or businesses.

ILLINOIS

A charter school bill was passed in the Senate last year but did not pass in the Democratic controlled House of Representatives. There was not very much information on the chartering process.

INDIANA

The Indiana Charter School bill failed to gain a majority vote in the General Assembly on April 29, 1995 (Labalme, Apr. 30, 1995, p. B4). In the bill, charter schools could be created by teachers, community leaders, or an independent group (such as a corporation) (Shankle, Indianapolis Business Journal. 15:51, p. 5).

KANSAS

The law in Kansas is in it's beginning limits the number of schools to 15 statewide and each district can have no more than 2 charters operating. Any group may apply for a charter including educational contractors and parents. In order to apply, a group must submit a petition to the local school board of the district in which they want to locate their school. Once the local board approves the charter, it is sent to the state board of education who reviews the charter for parts not in compliance with federal and state laws and regulations. If the charter passes the review, the state board of education approves the establishment of the charter school. The charter school may then apply for a waiver from local school district regulations and state regulations. The waiver must first be approved by the local school board, then it may request on behalf of the charter school a waiver from state board regulations. However, the school is still legally an entity of the local school district.

LOUISIANA

Groups seeking charters must include at least three people holding Louisiana teaching certificates. Public schools could also transform into charter schools with the approval of two thirds of the faculty and two thirds of the parents present at a public meeting.

MASSACHUSETTS

Charter school applications can only be approved in the Massachusetts's Executive Office of Education. This eliminates local school boards and parental groups from the chartering process. These schools may be sponsored by a business or corporation, at least two certified teachers, or greater than or equal to ten parents. The sponsors submit their application to the State Secretary of Education (Piedad Robertson) who has the authority to approve or reject the charters. There is no appeals process.

MICHIGAN

A public school academy is defined as a governmental body, which includes any combination of grades K-12. An authorizing body is a "public educational institution that has been granted the power to issue contracts to those interested in establishing and operating a Public School Academy" (Michigan Public Q & A, 1.) These bodies may

include one of Michigan's fifteen public state universities, intermediate school districts, community colleges, and local school districts except those classified as fourth class or primary districts. Community colleges are limited to authorizing only one charter school; state public universities are limited to a combined total of seventy-five schools (Michigan Center for Charter Schools, 2.)

An individual is allowed to apply to establish and operate a Public School Academy. These individuals are granted a contract by authorizing body, that is subject to the constitutional powers of the State Board of Education. Components of a contract include the following: "educational goals of the school and the methods by which they will be assessed", "the governance structure of the school", "age or grade range of the pupils attending the school", and "the articles of incorporation" (Michigan Public Q & A, 1.) The chartering (or contracting, which is the term used in the Act) process in Michigan is as follows. An application is filed with the authorizing body (the Act currently has information it requires for the application, but does not have a single or specific application) by a corporation. Profit or non-profit organizations may apply to an authorizing body, so long as the organization meets existing regulations regarding religion and the schools (Michigan Center for Charter School, 1.) The authorizing body may or may not evaluate any applications, and the Act does not require that applications be evaluated under a certain time frame. The body may or may not offer any contracts, and in the case of competing applications, the determination is made on resources, goals and proposed students (McClellan, Point 5.) Rejected applications are appealed to the voters (McClellan, Point 6.)

The major responsibilities of the authorizing body include reviewing and evaluating each proposed and existing school in the areas of educational goals, State regulatory codes, articles of incorporation, programs and practices of the school (Michigan Public School Academies Q & A, 2.)

A Public Academy's admissions process can be restricted along the lines of ages, grades, and enrollment numbers, but cannot be selective. If there are more applicants than available spaces, a random selection process is used among those students who are new applicants to the schools. The academy cannot discriminate on the basis of any abilities, intellectual or athletic, and cannot use testing or other measures as a basis of admissions, even though the academy may have an intellectual focus (Michigan Public Q & A, 2.) The only acceptable preferential status is granted to siblings of enrolled students (Michigan Center for Charter Schools, 1.)

MINNESOTA

At least one licensed teacher must be involved in the group proposing a charter. The group must get a sponsor either a local school board or the state board if rejected by the local board. The state board of education gives the final approval. The state board of education can also take appeals if at least two local board members voted for the charter school.

MISSOURI

By the year 1997, the state board of education will select three school sites to participate in an experiment called "The New Schools Pilot Project". This project would allow a school to be managed by a team of five members that would include at least one person to be designated the principal of the school. Once the local school board approves the management team, they are granted some powers that are similar to those provided in most charter school legislation. For example the school can apply for a waiver from the state board of education for exemption from some rules and

regulations.

NEVADA

A charter bill is in hearings in the Senate, but it's present status is unclear.

NEW HAMPSHIRE

The bill, called the Charter Schools and Open Enrollment Act, allows 2 NH-certified teachers, 10 parents, or most non-profit organizations to propose a school charter. Each proposed school must be approved by a majority of the eligible voters present at the annual school district meeting. The school must also be approved by the district board and the state education department. Rejection by the local board can be appealed to the education department.

NEW JERSEY

New Jersey has a charter school bill which is now in the full assembly. According to the bill ten or more teachers, parents, or any combination of the two, as well as a college or university in cooperation with parents and teachers can begin a charter school. The bill provides a cap on the number of charter schools that can be created based on the population of a given county. Private schools, parochial schools and existing public schools could not become charter schools.

NEW MEXICO

The application/approval process is also quite restrictive. It requires at least sixty-five percent support from the teachers at the school and the significant involvement in planning and support for the measure from the parents whose children attend the school. The state board of education is responsible for approving the charter proposal, and there is no appeals procedure.

OHIO

The bill failed. There was little information on the chartering process proposed.

OREGON

Parents, teachers, school administrators, or any other persons or groups may submit a proposal for a charter school. Charter school proposals are to be submitted to a sponsor. A Sponsor is defined as a board of a common school district, a union high school district, an education service district, a community college district, an institution of higher education in the State System of Higher Education or the State Board of Education. If a sponsor rejects a proposal the applicant may resubmit the proposal after amending it, or the applicant may submit the proposal to another sponsor.

PENNSYLVANIA

A bill has been proposed in Pennsylvania, but it is in its beginning stages. The chartering process isn't defined in it.

SOUTH CAROLINA

Parents, teachers, and community members can organize a charter school proposal. They must find a sponsor. Sponsors can be local school boards or State Board of Education. The appeals process is handled through State Board of Education. In order for the bill to pass an

adequate number of parents, teachers, pupils or any combination are needed for support of charter school.

TEXAS

Under the Texas bill, charter schools could be created by anyone, but would then be subject to local school board approval. Charter schools could only be formed in home-rule districts. These home rule districts would be distinct entities from general and special districts. The designation as a home-rule district would have to be approved by at least five percent of the district's registered voters or at least two thirds of the school board.

