

# The State of CHARTER SCHOOLS

Education Secretary Rod Paige, State Leaders  
Discuss Challenges and Solutions

**A**cross the country, charter schools — whether they are education reform initiatives or operating schools — are encountering some of the biggest challenges they have ever faced. While charter school issues are best addressed at state and local levels, never before has the federal government's role in their success been so important.

At the request of officials at the U.S. Department of Education, the Center for Education Reform (CER) organized a briefing on charter schools. Twenty-one charter school leaders from 14 states and the District of Columbia gathered February 21, 2002, for an unprecedented meeting with U.S. Secretary of Education Rod Paige and his under secretary, Eugene Hickok, to discuss key issues facing charter schools nationwide. While there are a number of factors contributing to the current difficulties, the meeting focused on several key concerns:

- Bureaucratic demands and other state-mandated impediments to the successful operation of charter schools.
- A lack of public and parental awareness of charters — what they are, how they work, the promise they hold and the

results they deliver — that limits the schools' opportunities for growth.

- Unrelenting efforts by state education agencies, state boards of education, teachers' unions and national education lobbies to derail efforts to institute change and choice.
- Hostility toward charter schools by the education establishment.
- The lack of a clear voice of advocacy and support for charters from the Bush administration.
- The need for a level playing field for charter school operations.
- More aggressive and better-orchestrated opposition to charters from the major education groups — carried out in cooperation and coordination with policymakers and political leaders.

 Center for Education Reform



## The Starting Point

Those who thought a truce in the "Charter Wars" had been reached when the schools were endorsed by President Clinton in the 1990s, and subsequently thought the victory was achieved when Governor Bush became President Bush, were sadly mistaken.

In spite of President Clinton's stated support for charters, neither his Department of Education nor his staunch allies in the teachers' unions and education lobby embraced or worked to further the cause. Instead, they focused their energies on undermining the charter concept, undercutting charter efforts and undoing, or at least neutralizing, much of what had been accomplished to support charters in many states.

For charter opponents, the Clinton-era truce served as cover for efforts to discredit the movement's success and impede its progress — and it worked. Ongoing, well-funded political efforts by the unions were launched in charter states to rescind charter laws, water them down with amendments or hamstringing them with regulations. Successful schools were dismissed as anomalies or dissected with petty criticism. Poor schools were demonized, decried as "failures" of the "right wing's" so-called "dangerous" charter school "experiment" and trotted around as bogeymen to frighten parents and legislators — all to great effect.

It was in this poisoned atmosphere that President Bush and Secretary Paige took office in January 2001. The foundation of support for charter schools that many thought was being built within states and the Department of Education in the late 1990s did not exist. Neither were there charter school proponents in positions of influence or authority within the establishment. The charter school concept and its supporters had been marginalized and muzzled. Charter schools had been taken off the national education agenda — or, more accurately, were never truly put on it — and quietly removed from public view.

According to Public Agenda, only 50 percent of Americans have ever even heard of charter schools, and far fewer have any appreciation for what the schools offer and what they can help accomplish for students and communities.

## Charter School Leaders' Recommendations

**Charter District Zones** Mimi Corcoran, director of the Beginning with Children Foundation, suggested the department create charter district zones that would allow for pilot projects to test and refine critical operational initiatives, such as faster financial processing; integrated, consolidated and expanded test reporting; and improved purchasing and contracting arrangements.

### Demonstration Grants

Participants suggested that the department consider offering demonstration grants to help charters shift some of these activities to for-profit providers and gain efficiencies that could

be reinvested in education programs and teacher salaries.

**The Bully Pulpit, Part One** Several participants called for greater advocacy for charters by federal leaders. Secretary Paige was asked to send a clear message to the education community, the public at large and parents that charter schools provide excellent educational assets for all states.

**The Bully Pulpit, Part Two** After explaining how restrictions on funding and autonomy have stifled the charter movement in her state, Claire Howard of the Connecticut Charter School Network urged the secretary to promote exemplary state charter school laws — especially in states with less progressive laws.

