

2006

A Historical Analysis of New Jersey Charter Schools: Development of Hypotheses For Measuring Effectiveness

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A HISTORICAL ANALYSIS OF NEW JERSEY CHARTER SCHOOLS:
DEVELOPMENT OF HYPOTHESES FOR MEASURING EFFECTIVENESS

BY

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Submitted in Partial Fulfillment of the Requirement for the
Degree of Doctor of Education
Seton Hall University

2006

ABSTRACT

A HISTORICAL ANALYSIS OF NEW JERSEY CHARTER SCHOOLS: DEVELOPMENT OF HYPOTHESES FOR MEASURING EFFECTIVENESS

The purpose of this study was to complete exploratory research to formulate hypotheses for future quantitative inquiries relative to charter school “effectiveness” in three specific areas: economic viability, student achievement, and racial, ethnic and socioeconomic profile. Since New Jersey charter legislation was passed into law in 1995, the research and data collection related to the “effectiveness” of these charter schools are principally limited. Appropriate to the factors that affect economic viability, it was concluded that one of the most significant obstacles facing charter schools has to do with resource limitations. Most charter schools continue to cite either lack of start up funds or inadequate operating funds as serious challenges to their implementation. Investigations into the second primary area of interest, the importance of measuring student achievement, revealed that the quantity of research addressing student assessment is limited and consistently inconclusive with a limited number examined from a longitudinal perspective. When attempting to determine charter schools “effectiveness” in terms of student achievement, several mitigating factors were identified and recommendations made for future consideration.

Finally, the racial, ethnic, and socioeconomic profile of charter schools is emerging as a potentially serious concern since there is accumulating evidence suggesting that minority students are over-represented in charter schools. As parents of different racial, ethnic and socioeconomic backgrounds select charter schools as their preferred education choice, it is likely that charter schools may start to over represent

these children and create a new type of *de facto* educational segregation or provide opportunities for voluntary segregation. Since the concept of charter schools is still a relatively new concept, limited data, inaccurate comparisons, and inconsistencies in reporting data contribute to the inability to draw clear systemic conclusions relative to race, ethnicity, and socioeconomic profiles. The totality of the research contained in this study provides a wealth of information that would serve as an excellent starting point for future quantitative investigations. The hypotheses suggested will contribute to the much needed objective data that is important and necessary to judge fairly whether the Charter School movement is a viable alternative to public education in the state of New Jersey.

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ACKNOWLEDGEMENTS

This was a journey of dedication, commitment and the never ending belief in my ability to reach this personal educational goal. This gift of perseverance was modeled for me by my father. Although he never received a formal education, he believed that opportunity and success were born of education and perseverance.

As with any journey, sometimes the travel is met with obstacles, and personal motivation wanes. It is during these times that it is necessary to have the support of others. I am extremely thankful and appreciative of my dissertation committee for their unending encouragement, patience, and support. Dr. John Collins, mentor and chairman, provided countless hours of assistance and guidance throughout this journey. Committee members, Dr. James Caufield and Dr. Anthony Colella shared their expertise and provided personal assistance and professional insight through their reading and review of this manuscript.

I am grateful to my children, Melissa Powers and Ryan Murray, who have always been a sense of pride and inspiration. I thank them for their love and hope that the persistence I have modeled to realize this accomplishment will be a value passed along to my grandchildren.

I owe a lifetime of thanks to my parents for creating a family environment of love, respect, and a strong sense of values.

Finally, a very special thank you to my husband, the other Dr. Walsh. Without his love, support, and encouragement, the celebration of this journey would not be complete.

DEDICATION

To my deceased father, George J. Herstek, who instilled in me the belief in my self-worth and the importance of pursuing educational goals.

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CHAPTER I

THE RESEARCH PROBLEM

Introduction

“Charter Schools are central to the overall commitment to provide students with multiple paths to success” (Librera, 2003b).

The New Jersey Commissioner of Education, Dr. William Librera, has stated, “It takes a lot of hard work to start a charter school” (Librera, 2003a). Assuming this premise as true, it would appear reasonable to question if the initial investment on the part of teachers, parents, and community members is worth the effort in restructuring the “traditional” public school. Although these stakeholders bring with them a vision for educational improvement, they also find themselves assuming unfamiliar roles and with varying degrees of knowledge about classroom structure, pedagogy, finances, educational philosophy, history of educational reforms, and the “child psychology” of the age range of the students who will be in the school (Sarason, 1998, p.54). Although the charter school movement has frequently been initiated, supported, and debated in the political arena, there have not been specific criteria developed to evaluate the successes and failures of one of the newest educational initiatives known as the charter school.

As noted in a recent report by the U.S. Department of Education entitled, *The State of Charter Schools 2000*, individual states presently address the charter accountability challenge in very different ways. Some have adopted a centralized, state-run approach, others a market-based strategy, and still others a district-managed framework that relies on local accountability augmented by statewide tests. Nearly 9 in 10 charter schools are having their finances monitored, 7 in 10 have their student

achievement and attendance reviewed, and 6 in 10 are checked for compliance with regulations and instructional practices. A third or fewer are monitored for governance arrangements, pupil behavior, and school completion rates. Charter schools use various types of assessment methods to report on student achievement with 86% using standardized tests and 75 percent using state designed tests. Many also use student portfolios (79%) and performance assessments (70%) to augment test scores (U.S. Department of Education, 1999).

There have been numerous attempts from federal and state governmental agencies, parental “watchdog” groups, sponsors, and various community organizations to determine if charter schools meet state accountability standards. The chief aim of accountability is to find and sustain good schools while eliminating or revamping the bad ones. The main function of such information would be to furnish documentation for parents, policymakers, taxpayers, and others about the school’s functioning and overall effectiveness. In conventional public schooling, the main accountability mechanism relies on bureaucratic control from higher levels within “the system.” In contrast, accountability for charter schools is generated mostly by the “marketplace” theory. The school’s perceived success or failure is often based on whether the charter school has to wait-list applicants. Wait listing prospective students is viewed as an indication that the school must be doing something right resulting in a highly competitive application process. In contrast, a charter school with a continual declining enrollment is perceived as a school likely to be experiencing difficulties. In a nationwide study of charter schools, the Hudson Institute concluded that “today’s charter school accountability systems remain

underdeveloped, often clumsy and ill-fitting, and are themselves beset by dilemmas” (Hassel, 1999, p.159).

Additionally, charter-granting agencies are struggling with a variety of other issues including: (a) how charter schools should fit into existing state and district standards and testing regimes, (b) how to handle accountability for charter schools with unconventional goals, (c) learning processes, or (d) student populations (Hassel, 1999, p.159). Given the volume and complexity of the numerous issues related to the perceived effectiveness of some charter schools as well as the lack of consistent and clear definitions of effectiveness, it is not surprising that currently there is no comprehensive study in New Jersey that focuses on the overall effectiveness of charter schools.

Statement of the Problem

There are several factors that contribute to this situation. Traditionally, public schools have always been wary of releasing comparative data or information to the public fearing the anticipated backlash of criticism. Citizens certainly can access test scores, records from board meetings, files from the Freedom of Information Act, documents from the State Departments of Education as well as other resources of comparative data. But realistically, readily available and easily understood information regarding the effectiveness of individual schools is limited. Renowned educational researcher and former assistant U.S. Secretary of Education, Chester E. Finn Jr., reflected that “transparent” is one of the last adjectives one would use to describe schooling in America today (Finn, Manno, & Vanourek, 2000, p. 128).

Parents, teachers, policymakers, sponsors, and taxpayers must come to consensus in their interpretation of effectiveness as it relates to charter schools and how it is measured. Will the definition parallel that of a traditional public school or will other indicators be determined exclusively for the charters? Currently, much of the debate over whether charter schools and charter school practices are innovative focuses on the novelty of various educational processes rather than any clear reference to outcomes. There is also difficulty in determining how a charter school's effectiveness will be communicated to the stakeholders. The yearly reports required by the state satisfy the requirements for annual review and provide necessary documentation for the charter renewal process; however, communicating a school's effectiveness must be on-going, comprehensive, and accessible to a much larger population.

Purpose of the Study

The charter concept is part of a larger set of school reforms taking place across the nation. Like other similar attempts at school restructuring, it blends elements of decentralization, deregulations, choice, and the use of market forces. It is also a mix of elements usually associated with both public and private schools. However, determining the effectiveness of charter schools is very much in its infancy. Although the historical roots of the charter school movement can be traced back to the 1960s and early 1970s, the first charter legislation in New Jersey was not passed into law until 1995. As a result, research and data collection related to the effectiveness of charter schools in New Jersey is extremely limited.

The purpose of this study was to complete exploratory research to formulate hypotheses for future quantitative research relative to charter school effectiveness in three specific areas: economic viability, student achievement, and racial, ethnic, and socioeconomic profile.

Guiding Questions

Guiding question #1: What factors affect economic viability for charter schools?

The first area of study investigates the factors that affect economic viability for charter schools. Although there are typically a number of obstacles that charter schools have to overcome during their development, most continue to cite resource limitations, either lack of start-up funds or inadequate operating-funds, as serious challenges to their viability. This issue is compounded by the common public perception that taxpayer money that would otherwise support the traditional public school is given to charter schools instead.

Guiding question #2: How is student achievement measured in charter schools?

The second area of study investigates how student achievement is measured in charter schools. Increased accountability for improved student achievement is not always specified in a state's charter school legislation. Research is still somewhat limited and certainly not conclusive.

Guiding question #3: Why is the racial, ethnic, and socioeconomic profile of existing charter schools important?

The final area of the study will investigate the importance of the racial, ethnic and socioeconomic profile of existing charter schools. As inner city parents of different racial, ethnic, and social-economic backgrounds select charter schools as the preferred education

choice, it is possible that charter schools may over represent these children and create a new type of *de facto* educational ghetto or provide opportunities for voluntary segregation.

Limitations and Delimitations of the Study

The following includes limitations and delimitations of the study:

1. Research information was reviewed from a national perspective.
2. The focus of this study was limited to charter schools in the state of New Jersey.
3. Interpretation of findings supported by public documents is the opinion of one principal investigator.
4. Data and other public documents do not extend to years prior to the 1995 calendar year.
5. This research focused on three specific areas: economic viability, student achievement, and racial, ethnic, and socioeconomic characteristics as related to charter schools.

Definitions of Terms

The following words and terms used in this study shall have the following meaning, unless the context clearly indicates otherwise.

Charter school: a public school open to all students on a space available basis that operates independently of the district board of education under a charter granted by the New Jersey Commissioner of Education. Once the Commissioner approves the Charter, the school is managed by a Board of Trustees deemed to be public agents authorized by the New Jersey State Department of Education to supervise and control the school. A charter school shall be a body corporate and politic with all powers necessary or desirable for carrying out its charter program (New Jersey Department of Education, 2003).

Renewal: the granting of the continuation of a charter for a 5-year period by the Commissioner following a comprehensive review conducted by the Commissioner (State of New Jersey Administrative Code, 2001).

Revocation: the withdrawal of a charter of a school from the Board of Trustees by the Commissioner (State of New Jersey Administrative Code, 2001).

Waiting list: the document identifying the names of grade-eligible students with applications to a charter school pending acceptance for the subsequent school year, based upon the order of random selection from a lottery following a recruitment period (State of New Jersey Administrative Code, 2001).

Alternative school: a public school offering an educational program differing from that which is offered in its district's other public schools (Blakemore, 1998, p. 173).

Traditional schools: This concept is taken from the common school philosophy that embodies the belief that the mission of public schools is to prepare children to support the political, social, and economic institutions of the United States. The traditional public school attempts to impart a common set of values and knowledge to an informed citizenry that consistently participates in the democratic process. In other words, students should be exposed to a common educational experience that cannot be left to the vagaries of individual family choice (Durkheim, 1973; Wells, 1993).

Non-traditional schools: The term suggests that these schools provide educational programs distinctly different from those found in traditional schools; offering either a particular emphasis, teaching method, school climate, or some combination thereof (Wells, 1993).

Effectiveness: as related to “effective schools” research is defined as a school having certain predictable features, whether public or private. These include a core curriculum with high expectations for all students, an organizational climate that supports the school’s mission and expectations, and strong leadership (Finn et al., 2000, p.63).

Accountability: Charter schools are held accountable for each mission or goal established in the charter or the contract. They are held responsible for meeting the expectations set by the sponsoring entity. These responsibilities include managing the fiscal and daily operations, providing a safe and responsible environment, and operating lawfully (New Jersey Department of Education, 2001b).

Autonomy: in relation to charter schools is defined as having academic freedom, while not having to partake in the traditional educational bureaucracy or regulations (New Jersey Department of Education, 2001b).

Funding: the allocation of monies to a particular school district by the state for operational and educational purposes. The State Department of Education funds charter schools according to their enrollment. These funds are channeled from the State Department of Education to the local district board of education and on to the charter school. The district board of education is responsible for paying the tuition for each student that chooses to attend the charter school in his or her district (New Jersey Department of Education, 2001b).

Significance of the Study

During the past 10 years, public schools in the state of New Jersey have been challenged by increasing demands to meet or exceed the standards related to the No Child

Left Behind (NCLB, U.S. DOE, 2002) federal legislation while simultaneously experiencing a steady decline in state aid and demands from the local citizens to do more with less tax dollars. These and many other factors have been a partial rationale for the emergence of the charter school movement. This movement has been touted as a feasible, if not preferred, alternative to traditional public education. This study will provide insight into the financial viability of charter schools, the correctness of their claim of increased academic achievement as well as an overview of the emerging racial, ethnic and socioeconomic profile of existing charter schools. Existing public schools are being judged in part by the perceived and/or real success or failure of the charter school movement. Educational leaders will need to be continuously aware of the individual successes and failures of the charter school movement if they are to be successful in their efforts to make the traditional public school the preferred educational choice. School superintendents, principals, and school business administrators will benefit from this study as they refocus their efforts to provide quality education to their constituent families. The numbers of children involved in alternative educational initiatives, the academic successes or failures of these initiatives, and the myriad social issues associated with those students who chose the charter school alternative will have a profound effect on the ability of educational leaders to plan and implement successful schools in the future.