VERMONT

This bill will allow partnerships or corporations to run 10 experimental charter schools. Applications for charters will be accepted by a specific deadline each year and will be granted for five years. A proposed charter must contain specific information concerning the operation and assessment of the charter school.

VIRGINIA

In Virginia's bill, the submission of a proposal to local school boards has to include a mission statement, goals and performance standards, evidence of parental and teacher support, a statement of need and a description of governance. Anti-discrimination standards are clearly stated and schools must be nonsectarian. If a local school board rejects an application an appeal may be made to the court having jurisdiction.

WASHINGTON

Nonprofit organizations or cooperatives, public college and university teacher preparation programs, and existing public schools are eligible to establish charter schools. Charter school applications are to be submitted to the local school board for approval. If an application is rejected, the application may be submitted to the state board of education.

WISCONSIN

To get a charter a petition must be circulated and presented to the local school board.

PROBLEMS FACED BY EXISTING CHARTER SCHOOLS

Susan Vernal

Once charter school legislation is passed, the debates and arguments between proponents and opponents do not cease. Implementing and running charter schools creates more problems that must be solved. Problems arise with transportation, special education students, facilities of the school, the relationship between the charter school and the sponsoring district, and the fear of ethnocentrism or segregation.

In states such as Minnesota, where the district in which the charter school is located must provide transportation to students living in the district, charter schools are limited to the traditional school year. Some of the "innovative" programs teachers would like to implement require a year-round school, however they are unable to try them because there is no way to transport the students. Because charter schools have such a limited budget, they are unable to transport the students themselves. The public school district often does not want to transport the students because this costs the district money that is not being spent on students in a district school. In Minnesota, if the child does not live in the district where the school is located, the parent only needs to get the child to the border of the district. From there, the school district is required to provide transportation to the school. Under this system, the buses have to go out to the edge of the district to pick up these students, which is a very costly and time-consuming process.

Special education students also present a problem. In terms of transportation, there is a question of whose responsibility they are. In Minnesota, if the state places the child in a particular school then the district is responsible for funding the transportation. If, however, a parent places the child in a particular school then he or she is responsible. Funding special education students is also a very complex process. Often when a charter school is set up, the administrators are not familiar with the rules governing special education funds. They may have to hire someone to teach them the process. Also, many times they are not aware of the costs of testing and evaluating these students. The money may not be supplied by the resident district, depending on the law, but charter school administrators may not be aware of this until later. In addition, there is sometimes controversy over who is responsible for providing services for special education children. In general, however, if the state places the child in a charter school, they have to pay for transportation and any additional costs. If the parents place the child, then they are responsible.

Because the sponsoring district has to approve the charter, and this charter will take money and students away from them, the relationship between the district and the charter school is often strained. There is often a question of liability and responsibility. For example, if someone was injured, who would be responsible? The school or the district? In Deer Valley, Arizona, a charter was rejected because responsibility was not specified.

Because of the lack of money, it is also very hard for charter schools to find and maintain adequate facilities. Charter schools must comply with fire and safety codes, therefore any old building they acquire must be renovated to pass current inspections. Even after the building is originally brought up to date, it must still be maintained. In Minnesota, charter schools cannot levy taxes or bonds and therefore it is extremely hard

to find money. In addition, if a charter school is renting space from someone else, then they are at someone else's mercy. They can be asked to leave at virtually any time. For example, a charter school for the mentally handicapped in Michigan may have to close because Macomb Community College can no longer provide space for them. Therefore, they must find a new location or close their doors.

Some opponents of charter schools have also argued that charter schools promote ethnocentrism or segregation. For example, City Academy in Minnesota and W.E.B. DuBois in Detroit have unusually high proportions of minority males. Academy of the Pacific Rim, which is scheduled to open in Boston in September 1995, has also created some controversy. This school is supported by Boston's Asian Community and it will focus on Asian languages and culture. This school may further exacerbate race relations in the Boston area. This type of segregation is also feared in many states with pending legislation, such as Florida. However, as seen in the state by state summaries, the fears regarding elitism and "creaming" have not been realized and it is possible that the fears about ethnocentrism will not be realized either.

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Arguments and Groups Affecting Current Attempts to Pass Charter School Legislation

Tiayana Marks

In the states that are currently debating whether or not charter school legislation should be passed reoccurring arguments arise. Also, the key people and groups involved in the debate are relatively the same for each state.

One set of arguments against charter schools focus on elitism and segregation. The concern that charter schools will segregate along racial and economic lines and lines of academic ability echoes throughout the states of Idaho, Washington, Oregon, Florida, South Carolina, Virginia, Texas, Illinois, Vermont, Connecticut, and Louisiana. Opponents think traditional public schools will become the dumping ground for those students that are more difficult to educate, and that certain minority and economic classes would be left out of the benefits that charter schools claim to provide. The people having these concerns vary. For example, many politicians in Florida think that charter schools will lead to resegregation of public schools. This fear is shared by The Virginia Conference of the NAACP, and has been expressed in Texas as well as South Carolina. Citizens in Illinois think that charter schools will selectively choose students. Some politicians in Florida think that charter schools will set up a system for the affluent.

Another very strong argument in opposition to charter schools is that charter schools take money away from traditional public schools. Many teacher and school board associations oppose funding loss because public schools are already financially strapped. Charter schools would only make education more difficult to accomplish. The Oregon School Boards Association and the Ohio Education Association as well as concerned citizens in Illinois and the Hilton Head chapter of the League of Women Voters, have expressed concerns about the effects of public funding of charter schools. The concern that charter schools divert money from regular schools is also expressed in Virginia.

In many states arguments against the deregulation of charter schools have been voiced. In Indiana people think that charter schools will become private schools that are publicly funded. In Idaho people fear that charter schools will attract extremists like Richard Butler and his Aryan Nations. In Virginia the Virginia School Boards Association and the Virginia Association of School Superintendents believe that if certain schools are deregulated then why should regular public schools be subject to those same regulations. Concerns about deregulation have also been expressed by the Chicago Teachers Union and educational unions in New Jersey.

Another reoccurring argument against charter schools is based on fear of a voucher system. In many states people think charter schools will lead to a voucher system. Citizens in Illinois feel charter school legislation will open the door to vouchers for private schools. In Pennsylvania a coalition of 30 organizations strongly opposed a charter school proposal that would allocate money for vouchers. People in Florida and Louisiana have also expressed that charter schools are a step towards a voucher system.

An argument in favor of charter schools that is voiced in many states is that charter schools create competition, which will improve education, and charter schools provide more choice for parents and students, which makes charter schools more responsive to students' needs. In Louisiana the Louisiana Association of Business and

Industry and Associated Professional Educators of Louisiana think that charter schools will create competition and innovation. These same ideas have been expressed in Texas by the Texas Business and Education Coalition, the Houston Independent School District school board, and other professional organizations. In Virginia, South Carolina, Connecticut, and Vermont the competition and innovation arguments have also been used to support charter school legislation.