**A Voice in Policy Development** Federal regulations greatly impact charter schools because federal law treats individual charter schools like small school districts, resulting in heavy regulatory burdens. Charter schools must have a role in setting federal policies to ensure the



Clockwise from Left: Under Secretary of Education Eugene Hickok, Cindy Zautcke, Secretary of Education Rod Paige, Ronald Russo, Emily Potts, Claire Howard



From Left to Right: Susan Schaeffler, Patrick Kelly, Paul Seibert, Boyce Slayman, Emily Potts, Peter Murphy, Jeanne Allen, Cindy Zautcke, Melanie L. Looney



Clockwise from Left: Wade Dyke, Secretary of Education Rod Paige, Ronald Russo, Libby Oshiyama

schools' success. Participants urged Secretary Paige to advocate charter school representatives' inclusion in policy development discussions.

**Equal Footing for Charter Schools** Peter Murphy of the New York Charter Resource Center encouraged the department to consider charter schools equally with school districts for grant awards. Despite the difference in enrollment, charter schools that offer innovative programs should have the same chance of receiving federal grants that traditional schools enjoy.

**Facilities Funding** Funding for facilities is one of the most chronic, pervasive and difficult problems facing charter schools everywhere. All participants stressed the need for federal action to address this issue through tax incentives, credits or whatever mechanism can be developed to help schools better meet this critical need.

**Build Public Confidence** Christi Martin of the Texas Association of Charter Educators suggested that several existing federal programs could be very helpful to charter schools if they were refined in relatively minor ways. Possible refinements include greater flexibility for Title X start-up funding and mitigating fixed costs of federal programs. "Federal initiatives that strengthen overall public confidence in the permanency of charter schools would be helpful," she noted.

**Special Education** Charter schools offer unique solutions to special education challenges. These challenges go beyond the traditional processes that districts have had to put in place to comply with federal law. Refinement of the Individuals with Disabilities Education Act (IDEA) would offer opportunities for the federal government to support new ways of delivering services to special-needs children. For example, a child who is reading-deficient may not be a special education student. However, if that child has a pre-existing individual education plan, under IDEA the charter school must offer him special education services, even if the child's parents specifically chose the school for its program for reading-deficient children. In other words, current federal dictates make it difficult — in some cases, impossible — for parents to choose what is in their child's best interest and create both a policy and a funding inequity for charters.

## Charter School Leaders' Concerns

**Funding Delays** Federal start-up funds often are manipulated by state agencies and do not reach their intended targets without significant delays or reductions. Many charter schools owe their existence to the creation of the federal public charter school grant program. Yet these critical start-up funds are routed through state education agencies, which often are not prepared to administer the funds. In Arizona, the funds are referred to as the "start-after" program because the money often arrives well after the school year has begun.

**Charter Authorization** Representatives from Missouri, Illinois and Wisconsin stressed the need to ensure that groups other than school boards continue to have authority to authorize charter schools. "For parent choice to be successful, there must not only be diversity in curriculum offerings, but also in the kinds of providers, including those independent charter schools sponsored by other authorizers," said Cindy Zautcke of Wisconsin's Institute for the Transformation of Learning.

**Increasing Regulation** The University of Southern Florida's Emily Potts was one of several participants who cited difficulties in holding back increased regulation of charter schools in

her state. "The push is on to make charters more like traditional public schools," Potts said. "Creating venues for charter schools to advocate their independence and uniqueness would assist in maintaining the focus of charter school goals and objectives overall."

**Roadblocks** Pennsylvania Representative Dwight Evans, who authored the state's charter law and helped found the West Oak Lane Charter School, expressed his frustration with the slow pace of change in Philadelphia, where the School Reform Commission — installed by the state when it took over the city's schools — has put a hold on charter school applications. Libby Oshiyama of the Hawaii Association of Charter Schools voiced similar frustrations over her state's charter law, which provides little funding for charters and allows the state board of education to impede efforts.

"The meeting itself was a significant step in demonstrating to charter school supporters that the Bush Department of Education is charter-friendly and wants to act in our interests."

— Cindy Zautcke,  
Institute for the Transformation of Learning

## Secretary Paige's Comments

**Support for Charters** Secretary Paige promised unprecedented support for and promotion of charters. He requested that the CER compile individual testimonials from each participant in the meeting in order to inform the department's efforts and make department officials better, more visible advocates.