Organization of the Study

This study was prepared in a seven-chapter format. Chapter I includes the introduction, statement of the problem, research questions, limitations of the study, the

definitions of terms, the significance of the study, and the organization of the study.

Chapter II includes an overview on charter schools that focuses on the history of the charter school movement, the relevance of the No Child Left Behind legislation to charter schools, and concludes with a literature review specific to the charter school effectiveness in the areas of: economic viability, student achievement, and racial, ethnic and socioeconomic profiles. Chapter III introduces the study methodology, specifically the study design. Chapter IV includes the analysis of information related to the economic viability of charter schools. Chapter V includes the analysis of information related to the effectiveness of charter schools in the area of student achievement. Chapter VI includes the analysis of information related to the racial, ethnic and socioeconomic profile of charter schools. Chapter VII includes the summary and conclusions, and recommendations are presented for future studies regarding charter schools in New Jersey.

CHAPTER II

LITERATURE REVIEW

History of Charter Schools

The historical roots of the charter school can be traced back to the late 1960s and early 1970s at a time when parents and innovative public school educators throughout the United States were joining forces to design distinct educational options or choices. The first innovative schools, such forerunners of charter schools as Metro High School in Chicago, City as a School in New York, Parkway in Philadelphia, Marcy Open School in Minneapolis, and St. Paul Open School in St. Paul, gave public school teachers the chance to create the kinds of schools they thought made sense for a variety of students. (Nathan, 1999, p. 56) Then as a result of congressional action in the mid-1970s, as a way of promoting racial integration, parents and educators began to create small specialty or magnet schools in an effort to quell public opposition to “forced bussing.” Frequently the curriculum was developed and intended to attract a racially diverse group of students.

There were three main differences that distinguished the small innovative schools created in the late 1960s and 1970s from the magnet schools. First, the earlier schools generally were designed by groups of parents, community members, teachers, and principals. In contrast, the magnet schools generally were designed by central office administrators, often with little if any parent, community, or teacher involvement. Second, the earlier innovative schools had no admissions requirements and were open to a variety of students. The magnet schools differed in that they often had admission tests. Third, the earlier schools typically operated at the same per pupil cost as the other more

traditional schools. The magnet schools, due to a specific area of specialty, often cost more per pupil than neighborhood schools (Nathan, 1999, p.57).

In the late 1970s and early 1980s the distinctive school idea went through yet another change. Public school districts began creating schools to which they assigned alienated, disruptive, and unsuccessful students. This type of school was identified as an alternative school and its clients frequently labeled as “troubled” students.

Meanwhile the truly innovative public schools were finding that as time went on, they had less control over their budgets and faculty. However, innovators found that they could do relatively little to affect the way school boards and policy makers were altering the ideas the innovators had pioneered in their small distinctive schools offered as choices within the public school system.

This situation led many innovative teachers and frustrated parents to consider new approaches. In the mid-1980s, the California public alternative school group, Learning Alternative Resource Network (LEARN), developed a proposed bill responding to many of these concerns. It stipulated that if 30 or more parents and/or pupils request a new school, teachers within the district chose to teach in it, and operating costs are no greater than those of programs of equivalent status for the same pupils, the district “shall establish a public school or program of choice responsive to this request” (Nathan, 1999, p. 57). Many years later, the issue of teacher satisfaction in charter schools as compared to public schools was the focus of a New Jersey study which led Cox-McNeil (2003) to conclude:

There appears to be differences between traditional and charter school teachers in their attitudes toward school administration, compensation, student responsibility and discipline, curriculum and job tasks, co-workers and parents and the

community. Hence, there are attitudinal differences between both groups in how they determine how satisfied they are with their jobs. (p. 169)

In yet another New Jersey study that completed an empirical analysis of parental involvement in charter schools in comparison to traditional public schools, George (2000) found:

Based on the research data, charter schools are more effective at such traditional practices as parent/child communication, parent/school relations, and parent/child instruction, as well as parents spending more general quality time with their children... This data supports the research hypothesis: there is a significant difference in the level of parental involvement of charter schools versus traditional public schools of similar demographic and socioeconomic status. (p. 181)

Not having the insight of these and numerous other future research endeavors concerning the potential benefits of charter schools, the proposed bill was never introduced. However, it did signal the frustration many parents and educators were feeling with the public education system. It would appear that the frustrations were well grounded and that charter schools might be the answer to some of these problems existing in traditional public education.

In Minnesota during the early 1980s, Governor Rudy Perpich introduced proposals for several public school choice programs. Perpich, a Democrat, felt it important to expand educational opportunities for families who could not afford to move from one community to another in order to change their children's school. He also felt that thoughtful, controlled competition could stimulate public school improvement. These proposals were extremely controversial when initially proposed, but as the people's experience with the programs grew, support increased. Still Minnesotans felt that more choices were needed and began exploring additional options for parents and educators (Nathan, 1999, p. 58).

At a Minneapolis Foundation conference, two guest speakers were invited to address the group. The first speaker was Sy Fliegel, an educator from East Harlem, who had helped dozens of educators start new schools and schools within schools in an extremely low income section of New York City. Within a few years, results of these innovated schools were encouraging. The second speaker was American Federation of Teachers (AFT) President, Albert Shanker. Shanker's address was shaped by his recent reading of *Education by Charter: Restructuring School Districts*, by an educator named Ray Budde. Budde recommended districts be reorganized and that innovative teachers be given explicit permission by the school board to create innovative new programs, and like the explorers hundreds of years earlier, report back about their discoveries. Shanker liked Budde's idea of giving teachers a chance to create innovative new programs and extended it to include entire new schools (Nathan, 1999, p. 62).

In Minnesota, the Citizens' League was the first group to promote cross-district public school choice. The committee included the president of the Minneapolis Federation of Teachers, teachers, business people, and others concerned about education. After several months, the Citizens' League issued a report that all committee members signed, recommending the creation of charter public schools sponsored either by a local school board or state board of education. It also suggested that the state board be allowed to sponsor charter schools on appeal if they had been turned down by their local boards. (Nathan, 1999, p.65) The group members gradually developed a proposal for the 1990 state legislature. The concepts they incorporated in this document came from ideas of the ground-breaking teachers and parents who had created alternatives and options within public education since the 1960s.

So the charter school concept was planted in Minnesota, became law there, and eventually with various modifications spread to other states. Currently, educators and parents in New Jersey and throughout the nation are looking to the possibility of establishing charter schools to provide more effective, innovative, and accountable public schools.

As of late 1998, thirty-three states and the District of Columbia have adopted some version of the charter school concept. However, this is an area of rapid development and expansion. Charter legislation has passed in some state every year since 1991, and many states have modified their legislation. In general, legislative revisions are moving closer to the charter idea by increasing the number of charter schools that can be created and making it possible for potential charter school operators to obtain sponsorship from organizations including, but not limited to, a local school board.

New Jersey has one of the strongest charter laws. The legislation permits up to 135 charter schools, with a minimum of three per county. All of these schools must be approved by the State Commissioner of Education, who is expected to talk not only with those proposing the charter but also with the local district in which the charter is located before making a decision about whether to sponsor the school.

In a last-minute compromise, the New Jersey legislation agreed that the newly created charter schools would not have to follow local labor-management agreements but the charter schools converted from existing public schools would have to follow local labor-management agreements.

No Child Left Behind Legislation

The No Child Left Behind Act of 2001 (NCLB, U.S. DOE, 2002) took effect in the fall of 2002. The focus of this Act is to provide parents, teachers, and administrators with data, tools, and insight to help children learn and to improve America's schools. By 2005, every state was to test all students in Grades 3 through 8 on what they know in math and reading. By 2007, students will also be tested in science.

Starting with the 2002-2003 school year, state test results will be reported to the public in order to hold schools accountable for improving the academic achievement of every student. The following information will be on the state report card:

1. Student academic achievement on statewide tests disaggregated by subgroup;
2. A comparison of students at basic, proficient, and advanced levels of academic achievements (levels to be determined by each state);
3. High school graduation rates (also, the number of student drop-outs);
4. Number and names of schools identified for improvement;
5. Professional qualifications of teachers; and
6. Percentage of students not tested. (Paige, 2002)

Adequate Yearly Progress (AYP) will be an individual state's measure of yearly progress toward achieving state academic standards. No Child Left Behind raises the bar of expectations for all students, especially ethnic groups and the disadvantaged. Each state determines where to set the initial academic achievement bar based on the lowest achieving demographic group or based on a measure of the lowest achieving schools in the state, whichever is higher. Once the initial bar is established, the state is required to raise the bar gradually to reach 100% proficiency at the end of 12 years. The initial bar must be raised after 2 years, and subsequent increasing thresholds must be established at least once every 3 years.

If schools fail to meet the state defined adequate yearly progress for 2 consecutive years, they will be identified as needing improvement. Parents will be given the option to transfer to a better public school in the district or a public charter school. If there is continued failure to meet AYP, it may be necessary to implement significant alternative governance actions such as: state takeover, the hiring of a private management contractor, converting to a charter school, or significant staff restructuring.

Factors that Affect Economic Viability for Charter Schools

No Child Left Behind (U.S. DOE, 2002) includes two measures that provide for the facility financing of charter schools. The first measure provides facility-financing assistance to states and localities that support charter schools by allowing the U.S. Secretary of Education to award matching incentive grants to those states that provide charter schools with per pupil expenditure funds.

The second measure extends the Charter School Facility Financing Demonstration Project for an additional 2 years. The Charter School Facility Financing Demonstration Project encourages the development of innovative approaches to credit enhancement and leverages private capital for charter schools to use for infrastructure needs (Paige, 2002).

Charter schools' primary source of funding is through public monies. Though state funding formulas vary widely, they are designed to provide a "fair share" of public funds for each student in a charter school. Since school funds are typically a mix of federal, state, and local revenue accounts, and since some of these accounts depend on such factors as the socioeconomic status or special needs of individual students, funding calculations can become complicated. However, in theory, they are designed to provide a

charter school with the average per-pupil cost of the school district in which each of its students resides, adjusted for characteristics of the student body. In practice, per-pupil funds may not meet the needs of charter schools for two reasons. First, because per-pupil funds typically do not begin to flow until students arrive in the fall, or perhaps even after that, schools in their first year of operation must finance all of the start up costs with revenues other than their per-pupil dollars, whether borrowed or received as donations. Additionally, even after per-pupil dollars begin flowing, cash flow problems may persist if payments lag behind expenses. Second, if charter schools receive only operating money but must also pay for facilities, their per-pupil dollars will fall short. Thus, charter schools may have to look to resources other than public revenues (Hassel, 1999, p.158).

The 1995 survey of 110 charter schools identified obtaining start-up funds for buildings and equipment as one of the biggest problems facing these schools. They have to spend “operating money to renovate and maintain buildings rather than pay teachers or buy books” (Raywid, 1995, p. 560). A 1996 study agrees, “Without a doubt, the absence of capital funding, access to conventional school facilities, and start-up money to cover initial equipment, planning, etc. is the heaviest cross charter schools bear today” (Nathan, 1999, p.176).

Congress first allocated charter school start-up money in 1994 in the amount of \$5 million. The following year, President Clinton recommended increasing the allotment to \$20 million, and for the year following that, \$40 million. In mid-1996, Congress allocated \$18 million, which would be filtered through state departments of education (Nathan, 1999, p.176).

Looking at the first year in which California charter schools were operating, Dianda and Corwin reported, “Forty-four percent of the schools, including most new starts, found that lack of funding was a major obstacle in creating a charter school” (Dianda & Corwin, 1994).

According to the schools surveyed in the National Study of Charter Schools, “lack of start-up funds” and “inadequate operating funds” were respectively, the first and third greatest barriers they encountered (RPP International and University of Minnesota, 1997, p. 35).

The first year progress report of the National Study of Charter Schools points out, “most charter schools are eligible for Title I funding but some may not be aware of eligibility procedures” (RPP International and the University of Minnesota, 1997, p. 25). The Federal Public Charter Schools, Title I, Title VI, Safe and Drug-Free Schools, and Dwight D. Eisenhower Professional Development Program grants, federal special education, and Child Nutrition funds should not be overlooked when considering possible sources for funding.

Challenges in Implementing Charter Schools

Practically all charter schools have had to overcome obstacles during their development. According to the U.S. Department of Education (2000), many of the obstacles have to do with resource limitations.

1. Most charter schools continue to cite resource limitations-either lack of start-up funds or inadequate operating funds-as serious challenges to their implementation.
2. Newly created charter schools were more likely to cite resource limitations as a major difficulty than preexisting charter schools.

3. A much lower percentage of charter schools that first opened in the 1998-99 school year report that start-up funding was a major difficulty. For schools that opened in 1998-1999 school year, 39 percent cited start-up funds as a limitation, down 59 percent for schools that opened in the 1997-98 school year. The reduction is likely to reflect support from the federal charter school start up funding program. (p. 2)

One answer to inadequate funding for charter schools might be to secure money from external sources. Charter school operators have emphasized the importance of fund-raising from private sources as part of their jobs. Yet most have little or no background in fund development, and extensive infusions of private monies make charter schools even more of a public/private hybrid.

Additionally, federal monies are another possibility, but two points are important to note. First, during the Clinton administration the federal government continuously increased its financial support of charter schools, expanding funds from \$100 million in the fiscal year 1999 to \$145 million in the fiscal year 2000. These funds were provided to states that awarded sub-grants to prospective charter school developers and their potential authorizers. These funds can be used for periods of time up to 3 years, and charter schools with a record of success after 3 years of operation can be eligible to receive up to 10% of their state's total federal grant. Unfortunately, these infusions of federal funds did not ease all start-up funding problems (Finn et al., 2000).

