

## **AN ENDORSEMENT FOR CHARTER SCHOOL EDUCATION**

During his presidential campaign, President Barack Obama vowed to increase parent and student choice opportunities by creating more efficient and successful charter schools. Unlike his opponent, John McCain, President Obama rejects the notion of using vouchers as an alternative to the current public education system.<sup>1</sup> Now that he is in the position to make changes as our country's leader, it will be interesting to see what education policies President Obama will implement over the next few years. Hopefully, President Obama will continue his efforts to endorse charter schools because of their educational benefits. Charter schools are effective because they offer choices for parents and students, provide a method of accountability, promote community involvement, and improve the overall nature of the public school system.

### **What is a Charter School?**

A charter school is a “public school established under a contract between public authorities and a private organization or a group of private individuals.”<sup>2</sup> The State of Illinois statutorily defines a charter school as a “public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.”<sup>3</sup> Charter schools run independent of the public school system and are designed to tailor their programs to the needs of the community.<sup>4</sup> Although it varies from state to state, the types of entities generally allowed to authorize

charter schools are local school boards, state universities, community colleges and the state board of education.<sup>5</sup> In Illinois, a charter school may be established by converting an existing public school to a charter school or by simply creating a new school.<sup>6</sup>

Charter schools are held accountable for producing certain results that are set forth in the charter.<sup>7</sup> The contract term for most charter schools is 3 to 5 years; however, upon a successful performance-based assessment or evaluation, the entity granting the charter may renew the school's contract.<sup>8</sup> On the other hand, if the school fails to meet its standards, the entity has the right to revoke the charter and the school will be closed.<sup>9</sup>

Because each school sets out its own individual goals and mission statements, charter school laws vary from state to state. Despite this differentiation, each state charter law typically covers the following basic policy areas: charter development; school status; funding; student admissions; staffing and labor relations; instruction and curriculum; and accountability.<sup>10</sup>

### **History of the Charter School Movement**

This movement originated in the 1970s when Ray Budde suggested that the education system be re-structured.<sup>11</sup> Budde proposed that small groups of teachers be given contracts or charters from the school board to explore new teaching methods.<sup>12</sup> Expanding on Budde's idea, Albert Shanker, the former president of the American Federation of Teachers, began to publicize this notion of charter schools.<sup>13</sup> Finally, in 1991, Minnesota became the first state to enact a charter school law, and the first official charter school opened in 1992.<sup>14</sup> Today, there are now more than 4,300 charter schools operating throughout 40 states and Washington D.C.<sup>15</sup> These schools serve more than 1.2 million students.<sup>16</sup>

## **Educational Benefits of Charter Schools**

Generally, there are four aspects that most scholars and researchers agree on as to what constitutes a good school: (1) high quality teachers; (2) small class sizes; (3) involved parents and community; and (4) diversity.<sup>17</sup> Most mission statements of charter schools are designed to address each of these goals.

To begin with, the success of charter schools is largely based on the quality of such schools. During the beginning stages of the charter school movement, the quantity of schools that were opening each year was the key focus. Now, however, the movement is primarily devoted to producing schools with high quality. To ensure this level of high quality, charter schools are held accountable for the performance of its students.<sup>18</sup>

Charter schools are evaluated by how well they meet the goals established by their charter contract. If a school fails to meet its set standards, it will be closed.<sup>19</sup>

In exchange for being held accountable, teachers are allowed the freedom to act autonomously from the traditional public school system. More importantly, charter schools are designed to encourage innovative teaching practices. As such, this type of accountability definitely helps promote high quality teachers.<sup>20</sup>

As for the proponent of small class sizes, most charter schools are small schools. Specifically, the median enrollment of a charter school is 242 students compared to the 539 students in a traditional public school.<sup>21</sup> Teachers in charter schools are capable of giving more one-on-one attention to the students. Thus, because charter schools tend to have smaller class sizes, they can be considered as a good school.

