

Chicago's Failed Charter School Experiment

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Introduction

As of December 2014, approximately 2.5 million children across the United States attend charter schools¹. In the city of Chicago alone, approximately 48,700 Chicago Public School students attend a charter school. Charter schools are highly desired compared to traditional public schools and are typically extolled for claiming to improve the public education system through higher student performance levels. Since charter schools provide an alternative to traditional public schools that claim to outperform and in turn “fix” the current public education system, has the increase in charter schools in Chicago actually helped Chicago Public Schools? While charter schools are often seen as a better option than traditional public schools, Chicago charter schools have not helped the Chicago Public School district since they have not resulted in higher performance rates; they have displaced students, and have exacerbated the district’s budget deficit.

What is a Charter School?

Charter schools are publicly funded schools that are privately managed by a

¹ Choice and Charter Schools: Facts, The Center for Education Reform, available at <https://www.edreform.com/issues/choice-charter-schools/facts/>

group or organization under a charter with the state². The “charter” is a performance contract that details the charter school’s mission, program, students served, performance goals, and other methods of assessment³. In addition to laying out the school’s mission and goals, the charter also exempts schools from certain state or local rules and regulations⁴. By being exempt from certain state or local regulations, charter schools have a greater flexibility to operate⁵. As a result of the flexibility and autonomy that charter schools receive, a charter school must meet the standards stated in its charter. A school’s charter is reviewed about every three to five years, and if the school fails to meet the standards of the charter the state or local board that reviews it may revoke its charter for failing to comply with the terms of the agreement⁶.

Charter schools were first created in in Minnesota in 1992 after the passage of a charter school law in 1991⁷. Charter schools were created with the focus and purpose to create more flexibility for innovation within the public education

²The State of Charter Schools: What We Know – and What We Do Not – About Performance and Accountability, The Center for Education Reform (December 2011), available at https://www.edreform.com/wp-content/uploads/2011/12/StateOfCharterSchools_CER_Dec2011-Web-1.pdf.

³ Frequently Asked Questions About Public, Charter Schools, Uncommon Schools, available at <http://www.uncommonschools.org/faq-what-is-charter-school>.

⁴ . Fast Facts: Charter Schools, National Center for Education Statistics, available at. <http://nces.ed.gov/fastfacts/display.asp?id=30>.

⁵ Achievement and Attainment in Chicago Charter Schools, Kevin Booker, Brian Gill, Ron Zimmer, Tim R. Sass (2009), available at http://www.rand.org/content/dam/rand/pubs/technical_reports/2009/RAND_TR585-1.pdf.

⁶ Fast Facts, NCES.

⁷ The State of Charter Schools, The Center for Education Reform.

system⁸. Since the first charter school was opened in Minnesota, approximately 6,700 charter schools have opened in forty-two states and the District of Columbia⁹. There are two types of charter schools, “startup” and “conversion” schools. Startup charter schools are newly created schools that could both be created and based in the community that it serves or managed by for-profit or non-profit charter management chains¹⁰. By contrast, conversion charter schools were previously traditional public schools that applied for and secured a charter status. Although some conversion charter schools applied for charter status on their own initiative, many were converted into charter schools as a result of consistently being on federal or state “needs improvement” watch lists¹¹.

While the number of charter schools opened and the students which attend these schools has grown exponentially in the past twenty-three years, there is still a debate concerning whether charter schools actually create more flexibility for innovation and if they are a benefit to the public education system of the United States. Some of the criticisms of charter schools stem from the significant differences they have in operation compared to traditional public schools. Charter schools typically hire younger and less experienced teachers, have less transparency than traditional public schools, are managed by for profit or non-profit charter chains with little connection to the areas which they serve, and typically have

⁸ Id.

⁹ Fast Facts, NCES

¹⁰ Charter Schools: Proceed Deliberately, Monitor Diligently and Learn What Can be Scaled Up, National Education Association, available at http://www.nea.org/assets/docs/HE/mf_PB17_CharterSchools.pdf.

¹¹ Id.

higher teacher turnover rates¹².