During the early part of the George W. Bush administration, \$30 million was promised to charter schools in 2003, but as can be evidenced, the NCLB legislation is clearly the priority, not charter schools (Lockwood, 2004, p. 93)

In part, charter schools are a reaction to vouchers. Since vouchers have become politically volatile, yet have captured the commitment of a relatively narrow certain segment of the public, charter schools are a compromise between the advocates of

privatization and other educational reformers who see privatization as a disastrous course (Lockwood, 2004, p.11)

The charter school concept in most states features an attempt to create a quasi-market for public education, at least among charter schools. A key element of this quasi-market is a funding system in which funding follows the student. Under such a system, charter schools must recruit and retain students in order to remain fiscally viable (Miron & Nelson, 2002, p.5).

Examining expenditure patterns, charter schools were found to spend much more than non-charter public schools on administration and less on instruction. Over time, the percentage of spending dedicated to instruction has drifted downward. The decline occurred even as schools grew in size, matured, and moved passed the start-up phase (Horn & Miron 2000, p.23).

Impact Charter Schools have on Student Achievement

The accountability and testing provisions in No Child Left Behind (U.S. DOE, 2002) must be applied to charter schools in accordance with states' charter school laws. As public schools, charter schools are subject to the same accountability and testing requirements, but state authorized chartering agencies, as established by state law, are responsible for ensuring charter schools are meeting the requirements and being held accountable (Paige, 2002).

One of the most frequently asked questions associated with charter schools is whether charter schools have improved student achievement as measured by both standardized tests and other assessments. Since the oldest charter school in the country

was just 4 years old in the 1995–1996 school year, research is still somewhat limited and certainly not conclusive. However, the following information does support the notion that charter schools do have a positive impact on student achievement.

During the first year as a charter school serving 1,200 inner-city Los Angeles students, the Vaughn Next Century Learning Center reported that students' average standardized test language arts scores improved year from the 9th percentile to the 39th, while their math scores increased from the 14th percentile to the 57th. In the 1993–1994 and 1994–1995 school years, the school also used the Aprenda, a test used at many California schools where students have limited English proficiency. Students' scores on the Aprenda gained an average of 6% in reading, 9% in math, and 10% in language (Nathan, 1999, p. 169).

Washington Charter School, an elementary school in Palm Desert, California, reported that California Test of Basic Skills scores were up in reading and math in all grades except 5th-grade reading. Students in the 2nd grade in 1992 averaged 54th percentile in reading and 68th percentile in math. By 1995 these same students were scoring in the 76th percentile in reading and in the 90th percentile in math. The number of students on the school's honor roll had increased from 37 to 93 in the past 2 years (Nathan, 1999, p. 169).

In its first-year evaluation, the New Vision School in Minneapolis, a K-8 school working predominately with inner-city students who have not succeeded in other schools, showed a 1.5-year average gain on the Slosson Oral Reading Test among its students of color and a 1.4-year gain on the same test among its White students. New Visions reported that 64% of the students made an average gain of 9 months or more on the

Gates-MacGinitie Silent Reading Test; 28% maintained their previous level, and 8% declined in achievement. In February 1996, the Bluffview Montessori charter school in Winona, Minnesota, became the second charter school in the nation to have its contract renewed. Its students had improved achievement in standardized tests (Nathan, 1999, p. 169).

Student achievement in the Academy Charter School in Castle Rock, Colorado, had increased in several areas. After the first year, increases were noted on standardized tests in both writing and mathematics. The first year's progress report, based on the Iowa Test of Basic Skills, showed 9% overall increase in math skills, 4% increase in language skills, and a 3% gain in average reading scores (Nathan, 1999, p.44).

Autonomy and Accountability

Charter schools have considerable autonomy. They are also held accountable to provide financial and student achievement reports to different constituencies. According to the U.S. Department of Education (2000):

1. More than 9 out of 10 for student achievement and for compliance with regulations; more than 8 out of 10 for student attendance; and more than 6 out of 10 for instructional practices. Each of these represents an increase in the percentage of schools reporting monitoring in these areas in 1996-97.
2. The 27 charter states differ greatly in how they approach accountability, with some following a "centralized" state agency approach, others a "market-driven" approach, and still others a "district-based" approach that relies on local accountability within a framework of state testing.
3. More than 70 percent of charter schools (based on a selected sample of schools) said they made reports during the 1997-98 school year for accountability purposes to one or more constituencies, including their chartering agency, school governing board, state department of education, parents, the community, or private funders.
4. More than 9 out of 10 charter schools used student achievement tests, augmented by other measures of student performance and school success, to make reports to their chartering agency, the school's governing board

and/or parents. More than one-third of charter schools used at least seven measures of school performance, including standardized tests and other measures of student achievement, parent and student surveys, and behavioral indicators. (p. 3)

Not surprisingly, increased accountability for improved student achievement outcomes is not specified in most state's charter schools legislation. In fact, few states demand any demonstration of increased accountability for charter school students, and some states excuse charter schools from taking mandatory achievement tests.

While state departments of education may join the rhetoric that desires heightened accountability, they are part of the education cartel that consists of universities and educational associations, all mutually reinforcing powerhouses. These powerful groups, including state boards and state departments of education, have demonstrated little interest in acting as "watch dogs" on schools created by parents. State bureaucracies seem content to simply warn consumers that they ought to investigate charter schools carefully before enrolling their children in them (Lockwood, 2004, p.57).

Racial/Ethnic and Social/Economic Profile of Existing Charter Schools

According to Paige (2002), in accordance with the guidelines of the No Child Left Behind Act (U.S. DOE, 2002), all children attending schools identified for school improvement, corrective action, or restructuring are eligible to exercise public school choice, but districts must give priority to low-income students (as defined by the district).

Research is showing that many charter schools are being established to serve more students who have not been successful in traditional schools. More than half of the charter schools surveyed in 1995 reported that they focused on such students. Louann Bierlein's 1996 research showed that "in most states, charter schools are attracting an

over proportion of such (minority) students relative to state averages” (p. 4). Another 1996 analysis also shows this tendency. Occhino (2001) noted “Of critical interest in New Jersey, however, lower socioeconomic districts were more likely to be pleased with the opportunity to try charter schools, but were also more likely to agree why charter schools should not be implemented” (p. 106). As of March 1996, about 40% of students in Minnesota’s charter schools were from minority groups, while only 13% of the state’s total K-8 population represents minority communities (Nathan, 1999, p.133).

A national report done by the United States Department of Education in 1998 indicated that charter schools serve proportionately similar racial and ethnic distribution of students as other public schools. The majority of charter schools represented in the study (63%) serves low-income students. Yet students with disabilities were somewhat less represented in charter schools than in other public schools. Classified students attending charter schools represented only 8% of the total school population as compared to 11% in public schools.

The best available information seems to show that minority students are over represented in charter schools and that more than half of all charter schools focus on students who have not succeeded in traditional schools. This information suggests that charter schools are expanding the opportunity for low-income and minority students, rather than serving as elitist academies (Nathan, 1999, p.134).

Nationwide, students in charter schools have similar demographic characteristics to students in all public schools. However, charter schools in some states serve significantly higher percentages of minority or economically disadvantaged students. According to the U.S. Department of Education (2002):

1. White students made up about 48 percent of charter school enrollment in 1998 compared to about 59 percent of public school enrollment in 1997-98. The percentage of white students in charter schools is slightly lower than reported in 1997-98.
2. Charter schools in several states-Connecticut, Illinois, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, North Carolina, and Texas-enroll a much higher percentage of students of color than all public schools in those states. Charter schools in Alaska, California, and Georgia serve a higher proportion of white students than do all public schools in those states.
3. Nearly 7 out of 10 charter schools have a student racial/ethnic composition that is similar to their surrounding district. About 17 percent of charter schools serve a higher percentage of students of color than their surrounding district while about 14 percent have a lower percentage of students of color.
4. The estimated percentage of limited English proficient (LEP) students in a charter school is about 10 percent, which is about the same as for all public schools in the 27 charter states. The percentage of LEP students is about the same as reported for 1997-98. (p. 30)

In a study of the relationship of mobility to student achievement, it was concluded that “parents indicated that the paramount reason for moving, is to bet better schooling for their children. “If the quality of instruction in public schools was known to the members of the community, then it might be assumed that parents would be less likely to move” (Krenicki, 1999, p. 107). As inner-city parents of different races and ethnic backgrounds begin choosing charter schools as a frantic means to free their children from decaying, poorly performing urban schools of poverty, some critics point to the possibility that charter schools actually may over represent children of color and different ethnicities. Should this happen, critics argue that a new type of educational ghetto could evolve that would be just as harmful as the low-performing inner-city urban schools. At either end of the spectrum, the concern is the stratification and segregation of students in charter schools that do not reflect a representative sample of the population (Lockwood, 2004, p.14).

CHAPTER III
METHODOLOGY
Study Design

As previously stated, the purpose of this study was to complete exploratory research to formulate hypotheses for future quantitative research relative to charter school effectiveness. The areas of focus specifically included a view of charter schools through the lens of economic viability, student achievement, and racial, ethnic, and socioeconomic profile. This chapter will present an overview of the major resources that will serve as the basis for the formulation of these hypotheses. The investigation will focus on the following guiding questions:

Guiding question #1: What factors affect economic viability for charter schools?

Guiding question#2: How is student achievement measured in charter schools?

Guiding question #3: Why is the racial ethnic and socioeconomic profile of existing charter schools important?

The population domain for this study focused on charter schools in the state of New Jersey. A charter school will be defined as a public school which:

1. is operated under a separate and specific charter granted by the Commissioner of Education,
2. is independent of the local district school board of education, and
3. is managed by a board of trustees.

It was the intent of this researcher to investigate the three guiding questions noted above as they pertain to New Jersey charter schools in general and not specific to program, grade level, or geographic location. Although autonomy and innovation are key components in the development of charter schools, currently there is no research that

suggests one type of charter school is more successful than another when compared on the basis of program, grade level, or geographic location.

The New Jersey Status of Charter Schools Report (September 2004)

This report supplies current data associated with the existing charter schools in the state (NJDOE, 2004). These data are briefly summarized below:

1. As of September 2004, there are 51 approved charter schools in the state. Fifty are operating and one is scheduled to open in September 2005.
2. New Jersey's charter schools are serving 14,000 students in pre-kindergarten through grade 12.
3. Fourteen out of the total of 21 counties have approved charter schools.
4. All of New Jersey's charter schools use facilities that are newly created. There are no charter schools that have been converted from other public school building.
5. The average enrollment in a charter school is 193 students.
6. The average class size of a charter school is 17 students.
7. The average school year for charter schools is 186 days.
8. The average length of the school day in charter schools is slightly over 7 hours.
9. Students are engaged in instruction in charter schools for an average of slightly more than 6 hours.

Document Sources for Investigation

Journal articles (literature review), textbooks (literature review), doctoral dissertations, a LIVE CHAT on Charter Schools Policy and Practice, and national and state level public documents that do not revert to years prior to the 1995 were used for the investigation as related to guiding questions. Research focused on the three specific areas of charter school effectiveness. These areas included economic viability, student achievement, and racial, ethnic, and socioeconomic characteristics as related to charter schools.

The journal articles were retrieved from professional journals and library research databases as well as individual educational website databases. Textbooks were used from local colleges, public libraries, and bookstores.

Descriptions of Resource Documents

What follows will be an overview of the principal sources of information that served as the basis for the exploratory research. These sources included:

1. 2003 Charter Schools Annual Report and Format Guide (NJDOE, Office of Innovative Programs, 2003)
2. Charter School Evaluation Report: Commissioner's Recommendations, October 1, 2001, (NJDOE, 2001a)
3. New Jersey Department of Education Report on Charter School Hearings, April 24, 2001, (NJDOE, 2001c)
4. Transcript of LIVE CHAT on Charter Schools (Hendrie, 2004)
5. New Jersey Administrative Code - Charter Schools (2001)
6. The Public School Review - Demographic information related to New Jersey Charter Schools
7. New Jersey Department of Education Website
8. U.S. Charter Schools Website
9. New Jersey Charter Public Schools Association Website
10. New Jersey School Report Card for 2003 (NJDOE, 2004a)
11. Evaluation of the Public Charter Schools Program, Final Report 2004 (U.S. DOE, 2004)
12. New Jersey Charter School Application Document (NJDOE, Office of Innovative Programs, 2004)

2003 Charter Schools Annual Report and Format Guide

In accordance with the Charter School Program Act of 1995 and the State of New Jersey Administrative Code (2001, N.J.A.C. 6A:11-2.2), the Board of Trustees of each charter school is required to submit an annual report to the Commissioner, Regional Office, Assistant Commissioner, County Superintendent and local Board(s) of Education summarizing its progress in meeting the goals of each charter by August 1. This report

provides a yearly summary of a school's activities and accomplishments; the annual report also provides a framework for the Department of Education's on-site program review of charter schools. For the 2003 report, two new sections have been added, and some of the report content has been reorganized. The 2003 report differs from past years in that it includes a more comprehensive executive summary section and the inclusion of a section that addresses self-evaluation and accountability. A section dealing with the implications for No Child Left Behind (NCLB) has also been incorporated into the section on assessment and student achievement. This revised version of the Charter School Annual Report appears to suggest that this additional data will provide a better indication of charter school effectiveness.

Charter School Evaluation Report – Commissioner's Recommendations

(October 1, 2001)

The Charter School Act of 1995, as amended in November 2000, requires that the Commissioner of Education submit to the Governor, the Legislature, and the State Board of Education by October 1, 2001, an evaluation of the charter school program based on (a) public hearings in the north, central, and southern regions of the state to receive input from members of the educational community and the public on the charter school program (see below); and (b) an independent, comprehensive study of the charter school program conducted by an individual or entity with expertise in the field of education. The Act further requires that the Commissioner's evaluation shall include a recommendation on the advisability of the continuation, modification, expansion, or termination of the program. If the evaluation does not recommend termination, then it

must include recommendations for changes in structure of the program that the Commissioner deems advisable. The Commissioner may not implement any recommended expansion, modification, or termination of the program until the Legislature acts on that recommendation.

