

## CHARTER SCHOOLS

Charter schools are independent public schools, which do not have to comply with most government regulations imposed on other schools in the public system. Charter schools are created by groups of parents, teachers, community leaders, and administrators and are held accountable for their results through a performance based contract with a local school board or state. Charter schools provide more choices for families by allowing them to decide which public school their children will attend. President Clinton has long been an advocate of innovative solutions such as Charter Schools and under his leadership as Governor, Arkansas was one of the first states to promote public school choice.

The reauthorization of the Elementary and Secondary Education Act (Improving America's Schools Act-IPSA), which the President signed into law in October of 1994, reflects his belief that "parent and student choice among public schools can assist in promoting comprehensive educational reform and give more students the opportunity to learn to challenging state content standards and challenging state student performance standards, if sufficiently diverse and high-quality choices, and genuine opportunities to take advantage of such choice are available to students." IPSA legislation provides FY 1995 funding - charter schools start-up grant program - which will be awarded to 12 sites this month.

Since 1991, 20 states have enacted laws permitting the establishment of charter, or independent public schools. About 110 charter schools have opened their doors in seven states: California, Minnesota, Michigan, Colorado, New Mexico, Wisconsin, and Massachusetts. More than 100 other schools have received charters and plan to begin operation by next year. State charter laws differ significantly from one another, but they all charter schools have some features in common -- charter schools are:

**Public Schools.** Charters do not charge tuition, they are non-sectarian, they abide by health, safety, and civil rights laws, and they are accountable to public authorities.

**Independent And Relatively Autonomous.** Charter schools operate independently from school districts, and are free from most education rules and regulations. They are given much more decision-making authority than other public schools but the degree of autonomy varies considerably from state to state.

**Accountable For Results.** Charter schools are accountable for results and a charter will only be renewed if the school meets performance standards as outlined in its contract.

**Create Alternatives And Choice For Teachers, Parents, And Students Within The Public School System.** In many states charters are designed and managed by teachers, parents, non-profits, or other private organizations.

Other federal funds, including those provided under Goals 2000 and School-to-Work, may be used by states and communities to support charter schools. Massachusetts and Michigan, for example, are already using Goals 2000 funds to support the development of charter schools. In addition, U.S. Secretary of Education Richard Riley has been asked by President Clinton to use broad waiver authority to provide maximum flexibility in the use of federal funds to help charter schools ad to tailor the use of federal program resources to those needs.

President Clinton's 1996 budget request for charter schools was \$20 million. The U.S. House of Representatives action provides \$6 million and the Senate Appropriations Committee would grant \$10 million. The first grants to be awarded under the charter schools start-up grant program -- the only direct support from the Federal Government exclusively to charter schools include grants to California, Texas, Colorado, Minnesota, Michigan, Louisiana, Georgia, Arizona and Massachusetts.

Letters on Partial Birth Abortion

Cardinal Bernardin  
Cardinal Hickey  
Cardinal Law  
Cardinal Mahoney

Ms. Kate Britton  
Rev. Anthony Campolo  
Amb. Raymond Flynn  
Rev. Jim Henry  
Mr. Herb Hollinger  
Rev. Rex Horne, Jr.  
Rev. Bill Hybels  
Rev. Fred Kammer  
Rev. Gordon MacDonald  
Mr. Greg Warner

Mr. Don Argue  
Rev. Anthony Mangun

## Accelerating Education Reform -- Sparking the Creation of 3,000 Public Charter Schools

*"I challenge every state to give all parents the right to choose which public school their children will attend; and to let teachers form new schools with a charter they can keep only if they do a good job."*

President William Clinton  
State of the Union  
January 23, 1996

In the State of the Union Address, the President called for states to support public school choice and the development of charter schools -- public schools custom-made to meet local needs and raise academic standards. The President is now unveiling a new initiative to help parents, teachers, and community leaders create 3,000 charter schools across the nation, dramatically expanding choice and accountability in public education. He is also calling for broad partnerships to support high-quality charter schools, and for states and school districts to help charter schools show how the principles of flexibility, accountability for performance, and parental and community involvement can help enable children reach high academic standards.

### The President's Initiative:

The President will seek a dramatic expansion of the federal charter schools start-up program, providing venture capital for 3,000 charter schools over five years. This venture capital, \$40 million in FY 97 and more in subsequent years, will support parents, teachers, and community groups in planning, designing, and launching charter schools. A recent independent study identified lack of access to start-up funds as the most significant obstacle to the success of charter schools.

The President is calling on parents, teachers, businesses, universities, museums other non-profit and community organizations, to become partners in developing additional charter schools. Charter schools tend to be small, and thrive on active parental and community involvement. 90% of surveyed charter schools report that parents were involved in the design of the school.