The strongest criticism toward charter schools stems from measurements of student achievement. Most of the research concerning student achievement in charter schools varies widely. For example, a study published by the Center for Research on Education Outcomes in 2009, that compared students in traditional public schools to their “virtual twin” in charter schools, found that a majority of charter schools were doing worse than or as well as traditional public schools¹³. Yet a study published by the Center for Research on Education Outcomes in 2015, found that urban charter schools showed significantly higher levels of annual growth in math and reading when compared to peers who attend traditional public schools¹⁴. Additionally, a 2012 study by the National Assessment Governing Board found that nationwide traditional public schools obtain higher National Assessment of Educational Progress scores than charter schools¹⁵. Yet, the same study found that while charter schools scored lower than traditional public schools nationwide, when focusing on schools in urban areas charter schools actually scored higher than

¹² Charter Schools 101, National Education Association , available at <http://www.nea.org/home/60831.htm>.

¹³ The State of Charter Schools, The Center for Education Reform.

¹⁴ Urban Charter School Study Report on 41 Regions, Center for Research on Education Outcomes (2015), available at <http://urbancharters.stanford.edu/download/Urban%20Charter%20School%20Study%20Report%20on%2041%20Regions.pdf>.

¹⁵ Who Attends Charter Schools and How Are Those Students Doing?, Naomi Chudowsky and Alan Ginsburg (December 2012), available at <http://www.nagb.org/content/nagb/assets/documents/what-we-do/quarterly-board-meeting-materials/2012-11/charter-schools-naep-data-analysis.pdf>.

traditional public schools¹⁶. Due to the conflicting and varied research concerning student assessment in charter schools, it is difficult to determine whether charter schools are actually fulfilling their goal to create innovation in the public education system while also changing the public education system for the better.

Charter Schools in Chicago

Chicago charter schools were established after Illinois passed the Charter Schools Law in 1996. The law authorizing charter schools in the state of Illinois defines a charter school as a “public, nonsectarian, nonreligious, non-home based and non-profit school”¹⁷. Additionally the statute states, “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”¹⁸. Creating a new school or converting an existing public school into a charter school may establish charter schools in Illinois¹⁹.

After the Charter Schools Law first passed in 1996, fifteen charter schools were created in Chicago. Since the passage of the Charter Schools Law, charter schools in the city of Chicago have grown to a total of 131 charter schools as of the school year that started in August of 2014²⁰. The growth in the number of charter schools has in turn led to more students attending charter schools than before. In 2013 approximately 48,700 Chicago students were enrolled in charter schools, or a

¹⁶ Id.

¹⁷ 105 ILCS 5/27A-5(a)

¹⁸ Id.

¹⁹ 105 ILCS 5/27A-5(b)

²⁰ Stats and Facts, Chicago Public Schools, available at http://cps.edu/About_CPS/At-a-glance/Pages/Stats_and_facts.aspx.

representation of twelve percent of public school enrollment²¹. The high growth rates of Chicago charter schools can be attributed to the programs launched by the City of Chicago and Chicago Public Schools. Renaissance 2010 was an initiative designed to create more high quality education options in Chicago that was announced in June of 2004 by former Mayor Richard Daley. The goal of the Renaissance 2010 initiative is to create 100 new schools in Chicago, 32 of which will be charter schools²². Of the students who make up the demography of Chicago charter schools, the vast majority are either African American or Hispanic students. The combined groups account for ninety-six percent of student enrollment in Chicago charter schools²³. Additionally, approximately ninety-two percent of students in Chicago charter schools come from lower income households²⁴.

The Case Against Charter Schools in Chicago

I. Charter Schools Have Not Improved Chicago's Public School System

Research on the assessment rates of student achievement in Chicago charter schools has varied from positive to negative, much like research conducted on charter schools nationwide. Yet the most recent statistics and research conducted on Chicago's charter schools notes that they do not measure up to traditional public

²¹ Charter Schools in Chicago: No Model for Education Reform, Institute of Metropolitan Opportunity – University of Minnesota Law School (October 2014), available at <http://www.law.umn.edu/uploads/77/fd/77fd345c608a24b997752aba3f30f072/Chicago-Charter-FINAL.pdf>.