Three regional hearings were held by the Department of Education in March 2001 in Newark, Trenton, and Mays Landing. The testimony, both oral and written, was presented by 244 individuals. The independent, comprehensive study was conducted by KPMG via contract with the Department of Education. As a result of KPMG study and the testimonies presented in March 2001, the Commissioner has stated specific conclusions and recommendations to the Governor, Legislature, and State Board of Education in an effort to continue with the state charter school program.

*New Jersey Department of Education Report on Charter School Hearings
(April 24, 2001)*

The executive summary report is comprised of the analysis of the testimony received as a result of the public hearings held in March 2001 on the charter school program in New Jersey. It was the first part of a legislatively required evaluation of the implementation of the Charter School Act of 1995.

Three public hearings were held in which the charter school constituents came out to speak or send in written testimony comprising 85.3% of the total (244 individuals) testimony given. This group overwhelmingly spoke of their satisfaction with the schools. Parents, students, teachers, and administrators addressed common issues in several areas, and particular issues in others.

The remaining 14.7% of respondents represented parents and staff from districts, Board of Education members, teachers' associations, and other public groups such as the Education Law Center and the Citizens to Preserve Public Education. Their concerns were varied and particular to each group. Most of the testimony from these groups focused on:

1. Funding issues
2. Staffing problems due to teachers leaving a district school to teach in a charter school
3. Returning students and how to handle the scheduling and curriculum alignment problems
4. Suggestions for mandating a student's length of stay in a charter school
5. Suggestions for revisiting the criteria for where a charter school may be located

The purpose of the testimony for both groups was not to prove or disprove any particular hypothesis, but rather to improve the level of understanding of issues associated with the charter school initiative. However, the forum used for receiving testimony certainly provided an opportunity for individuals to highlight areas of satisfaction as well as issues of concern.

Transcript LIVE CHAT on Charter Schools

The LIVE CHAT on Charter Schools was hosted by *Education Week* Thursday, November 18, 2004, from 1:00–2:00 PM (Hendrie, 2004). This was designed as a real-time on-line chat (www.edweek-chat.org) with Andrew Rotherman and Michael Goldstein, both knowledgeable advocates of charter schooling. Andrew Rotherman is the Director of the Progressive Policy Institute in Washington, DC and Michael Goldstein is the founder and CEO of the MATCH Charter School in Boston, Massachusetts. People throughout the United States who logged on to this website had their questions on the

policies, practices, and performance of charter schools addressed by the two gentlemen. A transcript of the chat was posted shortly after its completion.

New Jersey Administrative Code - Charter Schools

The New Jersey Administrative Code (NJAC, 2001) is the official publication of the Office of Administrative Law (OAL) which contains all effective regulations adopted by state agencies. The OAL has oversight of the Administrative Procedures Act of 1979 which regulates all activity for all departments. Each agency's body of regulations is codified in a title of code. The Department of Education's Code is Title 6 and contains all regulations promulgated by the State Department of Education. Based on the Comprehensive Review Code initiative, the State Board will incrementally adopt new chapters of code in a new Title 6A and rescind corresponding regulations in Title 6. The ultimate goal is to eliminate Title 6. Each code title is annotated to provide the reader with a complete context in which to analyze the regulations. The annotations at the beginning of each chapter include:

1. legislative authority for rulemaking
2. source and effective date of the regulations
3. historical notes which discuss prior regulatory activity
4. expiration dates
5. case notes (listing of relevant NJ Court and OAL cases and Formal Attorney General Opinions)

An administrative regulation or "code" as defined in the APA (N.J.S.A. 54:14B) means "each agency's statement of general applicability and continuing effect that implements or interprets law or policy or describes the organization, procedure or practice requirements of the agency" (NJDOE, 2004, p.1) The APA is implemented for all departments of state through Title I, Chapter 30.

Charter school legislation can be found in Chapter II of the Administrative Code.

The chapter is divided into a series of subchapters with delineated sections pertaining to the various aspects of charter schools.

1. Subchapter 1, General Provisions, includes the purpose and definitions.
2. Subchapter 2, Application and Approval, Reporting, Renewal, Probation and Revocation, Appeal and Amendment Processes, includes applications and approval process, reporting, renewal of charter, probation and revocation of charter, charter appeals process, and amendment to charter.
3. Subchapter 3, School Ethics Act, includes board of trustees and administration
4. Subchapter 4, Program Implementation, includes local education agency, student records, student attendance, initial recruitment period, waiting list, age eligibility for kindergarten, limited English proficient students, students with educational disabilities, home instruction for students, pupil transportation, board of trustees and Open Public Meetings Act, public school contract law, equity in education, finance and business service rules.
5. Subchapter 5, Certification Requirements for Staff, includes certification
6. Subchapter 6, Streamline Tenure, includes tenure acquisition, filing of and response to tenure charges, arbitration.
7. Subchapter 7, Financial Operations, includes per pupil calculations, notifications, and caps, enrollment counts, payment process and aid adjustments, and financial requirements.

Public School Review

The Public School Review Website (2006) provides demographic information and detailed profiles of public schools in the United States. The site evaluates schools relative to each other and to state-wide averages for several key criteria. This resource was used to gather and compare demographic information relative to New Jersey Charter Schools and the community in which they are established. The information included:

Demographics of the Charter School

1. Level of the school
2. Location (urban, suburban, or rural)
3. County
4. Total students and % male and % female
5. Total classroom teachers and students by grade

6. Teacher : student ratio
7. Students by ethnicity
8. % eligible for free lunch
9. % eligible for reduced lunch
10. % migrant students
11. Student test scores
12. School expenditure per student
13. School graduation rates

Demographics of the Community

1. Population
2. Average household size
3. Medium household income
4. Medium value of housing unit
5. % owning, % renting
6. % vacancy of housing units

New Jersey Department of Education Website

The New Jersey Department of Education Website provides updated information to parents and educators regarding new educational initiatives, regulations, state mandated programs, and on going information regarding public schools throughout New Jersey. This information frequently focuses on the development and status of the charter schools in the state and their effectiveness.

U.S. Charter Schools Website

The U.S. Charter Schools Website (2001) provides information to parents and educators. It provides monthly highlights of charter school resources in the areas of finance and facilities, govern and management accountability, and legal issues and policy. The Website also disseminates news and announcements from the U.S. Department of Education.

New Jersey Charter Public School Association Website

The mission of the New Jersey Charter Public Schools Association is to provide a clear and distinctive voice for the state's charter schools, educating the public about their progress and ensuring that they thrive for the benefit of students statewide. This association represents the 48 operating and 3 pre-operational charter schools in New Jersey. Existing services to their members include statewide advocacy, media relations, network services, and coordination of the Charter Families Advocacy Network.

New Jersey School Report Card for 2003

In 1995, the New Jersey State Legislature mandated the New Jersey School Report Card in N.J.S.A. 18A:7E 1-5. The law outlines the fields of information that are required at a minimum, including the school narrative. The most recent Report Card issued in February 2004 contains data for the 2002–2003 school year. Enrollment numbers are based on the October 15, 2002, district enrollment count. The information in the report is school-level data, except for the finance section which contains district-level information. For charter schools, however, the finance section is school-level based. Unless otherwise stated, the source of the information in the New Jersey School Report Card is the school district or the charter school.

In addition to the required data in the identified fields listed on the Report Card, Charter Schools must also include: length of school year, parent involvement programs and activities, school waiting list, number of school classrooms, student participation in programs, and faculty turnover rate. However, information regarding administrative and faculty personnel do not have to be reported by charter schools.

Evaluation of the Public Charter Schools Program, Final Report 2004

Federal support for charter schools began in 1995 with the authorization of the Public Charter Schools Program (PCSP), administered by the U.S. Department of Education (U.S. DOE). The PCSP funds the state grant program discussed in this report, supports charter school research and demonstration programs, and underwrites national charter school conferences. This report has a dual purpose: (a) to provide the public and education policymakers with findings from a descriptive examination of how PCSP operated, and (b) to continue documentation of the evolution of the charter school movement that began in 1995 under another federally funded study. This report is based on 3 years of data (collected in school years 1999–2000, 2000–2001, and 2001–2002), and the national evaluation of the PCSP.

Several of the primary guiding questions in this study correspond directly to those posed in the areas of investigation related to charter school, effectiveness. Specifically:

1. How does the PCSP work and how do this federal grant program and its state grantees encourage the development of charter schools?
2. How do federally funded charter schools and school planners use their PCSP sub grants?
3. What are the characteristics of charter schools and the students and families who are involved with them?
4. To what extent are charter schools meeting state standards for student performance, and how do charter schools and traditional public schools compare in meeting these standards?

New Jersey Charter School Application Document

The New Jersey Charter School Application booklet (NJDOE Office of Innovative Programs and Schools, 2004) provides guidance for a charter school applicant to plan properly for a proposed charter school. Based on the established timelines for an

application cycle, a proposed charter school would write an application for a starting date of the following year. If approved, the first year of the charter may be designated as one for teaching students or one for a planning year that is followed by 4 operational years with the teaching of students to begin 2 years from the application date.

Chapter Summary

In summary, the purpose of this study was to complete exploratory research to formulate hypotheses for future quantitative research relative to charter school, effectiveness. It was the intent of this researcher to investigate the three guiding questions noted below as they pertain to New Jersey Charter Schools in general and not specific to program, grade level, or geographic location.

Guiding question #1: What factors affect economic viability for charter schools?

Guiding question #2: How is student achievement measured in charter schools?

Guiding question #3: Why is the racial, ethnic, and socioeconomic profile of existing charter schools important?

Principal sources of information that served as a basis for the research included:

1. 2003 Charter Schools Annual Report and Format Guide (NJDOE, Office of Innovative Programs, 2003)
2. Charter School Evaluation Report: Commissioner's Recommendations, October 1, 2001, (NJDOE, 2001a)
3. New Jersey Department of Education Report on Charter School Hearings, April 24, 2001, (NJDOE, 2001c)
4. Transcript of LIVE CHAT on Charter Schools (Hendrie, 2004)
5. New Jersey statutes and legislation that pertain to New Jersey charter schools
6. The Public School Review - Demographic information related to New Jersey Charter Schools
7. New Jersey Department of Education Website
8. U.S. Charter Schools Website
9. New Jersey Charter Public Schools Association Website
10. New Jersey School Report Card for 2003 (NJDOE, 2004a)

11. Evaluation of the Public Charter Schools Program, Final Report 2004 (U.S. DOE, 2004)
12. New Jersey Charter School Application Document (NJDOE, Office of Innovative Programs, 2004)

Each of the three subsequent chapters will separately focus on each of the three guiding questions and will include actual data to analyze the corresponding question.

CHAPTER IV

ANALYSIS OF INFORMATION – ECONOMIC VIABILITY

Since the purpose of this study is to complete exploratory research to formulate hypotheses for future quantitative research relative to charter school effectiveness, chapter IV will focus on one aspect of this concept. This chapter's investigation will be organized around guiding research question # 1: What factors affect economic viability for charter schools? It should be noted that this guiding question focuses on New Jersey charter schools in general, and it is not specific to a particular program, grade level, or geographic location. The primary documents that will serve as the basis for the analysis were described in detail in the previous chapter. The documents included:

1. 2003 Charter Schools Annual Report and Format Guide (NJDOE, Office of Innovative Programs, 2003)
2. Charter School Evaluation Report: Commissioner's Recommendations, October 1, 2001, (NJDOE, 2001a)
3. New Jersey Department of Education Report on Charter School Hearings, April 24, 2001, (NJDOE, 2001d)
4. Transcript of LIVE CHAT on Charter Schools (Hendrie, 2004)
5. New Jersey statutes and legislation that pertain to New Jersey charter schools
6. The Public School Review - Demographic information related to New Jersey Charter Schools
7. New Jersey Department of Education Website
8. U.S. Charter Schools Website
9. New Jersey Charter Public Schools Association Website
10. New Jersey School Report Card for 2003 (NJDOE, 2004a)
11. Evaluation of the Public Charter Schools Program, Final Report 2004 (U.S. DOE, 2004)
12. New Jersey Charter School Application Document (NJDOE, Office of Innovative Programs, 2004)

This chapter will investigate the factors that affect economic viability for charter schools. Although there are typically a number of obstacles that charter schools have to overcome during their development, most charter schools continue to cite resource

limitations, either lack of start-up funds or inadequate operating funds, as serious challenges to their viability. This issue is compounded by the common public perception that taxpayer money that would otherwise support the traditional public school is given to charter schools instead.

2003 Charter Schools Annual Report, Content and Format Guide

In accordance with the Charter School Program Act of 1995 and the Administrative Code for Charter Schools (2001, N.J.A.C. 6A:11-2.2), the Board of Trustees of each charter school is required to submit an annual report to the Commissioner, Regional Office Assistant Commissioner, County Superintendent and Local Boards of Educations summarizing its progress in meeting the goals of its charter by August 1. Overall, the annual report establishes a public record of the school's effectiveness over time and serves as a factor in the renewal of the school's charter.

One of the major school activities and outcomes to be reported in this document is the charter school's annual financial report including a balance sheet, an operational statement of revenues and expenditures, and a cash flow statement (Appendix A). Additionally, within the Executive Summary, it is required that major activities that contributed the most substantially, either directly or indirectly, to the school's ultimate achievement of its mission, goals, and objectives are reported. It is within this category that a description of the status of the school's grant programs be submitted.