### Charter Schools and Accelerating Education Reform

A long-time supporter of public school choice and charter schools, President Clinton believes that every parent should have the chance to send their children to a school that provides a high-quality education. Therefore, he is urging states and school districts to ensure that parents and teachers who don't believe their public school is meeting high standards -- or their own expectations for how their children ought to be taught -- can send their child to another public school and even apply for a charter to custom-make a new public charter school.

The charter schools movement is young but growing. Twenty-one states have enacted laws allowing the establishment of charter schools (nine in the past year alone), and bills are pending in a number of other state legislatures. Providing real choices within public education depends on every state enacting strong charter school laws, permitting the establishment of independent public charter schools. Once state laws are enacted, the real work is left to parents, educators and community leaders -- including from businesses, universities, museums and other non-profit organizations -- who can work together to develop charter schools.

Begun with Minnesota's enactment of the nation's first charter school law in 1991, the charter school movement has grown to include hundreds of schools. Most charter schools in operation are in six states with strong charter school laws: California, Minnesota, Colorado, Michigan, Arizona, and Massachusetts. "Strong" laws matter because they produce charter schools. Strong laws provide real autonomy and ensure that charter schools remain public -- non-sectarian and open to all students without tuition.

State charter laws differ significantly from one another, but all charter schools have some features in common -- charter schools:

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- . **Offer Alternatives And Choice For Teachers, Parents, And Students Within The Public School System.** Created and managed by parents, educators, and others, charter schools provide more choices for families and more opportunities for public-spirited entrepreneurialism in education. While charter schools may be either new or converted from an existing public school, most tend to be small and emphasize sustained relationships between children and caring adults.
- . **Are Independent And Relatively Autonomous.** Charter schools operate independently from school districts, and are free from most education rules and regulations. Charter schools are given much more decision-making authority than other public schools but the degree of autonomy varies considerably from state to state.
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alone), and bills are pending in a number of other state legislatures. Providing real choices within public education depends on every state enacting strong charter school laws, permitting the establishment of independent public charter schools. Once state laws are enacted, the real work is left to parents, educators and community leaders -- including from businesses, universities, museums and other non-profit organizations -- who can work together to develop charter schools.

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President Clinton is proposing a substantial increase in federal start-up funds to help parents, educators, and others create 3,000 charter schools over five years. This will address a critical need, as lack of access to start-up funds has been

identified as the largest barrier to the development of charter schools. The federal charter school start-up program was proposed by the Clinton Administration in 1993, and enacted by Congress in 1994. In its first year, Congress provided \$6 million for the program, and the Clinton Administration awarded grants to help start charter schools in 11 states. President Clinton requested \$20 million in FY 96.

Charter schools expand choice in education for families, providing options for people dissatisfied with public schools. They can strengthen community and parental involvement in education, and support innovative ways to help children learn. Charter schools provide dramatic flexibility in exchange for accountability for achievement and results. They continue to operate only if they meet performance benchmarks established in a contract, and if they attract students and families to the school. Where school districts don't meet local demands for high standards (or for safe and disciplined learning environments, effective use of technology, and other needs) charter schools can be developed to better address parental expectations. Finally, the presence -- or even the possibility -- of charter schools can create competitive pressure on school districts to accelerate their own reform efforts.

## **NEA STATEMENT ON CHARTER SCHOOLS**

NEA supports education reform mechanisms within the public schools that promote rigorous learning standards, decentralized and shared decision making, diverse educational offerings, and the removal of onerous administrative requirements. NEA believes that such reform has the greatest possibility of taking root when it is initiated and nurtured at the local level — not imposed from above.

Charter schools can become change agents within public school systems by charting new and creative ways of teaching and learning. Or they can allow unprepared people to start schools and undermine education. Whether charter schools are a positive or negative force depends on how state charter laws are written and applied.

The variety of charter proposals under debate militates against one simple definition of a charter school. In fact, the nomenclature is less important than clarity on the requisite charter school attributes. At the 1993 Representative Assembly, the NEA delegates considered and passed a resolution (printed on the next page) establishing the Association's position on charter schools. The resolution sets forth a framework to ensure that charter schools will be consistent with this country's commitment to free and universal public education with equality of educational opportunity for all. Charter school plans must meet the following conditions:

- No negative impact on the regular public school program
- No diversion of current funds from public schools
- Voluntary staff and student assignment to charter schools
- Direct involvement of all affected school employees in the charter school's design, implementation, and governance
- Adequate safeguards covering contract and employment provisions for all employees
- Appropriate procedures for assessment and evaluation at preestablished periods within the term of the charter
- Licensed professional staff
- Health and safety standards for all students and employees
- Nondiscrimination and equal educational opportunities
- Adequate safeguards to ensure fiscal accountability
- Adequate and equitable funding, including start-up monies
- Equitable procedures on student admission and retention
- Appropriate safeguards to ensure against racial and ethnic segregation



## **Resolution A 26. Charter Schools**

The National Education Association supports innovation in public education. The Association believes that when concepts such as charter schools or other nontraditional school options are proposed, all school employees must be directly involved in the design, implementation, and governance of these programs.