The strongest and loudest voice in the debate over charter schools seems to be the voices of the teacher unions. Without the support of the teachers it is difficult to pass charter school legislation. For example, in Illinois the Chicago Teachers Union strongly opposed deregulation of charter schools and the bill for charter schools did not pass. In Washington, the Washington Education Association (WEA) opposed the first attempts to establish charter school legislation and the bill never came up to vote. However, the WEA has not opposed the most recent charter school bill and this bill has passed in the House of Representatives and is awaiting Senate approval. Also the strongest opposition in Ohio seemed to be the Ohio Education Association. The attempt to establish an Ohio charter school bill also failed. In New Jersey, there is support for charter schools by the New Jersey Education Association as well as many other unions. The bill seems likely to pass when it comes to a vote.

The concern that reoccurs most among teacher unions is that charter schools undermine the union. In Indiana the teacher unions feel that charter schools limit the collective bargaining power of the union. In Connecticut teacher unions feel that charter schools exploit teachers because there would be no standard pay or union requirements with charter schools. The Pennsylvania State Education Association opposed a charter school proposal because the bill did not provide job security. Job security is an important focus of teacher unions and without a guarantee of job security many unions oppose charter school legislation. In New Jersey the charter school bill provides protection for school employees, and it is strongly supported by the New Jersey Education Association, the New Jersey Boards Association, the New Jersey Principals and Supervisors Association, and the Association of School Administrators.

Besides unions other advocates and opponents for charter schools include parents and community organizations. In Ohio two coalitions of different churches urged Senator Sinagra to propose the first charter school bill. Since the bill for state-wide charter schools failure, the two coalitions have come together to promote a proposal for community autonomous schools (a similar idea to charter schools) specific to Cleveland. The Idaho PTA opposed the charter school bill for Idaho. In Illinois the PTA felt charter schools were a chance for change. The Virginia Conference of the NAACP voiced its concern about charter schools and desegregation. Professional organizations in Texas, Louisiana, and Pennsylvania have also expressed their support or opposition.

Other prominent voices in the debates over charter schools are those of administrators and politicians. Superintendents and State Superintendents, state boards of education, governors, education commissioners, and school board members have all voiced their thoughts about the pros and cons of charter school legislation.

The debate for and against charter schools has incorporated various voices and arguments. The strongest voice seems to be that of the teachers, but parents and other organizations also have a voice.

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INTEREST GROUPS' HOPES, FEARS AND EFFECTS

Sarah Godshall & Allison Padavan

ARIZONA

Proponents' Hopes

- Charter schools will
 - : meet individual needs
 - : be laboratories for innovation
 - : be new professional opportunities for teachers
 - : bring teacher autonomy and innovation
 - : bring competition to field of education

Opponents' Fears

- Charter schools will
 - : lead to dropping of course work relevant to current world
 - : not be worthwhile, as they only help a small percentage of population
 - : result in the creaming effect

Political Coalitions Involved

Not Available

Interest Groups' Effects on Legislation

Not Available

CALIFORNIA

Proponents' Hopes

- Charter schools will
 - : introduce competition
 - : give incentive for reform in the educational system
 - : introduce choice
 - : introduce variety
 - : bring innovation to public schools
 - : provide more individualized, specialized education
 - : liberate publicly-funded schools from state and local education regulations
 - : serve as models for existing public schools

Opponents' Fears

- Charter schools will
 - : threaten the high wages of the licensed unionized teachers in public schools
 - : result in the creaming effect
 - : cause an outflow of money from public schools to charter schools
 - : not result in needed reform

Political Coalitions Involved

- : National Education Association (opposed)
- : American Federation of Teachers (support)

Interest Groups' Effects on Legislation

- : Teacher unions opposed to charter schools may have encouraged the bill to cap at 100 charter schools, with the hopes that this would reduce competition.

COLORADO

Proponents' Hopes

- Charter schools will
 - : provide more individualized education
 - : expand parental/teacher/and student choice
 - : provide innovation to combat the homogenous nature of public schools
 - : encourage professional growth of teachers

- : increase academic performance
- : be held accountable, and therefore increase emphasis on intended purposes of specific schools in the educational system.

Opponents' Fears

- Charter schools
 - : violate the concept of neighborhood schools and threaten equity
 - : are no more innovative than existing districts' schools
 - : take away tax dollars in order to form schools that would enjoy private status.

Political Coalitions

- : Opposition from administration led by appointed administrator from Minnesota, Lew Finch
- : legislators
- : educational organizations
- : residents
- : parental groups
- : Colorado Association of School Boards (CASB) (conditionally supports)
- : Colorado Education Association (conditionally supports)

Effects on Legislation

- : CASB has tried to form a bill compatible with local district responsibilities and operations

GEORGIA

Proponents' Hopes

- : Want to expand parental involvement in school decisions to seek waivers and develop new programs

Opponents' Fears

- Charter schools will
 - : divert money from public schools
 - : create elitist schools and leave those in need behind
 - : provide religiously offensive programs

Political Coalitions

- : Governor Zel Miller (D) (supports)
- : Freshman Republicans in the House during passage of original bill (wanted more autonomous legislation)
- : group in the legislature, composed mainly of Republicans, looking for less restrictive legislation at the moment (supportive of a law granting more autonomy).
- : Georgia Association of Education (opposed)
- : Religious right (opposed)

Interest Groups' Effects on Legislation

- : Georgia's law remains one of the most restrictive of all states

HAWAII

Proponents' Hopes

Not Available

Opponents' Fears

Not Available

Political Coalitions

Not Available

Effects on Legislation

- : The law seems to serve as an institutional measure to allow for the elimination of bureaucratic regulations in specific instances.

KANSAS

Proponents' Hopes
: Charter Schools will create school choice
Opponents' Fears
Not Available
Political Coalitions Involved
Not Available
Effects on Legislation
Law does not grant charter schools enough
autonomy; law termed "dead"

MASSACHUSETTS

Proponents' Hopes
Charter schools will
: foster innovation
: create accountability
: create choice
: encourage parental involvement
Opponents' Fears
Charter Schools will
: result in segregation, benefiting the
wealthier, more motivated students
: foster ethnocentrism (Academy of Pacific Rim)
Political Coalitions Involvement
: Massachusetts Teachers Association (opposed)
: Massachusetts League of Women Voters (opposed)
: Massachusetts Municipal Association (opposed)
: Education Association of Worcester (opposed)
: Massachusetts Association of School Communities
(opposed)
Effect on Legislation
: Opponents are currently seeking an injunction
prohibiting the use of tax dollars to fund
charter schools.