**Addressing Issues** The secretary took a special interest in the challenges the schools faced. He indicated that he would instruct officials to look into the specific issues raised and begin to consider ways to address them through departmental policy.

**Charter Accomplishments** Secretary Paige was equally interested in the accomplishments of the charter school movement. He observed that the 2,361 charter schools currently in operation are benefiting their students, creating positive pressure in bringing change to other public schools and providing new opportunities for entire communities. He took particular note of Washington, D.C.'s, charter success, where 14 percent of all students are enrolled in charter schools.

**Charter Laws** In response to issues regarding weaknesses in states' charter laws, the secretary agreed that the lack of a firm legislative foundation for charters was troubling and should be addressed by governors and state legislators. He delivered the same message earlier this year in Tennessee, where a proposed charter bill with conditions that will stifle charter school efforts was being debated.

## An Important First Step

The CER-organized meeting with Secretary Paige marks a dramatic shift in the federal view of and support for charters. The secretary's interest in learning more about charters and understanding the problems they face — and his expressed willingness to act to address concerns and create opportunities — is a giant step forward for charters.

Any success the secretary can achieve in the areas discussed will help charter schools. New funding and grant opportunities can bring stability, and regulatory changes can bring growth. Perhaps most important, increased awareness can bring greater demand for quality charters — to the benefit of all charter schools.

For charter schools, general indifference has come from a public that has not been made aware of the charters or informed of their value. Resistance has come from powerful, well-funded opponents who have been able to fight charters directly and, more importantly, to influence government and legislative actions in ways that suffocate charter efforts. Neither of those challenges will be easily

surmounted. However, Secretary Paige's very visible interest in charters and his stated commitment to their success and growth bring a newfound legitimacy and prominence. Public attention will be more readily drawn to charters, and the influence of charter opponents will be significantly reduced — at least within the Department of Education. In short, through his actions, Secretary Paige has said what no federal official has said before: As a matter of federal interest, commitment and policy, charter schools are here to stay.

## Participants

U.S. Department of Education

*Rod Paige, secretary of education; Eugene Hickok, under secretary; John Danielson, chief of staff to the secretary; and Ron Tomalis, chief of staff to the under secretary.*

Charter Community Representatives

*Mimi Corcoran, Beginning with Children Foundation, New York, N.Y.; Wade Dyke, Chancellor Academies, Coconut Grove, Fla.; Dwight Evans, Pennsylvania House of Representatives, Harrisburg, Pa.; Jim Goenner, Central Michigan University, Mt. Pleasant, Mich.; Libby Oshiyama, Hawaii Association of Charter Schools, Honolulu, Hawaii; Cindy Zautcke, Institute for the Transformation of Learning, Milwaukee, Wis.; Tom Palumbo, New Jersey Charter School Resource Center, Newark, N.J.; Emily Potts, University of Southern Florida, Tampa, Fla.; Donald Hense, Friendship House Association, Washington, D.C.; Claire Howard, Connecticut Charter School Network, New Haven, Conn.; Sadie Jordan, North Carolina Association of Charter Schools, Chapel Hill, N.C.; Patrick Kelly, Brighter Choice, Bronx, N.Y.; Dr. Margaret Briggs Kenney, Philadelphia, Pa.; Christi Martin, Texas Association of Charter Educators, Austin, Texas; Peter Murphy, New York Charter Resource Center, Albany, N.Y.; Derek Redelman, Project E & Indiana Charter School Resource Center, Indianapolis, Ind.; Ronald Russo, Charter School of Wilmington, Wilmington, Del.; Susan Schaeffler, Key Academy Public Charter School/KIPP DC, Washington, D.C.; Paul Seibert, Charter Consultants, Belleville, Ill.; Boyce Slayman, Black Alliance for Education Options, Washington, D.C.; and Evan Rudall, Roxbury College Preparatory Charter School, Roxbury, Mass.*

The Center for Education Reform

*Jeanne Allen, president; Melanie L. Looney, director of research and charter school liaison; Anna Varghese, external affairs director; and Paul Klimas, operations manager.*