²² Achievement and Attainment in Chicago Charter Schools.

²³ *Id.*

²⁴ About Charters: FAQ, Illinois Network of Charter Schools, available at <https://www.incschools.org/about-charters/faq/>.

schools. A 2013 study by Chicagoland Researchers and Advocates for Transformative Education, which used Chicago Public School's own data, found that an average charter school performs ten percentile points below a traditional public school that is comparable to the charter school on reading test scores²⁵.

Additionally they also found that charter schools also perform twelve percentile points below on reading and two percentile points below on math compared to their traditional public school counterparts²⁶.

Another study by the University of Minnesota Law School also found that Chicago charters schools underperform traditional public schools. The study notes that Chicago charter schools on average score lower than traditional Chicago public schools. The study notes that traditional public schools have improved their scores in reading and as a result are not outperforming charter schools²⁷. Ultimately, the University of Minnesota Law School's analysis on Chicago charters schools found that charters schools consistently underperform when compared to traditional public schools in reading and math pass rates, reading and math growth rates, and graduation rates²⁸.

While the creation of charters schools in Chicago continues to grow at a rapid rate, studies have not shown evidence that students who attend charter schools

²⁵ CREATE Research Brief on School Closures, Chicagoland Researchers and Advocates for Transformative Education (March 2013), available at <https://www.dropbox.com/s/tq7l2v9x47gkajo/CREATE%20Research%20Brief%20%235%20School%20Closures%20March%202013.pdf>.

²⁶ Id.

²⁷ Charter Schools in Chicago: No Model for Education Reform.

²⁸ Id.

perform better than students at traditional public schools. In fact, studies have shown that charter schools have underperformed traditional public schools in Chicago, ultimately going against the assumption advocates of charter schools proclaim that charter schools out perform traditional public schools. As a result of scoring lower than traditional Chicago public schools, Chicago charter schools have not improved Chicago's education and school system but have perhaps weakened it.

II. Charter Schools are Exclusionary and Displace Students

In addition to underperforming when compared to traditional public schools, Chicago charter schools have been noted to be exclusionary and to result in the displacement of students. While the Chicago Public Schools district has consistently denied it, many school closures have been linked to the opening or "conversion" of the closed schools into charter schools. The relationship between school closures and the expansion of the charter school system can be seen in the fact that there is a strong local trend of converting closed public schools into charter schools since approximately forty percent of closed public schools have been converted into private charter schools²⁹ In May of 2013 the Chicago Board of Education voted to close forty seven "underutilized" schools³⁰. Chicago Public Schools defines "underutilized" schools to be those in which enrollment is below

²⁹ CREATE Research Brief on School Closures.

³⁰ School Closings in Chicago: Understanding Families' Choices and Constraints for New School Enrollment, Marissa de la Torre, Molly F. Gordon, Paul Moore, and Jennirer Cowhy (January 2015), available at <https://ccsr.uchicago.edu/sites/default/files/publications/School%20Closings%20Report.pdf>.

eighty percent of its capacity³¹.

By closing schools and converting them into charter schools, students that previously attended the neighborhood school that was considered “underutilized” and as a result closed are now displaced and must find a new school to attend. In order to attend a charter school in Chicago a student must apply and be accepted. Yet many times even if the student is accepted as a result of there being more applicants than there are spaces open in a charter school, students who previously attended the neighborhood school that has now become a charter school end up being displaced. As a result of Chicago Public School’s closures approximately 12,700 students have ended up displaced and in turn need to find a replacement school³². In order for these students to be accepted at the charter schools that may take over their neighborhood school, many times students must enter a “lottery” to obtain a seat at the charter school. Additionally, many of the schools which are deemed to be “underutilized” are typically located in predominantly African American communities, ultimately disproportionately affecting African American students. The conversion of traditional public schools into charter schools as a result of deeming neighborhood schools “underutilized” harms the predominantly African American and Latino/a communities the neighborhood schools previously catered to. While charter schools lead to the displacement of students, they also

³¹ Id.