MICHIGAN

Proponent Hopes
Charter schools will
: have smaller classes
: have updated resources
: create competition
: create opportunities for disadvantaged
students
: foster innovation
: encourage parental choice/involvement
Opponents' Fears
Charter schools
: will fail to meet state minimum requirements
: take money from public school districts
: create the creaming effect
: are unconstitutional
: are not genuine public schools
Political Coalitions Involved
: Michigan Education Association (opposed)
: local teachers unions (opposed)
: American Civil Liberties Union, Michigan chapter
(opposed)
: Central Michigan University (in favor)
: Wayne State University (in favor)
Effect on Legislation
: TEACH Michigan, which is an educational reform
coalition, is seeking to amend the state's
constitution so it will allow for school
choice among both public and private schools.
: Teachers' unions, along with the ACLU, filed a
legal suit, claiming that charter schools are
unconstitutional because they use state funds
but are not regulated by the State Board of
Education. As a result, the charter schools
allowed under the original Michigan Public

Act Number 362 were deemed unable to receive public funds. Following the decision, Michigan Public Act Number 416. The Act allows for more regulation by the state.

MINNESOTA

Proponents' Hopes

Charter Schools will
: foster innovation
: create competition
: increase school quality
: reach dropouts
: solve problems flexibly
: create choice

Opponents' Fears

Charter schools will
: Take money from districts
: create publicly funded private schools
: eliminate economies of scale
: create job insecurity for teachers
: offer lower salaries to teachers
: cause divisions among the faculty who will not be able to agree on the benefits and risks of specific charter school legislation

Political Coalitions Involved

: Minnesota Education Association (opposed)
: Minnesota Foundation of Teachers (opposed)

Effect on Legislation

Due to union lobbying, charter schools need to be organized by at least one certified teacher. Only local school boards can sponsor a school. Only eight charter schools are allowed and their charter must be renewed after three years.

NEW MEXICO

Proponents' Hopes

Not Available

Opponents' Fears

Feared charter school autonomy

Political Coalitions Involved

Not Available

Effect On Legislation

Restrictive; considered experimental

WISCONSIN

Proponents' Hopes

Charter Schools will
: give schools greater autonomy
: create choice

Opponents' Fears

: Charter schools will destroy public education
: Schools will be given too much autonomy

Political Coalition Involved

: Wisconsin Education Association Council (opposed)
: Department of Parents for School Choice (in favor)

Effect on Legislation

Restrictive legislation; 10% of teachers in district have to approve before school applies for charter status.

WHY NO CHARTER SCHOOLS HAVE BEEN FORMED IN SOME STATES THAT HAVE PASSED LEGISLATION

Lester Eggleston Jr.

As a result of our research we have found that certain themes and trends have been most prevalent in preventing schools from being formed in certain states with charter school laws. In this section, I will attempt to explain in further detail what the opposition is to the creation of these schools and why they have not been formed.

One reason why a charter school may not be formed right after the legislation has been passed is because the law as written may be too restrictive. If the law is too restrictive then organizations or individuals interested in creating a charter school may be deterred from initiating the process. At times it may be more feasible to work from within the system to change or improve the educational system. An example of a restrictive law is one that does not allow a charter school to have full legal autonomy. If a charter school does not have a full waiver from state and district regulations, then we might question the reason for a charter school. Charter schools are presumed to be places where people with new and creative ideas can apply them in the classroom without restriction. Without that freedom, it is just another public school that must try to find solutions to many problems within the confines of the laws of the state. Some states such as Kansas and New Mexico, require that the school receive an approved waiver for every law that they may wish to be exempt. In this case they have to ask permission as opposed to other states which have the ability to work by their own rules and. States that have allowed charter schools to create their own rules seem to have more applications for charter schools.

Another area of charter school legislation in which autonomy plays a role is when it comes to who controls the schools. In Georgia , Kansas, New Mexico, and Wisconsin, charter schools can only be sponsored by the local board. Upon approval the proposal is presented to the state board. Both of these bodies consists of the same people who run the present public schools of the area. This may cause conflict between the two groups in the fact that if these organizations are resistant to change and reform from within the public schools, it is very difficult to gain support for schools that are created to work significantly differently than other public schools. In some states the school board also has the ability to withdraw a charter at any time if they don't approve of the way the school is run. Such restrictions are an active deterrent for anyone interested in opening a charter school.

A deterrent from opening new charter schools is the limit on the type of schools eligible to become charter schools. Some states such as Georgia and Hawaii require that only public schools are allowed to convert to charter schools. The weakness in this approach is that if a person has a new and creative idea for educating students they have to go about convincing a whole public school and its' most powerful constituents, that it is an idea for which it is worth changing the present rules and structure of the school. A more open law would allow the same individual to solicit the backing of a few people and as long as funding is not an issue, apply to open a new school, which may be a more simple task.

There are other reasons why charter schools may not be created in a state even if

the state currently has charter school laws. For example, people may not know where to begin, in terms of gathering support for the idea, funding, or how to go about writing an application. The idea of charter schools is still very new so getting access to this information may be difficult, depending on the location of the interested party. For instance, suppose a concerned parent or group of parents, of low economic means and education have decided that a charter school may be the answer for their children. They may not have access to computers, extensive libraries or the research skills necessary to locate this information. As a result, they are dependent on others outside of their social group to assist them. These other people must be convinced that the charter school may be in their interest as well.

Today the United States act as one big testing ground for charter schools. Some methods are bound to be more successful than others. It is important to realize that with innovations there is some risk involved, and if we expect charter schools to mature without local restrictions we must create policies and regulations to reasonably reach these goals.

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FEDERAL ROLE IN CHARTER SCHOOLS

Candace Crawford

Although charter schools have moved to a national forum as a form of school reform, most of the work being done is at the state and local level. The federal government has had a limited role in the development of charter schools. The major connection between charter schools and the federal government is the distribution of Title 1 funds and the enforcement of laws concerning special education and how that education is funded.

The major issue with Title 1 is if a charter school is considered a legal autonomous body then it is like a school district and the funding should be given directly to the school. If the school is a part of the local school district then the funds should be distributed through the district. The problem is that the census data that is used to determine the amount of funding given to a district by the state does not include charter schools. The state has to figure out a way to survey charter schools. Most states have not addressed this issued in their laws. For example Hawaii's law states "Once accepted, the school is to receive state funds equal to the statewide per pupil expenditure for average daily attendance, in addition to applicable state and federal programmatic funds." It does not mention if federal funds will be distributed directly to the charter school from the state education agency or whether it will be distributed through the local district. In Minnesota the schools are considered legally independent and receive funding as if they were a school district.

The other issue that faces states in relation to the federal laws is who is responsible for meeting regulations concerning the Individuals with Disabilities Act. Should the district who has most of the fiscal responsibility or should the charter school who is receiving funds from state and local sources? In Minnesota responsibility depends on who placed the student in the charter school. If the parent placed the child then the school is responsible but if the district places the child in the school then the district is responsible.

