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Background Information Relevant to My Testimony

I am a professor of evaluation, measurement, and research at Western Michigan University. Over the last 2 decades I have had extensive experience evaluating school reforms and education policies in the United States and Europe. I have conducted 9 comprehensive evaluations of charter school reforms commissioned by state education agencies and have undertaken dozens of other studies related to charter schools and private education management organizations (EMOs) that have been funded by the US Department of Education, state agencies, private foundations, as well as advocates and critics of charter schools. In addition to my direct research or evaluation work related to charter schools, I have provided technical assistance to charter schools in Connecticut, Hawaii, Michigan, New York, Ohio, and Pennsylvania. This assistance has largely focused on developing accountability systems and helping schools to collect and report data.

In Europe, I have studied the national voucher reform in Sweden and conducted research on school restructuring in other four countries. For the Organisation for Economic Co-operation and Development (OECD), I have been serving as an external expert and over the past few years I have worked with a network of OECD countries to develop international indicators related to school choice, parent voice, and school accountability.

In recent years, my research has increasingly focused on education management organizations and efforts to create systemic change in urban schools in Michigan and rural schools in Louisiana. Prior to coming to Western Michigan University in 1997, I worked for 10 years at Stockholm University. Aside from a long list of technical reports, I have authored or edited eight books and has published more than 3 dozen articles or chapters in books.

Original Goals of Charter Schools

Charter schools were created as a new form of public school that—in exchange for autonomy—would be highly accountable. They would improve upon traditional public schools in two ways: by developing and sharing innovative practices, and by promoting competition. Charter schools have received considerable bipartisan support and have become one of the most prevalent and widely debated school reforms visible in the last several decades. Today there are around 5,000 charter schools in 40 states and the District of Columbia, enrolling close to 1.5 million students.

While I looked favorably upon the original intent of charter schools, I am increasingly concerned that after two decades and substantial growth, the charter school idea has strayed considerably from its original vision.

A growing body of research as well as state and federal evaluations conducted by independent researchers continue to find that charter schools are not achieving the goals that were once envisioned for them.

Charter schools are nonsectarian public schools of choice, free from many regulations that apply to traditional public schools. The specific goals for charter schools are typically found in legislative acts. Let me identify these goals and comment on the related research evidence:

- *Empower local actors and communities.* Involvement of local persons or groups in starting charter schools is shrinking, replaced instead by outsiders, particularly private education management organizations (EMOs), which steer these schools from distant corporate headquarters. Claims that EMOs can make charter schools more effective have not been substantiated by research.
- *Enhance opportunities for parent involvement.* Parents who choose schools can be expected to be more engaged, presumably leading to higher student achievement and other positive outcomes. Evidence suggests that parent satisfaction is one of the strengths of charter schools. Most of this evidence, however, is based on surveys of parents whose children remain in charter schools and excludes parents whose children have left these schools. Nevertheless, the fact that charter schools are growing in size and number is a strong indication of the demand that still exists for charter schools.
- *Create new opportunities for school choice with open access for all.* Charter schools are schools of choice. With few exceptions, they are open to students from any district or locale. Advocates argue that the very act of choice will spur students, parents, and teachers to work harder to support the schools they have chosen. Evidence, however, suggests that charters attract and enroll groups sorted by race, class, and ability. Increasingly, charter schools are using admissions or placement tests. Last year, research conducted by Western Michigan University found that only one-quarter of charter schools have student populations that are similar to local school districts in terms of ethnic composition and the proportion of low-income students. When it came to student composition based on students with disabilities or students classified as English language learners the findings were even more stark.
- *Develop innovations in curriculum and instruction.* Proponents argued that charter schools could function as public education's R&D sector, and their benefits would extend to traditional public schools that adopted and emulated their innovations. Evidence to date, however, suggests that charter schools are not more likely than traditional public schools to innovate.
- *Enhance professional autonomy and opportunities for professional development for teachers.* Allowing teachers to choose schools closely matching their own beliefs and interests was to create school communities that spent less time managing stakeholder conflicts and more time implementing effective educational interventions. Although some charter schools have created and fostered professional opportunities for teachers, the overall evidence on this goal does not suggest that this has been realized. High levels of teacher attrition suggest teachers are not finding suitable professional learning communities in charter schools.
- *Create high performing schools where children would learn more.* Notwithstanding pressure for performance on state assessments, the growing body of evidence indicates charter schools perform similar to demographically matched traditional public schools on

standardized tests. This is so despite the existence of some exceptional charter schools in every state.

- *Create highly accountable schools.* In exchange for enhanced autonomy over curriculum, instruction, and operations, charter schools agree to be held more accountable for results than other public schools. Schools that fail to meet performance objectives can have their charter revoked or not renewed (performance accountability); schools that don't satisfy parents may lose students and, in theory, go out of business (market accountability). Yet closure rates are relatively low, and most charter schools that close do so because of financial mismanagement, rather than performance or market accountability. The burden of producing evidence regarding charter school success has shifted to external evaluators or authorizers. Charter schools—on the whole—have not been proactive with regard to accountability; instead of being “evaluating” schools, they have become “evaluated” schools.

Reasons Why Goals for Charter Schools Have Not Been Achieved

Why this overall lackluster performance?