The Association further believes that plans should not negatively impact the regular school program and must include adequate safeguards covering contract and employment provisions for all employees, voluntary participation, health and safety standards for all students and employees, nondiscrimination and equal educational opportunity, staffing by licensed professional staff, and financial responsibility. Programs must be adequately funded, must include start-up monies, must not divert current funds from the regular public school programs, and must contain appropriate procedures for regular periodic assessment and evaluation. (93)

## **New Business Item 1994-90. Counseling and Other Student Services**

In the event that public chartered schools are implemented --

- The National Education Association will advocate and support the hiring of licensed/certified counseling personnel.
- NEA will actively support efforts to require the presence of all vital student services.



## Looking at Charter School Legislation

In order to achieve the goal of public and properly structured charter schools, the American Federation of Teachers thinks that the underlying legislation has to make clear that any charter schools;

- be tuition free;

Access to charter schools should not be limited to those who can afford to pay fees. If charter schools are to receive public funds, then all students must have the opportunity to attend.

- specifically exclude private schools "converting" to public schools;

Charter school legislation must specifically exclude private schools from receiving charter status while maintaining an exclusive attendance policy, promoting a religious viewpoint or discriminating against students based on race, ethnicity or gender. Using charter schools to fund private schools is not an appropriate use of public moneys.

- be open to all appropriate applicants, including students with special needs;

Charter schools, if they are to be truly public, cannot refuse to serve students based on the special need or disability of the student or any other reason that would not apply in other public schools. Just as local schools must provide an appropriate education for these children, so must the chartered school..

- be accountable to the public;

While many states require charter schools to report annually to the parents of students attending the school, there is a responsibility to the public to report the expenditure of funds and the administration of programs. The Edutrain charter school in Los Angeles, whose charter was recently revoked, is an example of how public oversight is essential in protecting both the students and the public from financial and educational irresponsibility. After two years of operations, it was discovered that funds were diverted to the personal use of staff, and students were not enrolled in any academic classes. Because the school was subject to annual review by the school system, the conditions were discovered and the charter revoked.

- use the same standards that apply to all other public schools

The American Federation of Teachers believes that all schools must adopt high academic and conduct standards for students. States across the country are working to implement Goals 2000 as a way of addressing the need to revise curriculum and assessments. Schools and states are adopting standards of behavior that are conducive to a sound learning environment. Charters schools must also adopt those standards.

- use the same tests as other public schools, and make the results publicly available;

All schools should be subject to the same testing requirements of the state and school district. Charter schools should not be exempted from complying with testing programs that allow comparisons to be made. Charter schools should not have different requirements.

- operate on the same per-pupil dollar amount as other public schools;

No special financial considerations should be given to the funding of charter schools. The per-pupil expenditures should be the same, with individual students with special programmatic needs receiving the same dollar amount as they would have received in the regular school system. For the purposes of receiving federal funding, Title I and IDEA for example, charter schools should receive funds in the same fashion as private schools.

- include the right of employees to bargain collectively;

Unions across the country have adopted different bargaining strategies designed to assist reform efforts in school districts. These include allowances for waivers of contract provisions, and the application of special contract clauses designed to meet the needs of special programs. Developing new models of collective bargaining will not be encouraged by a return to eliminating the rights of employees to bargain collectively. Placing charter schools outside of the protection of a collective agreement serves as a disincentive for teaching personnel to become involved with charter schools. This limiting of the pool of talented individuals will serve as a deterrent to the success of charter schools.

- be responsible for retirement and health costs to the same extent as other public schools;

As is the case with collective bargaining, teachers will be disinclined to participate in programs that diminish hard won rights and benefits. Most states have recognized the need to provide for health coverage as well as retirement.

- require approval of the local school district;

In order for charter schools to be models of effectiveness for local public schools systems, there must be a connection that promotes collaboration. Charter schools that are unconnected to local school districts become isolated. This fragmentation makes achieving higher common standards more difficult and diverts attention from assuring better education for all students. In states where charters are granted absent the approval of the local district, a chasm develops that inhibits the participation of local teachers and the cooperation of local school districts that could enhance the charter school program.

- meet all state and federal health and safety standards;

Charter schools should be required to meet all health and safety codes and regulations.

- be subject to Sunshine Laws.

Sunshine laws that apply to all public institutions should also apply to charter schools. All of the dealings of the charter must be subject to the same open process that governs other schools. This is neither punitive or prohibitive. Simple rules allowing public access to records that involve public funds should be basic to any charter school legislation.