There is a section in the Improving America's Schools Act that provides startup grants for charter schools. The Improving America's Schools Act is the bill that re-authorized the Elementary and Secondary Education Act of 1965. Unfortunately, with the proposed cuts currently under review in the Senate, it is doubtful if this provision in the IASA will get the necessary funding.

Charter schools are a state entity and the federal government will have a limited role in their implementation. The main role the federal government can have is clarifying the status of charter schools or providing startup grants to charter schools. It may be hard for the federal government to establish the status of charter school since the state laws vary so much. It may be that each state's law will have to be assessed on a case by case basis.

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LESSONS LEARNED

Charter school legislation, and the schools subsequently created, are too new and too varied to allow us to draw many universal conclusions. However, neither the grandest hopes of proponents nor the direst fears of opponents have been realized thus far. The development of charter schools has proceeded under the constraint of legislation designed, in most cases, to minimize any possible harm that might emerge from the experiment. In some cases that constraint has effectively precluded the creation of any charter schools. Less constraining states are at the leap-off point for the development of a relatively large number of schools. As schools increase in number and variety, and operate over time, we will get clearer answers to our questions.

Will charter schools create a system of elite schools and reduce traditional public schools to a dumping ground of the poor, minority, hard to educate, and expensive to educate?

Many argue that charter schools are elitist and that they "cream" the best students and teachers from public schools, leaving the public schools as a "dumping ground" for everyone else. This argument is one of the most often mentioned, yet it is completely untrue. In states with charter schools in operation, it has been shown that charter schools often cater to "at-risk" or hard to educate students or some type of special education population. For example, California, Michigan and Minnesota all have operating charter schools that cater to a specific population of students. Of the seventeen schools scheduled to open in Massachusetts in the fall of 1995, five specifically target "at risk" students. Of the fourteen schools operating in Colorado, two specifically target at risk students, and the remainder accommodate the spectrum of students one would find in any public school. Colorado law states that schools which target "at-risk" students receive preference for approval by the local school board.

In California, none of the first 39 charter schools established were targeted towards gifted students. Five are specifically for at-risk students and two are for special education students. Options for Youth Charter School in Victorville, for example, helps dropouts or potential dropouts to realize the importance of an education. With the help of this school, students can receive their high school diploma and possibly attend college, an option that was not available to them prior to the opening of this school. W.E.B. DuBois Preparatory Academy in Detroit, Michigan, also serves "under-privileged youth" and provides them with a safe, positive, encouraging environment. In Massachusetts, the Lowell Middlesex Academy Charter School is scheduled to open in September 1995, and this charter school was also formed specifically to educate at-risk students.

Minnesota has both a charter school for at-risk students and a school specifically for the hearing-impaired. City Academy in St. Paul was created to help inner-city dropouts return to school. Many of these students now attend college and have plans for their futures. Metro Deaf School located in Forest Lake is an American Sign Language school that gives deaf students an alternative to the Minnesota State Academy for the Deaf. Neither of these schools "cream" off any students from the public school system. On the contrary, these are the typically hard to educate students and losing these students does not adversely affect public schools. A Minnesota Research Report found that it is easier to have a charter approved if it is for a school that targets "at-risk pupils, special

education pupils, or drop-outs...." because those students are the hardest and the most expensive to teach (Stewart 23).

Ironically, there is some potential for elitism in states, such as Georgia, New Mexico, and Hawaii, which only allow existing public schools to convert to charter schools. This may create a problem because only those schools with educated parents who have the time to convert their school to a charter school are affected. For example, Addison Elementary in Georgia serves a fairly average, middle class constituency. It seems a legitimate possibility that only such already decent schools will be willing or able to go through the process of obtaining a charter. The law requires a significant amount of motivation on behalf of the parents, faculty, and staff of a school in order to apply for and obtain a charter. Therefore, it seems unlikely that a school which is functioning very poorly will have the initiative or ability to transform itself into an effective institution. Thus, the only schools who may be able to take advantage of such a law could be schools that are already doing a fairly good job of educating its students. Therefore, this requirement does not seem immune to the possibility of fostering a sort of educational elitism.

In schools that aren't as restrictive as Georgia, New Mexico, and Hawaii, elitism is not occurring. In fact, the charter school laws are enabling low-income students to obtain what many consider to be a better education. In Arizona, for example, Foothills Academy, a former private school, is scheduled to convert to a charter school in September 1995. Because tuition will no longer be charged, students of all socioeconomic backgrounds will now be able to attend the college preparatory school. In Minnesota, Cedar Riverside Community School provides a stable environment for many students who are from one-parent or immigrant families. New Branches School in Cedar Rapids, Michigan was also a private school that converted to charter school status. The students attending the school were chosen by a random lottery and over a quarter of them are on the federal free or reduced lunch program.

All states prohibit charging tuition and most of them employ a lottery system to determine which students are accepted after students from the local district are accepted. It is impossible to view these statistics and still argue that charter schools "cream" students from the public schools. There is very little data on the "skimming" of teachers, but that does not appear to be happening either.

Will charter schools create an educationally harmful instability in a child's education?

Some people are concerned that charter schools create unnecessary instability in a child's life. They believe that because the curriculum or pedagogical approaches in a charter school may be so different from that of a public school, transferring a child into the charter school disrupts his or her flow of learning and creates unnecessary trauma. Charter schools might also close due to financial pressures or having their charter revoked. Research conducted by the Minnesota Legislature concluded that some parents of children attending charter schools were concerned about possible instability or discontinuity. However, this concern is not specific to charter schools. Changing schools, regardless of the type of school, is always somewhat traumatic for a child. Because there is no national curriculum, a child who moves from one state to another or even from one school district to another within most states, will not necessarily enter the new school at the same level as a student who had been there since kindergarten. Some overlap or gaps in the material learned and/or pedagogical differences are likely occurrences. This is no different from a child moving from a public school to a charter school with a different curriculum.

What sorts of laws do more to promote or restrict the development of charter schools?

Despite the fact that few charter schools have been established in these states, the charter school legislation in Georgia, Missouri, Kansas, Wisconsin, New Mexico, and Hawaii provides a great deal of insight into what sort of laws will be effective in promoting the establishment of charter schools. Although each state's law is different, they all point very strongly to the conclusion that, in order to be truly effective in producing innovative schools, a charter school law must grant a significant amount of autonomy to the schools.

One of the most significant restrictions present in several of these state laws is the stipulation that only existing public schools may apply for charter school status. The failure of the "public school requirement" to establish a significant charter school system is evident in that the states which have it have generated very few proposals and almost completely lack established charter schools. (Note 1) States with very active charter school programs, such as California for example, almost always allow for the establishment of completely new schools by different groups and sometimes grant charters to home schools. Thus, they open the door for the establishment of charter schools which are much smaller and more focused than the normal public school.