Charter School Evaluation Report, Commissioner's Recommendations (October 1, 2001)

The Charter School Program Act of 1995 requires that the Commissioner's annual evaluation report shall include a recommendation on the advisability of the continuation, modification, expansion, or termination of the state-wide charter school program. The following conclusions and recommendations regarding funding were disclosed in this report. The Commissioner's evaluation report is based on public hearings and an independent, comprehensive study. The evaluation's findings indicated that:

1. students in charter schools, as a whole, are making substantial progress in some areas of the statewide assessment, and in those areas charter schools are outperforming their comparable districts of residence;
2. charter schools, on average, have lower class sizes, lower student-faculty ratios, lower student mobility rates, longer school days and academic years, greater instructional time, and higher faculty attendance rates than their districts of residence; and
3. parental and student demand for and satisfaction with charter schools are all extremely high. There are approximately 11,300 students attending 51 charter schools in New Jersey, and there are more than 5100 students on waiting lists.
4. "Our charter school program has been extremely successful and has produced many schools of very high quality," said Commissioner Gagliardi. "I am pleased that since the first charter school opened in 1997 we have been able to provide the educational choices that many parents desire for their children. However, this does not mean our work is done. Although I am recommending that the charter school program continue, I also am making several recommendations aimed at improving our program to the Governor, Legislature and State Board." (NJDOE News, October 2, 2001, p.1) These recommendations included:
 5. provide charter schools state aid for facilities;
 6. allow charter schools to incur long-term debt with appropriate controls and restrictions;
 7. allow the use of public funds for facilities construction;
 8. revise the mechanism for providing aid to charter schools to provide a more stable revenue stream;
 9. provide state funding to establish a charter school support center;
 10. provide state-funded grants to founders and/or lead persons of charter schools immediately after the charter school is approved;
 11. require that all newly approved charter schools engage in a comprehensive planning phase; and
 12. provide added relief from mandates for charter schools.

It is noteworthy that these summative recommendations contain several that focused specifically on funding issues. A more detailed analysis of those specific issues follows.

Funding

Conclusion: Insufficient resources are provided to charter schools. They currently receive only 90% of the per-pupil expenditure in their districts of residence. However, unlike traditional public schools, charter schools receive no aid for facilities. As a result, charter schools must use significant portions of the funds within their operating budgets to pay rent and other facility related costs. The average facility expenditure for charter schools is \$1,500 per student. This reduces the percentage of per-pupil funds that is available for programs, instructional costs, and administration to approximately 65 to 70%. Well-run charter schools have been creative and have done more with less, but the amount of funds is so significantly less than what is available to districts of residence that some charter schools have closed, and others are likely to close for lack of sufficient resources (NJDOE, 2001 a).

Recommendation: Charter schools should be provided state aid for facilities. In the first year the amount should equal the current average cost of facilities on a per-pupil basis or \$1,500. In subsequent years, this amount should be increased by the rate of inflation. Legislation (S-2496 and A-3773) has been introduced that will address this issue. The Commissioner's recommendation is that this legislation be enacted as soon as possible (NJDOE, 2001 a).

Conclusion: Current state regulations prohibit charter schools from incurring long-term debt. This severely restricts their ability to develop and implement fiscal plans in a time frame greater than one year. In some cases, this has had a devastating effect on their ability to conduct long-range planning and implement sustainable educational programs (NJDOE, 2001a).

Recommendation: The regulations should be amended to allow charter schools to incur long-term debt with appropriate controls and restrictions (NJDOE, 2001a).

Conclusion: Charter schools are currently prohibited from using public funds for construction of facilities. This prohibition was included in the authorizing statute to take into account a situation in which a charter school might use public funds to construct a school, but would then close its doors (NJDOE, 2001a).

Recommendation: The Charter School Program Act should be modified to allow the use of public funds for facility construction but build in mechanisms to ensure the appropriate future educational use of those facilities (e.g., mandates regarding transfer of ownership to educational institutions and assurances that educational adequacy requirements are met) (NJDOE, 2001a).

Conclusion: Many charter schools have encountered great fiscal problems as a result of instability in the flow of resources. Their budgets are based on projected enrollments. If the enrollment projections are off to an appreciable degree, the flow of resources can change dramatically, necessitating budget, program, and staffing cuts. Charter schools need to have greater revenue stability so they can effectively plan and implement their budgets throughout the school year (NJDOE, 2001a).

Recommendation: The statutory mechanism for providing aid to charter schools needs to be revised to provide a more stable revenue stream in order to mitigate cash flow problems and ensure sufficient resources, as well as to consolidate aid payments (NJDOE, 2001a).

Support and Assistance

Conclusion: Insufficient resources have been devoted to the support, guidance, assistance, and nurturance of charter schools. Further, it is unwise to ask a single entity, the Department of Education, to serve two roles that often conflict, assistance and accountability (NJDOE, 2001a).

Recommendation: According to NJDOE (2001a), ongoing state funding should be provided to establish a charter school support center (in, but not of, the Department of Education or in an institution of higher education) with responsibility for assisting new and existing charter schools in the following ways:

1. serving the needs of students with educational disabilities and limited English proficient students;
2. securing appropriate facilities;
3. establishing policies and procedures;
4. general program development;
5. developing and implementing curriculum;
6. conducting formative and summative program evaluation to drive continuous educational improvement;
7. serving as a clearinghouse for successful and promising practices;
8. hiring and developing staff;
9. developing and implementing budgets and fiscal procedures;
10. establishing governance mechanisms;
11. grant writing;
12. other support, training, and assistance functions.

The creation of this independent support center, would allow the Department of Education to focus its attention on oversight and accountability.

New Jersey Department of Education, Report on Charter School Hearings

(April 24, 2001)

The Charter School Act Program of 1995, as amended on November 2, 2000, requires that the Commissioner hold a public hearing by April 1 to hear input on the charter school program in the state. The purpose of this testimony evaluation is not to prove or disprove any particular hypothesis, but to improve the understanding of issues involved in the charter school initiative.

In the nine issues discussed in these hearings (governance, funding, parental involvement, regulatory oversight, student assessment, student achievement, staff, accountability, curriculum) the frequency of the issue of funding (16.7%) was third compared to student achievement (23.7%) and parent involvement (20.6%).

The lack of access to facilities funding gives charter schools an implementation obstacle not faced by districts. Charters have building and leasing costs not incurred by other schools. Many of the charter school populations increase by at least a grade a year according to the way many of the charters are set up and so they need to search for new space often. Some schools have no gym, no kitchen, or no lunchroom. Some share space with another school or business.

The issue of funding, in general, and facilities funding, in particular, dominated the testimony of those who addressed funding. The funding mechanism is perceived as inequitable by both charter school constituents and by the districts. An examination of who addressed the funding issue shows that charter school constituents represent 72.5% of this group. Much of the testimony spoke to the need for facilities funding (46%) of the

funding responses) and the need for Abbott funding to be distributed to the charter schools.

Transcript of LIVE CHAT on Charter Schools: Policy and Practice

Questions relevant to charter schools throughout the country were addressed via a real-time chat line by Andrew Rothman and Michael Goldstein, both knowledgeable advocates of charter schooling. The following questions were posed by selected participants of LIVE CHAT that relate to charter school financing.

Question: Kate Neville, Practice Group Leader, The Finance Project:

“What do you consider the primary challenges charter schools are facing around financing? To what extent is their start-up and sustainability limited by financing issues? How so? What information and/or tools would be helpful?”

Answer: Andrew Rotherman:

Charters face a lot of problems here. Some are the same as those facing traditional public schools, namely that in too many states the state finance systems favor more affluent communities and hamstring low-income communities where educational challenges are greatest. Charters also face similar challenges with regard to special needs students. But some are unique to charters. For instance in most places charters cannot go to the voters for facilities and they frequently get less per pupil funding than other public schools. There is a lot of work to be done to make these policies more rational. Sounds like a great project for the The Finance Project to take on!

Question: Kimberly Speight-Bennett, Educator, Memphis City Schools:

“When developing a charter school, what are the funding sources available for the support and maintenance of facilities, staffing and instruction”?

Answer: Michael Goldstein:

It really depends on the locality. Usually the basic package is: a per-pupil sum from the city/state, and, in high-poverty schools, some additional per-pupil Title I funding from the federal government. It's up to the school to decide how to spend that budget. Do you want smaller class sizes or perhaps a guidance counselor? Do you want to provide more teacher training or perhaps new textbooks? In Washington D.C., the mayor and several city council members (all African-American) have slammed past charter opponents and created significant funding opportunities for charter school building assistance. That's unusual, however. Most charters (like us) either have a mortgage or rent.

Question: Kathryn Hedges, teacher, Campagna Academy:

Our charter school accepts students who have not been successful in the conventional classroom. We used to get funding for alternative education but this was discontinued. How does the state expect us or for that matter any school to serve these at risk students without adequate funding? These are the students that the public schools do not want. It seems that either the federal government needs to set aside special funding for schools like ours or the state needs to reevaluate its criteria. (I was told that we do not have a local school district-it is statewide so we cannot be funded by the state as an alternative school.)

Answer: Michael Goldstein:

I apologize! No ideas here. We do have a few “alternative” schools in Massachusetts which are indeed fully funded by the usual charter formula. One, called Boston Evening Academy, serves dropouts. Incidentally, BEA is actually a “Horace Mann Charter School”-that means they are blessed by the district.

Question: Sarah Mendonca-McCoy, Policy Analyst, Florida Legislature:

“What national trends have you observed in terms of the financial accountability and viability of charter schools, and what are some “best practices” that you have observed in the financial management of charter schools”?

Answer: Michael Goldstein:

Charters in Massachusetts have an outside audit each year by a private auditor. That certainly helps. The ever-shifting political landscape makes charter school budgeting challenging...hard to have a long-term plan, therefore higher borrowing costs et al. A public policy that “locked in” a charter formula for 5 years would lead to better financial management. Mass Development has set up a public-private charter school loan guaranteed program here. This helps charters to purchase the renovated facilities, reducing their long-term facilities costs.

The New Jersey Administrative Code – Charter Schools

The purpose of 6A:11-1.1 is to provide the rules to govern the implementation of the Charter School Program Act, N.J.S.A. 18A:36A-1 et seq. The rules define the processes for establishing and operating charter schools: complying with the School

Ethics Act (N.J.S.A. 18A:12-21 et seq.): implementing programs; certifying classroom teachers, principals and professional support staff; applying streamline tenure for teaching staff members, janitors and secretaries; and conducting the financial operations of the charter schools.

SUBCHAPTER 7 is specific to the financial operations of a charter school.

Included in this subchapter are the following:

- 6A:11-7.1 Per pupil calculations, notification and caps
- 6A:11-7.2 Enrollment counts, payment process and aid adjustments
- 6A:11-7.3 Financial Requirements

Public School Review

The Public School Review Website (2006) provides demographic information and detail profiles of public schools in the United States. The site evaluates schools on several key criteria relative to each other and to statewide averages.

The Public School Review additionally provides a listing by counties in New Jersey of the charter high schools, middle schools, and elementary schools that are established. Important to this chapter in terms of exploring the economic viability of charter schools is the data focusing on Agency's Total Revenue, Agency's Expenditure, Agency's Revenue per Student, and Agency's Expenditure per Student. Median Household Income is also provided for comparison.

New Jersey Department of Education Website

Although this Website provides updated information on a variety of educational issues and initiatives, there is an entire section dedicated the development and status of

charter schools throughout the state of New Jersey. Specific to this chapter on economic viability is the section on resources.

U. S. Charter Schools Website

As of September 18, 2004, the United States Charter School Website is not supported nor endorsed by the U.S. Department of Education. It does, however, continue to provide monthly highlights of charter school resources in the areas of finance and facilities, govern and management accountability, and legal issues and policy.

New Jersey School Report Card for 2003

The most recent Report Card issued in February 2004 contains data for the 2003–2004 school year (NJDOE, 2004a). The financial data is district-level information for all schools except charter schools. Charter schools are public schools that are operated under a charter granted by the Commissioner. The school is independent of the school district and managed by a board of trustees. In accordance with the charter school law, the school district of residence must pay directly to the charter school, for each student enrolled in the charter school who resides in the district, an amount equal to the lower or either 90% of the program budget per pupil for the specific grade level in the district or 90% of the maximum Thorough and Efficient (T&E) amount under the finance law.

The per-pupil amount paid to the charter school cannot exceed the program budget per pupil for the specific grade level in the district in which the school is located. The district of residence must also pay directly to the charter school any categorical aid attributable to the student, provided the student is receiving appropriate categorical

services. For any student enrolled in a charter school in which 90% of the program budget per pupil for the specific grade level is greater than 90% of the maximum T&E amount, the state must pay the difference between the two amounts.

The financial information for the charter schools shows school average compared to charter average, while all other school report cards show the district average compared to the state average for districts of a similar operating type statewide as is used in the Comparative Spending Guide.

District/Charter Budgets and Per-pupil Expenditures

There are two district-wide costs per pupil amounts for 3 years that correspond with the rest of the data in the Report Card. First is the comparative cost per pupil that represents comparisons with districts of similar operating type. The components that comprise the comparative cost per pupil are as follows: classroom instructional costs; support services (attendance and social work, health services, guidance office, child study team, library and other educational media); administrative costs (general administration, school administration, business administration, and improvement of instruction); operations and maintenance of plant; food services, and extracurricular costs. The total of these expenditures is divided by the average daily enrollment for a total comparative cost per pupil.

Second is the total cost per pupil which, in addition to all of the cost listed above for the comparative cost, includes costs for tuition expenditures; transportation; other expenses (lease purchase interest, residential costs, and judgments against schools); equipment; facilities/acquisition; and restricted expenses less nonpublic services and

adult schools, as well as students sent out of district. The total of these expenditures is divided by the average enrollment for a total cost per pupil.