Besides the high qualified teachers and small class sizes, charter schools are also educationally beneficial because they involve the parents and community. To begin with,

parents may prefer charter schools over traditional public schools because charter schools have the capability of extending their academic calendar. For example, charter schools may offer longer school days or longer term sessions.<sup>22</sup> Most importantly, charter schools offer parents a choice in the upbringing of their children's education. Parents advocate charter schools because they are specifically designed to tailor the needs of the community. It is true that the Court has held that there is no fundamental right to education.<sup>23</sup> However, since *Brown v. Board of Education*, the Court has recognized that "education is perhaps the most important function of state and local governments."<sup>24</sup> The primary purpose of charter schools is to ensure that every child has access to a quality education. Charter schools are devoted to reforming the education system. Because of the nature of autonomy, charters typically set higher academic standards than traditional public schools. Most traditional public schools will continue to operate despite how poorly they may perform. Charter schools, on the other hand, will be shut down if they perform poorly. As such, charter schools offer parents and students the choice of a quality education.<sup>25</sup>

Some critics fear that authorizers will be hesitant to close poor-performing charter schools because they may perceive that the alternatives are not much better. In other words, parents will support charter schools, even if they are unsuccessful, because they feel that their options are limited.<sup>26</sup> This is a valid criticism raised by opponents to charter schools. However, this type of criticism clearly exemplifies the significance of parental choice in the American education system. Parents have a high demand for quality education. In response to this anticipated opposition, advocates should not endorse failing charter schools. Instead, advocates of charter schools should emphasize

the need and importance of replacing poor-performing charter schools with a better alternative.<sup>27</sup> Charter schools should always provide the parents and students with options.

Besides increasing parental choice, charter schools also encourage community involvement. Charter schools typically encourage local businesses to help provide resources and services to the school and its families. In Illinois, for example, eighty percent of charter schools have parents, community members, teachers, and civic leaders on their boards of directors.<sup>28</sup> Additionally, many charter schools attempt to convert inner-city, economically declining ghettos into safer and productive neighborhoods. Furthermore, some charter schools operate to unite families in rural areas together.<sup>29</sup> As such, charter schools have a proven effect on the strength and safety of a community.

Last but not least, charter schools are educationally beneficial because they promote diversity. First, charter schools typically hire highly qualified teachers with diverse backgrounds and innovative and unique teaching methods. Besides the teachers, however, advocates also hope that charter schools will improve racial integration. Charter schools allow families to choose schools outside of their own neighborhoods where housing tends to be racially segregated.<sup>30</sup> In a study conducted by the RAND Corporation, which analyzed charter schools in 8 different states, there is some evidence that suggests that African-American students in Chicago are more likely to self segregate. In other words, African-American students transferring from traditional public schools specifically chose charter schools that had higher concentrations of African-American students.<sup>31</sup> In *Brown v. Board of Education*, the Court ruled that separate but equal facilities were unconstitutional.<sup>32</sup> This type of racial segregation in schools violated the

Equal Protection Clause of the Fourteenth Amendment.<sup>33</sup> The Court reasoned that this type of segregation had a detrimental effect on minority students.<sup>34</sup> As such, opponents of charter schools will criticize that this type of isolation is detrimental to minority students. Relying on *Brown v. Board of Education*, critics will attempt to deem charter schools as unconstitutional. However, this type of self segregation is not the usual statistical finding. According to the results from the RAND study, the integration effects of charter schools are actually very consistent across many states. When analyzing charter schools throughout the various states, the research from this study reveals that there is no real threat to substantial increases in racial isolation.<sup>35</sup> Thus, although some areas are an exception to the rule, most charter schools promote diversity by increasing racial integration.

### **Statistical Evidence in Support of Charter Schools**

In theory, charter schools sound great because they exhibit the same elements that are found in a good school. As discussed in the previous section, charter schools have highly qualified teachers, small class sizes, involved parents and community members, and are diverse. But, are charter schools actually effective in practice? Quite frankly, the diversity of charter schools within and across states makes it very difficult to answer this question. However, a recent study conducted by the National Alliance for Public Charter Schools concluded that the “existence of high quality charter schools and high growth rates for charter schools, at least in many states and studies, suggests that chartering holds promise as an approach to getting better schools. What we have is an experiment worth continuing—and refining.”<sup>36</sup>

Caroline Hoxby, a Harvard University Professor and Economist, conducted a study in 2004 that compared 4th grade students in charter schools with 4th graders in nearby public schools. The results indicated that charter school students are likely to be more proficient in reading and math.<sup>37</sup> Furthermore, the academic achievements are even more significant and greater in charter schools that are located in poverty-stricken or minority-based neighborhoods. This evidence suggests that charter schools are the most promising in areas that have the greatest need for educational reform.<sup>38</sup>