Upon examination, it simply seems contradictory to much of the intent behind the common idea of charter schools that only public schools should be qualified to receive charters. First, as mentioned, this requirement obligates charter schools to operate on a very large scale. The new school would have to maintain enrollment equivalent to the old one, because the other public schools in the area could not handle the overflow of students if one school converted to a much smaller charter school. The point is that charter schools in many areas tend to be smaller, more focused settings in which it is much easier to be innovative. If a school must maintain its enrollment of 1,000 students, and especially if it must have the exact same students as before, (Note 2) it will be much more difficult to implement innovative strategy than it would be if a group of parents or teachers could start a new, smaller school which would focus on a particular type of student or learning style.

Also, the "public school requirement," especially in states with no open enrollment such as Georgia, closes the door on two other extremely important pieces in the typical argument in support of charter schools, the notions of competition and of school choice. In terms of competition to stay open, these schools will essentially have none. They may lose their charter (their permission to run the school differently) if they do not fulfill the contract, but the school will remain. It will simply return to its previous status as a non-chartered, public school, retaining the same students as before. There will not be very strong motivation within the system to establish a charter school if the competition between schools is taken away.

The result of the "public school requirement" is, as is evidenced by the proposed curriculum of Addison Elementary in Cobb county, Georgia (Georgia's first applicant), the creation of a school which is exempt from certain bureaucratic red-tape that may be normally associated with public schools, but it does not seem to be able to generate significant educational reform. (Note 3) Essentially, states with this stipulation, especially those without the policy of open enrollment, will never be able to create "charter schools" as they are often construed. They will only be able to make some minor changes in the way education is conducted. For this reason as well, some schools have opted just to hope for a reduction in red tape rather than go through the rigorous application process necessary to actually receive a charter. (Note 4)

In short, the "public school requirement" must be dismissed if a state ever wants to generate a truly active system of educational reform. The only real argument in favor of the "public school requirement" is that it is a good thing not to allow any significant change in the system; however, as I mentioned earlier, this notion seems contradictory to the idea of charter schools itself. While a law of this type may allow the parents, faculty, and staff of a school to restructure its own program, it will simply never promote school choice or competition, two key elements in producing true innovation through charter school initiatives. In any case, this type of reform measure could represent an attractive option for those who believe that all the public school system needs is a little bit of freedom in order to reform itself.

A typical objection to charter schools in general is that they will become elitist institutions which will serve only the privileged. This assertion in fact seems to be true in states with the "public school requirement." For example, Addison Elementary in Georgia serves a fairly average, middle class constituency. It seems a legitimate possibility that only such already "decent" schools will be willing or able to go through the process of obtaining a charter. The law requires a significant amount of motivation on behalf of the parents, faculty, and staff of a school in order to apply for and obtain a charter. Therefore, it seems unlikely that a school which is functioning very poorly will have the initiative or ability to transform itself into an effective institution. Thus, the only schools who may be able to take advantage of such a law could be schools that are already doing a fairly good job of educating its students. Therefore, this requirement does not seem immune to the possibility of fostering a sort of educational elitism.

Another extremely visible factor contributing to the relative weakness of these states' laws is the limits placed on the number of schools allowed in the states and often within the districts. With the exception of Georgia, which has no number limit, and Hawaii, which allows 25 charter schools and has but one school district in the entire state, the number of schools permitted is extremely small. (Note 5) With such small numbers of charter schools possible, (Note 6) it seems highly improbable that there could ever be any significant competition set up between schools. And, the notion of competition via school choice is central to the theses of many charter school advocates. The imposition of such small limits on the number of schools indicates a hesitancy to plunge into a large scale charter school system but does seem to be in some ways a reasonable way to "experiment" with charter schools in order to find out if they are an effective alternative. It does however seem to be important that the states expand the number soon in order to create a large scale charter system if a "charter school system" is their goal. (Note 7) Therefore, while this strategy may work to illustrate what type of charter schools might be established and to show how effectively they accomplish their educational goals, these severe limits definitely hamper the element of competition between schools and the accessibility of the charter school option to both prospective students and people interested in forming these schools. A law containing such strict limits can be a first step in establishing a system of charter schools, but the number must grow if a true system is to be effected.

An alternative approach to limiting the number of charter schools would be the notion that the states just want a sort of testing ground in order to decide which types of reform they should implement in the public schools on a large scale basis. This view, as does the latter argument about the "public school requirement," has no intention of establishing a "charter school system." It seeks nothing but the establishment of "laboratories" for educational innovation and may also be effective if the states gather useful information from the "experiments."

Many of these laws also impede the establishment of charter schools though the

extensive application and approval processes they involve. For example, in Georgia, a majority of the faculty, staff and parents are required to form the petition to become a charter school, the local board is required to sponsor the application, and then it must go to the state board for final approval. (Note 8) This extensive, intimidating, and expensive process has effectively inhibited all but Addison Elementary and two other schools from attempting to become charter schools. In addition, within this group of states, only Georgia allows any sort of appeals process. It simply seems that, according to these laws, no part of the establishment of a charter school is easy. The laws are simply structured in a manner which gives so little autonomy and so many bureaucratic restrictions to prospective applicants that they provide little incentive to attempt the establishment of a charter school. Some do assert that it is good for only the most driven to receive charter status, but this argument seems indeed counterintuitive as, if charter schools offer the possibility of significant reform, it would seem that it should be a readily available option to any group interested. Also, the obstacles in the path to charter status could work to promote educational elitism. It is conceivable that only the most efficient, most unified schools (often those which are already good and have the most money.), will be able to survive the extensive application and approval process. Indeed, it seems that these inordinately restrictive procedures may be the most damaging to charter school activity, because they simply make the option difficult for those who are interested, thus greatly decreasing active reform.

In its own way, each of these states advocates a "go- slow" approach to charter school establishment. While the "public school requirement" seems to be an unduly restrictive and inefficient measure in many cases, there may be some validity to limiting the number of charter schools possible. (Note 9) And, it must be acknowledged that both ideas have some appeal, as they do not cause the education system to be shaken up too suddenly. However, it seems that the laws must be changed soon, as in the case of Minnesota, or they will simply remain very inactive and produce very few of the goals which charter schools are designed to accomplish, namely to facilitate school choice and improve the education system through competition and innovation. Finally, it seems that any state wishing to foster charter school activity must not legislate an unduly extensive application and approval process.

What is the difference between charter schools and vouchers?

A prominent concern about charter school legislation is that it is the first step toward creating an unrestricted voucher system which will essentially privatize and destroy our public system of education, leaving many children educationally stranded. While that forecast can only be answered in the future, current experience does not support the argument. While there are commonalities between charter schools and voucher proposals, charter school legislation emphasizes a degree of public accountability in the provision of education that will prevent the deleterious effects feared by opponents of unrestricted voucher systems.