Evaluation of the Public Charter Schools Program, Final Report 2004

Chapter 2 of this Final Report focuses on the Public Charter Schools Program

Operations and addresses the following evaluation questions:

1. How does the Public Charter Schools Program (PCSP) work, and how does this federal grant program and its state grantees encourage the development of charter schools?
2. How do federally funded charter schools and school planners use their (PCSP) sub grants?

The Public Charter Schools Program (PCSP) is a key source of start-up support for charter school across the country. Through the PCSP, states and the federal government have created an infrastructure for supporting the ongoing development of charter schools. This chapter within the document discusses findings related to growth in PCSP federal funding parameters and state criteria for awarding PCSP funds, the average amounts and the uses of PCSP funds at the school level, and the role and capacity of state charter school offices.

New Jersey Charter School Application Document

A description of financial operations as defined in the Charter School Program Act of 1995 and the Administrative Code, is found in Part 2: Financial Plan of this document.

The financial overview must include the specifics of the financial plan for the proposed charter school and a description of the charter school fund development plan.

The narrative section describes any plans to use outside revenue including fund-raising and any affiliations with non-profit or for-profit entities.

The Review Criteria: Section 1. Financial Overview, 2. Budget Summary with narrative, and 3. Cash Flow Schedule should present a financial plan that reflects the utilization of Generally Accepted Accounting Principles (GAAP) and a school operations chart of accounts. These sections should incorporate sound financial planning which provides the basis for fiscal viability of the charter school as evidenced in the responses to the statements, Budget Summary and Cash Flow Schedule.

Chapter Summary

As with charter schools in other states, one of the greatest challenges in New Jersey is the start-up funding. States that have embraced and supported strong charter school statutes provide realistic opportunities for success in terms of funding and start-up requirements. As a result, these same states have the greatest number of charter schools established within their states.

In New Jersey, however, taxpayers not only complain about their property taxes being the highest in the United States but also resent the fact that the majority of the tax money is used to support the public schools. Conversely, New Jersey taxpayers also resent the idea of relinquishing control and support for their local school districts. Charter schools are often viewed as an outside institution that “diminishes funding” for the traditional public schools.

Charter schools resemble small businesses imbedded within an educational framework. Ideally, this would mean having stakeholders that are from the best of both

worlds- savvy businessmen and educational visionaries. The fiscal obstacles appear to present the greatest challenges for many charter schools in New Jersey. These include the lack of capital financing for facilities, guaranteed start-up money, inadequate per-pupil operating costs, and the lack of a sustained cash flow. A 1999 study of charter facilities financing reports that “It is not uncommon for facilities costs to amount to 20-25 percent of a charter school’s costs.” (Finn et al., 2000, p. 104) As a result, charter schools are often established in the non-traditional type of buildings or may never begin operations at all as a result of the lack an approved affordable facility. Additionally, equipment and instructional/non-instructional materials are also critical to the success of charter schools. Credit is usually not a guarantee for extra operational monies since charters schools have little or no documented “history” of success with limited if any substantial collateral. Borrowing under these circumstances likely makes the credit option very expensive.

The federal government supports a myriad of school reform initiatives, including charter schools. By offering financial support to charter schools, the Congress and the U.S. Department of education have given a national identity to an otherwise decentralized charter school movement. Federal interest in supporting the development of the charter school movement began in 1993 when the Public Charter Schools Program and the Public Schools Redefinition Act were proposed. No Action was taken, however, until the reauthorization of the Elementary and Secondary Education Act (ESEA) in 1994. The Public Charter Schools Program (PCSP) was enacted in 1995 as Title X, Part C, of ESEA. (Public Charter Schools Program, Final Report, 2004). The PCSP is a competitive grant program currently administered by the Office of Innovation and Improvement in the U.S. Department of Education (ED). The aim of the original

legislation was to support the planning, development, and initial implementation of charter schools during their first 3 years of existence.

As noted in the Public Charter Schools Program, Final Report 2004, PCSP funds are the most prevalent source of start-up funds available to charter schools across the states. These funds are widely accessible and all schools in states with charter legislation are able to apply for start-up funds from either through their state or by applying directly to the U.S. Department of Education. Besides PCSP funds, 84 percent of states reported private donors as sources of start-up funds for charter schools.

Additionally, within the federal funding parameters, states award sub grants to schools based on state-determined criteria. States design their own criteria for awarding the PCSP funds and determining sub grant amounts within guidelines from the federal government.

PCSP start-up and dissemination sub grants primarily fund professional development and technology. In addition, charter schools use start-up sub grants to purchase curricular and instructional materials.

If charter schools hope to be financially viable institutions, several concerns must be addressed. If a fluid cash flow is not maintained either through fund raising, private or corporate sponsors operating costs will exceed the operating budget within a matter of time. Per-pupil money allocation must be equal to the district school counterparts. Money allocated from the state for charter schools must be a constant in its value and sustained over the course of time. Apportion money is sometimes based on a prior year's enrollment; this presents a problem for schools with increasing enrollment issues. Adjustments to allotments should be made in timely fashion. The absence of significant

capital funding is apt to provide an advantage for the prosperous communities while presenting many economic difficulties for the low-income areas and grass-roots charter schools.

	Guiding Question #1 – What factors affect economic viability for charter schools?
Data Source	Key Finding(s)
<i>2003 Charter Schools Annual Report, Content and Format Guide</i>	<ul style="list-style-type: none"> • Operational revenues and expenditures • Type and number of major activities that are required to support the school's program • Goal achievement and overall effectiveness determines the renewal of the charter
<i>Charter School Evaluation Report Commissioner's Recommendations (October 1, 2001)</i>	<ul style="list-style-type: none"> • State assessments • Number of students on waiting lists to attend charter schools • Amount of state aid for facilities • Ability to incur long-term debts • Use of public funds for facilities and construction • Develop mechanisms to provide for a more stable revenue flow • Establishment of a charter school support center • Available state-funded grants to founders • Additional relief from mandates for charter schools • Insufficient resources are available to charter schools • Charter schools receive only 90% of per-pupil expenditures in their district of residence • Average facility expenditure for charter schools is \$1500 per student • Per-pupil funds are reduced by approximately 65–70% as a result of instructional costs and administration • Rate of inflation should be factored into facilities expenditures • State regulations prohibit charter schools from incurring long-term debt • Public funds may not be used to cover construction costs
<i>New Jersey Department of Education REPORT ON CHARTER SCHOOL HEARINGS (April 24, 2001)</i>	<ul style="list-style-type: none"> • Issues of funding were not presented as a priority • Charter schools have leasing and building costs that are not incurred by traditional public schools • Funding mechanism is perceived as inequitable by charter school constituents and by the districts • No Abbott funding is distributed to charter schools

Figure 1. Data sources and key findings for guiding question 1.

Data Source	Key Finding(s)
Transcript of LIVE CHAT on Charter Schools (Goldstein & Rotherman, 2004)	<ul style="list-style-type: none"> • State finance systems favor more affluent communities and neglect low-income communities where educational needs are greater • Borrowing costs are typically higher, since charter schools are not able to plan long term
New Jersey Statutes and Legislation that pertain to New Jersey Charter Schools	<ul style="list-style-type: none"> • Per-pupil calculations and budget caps • Enrollment figures • Payment processes and aid adjustments • Overall financial obligations
The Public School Review- Demographic information related to New Jersey Charter Schools	<ul style="list-style-type: none"> • Charter schools total revenues and expenditures • Per-pupil cost • Median household income relative to the district's local property tax
New Jersey Department of Education Website	<ul style="list-style-type: none"> • Financial resources available for charter schools
U.S. Charter Schools Website	<ul style="list-style-type: none"> • Available resources for finance and facilities
New Jersey Charter Public Schools Association Website	<ul style="list-style-type: none"> • No key findings were reported
New Jersey School Report Card for 2003	<ul style="list-style-type: none"> • School district of residence pays directly to the charter school for each student enrolled • Per-pupil amount paid to charter schools cannot exceed the program budget for the specific grade level in the district in which the school is located • If 90% of the program budget per pupil for a specific grade level is greater than 90% of the maximum T & E amount, the state must pay the difference between the two amounts • Comparison cost per pupil • Total cost per pupil
<i>Evaluation of the Public Charter Schools Program, Final Report 2004</i>	<ul style="list-style-type: none"> • Federal funding parameters are developed through the Public Charter Schools Program (PCSP) • Uses of PCSP funds at the state level • Roles and capacity of state charter school offices
New Jersey Charter School Application Document	<ul style="list-style-type: none"> • Opportunities for fundraising affiliations with non-profit or for-profit entities • Budget summary information • Development of a cash flow schedule

Figure 1 continued. Data sources and key findings for guiding question 1.

CHAPTER V

ANALYSIS OF INFORMATION – STUDENT ACHEIVEMENT

Chapter V will focus on another aspect of charter schools' effectiveness. This chapter's investigation will be organized around guiding research question #2: How is student achievement measured in charter schools? It is important to note that increased accountability for improved student achievement is not always specified in a state's charter school legislation. Current research as to charter school effectiveness is still limited and certainly not conclusive. The same documents that served as a basis for the analysis in chapter IV will again be used in chapter V.

2003 Charter Schools Annual Report, Content and Format Guide

A section contained within this document is dedicated to the review of state and local assessment activities and student achievement results presented within the context of the school's goals and required standards associated with NCLB Adequate Yearly Progress (AYP).

The assessment activities related to the academic goals and objectives are clearly defined. The following major components of the school's assessment activities and assessment results and trends to date must be included in a charter school's annual report.

1. The Assessment Procedures include the procedures implemented to date to measure or document achievement of each school's "priority" academic goals and objectives.
2. State Assessments identify the state measures at the relevant levels for which the school participates (i.e., ESPA, NJASK, GEPA, HSPA) and specify the number of students assessed. Levels of staff involvement and accountability in regard to the state assessments must be described. It also contains additional information detailing when the state assessment is used, by whom, and for what purpose.

3. Standardized Assessments describe the standardized appraisals (tests/subtests) the school administers and the purpose for using these instruments. The complete name and publication date of the test must be provided in addition to the subject areas tested, the frequency of testing, the grade levels tested, the number of students assessed, and whether pre- and post-testing is involved.
4. Other Provisions for Assessing Achievement describes the nature of the assessments and procedures the school uses in-house on an ongoing basis (daily, weekly, monthly, etc.) to gauge student achievement and document student performance in order to measure the effectiveness of instruction, redirect instruction and monitor and report student achievement.
5. Reporting System is intended to describe the manner and frequency the school provides feedback to parents on student performance.
6. Accountability specifies who has the primary accountability for assessment in the charter school (data collection, analysis, interpretation, and reporting). Included as well are the qualifications of the person responsible and the descriptions of the role of any consultants if used.

Once the above noted has been gathered, the report requires the information to be summarized and the student achievement results discussed in light of NCLB Adequate Yearly Progress Starting Point established by the Department of Education. For NCLB purposes the data also need to be appropriately disaggregated. Each charter school must describe the extent to which the school is making progress in achieving its academic goals and objectives.

Charter School Evaluation Report—Commissioner’s Recommendations (October 1, 2001)

The following general conclusions were drawn from the public hearings, the independent, comprehensive study, and 4 years of experience that the Department of Education had in implementing the Charter School Program.

1. Charter school students in the aggregate are making substantial progress in achieving the Core Curriculum Standards in some, but not all, areas of the statewide assessments based on the results for Elementary School Proficiency assessment (ESPA) and Grade Eight Proficiency Assessment (GEPA)
2. Charter schools in the aggregate are outperforming the districts of residence from which they draw their students in math on the ESPA and language arts on the GEPA.

Student performance in other areas on these tests is comparable to the districts of residence.

As a result of those findings, the New Jersey Department of Education implemented the new form of accountability envisioned by the Legislature and Governor in enacting the Charter School Program Act of 1995. Meaningful school choices, especially in the urban areas, are now available to parents and students. Based on analysis of the first several cohorts of charter schools, students are performing at levels greater than or comparable to programs and services in districts of residence. This new form of accountability intended by the Legislature has been faithfully implemented. The Department of Education has closed six operating charter schools over the first 4 years for lack of adequate performance.

New Jersey Department of Education, Report on Charter School Hearings

(April 24, 2001)

The Charter School Program Act of 1995, as amended on November 2, 2000, requires that the Commissioner hold a public hearing by April 1 to hear input on the charter school program. Respondents are comprised of charter school staff, charter school students/parents, charter school administration/board, district superintendent/board, traditional parents/students, traditional staff, teachers' association, and others. The purpose of the testimony is not to prove or disprove any particular hypothesis but to improve the understanding of issues involved in the charter school initiative.

Student Achievement

Charter school parents, students, and staff felt that support programs, extra teacher attention, safety in schools, and extended time in schools all contribute to higher levels of student achievement. Many parents and students mentioned safety in schools as an important factor contributing to increased learning. An improved attitude toward wanting to learn and wanting to go to school also were mentioned repeatedly.

Student Assessment

Charter school staff, parents, and administrators discussed assessment more frequently than the other groups (92.9% of responses mentioning assessment). Of all responses on assessment, the issues most mentioned were methods of assessment (12.8%) and class size (58.1%).

Charter school teachers (17%) and charter school parents and students (65%) cited smaller class size as a positive contributor to students' learning and assessment results. Some of the concerns about assessment:

1. Students should be attending a charter school at least 14 months before inferences are drawn from resulting assessment scores.
2. State test results should be reported by aggregate.
3. Charter school students who return to district schools affect the learning of all students and may adversely affect assessment results.
4. Giving more money to district schools does not mean better test scores.

Accountability

Of the 38 testimony points on accountability, 28.9% addressed the effect charter schools may have on district programs and overall reform efforts. Charter school

administrators felt that the probation process and program reviews were positive things to have in place. Other ideas expressed:

1. Efforts at reform in the districts may be accelerated.
2. Districts will be forced to examine what the charter schools are doing and make some changes.
3. Charter schools are small, efficient, and do more with less.
4. A process for collaborative efforts between charter schools and districts is needed.
5. Charter schools should look for partnerships with colleagues, businesses, and districts.