According to the 2008 National Charter School Policy Forum Report by the US Department of Education Office of Innovation and Improvement, charter schools have been very successful for low income families.<sup>39</sup> For example, the report cites to the statistics of Amistad Academy, a middle school charter school in New Haven, Connecticut. In this particular school, 84 percent of the students who are from low income families outscored other state public schools in both reading and math.<sup>40</sup> Additionally, the report also reveals that 100 percent of students in a New York charter school in the Bronx, which is also primarily composed of low-income families, scored proficient and/or above the state's math examination. The New York charter school clearly outperformed the other third and fourth graders in the public school district.<sup>41</sup>

Additionally, the National Alliance for Public Charter Schools created a Task Force to track the overall performance of charter schools. In a 2005 report entitled "Renewing the Compact", the Task Force alluded to many successful charter schools as support for continuing this type of education reform.<sup>42</sup> Specifically, the Task Force findings included the Northstar Academy in Newark, New Jersey. At this particular charter school, 91 percent of eight graders were proficient in the state's language arts

examination compared to only 37 percent of students in comparable public schools. More impressively, 100 percent of Northstar's first two graduating classes enrolled in college.<sup>43</sup> These statistics are phenomenal for any type of school.

Furthermore, in Chicago and throughout Florida, the RAND study concluded that transferring to a charter high school substantially increases the probability of graduating and enrolling in college.<sup>44</sup> The odds of graduating and going to college are at least 7 to 15 percentage points more if the student started to attend a charter school since middle-school.<sup>45</sup> The disparity of when one transfers to a charter school, whether it be at the middle school level or high school level, has nothing to do with the quality of the charter school. Students who enter charter schools at the middle school level have better odds at graduating and enrolling in college simply because the transition into high school is often difficult.<sup>46</sup> In Chicago, for example, charter schools that serve grades K-12, 6-12, or 7-12 tend to be more effective because they eliminated the school transition between middle school and high school.<sup>47</sup>

Charter schools are delivering strong academic results across the nation, but the impact is definitely displayed in Illinois. For example, 100 percent of Illinois' charter schools in 2004 earned average state test scores, which is higher than those of the public district schools their students otherwise would have attended.<sup>48</sup> Additionally, charter school students in Illinois also have a higher rate of advancement to college than their public school counterparts. Approximately 83 percent of charter high school graduates in Illinois are enrolled in post-secondary education.<sup>49</sup>



It may be useful to analyze the performance of two different charter schools in Chicago. The first school I would like to discuss is the Young Women's Leadership Charter School of Chicago (YWLCS). While some charter school programs focus on the basics such as reading and math, and others may specialize in the arts or music, YWLCS is a single-sex charter school dedicated to advancing the educational opportunities particularly for women of color. YWLCS' student population consists of 78 percent African American, 15 percent Latina, 6 percent Caucasian, 1 percent Asian, and 1 percent are mixed races. The students come from 30 different communities in Chicago. Furthermore, only one-third of the student population comes from the South Side neighborhood, where the school is actually located. The first graduating class, in 2004, had an 85 percent graduation rate. YWLCS graduates have been accepted to colleges and universities across the nation, 41 different schools in Illinois alone. Although it has only been operating since August 2000, YWLCS appears to be making significant progress.<sup>50</sup>

The other school profile that I would like to analyze is North Lawndale College Prep. This charter school opened its doors in 1998 and has been continuing to serve students in grades 9 through 12. The student population predominantly consists of 97 percent African Americans. Some critics would argue that this is too racially segregated. However, when you look at the overall performance of this school, the results are astonishing. For example, North Lawndale College Prep has retained a 95 percent attendance rate. Additionally, since 2002, all graduates have been accepted to at least one college or university. Furthermore, the number of applications to attend this charter

school is steadily increasing year after year. As such, this charter school appears to be providing better opportunities for minority students in poorer districts of Chicago.<sup>51</sup>