Charter schools and various voucher proposals exist along a continuum. The strongest commonalities are that parents (or children) have some choice as to which school they attend, and tax-based funding follows the child. The greatest differences concern degrees of accountability, approval processes, and legal status of the school and its staff.

Accountability: All charter schools hold a time-specific charter, usually for 3-5 years, after which they must either reapply or go through a formal review process. In addition, they must document student performance on a quarterly and/or yearly basis. In

some cases, student performance is measured solely according to conditions spelled out in the charter (in essence, a contract) which are specific to the school. In other cases (most states), the school must administer an annual examination to its students and report the results to either or both the sponsoring institution and a state authority. In some cases the examination is specified. In others, there is some choice. The recently passed New Hampshire law requires charter schools to administer both the State's new assessment and one of several, nationally standardized examinations.

The charter school is held accountable for: (1) meeting the conditions specified in the charter (e.g. materials provided, courses taught, student performance, etc.); (2) abiding by applicable state and federal laws; and (3) sponsoring institution's or state's standards of student performance (which may differ from the charter school's). If the charter school fails in any measure, it's charter may be revoked. In all states, that means a cessation of public money. In most it means that the institution as constituted will cease to exist.

Approval process: Charter schools must apply for and be approved by a public agency. In most cases, that includes a combination of the local school board and a state board. Various avenues exist, and all states require approval by a state board or agency. Often teachers and local voters have a say. Most states do not allow existing private schools to convert to charter school status. All states restrict the absolute and local number of charter schools (at least for now).

Legal Status: Most states wrestle with this issue. In some cases, the school district in which the charter school is located is legally accountable for the actions of the charter school. In other states, charter schools are considered legally autonomous.

Voucher proposals generally do not restrict the number of voucher receiving schools in either a district or a state; do not require voucher receiving schools to go through an extensive approval process (the charter school approval process can take a year or more in most states); do not hold the voucher receiving school accountable for the terms of a contract which includes the specification of the mission, curriculum, pedagogy, resources, and student performance standards; do not provide for quarterly, annual, or 3-5 year reviews which can lead to the revocation of the contract for any of a wide variety of measures; and generally raise different sorts of legal issues regarding autonomy and liability.

Charter schools and voucher proposals exist along a continuum. To complicate matters, both voucher proposals and charter systems vary widely. At a certain level of generality, ALL these ideas begin to look very similar; at the level of specifics, the effect can vary significantly. These two terms -- "charters" & "vouchers" -- are two among many, and perhaps hide more than they reveal. Linguistically and empirically, "charter" emphasizes the contract between the service provider and a sponsoring agency and/or state. "Voucher" emphasizes funding. The former makes the school public, the latter only makes it publicly funded.

Will charter schools compete with regular public schools for students and resources? If so, what will be the effects of that competition?

One of the most crucial ideas underlying the concept of charter schools is that they will create competition among schools, allowing parents to choose the school that will best serve their children's needs. Without charter schools, reform and experimentation with curriculum and school restructuring which are responsive to parental choice only take place in magnet and other special schools. These schools are few and far between and usually have long waiting lists. For example, "There is one

academic elementary magnet school in Birmingham; has been for years. Each year parents camp out overnight at the school in order to try to register new kids for it. Each year many students are turned away because of lack of space (Rick Garlikov, Education Policy Analysis Forum)." Charter schools will allow more of these types of schools to open. More children will have access to specialized education that fit their interests and learning styles.

However, so far, charter school laws have produced little direct competition within the educational system. Most states restrict both the total number of charter schools that may be formed, and the number that may be formed within any district. Massachusetts's 1993 Education Reform Act only allows a maximum of twenty-five charter schools to be created and fully operational at one time. The largest number of children who can be educated by charter schools in Massachusetts is three-fourths of one percent of the school- age population. Limited autonomy in states like Georgia has also prevented groups from seeking charter applications. Although there are states, such as Arizona, that have minimal limitations on the number of charter schools that can be established or on the number of students they can serve, charter schools are too new a phenomenon to accurately measure the degree of competition they will spark with the traditional public school systems.

Even without directly competing with regular public schools, charter schools have a ripple effect in the educational mainstream. School districts have acted in response to the appearance of charter laws. In Minnesota districts are finding ways to incorporate changes sought in public schools by parents and teachers, where before they had been dismissing the proposals as unfeasible. In Massachusetts, "where the state grants the charters and school committees (districts) have no role, Boston--largely at the urging of the Boston Teachers Union--set up its own 'in-district' charter program" (Kolderie, Public Services Redesign Project). In Colorado, the number and variety of district-sponsored schools has suddenly expanded with the appearance of a charter law, and suppressed public interests are now being addressed (Raywid, Phi Delta Kappan).

There are potential fiscal side effects on public schools that may lose students to charter schools. Many of the public school's expenses remain fixed regardless of how many students are enrolled. The result could be the further impoverishment of public schools and reduced quality of education for those children. Research on charter schools has not documented the fiscal effects on public schools because it is too early to make any conclusions.

Are parents informed about their options so that they can make reasonable decisions about the education of their children?

Charter school proponents generally believe that parents have their children's best interests in mind. However, parents must have adequate information to make the best decisions for their children. Information must be made available to parents in a way that will be meaningful to them in order for all children to be served by charter schools. Oregon legislation mandates that information about available charter schools be made available. Pennsylvania has used several types of media to inform parents about school options. Information about school options are made available through radio advertisements, a publication, and a 24-hour hotline for information. Despite these many measures, however, it is important to note that researchers have found that the level of parental awareness differs among race and class lines. Some parents are still not receiving information about school choice. This problem must be addressed and remedied.

Furthermore, the assumption that parents are seeking the best education for their children is not necessarily true. Parents are not necessarily all perfect and their motives for enrolling their children in a particular schools may not be based on finding the best school that will offer the best education for their children. For example, one of the fears regarding establishment of charter schools in Texas is that some schools will be set up as "football schools". Parents may decide to enroll their child in a particular school based on athletic, rather than academic, concerns. Texas legislation prohibits these kinds of schools, but the fears in Texas persist (Walt, Houston Chronicle, Mar. 2, '95).

More information could also come from the media. Charter schools would be under close public and interest group scrutiny, and any type of error by the charter school would be widely broadcast. This accountability through close scrutiny may enhance the quality of education in charter schools. In essence this could be a way of "whistle blowing", or bringing to the public's attention schools that are not providing adequate education for their students. This would also make schools accountable even to children whose parents may be uninformed or who simply do not care. An example of effective "whistle blowing" is the media coverage that surrounded the shutdown of EduTrain in California. This type of careful monitoring and public broadcasting will promote responsible management of charter schools.

How are charter schools held accountable?

In order to meet parental information needs and to publicly ensure quality, assessment has become a major issue for charter schools. The problem with comparing charter schools across the nation is that different types of assessment are used to test their accountability. One state may use tests while another relies on portfolios. New Hampshire requires charter schools to administer and report the results of the mandatory statewide assessment, to submit quarterly reports on how well they are meeting the goals specified in their charters, and to administer and report the results of a national, standardized examination. The variety of assessments used both state to state and within states makes it difficult to compare charter schools to each other or to public schools.