- *Lack of effective oversight and insufficient accountability.* Many authorizers lack funds for oversight and some of them are unprepared and—in some cases—unwilling to be sponsors of charter schools. A key factor that undermines effective oversight is that objectives in charter contracts are vague, incomplete, and unmeasurable. Between 2002 and 2008 more attention was given to the role and importance of authorizers, however, this seems to receive less attention today.
- *Insufficient autonomy.* Re-regulation and standardization driven by NCLB and state assessments are limiting autonomy. Requirements that charter schools administer the same standardized tests and have the same performance standards as traditional public schools means that they cannot risk developing and using new curricular materials.
- *Insufficient funding.* The financial viability of charter schools is dependent on the state, on how facilities are funded, and on the particular needs of the students served. Some charter schools maintain large year-end balances thanks to less costly-to-educate students or extensive private revenues; others are clearly underfunded for the types of students they serve or because they lack social capital to attract outside resources, or both. Funding formulae vary by state, but it is fair to say that if charter schools are expected to innovate, they need more funding, not just greater autonomy.
- *Privatization and pursuit of profits.* The increasing numbers of private operators may bring expertise or experience, but they also glean high management fees and tend to spend less on instruction—and reports continue to show that EMO-operated schools perform less well than non-EMO operated schools. There are some emerging nonprofit EMO models that may prove to be more effective.
- *Strong and effective lobbying and advocacy groups* for charter schools quickly reinterpret research and shape the message to fit their needs rather than the long-term interests of the movement. They attack evidence that questions the performance of charter schools and offer anecdotal evidence, rarely substantiated by technical reports, in rebuttal. Such lobbying has undermined reasoned discourse and made improving charter schools more difficult.

- *High attrition of teachers and administrators*, ranging from 15 to 30 percent, leads to greater instability and lost investment. Attrition from the removal of ineffective teachers—a potential plus of charters—explains only a small portion of the annual exodus.
- *Rapid growth of reforms*. In states that implemented and expanded their charter school reforms too quickly, charter schools have faced a backlash as shortcomings in oversight and other neglected aspects of the reform become apparent. The states that have grown their reforms more slowly have been able to learn from early mistakes and establish better oversight mechanisms.

Questions Policy Makers Should be Asking

Can we create better public schools through de-regulation and demands for greater accountability? How are charter schools using the opportunity provided them? The answers to these questions require comprehensive evaluations—resisting the dodge that every charter school is its own reform and should be looked at separately. More specific questions that policy makers should be asking include:

- How can charter school laws be revised to create more accountable schools?
- Can funding formulae be revised to ensure that charter schools serving the neediest students receive sufficient funding, motivating more charters to attract and retain more-costly-to-educate students, such as high school students, those with special needs, and those living in poverty?
- How can incentives and regulations be used to ensure poorly performing charter schools will be closed?
- Are there better uses for public resources than charter schools—smaller class size, increased teacher remuneration or incentives, increased oversight of public schools, support to restructure struggling or failing district schools, etc.?

Who Stole My Charter School Reform?

Even as the original goals for charter schools are largely ignored, charter schools fulfill other purposes.

- *Promote privatization of public school system*. Charter schools have provided an easy route for privatization; many states allow private schools to convert to public charter schools, and increasing the use of private education management organizations is increasingly being seen as the mode for expanding charter schools.

Today, one-third of the nation's charter schools are being operated by private education management organizations (EMOs) and this proportion is growing rapidly each year. In states such as Michigan, close to 80% of charter schools are operated by private for-profit EMOs. Claims regarding privatization remain rhetorical and unsupported by evidence. The recent economic crisis has shown that our economy requires greater public oversight and regulations, a finding that can be reasonably extended to markets in education.

- *Means of accelerating segregation of public schools while placing the “Private Good” ahead of the “Public Good.”* State evaluations find that charter schools seem to accelerate the re-segregation of public schools by race, class, and ability, instead of creating homogeneous learning communities based on particular learning styles or pedagogical approaches.

If privatization and accelerated segregation are not outcomes that the federal government wishes to achieve with charter schools, then it would be wise to consider how federal funding can be used to persuade states to revise their charter school reforms.

Federal and state policy makers need to revisit the goals and intended purpose of charter schools, clearly articulating values and anticipated outcomes.

Quality versus Quantity

Once dedicated to educational quality, today’s charter school movement is increasingly dominated by powerful advocates of market-based reform and privatization in public education.

As the federal government considers how it wishes to steer and develop charter schools, it would be wise to articulate a new—or renewed—vision for chartering that focuses on quality over quantity. Then, as US Department of Education wields its influence, it can persuade states to make revisions in their charter school laws that reflect those goals and values. Most importantly, such guidance should reward states that create successful charter schools, rather than states that simply expand the charter school market.

Finally, authorities need to move more aggressively to close poorly performing charter schools. This will strengthen charter reforms in four ways: lifting the aggregate results for charters that remain; sending a strong message to other charter schools that the autonomy-for-accountability tradeoff is real; redirecting media attention from a few scandal-ridden schools to successful schools; and opening up space for new, carefully vetted charters.

Although these suggestions may be seen as antagonistic by the charter school establishment, we believe they will help improve and strengthen such schools in the longer run. The charter school idea was to create better schools for all children, not to divide limited public resources across parallel systems that perform at similar levels and suffer from similar breaches in accountability. Rapid proliferation in the charter sector appears to be interfering with the original vision for the schools: to serve as a lever of change, spurring public schools to improve both by example and replication.

The only way to ensure quality may be to get off the expansion express. Rapid proliferation in the charter sector appears to be interfering with the original vision for the schools: to serve as a lever of change, spurring public schools to improve both by example and replication.

Charter schools can be returned to their original vision: to serve as a lever of change, spurring public schools to improve both by example and through competition. But if they are to do so, they must be better than traditional public schools, and they must be held accountable for their performance.