Overall, charter school parents and students feel that they are receiving a good education. However, the ability to support this contention is another issue entirely. State assessment scores, other assessment tests, student progress reports, and other methods of assessment will all be part of the evidence that is needed to substantiate their beliefs. Longitudinal studies will be an important component in determining whether or not student performance will improve in charter schools.

Transcript of LIVE CHAT on Charter Schools: Policy and Practice

The following questions were posed by selected participants of LIVE CHAT (Hendrie, 2004) that are related to charter schools' procedures for accountability and student achievement:

Question: William R. Gretton, III, Assistant Superintendent for Business Affairs,
Harrisburg School District:

“Should public school policy allow individual charter schools that duplicate efforts of the local public schools survive when student performance is not equal to or greater than those public schools?”

Answer: Michael Goldstein:

My sense is charter public school leaders differ on that question, and the public policy aspect is complicated since charter law varies from state to state. Speaking only for myself, the original 5-year charter claimed that they'd have students outperforming district public school, and they don't, then I'd be inclined to shut them down. Given the phrasing of your question, I bet you agree! I can think of mitigating circumstances, however. What if the charter tends to draw parents whose kids are doing poorly in the district schools and therefore arrive with lower test scores than the district? In that case, I'd personally allow a charter to survive if its "gains over baseline" were equal or higher than the district. For example, let's say a charter high school attracts incoming 9th graders who'd scored at the 30th percentile statewide in their old middle schools, and get them to the 40th percentile by the end of 10th grade. And say the district's incoming 9th graders scored 50% in their old middle schools, and those kids go on to the 55th percentile two years later. I would personally think the charter has a good public policy rationale to continue to exist, because of its "Value-Add."

Question: Carolyn Guthrie, Teacher Miami-Dade County Public Schools, and parent of a recent charter school graduate:

"Recently released research seems to show that charter school student performance is not better than that of students in regular public schools, and, in fact, may even be lower. Please comment on these results."

Answer: Andrew Rotherman:

Good question. As I indicated earlier, the research on charter schools is mixed. This is not surprising because a charter school is just a school and there is nothing magical about having a charter, it still takes the same hard work and discipline to create an excellent school. In terms of the research, as with research about other public schools it's important to make sure that you view the research through the right analytic lens in terms of what different studies and data sets can't tell us.

You're probably specifically referring to the recent American Federation of Teachers "study" about charter school scores. Unfortunately the AFT report itself could tell us very little because of the limitations of the data and The New York Times [sic] front page story on it was very misleading for readers and poorly done (for example it offered no interpretation of various statistics for readers making it easy to draw incorrect conclusions). And quite frankly, though this was lost on the New York Times, you should have about as much confidence in a charter school report that from the AFT as you would in a military outsourcing report from Halliburton. A second study came out shortly afterwards by Caroline Hoxby, an economist at Harvard. While also limited in several ways in terms of what it can tell us, her study offers a more complete picture of charter performance. It finds, as several other reputable studies have, that charters are doing, generally well or better than comparable public schools but that are still too many low-performing charters too many places and some states that should concern us.

The bottom line is reason for cautious optimism but charters are also bumping up against the same challenges that traditional public schools face. The challenges of educating some students are substantial and more complicated than rhetoric about “No Excuses” and so forth. On the other hand they can be met and our profession can do more to meet them than we do now.

Unfortunately though, lost in the ideological back and forth about charter test scores is an opportunity to have a discussion about those issues.

Question: Pamela Riley, Education Consultant, Berkeley, California:

Should a charter school’s academic achievement be measured by the same state and federal achievement goals that regular public schools are? What if a charter school falls somewhat short of the state’s mandates but scores high on parent and student satisfaction or on the school’s own internal achievement goals?

Answer: Michael Goldstein:

Many charter schools are small and as a result have fewer subgroups, but they are still subject to AYP. If you consider AYP to be fair, then charters should be held accountable for the same state and federal achievement goals.

Question: Comfort Okpala, Program Specialist, Education Development & Research Center of North Carolina:

What is the opinion about the research findings of Dr. Ladd of Duke University and others on the academic achievement of students in charter schools in North Carolina?

Answer: Andrew Rothman:

I thought that the study was well done and important. We need more research using methods like that and data like what is available in North Carolina. Clearly policymakers in North Carolina need to take a close look at what's going on. I think one issue there is that North Carolina has done a great deal to improve its public schools and focus on its lowest performing students. That means that the bar is higher for all schools and that's reflected in the data on charters there right now.

However, problems in one state should not be used to cast aspersions on charters elsewhere. It's an important study for North Carolina, but it doesn't tell us anything about charters in other states.

The New Jersey Administrative Code—Charter Schools

This section relates to N.J.S.A. 18A-1 et seq., specifically 18-A:36A-18.

SUBCHAPTER 2 is specific to the APPLICATION AND APPROVAL, REPORTING, RENEWAL, PROBATION AND REVOCATION, APPEAL, AND AMENDMENT PROCESSES.

6A:11-2.2, REPORTING focuses on the annual written report that the board of trustees of a charter school must submit to the Commissioner no later than 4:00 P.M. on August 1 following each full school year in which the charter school is in operation. Additionally the report is submitted to the respective county superintendent of schools, district board(s) or education or State district superintendent(s) of the district of residence of a charter school.

1. The report in a format prescribed by the Commissioner must include, but is not limited to, a description of the following;
 - a) The achievement of the school's mission, goals, and objectives of its charter;
 - b) The attainment of the New Jersey Core Curriculum Standards and the delivery of an educational program leading to high student academic achievement;
 - c) Statewide Assessment Program results and local assessment results of students;

6A:11-2.3, RENEWAL OF CHARTER addresses issues of accountability and academic achievement.

- a) The Commissioner may grant a five-year renewal of a charter following the initial four-year charter.
- b) The Commissioner shall grant or deny the renewal of a charter upon the comprehensive review of the school including, but not limited to:
 - 1) A renewal application submitted by a charter school to the Commissioner, the respective county superintendent of schools and the district board(s) of education of State district superintendent(s) of the district of residence of the charter school no later than 4:00 P.M. on September 15 of the last school year of the current charter;
 - 2) The review of a charter school's annual reports pursuant to N.J.A.C. 6A:11-2.2 (a);
 - 3) Comments of the annual reports from the district board(s) of education or State district superintendent(s) of the district of residence of the charter school;
 - 4) School performance on the Statewide Assessment Program pursuant to N.J.A.C. 6:39-1;
 - 5) The Commissioner shall notify a charter school regarding the granting or denial of renewal during December of the last school year of current charter. The notification to a charter school that is not granted renewal shall include reasons for denial.

The Public School Review

The Public School Review (2006) provides free, detailed profiles of USA public schools and their surrounding communities. The site evaluates schools relative to each other and to state-wide averages for key criteria. New Jersey's charter schools are

identified as a high school, middle school, or elementary school and are categorized by county and town. Information on this site provides student enrollment numbers and test scores from the New Jersey Department of Education.

New Jersey Department of Education Website

An entire section of this Website is devoted to providing information relative to the charter schools in the state. Reports and other state documents that focus on student achievement appear on the New Jersey Department of Education Website.

New Jersey School Report Card for 2003

The most recent report card issued in February 2004 contains data for the 2003-2004 school year. The section on student performance indicators includes the following assessments: performance on state tests-High School Proficiency Assessment (HSPA), Grade Eight Proficiency Assessment (GEPA), Elementary Proficiency Assessment (ESPA) and New Jersey Assessment of Skills and Knowledge 4 (NJASK 4).

The statewide assessment system comprises state tests that are designed to measure student progress in the attainment of Core Curriculum Content Standards. Under State law, testing is required at three levels: Grades 4, 8, and 11. The test results in the Report Card reflect the state testing requirements and constitute the state assessment summary for all students and the various subgroups for the 2001–2002 and 2002–2003 school years.

Under the No Child Left Behind Act of 2001 (NCLB, U.S. DOE, 2002), states are required to assess student progress in language arts and math in Grades 3–8. The

Department of Education is currently under contract for assessments to be developed in the grades where there is no state testing currently.

The data presented in the School Report Card differ slightly from the data in the No Child Left Behind (NCLB) reports required by federal law to be issued prior to the opening of school. The NCLB reports show assessment results after the application of NCLB rules for the purpose of calculating adequate yearly progress (AYP) and identifying schools in need of improvement.

State assessments are implemented with the assistance of test contractors who collect and tally the student-level data. The results are distributed to local districts that have an opportunity to correct any errors. The Department of Education's Office of Evaluation and Assessment conducts the final quality control of all test data and is the source of the assessment results for the New Jersey School Report Card.

Evaluation of the Public Charter Schools Program, Final Report 2004

Chapter 5 of this final report focuses on charter schools in the United States and state performance standards. Limited research currently exists on charter school performance; however, there are a few existing studies that rely on different methodologies and provide mixed results.

A handful of studies examine student level data in a single state over time (longitudinal). These studies suggest that at-risk students enrolled in a charter schools for more than 1 or 2 years outperform students in traditional public schools.

On the other hand, a number of studies examine performance within and across states using school-level data. Generally, these school-level studies are exploratory and

seek to examine the broader influence of charter schools on collective student performance. However, these studies are inconsistent in the degree to which they acknowledge the problem of missing school data. This report suggests that missing data on charter schools, in many state databases is a large problem, limiting the possible analyses to a small number of states.

Other researchers have conducted related, but not identical, analyses of student performance at the school level. These studies again were not consistent, since in some cases charter schools were compared to traditional public schools serving general populations, whereas other studies compared charter schools to traditional public schools that targeted specific populations.

The analysis of the rates at which charter schools met state performance standards in this report included five states with adequate data to conduct the analyses in this evaluation and included Colorado, Illinois, Massachusetts, North Carolina, and Texas. These states act as case studies and are not representative of the overall charter school experience. Specifically, of the 36 states with operating charter schools in 2001-2002, the five identified states met three criteria. They had: (a) a school-level performance standard designated by the state that included all schools and therefore would permit meaningful comparisons of charter and traditional public schools, (b) adequate number of charter schools, and (c) adequate data for charter schools. State departments of education provided all the data used for these analyses, either directly or from public files available through their Websites.

In each of the five states examined, charter schools were less likely to meet performance standards than traditional public schools. Most of the differences occurred

when charter schools and traditional public schools had above average proportions of students eligible for free and reduced-price lunches and above average proportions of minority students.

The overall finding in this report as it relates to student achievement states that charter schools were less likely than traditional public schools to meet a state's performance standard joins an array of other studies with different analytic approaches and disparate findings about the success of charter schools. These data suggest that some charter schools may have difficulty meeting the high-stakes performance standards under No Child Left Behind Legislation.

New Jersey Charter School Application Document

In Section Three, Part 1: Implementation Plan of this document a number of items are required to be reported for Student Assessment, Self Evaluation, and Accountability.

Specifically reviewers will look for evidence of:

1. descriptions and/or examples of assessments that are consistent with the school's mission and programs as well as high expectations of students;
2. multiple measures of student outcomes and a plan for analyzing and using data;
3. a thorough, clear, measurable, credible and sound design for measuring, disaggregating, and reporting the performance and progress of the charter school;
4. an understanding of state, federal, and NCLB requirements and alternate assessment requirements;
5. a strategy for how assessment results will be used to make adjustments in curricula, instruction and improve student outcomes;
6. a commitment of time and resources for professional development and for the analysis of the relationship between professional development and instructional improvement;
7. a plan that contains goals for organizational viability and the instruments and data that will be used to measure these goals,
8. a plan with a reasonable, thorough, and sound design for measuring and reporting performance and progress of the charter school,

9. a professional development plan and staff criteria that are based on high professional standards and are consistent with the school's mission and goals; and
10. a commitment to accountability for results and the capacity to achieve those results.

Chapter Summary

Charter schools are independent public schools and operate separately from the district board of education in the community where they are located and are managed by a nonprofit board of trustees. This gift of independence was viewed as the answer to better serving community needs, spurring innovation, and most importantly increasing student achievement and overall academic performance.

Charter schools are also touted as meeting the needs of communities where the district public schools are failing. Eighty-five percent of charter school students in New Jersey are in Abbott districts or Atlantic City.

When attempting to determine charter school effectiveness in terms of student achievement several factors have to be considered. These include:

1. Definitive data related to pupil achievement are limited. Charter schools, being relatively new in the State of New Jersey, have not passed the test of time to make an accurate assessment of gains in student achievement. More reliable information is typically reported after 4 to 5 years of sustained improvement.
2. Gaps in providing meaningful and accurate data exist in the entire public education system. This problem is also carried over to the charter schools. The American education system still has no agreed-upon system of performance accounting, and the partial evaluation system that exists does not adequately support or disprove claims related to student achievement.
3. A greater reliance will need to be placed on state-level data rather than multi-state data to assess student achievement in charter schools within New Jersey. Specific standards required by the New Jersey State Assessment Programs can be used throughout the state to uniformly measure and compare student achievement in each of the charter schools in the state as well as provide a comparison to the respective public schools in the same district.

4. When comparing schools in terms of student achievement it is also important to match pupil demographics. Student characteristics: poverty, parent education, family stability, command of the English language are all factors that may impact test scores and other performance data.

On December 15, 2004, the debate over students' performance in charter schools in the nation again surfaced. The official results from the 2003 National Assessment of Educational Progress of 4th graders in reading and mathematics painted a picture of charter school performance that was roughly equivalent to the one presented in a highly publicized report based on the same basic data that was released in August by the American Federation of Teachers. In both cases, charter school students were generally found to be trailing their peers in traditional public schools- at least in math- although that gap disappears once the race and ethnicity of the students are taken into account.

Despite their infancy, charter schools are popular with students, parents, and teachers on average. The schools have waiting lists greater than 50% of their enrollment. However, they only represent 1% of the 1.3 million public school students in New Jersey.