³² In Chicago and Philadelphia, Closing Schools and Funding Charters, Samantha Winslow (September 20, 2013), available at <http://www.labornotes.org/2013/09/chicago-and-philadelphia-closing-schools-and-funding-charters>.

lead to the displacement of students as a result of their selective and exclusionary practices. Studies have found that charter schools enroll fewer students with disabilities as well as enrolling fewer students who are English language learners³³. The selectivity aspects of charter schools lead to further displacement of students whose neighborhood schools were deemed to be “underutilized”. Ultimately, by stating that schools are “underutilized” and converting these traditional public schools into charter schools, the Chicago Public Schools district is harming students in Chicago.

III. Charter Schools Have Exacerbated Chicago Public School’s Deficit

As of the 2014 fiscal year, Chicago Public Schools are facing a one billion dollar budget deficit. Chicago Public Schools claim that the deficit is driven by a four hundred million dollar pension payment increase³⁴. As previously stated, in an effort to save money Chicago Public Schools have closed neighborhood schools they deem to be underutilized. While Chicago Public Schools closed down “underutilized” schools in an effort to save money, they have increased the amount of annual spending on charter schools by 624 percent from 2004 to 2012³⁵. The annual spending allocated for charter schools in the fiscal year 2013 was \$380, 617,

³³ The Black and White of Education in Chicago’s Public Schools - Class, Charters & Chaos: A Hard Look at Privatization Schemes Masquerading as Education Policy.

³⁴ Chicago Public Schools Fiscal year 2014 Budget, Chicago Public Schools, available at <http://cps.edu/finance/FY14Budget/Pages/Budget.aspx>.

³⁵ The Black and White of Education in Chicago’s Public Schools - Class, Charters & Chaos: A Hard Look at Privatization Schemes Masquerading as Education Policy, Carol Caref, Sarah Hains, Kurt Hilgendorf, Pavlyn Jankov, and Kevin Russell (2012), available at <http://www.ctunet.com/quest-center/research/black-and-white-of-chicago-education.pdf>.

865³⁶. Even though research into Chicago's charter schools has shown the majority of schools fail to perform at the same level or better than neighborhood schools while also limiting the amount of students they can serve, the amount of money that is spent on charter schools shows that Chicago Public Schools strongly supports this failed experiment.

If Chicago charter schools could perform better than traditional public schools or saved the district money, then there may be a case for the continuation of charter schools. Since charter schools are publicly funded schools that are managed by private groups an assumption may be that they receive private funds, yet this is rarely true and is commonly not the case for Chicago charter schools. Chicago charter organizations are currently compensated approximately 75% of the schools' operational costs³⁷. Additionally, charter schools fail to save Chicago Public Schools money and may even exacerbate their deficit because many charter schools lease their school buildings from the district for as little as one dollar³⁸. By leasing school buildings, which were often closed as a way to save money because they were underutilized, for only one dollar to privately owned charter schools, Chicago Public Schools are losing more money and increasing the budget deficit. Since Chicago Public Schools have plans to continue expanding the district's charter program while continuing to compensate a majority of the costs and renting out buildings for

³⁶ Chicago Public Schools Budget Tool, Chicago Public Schools, available at <http://cps.edu/FY13Budget/Documents/BudgetChoices.html>.

³⁷ The Black and White of Education in Chicago's Public Schools - Class, Charters & Chaos: A Hard Look at Privatization Schemes Masquerading as Education Policy.

³⁸ CRaTE Research Brief on School Closures.

next to nothing to these private charters, the district can expect to continue to grow their billion dollar deficit without seeing positive changes to Chicago's public education system.

Conclusion

Charter schools in Chicago have not succeeded in changing Chicago Public Schools for the better. Since they do not perform on par with neighborhood schools, are exclusionary, displace students from neighborhood schools, as well as contribute highly to the budget deficit, Chicago Public Schools and the Chicago Board of Education should reconsider and change the charter school program. In order to change the landscape of Chicago's public education for the better, charter schools must show improvement to prove their benefits.