### **Confronting Criticism and Looking at the Future**

Because charter schools have open admission policies and do not charge tuition, many critics fear that charter schools will have an adverse affect on traditional public schools. According to the research from the RAND study, however, there is no systematic evidence to support the fear that charter schools are taking away the highest-achieving students from public schools. In fact, the results reveal that the prior test scores of students transferring into charter schools were near or below the local average in every geographic area that was included in the study.<sup>52</sup> Likewise, even though some may perceive that charter schools place pressure on the public school system as a whole, trends now indicate that these new charter schools serve as model schools. Faculty and staff from traditional public schools are now turning to charter schools for examples of new and effective teaching and administrative methods. Furthermore, instead of viewing charter schools as a nuisance, many advocates and members of traditional public schools now recognize the need for improvement and reform in the education system that charter schools seek to achieve.<sup>53</sup>

Most supporters of charter schools would agree with their critics that poor-performing charter schools should be shut down. Generally, many charter schools may not have immediate success because they are new. Like all new schools, the start-up period is often very difficult. Because the performance of charter schools varies from state to state, it is very difficult to determine an exact methodology of how to improve these schools. However, some scholars suggest that the effectiveness of charter schools

depends on the state's charter laws.<sup>54</sup> In an effort to establish more qualified charter schools, President Obama is asking states to amend their charter laws by doubling funds and removing their caps on charter schools. In a March 2009 speech to the U.S. Hispanic Chamber of Commerce, President Obama stated: "I call on states to reform their charter rules, and lift caps on the number of allowable charter schools, wherever such caps are in place."<sup>55</sup>

### **Conclusion**

Most charter schools are excelling because they are adopting the methods and practices used by traditionally good schools. Charter schools are highly qualified schools that are tailored to the particular needs of a community. Most importantly, however, charter schools provide families with options. Charter schools provide families, especially in low-income and minority-based areas, the opportunity to obtain a high quality education.

Research studies show that most charter schools have a positive effect on the education system. Compared to the statewide levels, students at charter schools across the nation are excelling in the academic arena. For charter schools that are failing, many supporters suggest that they be shut down. Accountability is a huge factor of what makes charter schools distinct from traditional public schools. If the experimental methods being used by a charter school are not producing successful outcomes, then there is no need to continue to fund such a school. Statistics reveal, however, that effective charter schools are producing extraordinary results. In response to this statistical evidence, legislatures ought to remove caps and increase funds for the promotion of more qualified, charter schools.

## Endnotes

- 
- <sup>1</sup> Organizing for America, <http://www.barackobama.com/issues/education> (last visited May 12, 2009).
  - <sup>2</sup> Robin Cheryl Miller, *Validity, Construction, and Application of Statute or Regulation Governing Charter Schools*, 78 A.L.R.5<sup>th</sup> 533 (2000).
  - <sup>3</sup> 105 Ill. Comp. Stat 5/27A-5 (2005).
  - <sup>4</sup> US Charter Schools, <http://www.uscharterschools.org> (last visited May 8, 2009).
  - <sup>5</sup> US Charter Schools, <http://www.uscharterschools.org> (last visited May 8, 2009).
  - <sup>6</sup> 105 Ill. Comp. Stat 5/27A-5 (2005).
  - <sup>7</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
  - <sup>8</sup> US Charter Schools, <http://www.uscharterschools.org> (last visited May 8, 2009).
  - <sup>9</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
  - <sup>10</sup> US Charter Schools, <http://www.uscharterschools.org> (last visited May 8, 2009).
  - <sup>11</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
  - <sup>12</sup> US Charter Schools, <http://www.uscharterschools.org> (last visited May 8, 2009).
  - <sup>13</sup> US Charter Schools, <http://www.uscharterschools.org> (last visited May 8, 2009).
  - <sup>14</sup> U.S. Department of Education, A Commitment to Quality: National Charter School Policy Forum Report (October 2008) *available at* <http://www.ed.gov/admins/comm/choice/csforum/report.pdf>
  - <sup>15</sup> U.S. Department of Education, A Commitment to Quality: National Charter School Policy Forum Report (October 2008) *available at* <http://www.ed.gov/admins/comm/choice/csforum/report.pdf>
  - <sup>16</sup> U.S. Department of Education, A Commitment to Quality: National Charter School Policy Forum Report (October 2008) *available at* <http://www.ed.gov/admins/comm/choice/csforum/report.pdf>