Assessment as the basis of accountability isn't necessarily consistent or accurate, yet it influences people's choice and opinion and is an important component. Regardless of the form of assessment or the office that oversees accountability, charter schools differ from traditional public schools in that they can be, and have been, shut down if they do not measure up to official standards. They are held accountable not only for abiding by applicable laws, but also for the measured performance of their pupils.

Over 100 charter schools have opened in the United States. Some charter schools work, and others have problems. Where problems have developed, the school board in most cases has moved quickly to fix them. Charters have been revoked by their sponsors. In December 1994, the Los Angeles school board revoked the charter for a school called Edutrain because of questionable accounting as well as an inability to prove the school had met its academic goal. The school also suffered from mismanagement. As teachers ran short on supplies, administrators treated themselves to a school-leased \$39,000 car and a \$7000 retreat to Carmel, and the principal was given a \$5000 monthly housing allowance and a bodyguard. The fact that the charter was revoked and the school shut down is evidence of the success of California's charter school law. Legislative provisions for accountability worked.

Do charter schools provide a panacea for the ills of American public education?

No. It is overly optimistic to view charter schools as a cure all to the present

educational system. Perhaps the small changes instituted by charter schools are beneficial, however, and perhaps in the long run they will have a greater impact than at the present. Currently very few charter schools exist. For example, if all the proposed charter schools in Arizona opened next fall, the total charter school enrollment for the state would be about 8000 students, less than 1 percent of the total public school population in the state. Thus the loss of students from traditional public schools would probably not make a major impact on even the schools who lose the most students, and certainly not enough to impact would occur to foster educational reform on a national or even statewide level. In Michigan, an opinion printed in *The Record* argues that "Charter schools would be an ornament to the public system, not a substitute for far-reaching reform" ("Desperate Effort...", B6). For now, charter schools exist on the periphery of public schooling, though, as noted above in the case of Minnesota, they may produce widespread ripple effects.

Financial implications remain a serious concern. The most vocal opposition to charter schools is heard when the ways they are funded are discussed. Opponents fear that money earmarked for traditional public schools will no longer be available to them. School systems will also lose money to fund their programs from students who were previously educated in non-sectarian and religiously affiliated private schools. When these students attended private school, the taxes their parents paid to the town to support the public school system were utilized to boost the average cost per student. If these children enroll in charter schools, and, thus, reenter the public school system, a portion of their expenditure (all of it, in Massachusetts) will follow them to the charter school. A community containing a charter school will need to divert funding away from the existing public schools in order to pay for this new population of students being educated at public expense. The breadth of course offerings, the number of faculty, and the purchase of new materials at the traditional public school will decrease. Moreover, due to the loss of monies, buildings may fall into disrepair, teacher-pupil ratios may increase, and some schools will be forced to consolidate.

Communities containing charter schools are vehemently opposed to the manner in which they are funded because they will take money away from their school budget. Massachusetts currently states that if the district housing these schools contains a positive foundation gap, they are responsible for paying the charter school the average cost per student of their district (this does not exclude the use of state or federal aid that these locales receive). Communities without a positive foundation gap pay the lesser of the average cost per student in their district (if that is the location of the charter school) or that of the charter school's. The charter schools seem to receive special treatment while the school district as a whole suffers. For example, in Boston, the average cost per charter school student was determined by dividing the current school budget by the number of students enrolled. Thus, the average cost per student enrolled in a Boston charter school is set at \$7031 while each student educated in Boston's traditional school system is allocated \$5851 (22). Raising the average cost per student is assumed to assist charter schools with their start-up costs and increase the number of educational benefits and innovative programs these schools can offer. In Massachusetts, lawmakers are divided on the manner in which state aid should be distributed-- via monies designated for educational reform of the public school system or from other sources. It is only when these questions are resolved that we can evaluate the financial losses the communities will suffer.

One tenet to the argument citing the need for charter schools is that they will decentralize state involvement in and introduce greater amounts of local control into public education. This appears to contradict the chartering process in Massachusetts.

Although private enterprises file charter school proposals, their involvement in the application's acceptance or rejection terminates there. The only body who has the power to grant or reject charter school applications is the Secretary of Education. There is no input from parents, citizens in the community who would house the charter school, the members of the school committee, administrators, or teachers. If the charter application is rejected, there is no appeals process. Thus, state involvement in public school education is not curtailed, as some proponents claim, by establishing charter schools. Rather, it becomes the primary institution that continues to shape the education it offers its citizens.

A central question that requires asking is: Do charter schools do anything that regular public schools cannot do? Alternative schooling already exists in the traditional public school spectrum. For example the Ohlone School in Palo Alto, California incorporates learning pods and many volunteers into its school's philosophy rather than the more traditional style of a teacher lecturing at the board. A great amount of parental involvement is also found in the Graham-Parks School in Cambridge, Massachusetts. Graham-Parks was two decades ahead of its time in offering a family atmosphere and stressing interdisciplinary learning. Magnet schools, which are similar to charter schools that emphasize a particular area of study (such as a performing arts school), are another option for public school education. Schools that utilize nontraditional methods of teaching are already present in the public school system. However, public schools generally retain a constraining geographic relationship to their enrollees. If you live in district X you attend school Y, innovative or not; excellent or not. Taking a leaf from the page of the magnet school idea, charter schools expand the possibilities for basing school-home relationships less on geography, and its correlate--wealth, and more on interest.

NOTES

1. Presently, Georgia has no charter schools in operation, Hawaii has just accepted its first application, and New Mexico has four charter schools, all in their first year of operation under charter.
2. Neither Georgia nor New Mexico, for example, allows for any sort of open enrollment in which parents choose which school their children will attend.
3. Addison's charter essentially just allows a little more administrative freedom in the areas of testing, distributing funding for programs to help "slower" children, and in coordinating staff development. Also, New Mexico's listing of the waivers approved in the charters of its four current charter schools only shows waivers in funding control and, in one case, extending the school day. Though these areas are not the only changes in the charter schools, they are the instances in which current state regulations are waived.
4. Clarke Central High School in Athens, GA was considering applying but declined, saying that they would wait and see if the government would gradually cut the bureaucratic restrictions without having to go through the application process.
5. KS -15, NM -5, and WI -10.
6. Wisconsin only allows two per district.
7. Minnesota started with only 8 schools allowed and has increased to 35.
8. There is also the requirement of at least a majority of parents, faculty, and staff in favor of the conversion in all states where charter schools must be existing public schools.
9. Most very "active" states, including California, Colorado, Minnesota, and

Massachusetts have some sort of limit to the number of charter schools allowed, although their numbers are not nearly as small.