- 
- <sup>17</sup> Michael J. Kaufman, J.D. & Sherelyn R. Kaufman, J.D., *Education Law, Policy, and Practice: Cases and Materials*, 3–4, (First Edition Aspen 2005).
- <sup>18</sup> National Alliance for Public Charter Schools, <http://www.publiccharters.org/issues/qualitycharter> (last visited May 10, 2009).
- <sup>19</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
- <sup>20</sup> US Charter Schools, <http://www.uscharterschools.org> (last visited May 8, 2009).
- <sup>21</sup> US Charter Schools, <http://www.uscharterschools.org> (last visited May 8, 2009).
- <sup>22</sup> Illinois Network of Charter Schools, <http://www.incschools.org> (last visited May 8, 2009).
- <sup>23</sup> *San Antonio Independent School District v. Rodriguez*, 411 U.S. 1, 35 (1973).
- <sup>24</sup> *Brown v. Board of Ed. Of Topeka, Shawnee County, Kan*, 347 U.S. 483, 493 (1954).
- <sup>25</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
- <sup>26</sup> U.S. Department of Education, *A Commitment to Quality: National Charter School Policy Forum Report (October 2008)* available at <http://www.ed.gov/admins/comm/choice/csforum/report.pdf>
- <sup>27</sup> *Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009)* available at [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)
- <sup>28</sup> Illinois Network of Charter Schools, <http://www.incschools.org> (last visited May 8, 2009).
- <sup>29</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
- <sup>30</sup> *Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009)* available at [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)
- <sup>31</sup> *Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009)* available at [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)

- 
- <sup>32</sup> *Brown v. Board of Ed. Of Topeka, Shawnee County, Kan*, 347 U.S. 483, 493 (1954).
- <sup>33</sup> *Brown v. Board of Ed. Of Topeka, Shawnee County, Kan*, 347 U.S. 483, 493 (1954).
- <sup>34</sup> *Brown v. Board of Ed. Of Topeka, Shawnee County, Kan*, 347 U.S. 483, 493 (1954).
- <sup>35</sup> Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009) available at [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)
- <sup>36</sup> National Alliance for Public Charter Schools, <http://www.publiccharters.org/issues/qualitycharter> (last visited May 10, 2009).
- <sup>37</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
- <sup>38</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
- <sup>39</sup> U.S. Department of Education, A Commitment to Quality: National Charter School Policy Forum Report (October 2008) available at <http://www.ed.gov/admins/comm/choice/csforum/report.pdf>
- <sup>40</sup> U.S. Department of Education, A Commitment to Quality: National Charter School Policy Forum Report (October 2008) available at <http://www.ed.gov/admins/comm/choice/csforum/report.pdf>
- <sup>41</sup> U.S. Department of Education, A Commitment to Quality: National Charter School Policy Forum Report (October 2008) available at <http://www.ed.gov/admins/comm/choice/csforum/report.pdf>
- <sup>42</sup> National Alliance for Public Charter Schools, <http://www.publiccharters.org/issues/qualitycharter> (last visited May 10, 2009).
- <sup>43</sup> National Alliance for Public Charter Schools, <http://www.publiccharters.org/issues/qualitycharter> (last visited May 10, 2009).
- <sup>44</sup> Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009) available at [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)
- <sup>45</sup> Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009) available at [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)

- 
- <sup>46</sup> Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009) *available at* [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)
- <sup>47</sup> Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009) *available at* [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)
- <sup>48</sup> Illinois Network of Charter Schools, <http://www.incschools.org> (last visited May 8, 2009).
- <sup>49</sup> Illinois Network of Charter Schools, <http://www.incschools.org> (last visited May 8, 2009).
- <sup>50</sup> Young Women's Leadership Charter School of Chicago, <http://www.ywlc.org/toppages/ywlcsglance.html> (last visited May 13, 2009).
- <sup>51</sup> North Lawndale College Prep, <http://www.nlcphs.org/index.htm> (last visited May 13, 2009).
- <sup>52</sup> Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009) *available at* [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)
- <sup>53</sup> The Center for Education Reform, <http://www.edreform.com> (last visited May 10, 2009).
- <sup>54</sup> Charter Schools in Eight States: Effects on Achievement, Attainment, Integration and Competition (2009) *available at* [http://www.rand.org/pubs/monographs/2009/RAND\\_MG869.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG869.pdf)
- <sup>55</sup> President Barack Obama, Remarks to the U.S. Hispanic Chamber of Commerce (March 10, 2009).