Charter schools by definition are considered to be experimental and constantly in need of assessing themselves in order to provide a better alternative to lower performing traditional public schools. The challenge of this appears to lie in each charter school's ability to remain accountable for its student's ability to remain at grade level or, if not, at least perform better than traditional schools within the district. It is also incumbent upon the charter schools to maintain and provide accurate reporting documentation relative to student achievement and academic growth.

“A big problem with charter schools is that there are a lot of kids in them, the kids are happy in them, but they are not learning very much” (Finn, 2004).

	Guiding Question #2 - How is student achievement measured in charter schools?
Data Source	Key Finding(s)
<i>2003 Charter Schools Annual Report, Content and Format Guide</i>	<ul style="list-style-type: none"> • Student achievement results are presented within the context of schools required goals and required standards • No Child Left Behind(NCLB) standards in terms of Adequate Yearly Progress (AYP) • State assessments – ESPA, NJASK, GEPA, HSPA Other standardized assessments that identify subject areas tested, frequency of testing, grade levels tested, and number of students tested • Documentation of student performance using “in-house” assessment • Use of data collection, analysis, interpretation, and reporting for assessment accountability
<i>Charter School Evaluation Report Commissioner’s Recommendations (October 1, 2001)</i>	<ul style="list-style-type: none"> • Comparison between charter school students in aggregate • Comparison of achievement between students in charter schools and those in the traditional public schools in the districts of residence
<i>New Jersey Department of Education REPORT ON CHARTER SCHOOL HEARINGS (April 24, 2001)</i>	<ul style="list-style-type: none"> • Identified factors that impact student achievement • Reporting of state results by aggregate • Value of longitudinal studies
<i>Transcript of LIVE CHAT on Charter Schools (Goldstein & Rotherman, 2004)</i>	<ul style="list-style-type: none"> • The need for comparisons to be done with similar populations • Equity of having charter schools and traditional public schools measure achievement using the same state and federal guidelines • NCLB standards vary from state to state

Figure 2. Data sources and key findings for guiding question 2.

Data Source	Key Finding(s)
New Jersey Statutes and Legislation that pertain to New Jersey Charter Schools	<ul style="list-style-type: none"> • Report of school performance for the statewide assessment program • Reports of local assessment results • Verification of the attainment of the New Jersey Core Curriculum Standards
The Public School Review- Demographic information related to New Jersey Charter Schools	<ul style="list-style-type: none"> • Evaluation of schools relative to each other and to state-wide averages • Student enrollment numbers and test scores
New Jersey Department of Education Website	<ul style="list-style-type: none"> • Standardized test results by district and district factor grouping
U.S. Charter Schools Website	<ul style="list-style-type: none"> • No key findings were reported
New Jersey Charter Public Schools Association Website	<ul style="list-style-type: none"> • No key findings were reported
<i>New Jersey School Report Card for 2003</i>	<ul style="list-style-type: none"> • Performance on state tests • Assessment summary for all students and the various subgroups • Final quality control of all test data is conducted by the Department of Education's Office of Evaluation
<i>Evaluation of the Public Charter Schools Program, Final Report 2004</i>	<ul style="list-style-type: none"> • Limited longitudinal study • Examination of school level data • Collective student performance rather than individual • Test results compared to general or targeted population
<i>New Jersey Charter School Application Document</i>	<ul style="list-style-type: none"> • Assessment consistent with charter schools mission and goals • Multiple measures of student outcomes • A clear, credible, and sound design for measuring, disaggregating, and reporting performance and progress • Adherence to state, federal, and NCLB requirements

Figure 2 continued. Data sources and key findings for guiding question 2.

CHAPTER VI

ANALYSIS OF INFORMATION: RACIAL/ETHNIC/SOCIOECONOMIC PROFILE

Chapter VI of this study will investigate the importance of the racial, ethnic, and socioeconomic profile of existing charter schools. As inner-city parents of different racial, ethnic, and social-economic backgrounds select charter schools as their preferred education choice, it is possible that charter schools may come to over represent these children and create a new type of *de facto* educational segregation and/or provide opportunities for voluntary segregation. The potential implications of such outcomes would be significant to public education in general and more specifically to the efforts related to integration. Therefore, this chapter will focus on guiding question # 3: Why is the racial, ethnic, and socioeconomic profile of existing charter schools important? The primary documents that will serve as the basis for this analysis are the same as those used in the previous chapters and described in detail in chapter III.

2003 Charter School Annual Report, Content and Format Guide

Several sections of this annual report require information regarding the racial, ethnic, socioeconomic, or at-risk population attending charter schools in New Jersey (NJDOE Office of Innovative Programs and Schools, 2003). Specifically, in Section 3, Delivering an Educational Program Leading to High Achievement for All Students, the following information is required.

Educational Disabilities

Charter schools must provide appropriate data to describe how the school is organized to respond to the diverse learning needs of students with educational disabilities. The number of classified students must be stated as well as the school's child study team services, the programs provided, and the number and certification of certified staff and aides that deliver the services must be noted.

Bilingual Students

A description of the number of limited-English proficient students served must be included in the report, as well as the services provided and the staff allocated to this function. If the school has no LEP students, a plan must still be provided to identify such students, outline the services and allocation of staff to service this population.

At-risk Students

The school needs to describe how it is organized to respond to at-risk students. Specifically, the school must describe the school's procedures/criteria for identifying at-risk students, the number of students currently identified as at-risk, the services provided and the staff allocated to this function.

In section 9 of the report, School Characteristics and Demographic Information, charter schools are required to provide the following information.

1. The number and percent of students with educational disabilities
2. The number and percent of limited-English proficient students
3. The number and type of languages represented

Evaluation of the New Jersey Charter Program, September 2001 – Executive Highlights

KPMG performed a comprehensive, independent evaluation, encompassing surveys of parents, charter school students, and non-charter school students throughout the State, site visits to 30 of the 54 state charter schools, and an analysis of considerable data (NJDOE, 2001a). Summary results were provided for the nine areas. Specific to this study is the summary of the following areas.

Student Demographics

On average, African Americans comprise almost 68% of charter school enrollment, compared to 50% for their districts of residence and 43% of the school-age community surrounding charter schools (NJDOE, 2001a).

1. Conversely, charter schools serve lower percentages of White, Hispanic, and Asian students than the districts of residence and compared to their school-age community.
2. Native American students comprise an insignificant share of enrollments in charter schools, districts of residence, and school-age community.
3. Like their respective districts of residence and school-age communities, charter schools enroll fairly equal numbers of male and female students.
4. Student enrollment figures by grade level in the charter schools were similar to those in the districts of residence. However, the charter schools served significantly higher percentages of students in Grades K-2, 6, and 9 and lower percentages of students in Grades P, K, 3-5, 8, and 11 than their districts of residence.
5. The percentage of students receiving free and reduced-price lunch in charter schools was 63% compared to 70% in the districts of residence.
6. The percentage of charter school students participating in Title I programs was greater than the districts of residence at 60% and 43% respectively, a 17 percentage point difference.
7. Charter schools enrolled fewer students with educational disabilities than the districts of residence (7.7% compared to 15.6%). Students with limited English proficiency (LEP) comprise a relatively small proportion of enrollments at both charter and district of residence schools, though for the latter it is marginally larger, that is, .3% and 1.4% respectively.

Impact on Districts of Residence (DOR) and Educational Services Statewide

Although charter schools must adhere to a random admission process, two districts reported that the opening of charter schools in their districts resulted in a decrease in its White student population (NJDOE, 2001a). No evidence, however, was provided to support this comment.

New Jersey Department of Education Report on Charter School Hearings

(April 24, 2001)

Despite the fact that some conclusions regarding charter schools were drawn from public hearings, others from a comprehensive study, and still others from the experienced based on the 4 years of charter school implementation, no specific recommendations were presented by the Commissioner that related directly to the student demographics. Specific student composition in charter schools pertaining to racial, ethnic, or socioeconomic profiles was not addressed. Additionally, no correlations were noted between overall student achievement and the demographic profile of an individual school.

Transcript of LIVE CHAT on Charter Schools: Policy and Practice

Question: Joanna Farmer, Scholar-Activist, Building Community Capacity:

“Have charter schools advanced the movement toward educational equity and how has that been measured?”

Answer: Andrew Rotherman:

In terms of equity, the fundamental equity problem we have is that we too often give poor and minority students a second class school system. Charters are disproportionately opening in the communities most impacted by that problem. These are not schools for the affluent or privileged. If you're concerned about equity and educational opportunity, that should be encouraging news.

There are more than 3,000 charter schools around the country. Many are absolutely outstanding and are giving the lie to the notion that we can't or shouldn't expect a lot from economically disadvantaged or minority students. Many more are good and are providing students with better options than they previously had. And, unfortunately, some, for various reasons, are not getting the job done and need to be dealt with.

But while we should be concerned about the latter group, and policymakers need to take steps to deal with it, doing so should not come at the expense of the good and great charter schools.

In terms of measuring educational improvements and equity, parental demand and parental satisfaction are good indicators but so are measures of student achievement. Overall, though certainly not without exception as I pointed out, charters compare favorably to schools serving similar populations of students. And recent studies (see, for example the work of Tom Loveless of the Brookings Institution) show that they're making faster gains than other public schools, meaning they are showing potential to close the achievement gap. Right now, because charters disproportionately serve a disadvantaged population,

comparisons of charter school achievement to overall public school achievement are deliberately misleading.

However, the goal of charters should not be to do as well as mediocre urban schools but to do much better. Over time, meeting that goal will be the real test of the value-added on the equity question.

The New Jersey Administrative Code—Charter Schools

Several sections in this document require that specific information regarding ethnicity of students in attendance be reported in the initial application process as well as in the annual report submitted to the Commissioner of Education. These sections include:

SUBCHAPTER 2

6A:11-2.1 Application and Approval

- (i) Prior to the granting of a charter, the Commissioner shall assess the student composition of a charter school and the segregative effect that the loss of the students may have on its district of residence. The assessment shall be based on the enrollment from the initial recruitment period pursuant to N.J.A.C. 6A:11-4.4 (a) and (b). The charter school shall submit data for assessment.

6A:11-2.2 Reporting

- (c) On an annual basis, the Commissioner shall assess the student composition of a charter school and the segregative effect that the loss of the students may have on its district of residence. This assessment shall be based on the enrollment from the initial recruitment period pursuant to N.J.A.C. 6A:-4.4(b). The charter school shall submit data for the assessment:
 1. In a format prescribed by the Commissioner; and
 2. No later than 4:00 P.M. on January 15.

SUBCHAPTER 4. Program Implementation

6A:11-4.4 Initial Recruitment Period

- (a) No later than April 15 of the school year in which each charter school is approved, a charter shall submit to the Commissioner the number of students by grade level, gender and race/ethnicity from each district selected for enrollment from its initial recruitment period for the following school year.

- (b) No later than January 15 of subsequent school years, a charter school shall submit to the Commissioner the number of students by grade level, gender and race/ethnicity from each district selected for enrollment from its initial recruitment period for the following school year.

6A:11-4.7 Limited English Proficient Students

A charter school shall provide an enrolled limited English proficient student with all required courses and support services to meet the New Jersey Core Curriculum Content Standards for high school graduation in accordance with N.J.S.A. 18A:7A-4 and 18A:7A-5 and N.J.A.C. 6A:15.

6A:11-4.13 Equity in Education

A charter school shall comply with all applicable laws and regulations governing equity in education including, but not limited to: N.J.S.A. 18A:36-20, N.J.S.A. 10:5-1 et seq., N.J.S.A. 6:4, Titles VI and VII of the Civil Rights Act of 1964 at 42 U.S.C. 2000d et seq. and 2000e et seq., respectively, Title IX of the Education Amendments of 1972 at 20 U.S.C. 1681 et seq., Section 504 of the Rehabilitation Act of 1973 at 29 U.C.A. 792, the Americans with Disabilities Act of 1990 at 42 U.S.C. 12101 et seq., and the Individuals with Disabilities Education Act (IDEA-B) of 1997 at 20 U.S.C. 1400 et seq., and 34 C.F.R. 300 et seq.

6A:11-7.2 Enrollment counts, payment process and Aid Adjustments

- (c) A district board of education shall pay to a charter school the following categorical aids in the amount that the district board of education receives in that categorical aid program which is attributable to a resident student enrolled in that charter school if that charter school student is receiving appropriate categorical services:
1. Special education aid
 2. Bilingual aid; and
 3. Distance learning network aid.

- (d) A district board of education that receives instructional supplemental aid shall pay to a charter school the amount of that aid attributable to a student residing in the district and attending the charter school when the charter school has a concentration of low-income students that is equal to or greater than five percent and less than 20 percent.
- (e) A district board of education that receives early childhood program aid and/or demonstrably effective program aid must pay a charter school the amount of that aid attributable to a resident student attending that charter school where:
 - 1. The charter school has a concentration of low income students that is equal to or greater than 20 percent; and
 - 2. The resident student is receiving appropriate services to be funded through that type of aid.
- (f) The per-pupil amount of early childhood program aid and demonstrably effective program aid to be paid to a charter school shall be the lesser of the per-pupil amount provided to the district board of education for that aid category or the per-pupil amount that would be provided to a district board of education/school with a concentration of low-income students that equals the concentration of low income-income students in the charter school.

The Public School Review

The Public School Review (2006) provides free, detailed profiles of USA public schools and their surrounding communities. This site evaluates schools relative to each other and to state-wide averages for key criteria. New Jersey's Charter Schools are identified as a high school, middle school, or elementary school and are categorized by county and town. Information on this site is provided in several sections.

1. A school overview—defining school level, school type, grades offered, and county location
2. Students and Faculty—total number of students, percentage of male and female attendees, total number of classroom teachers, students by grade, student teacher ratio, students by ethnicity, and percentage of students eligible for free lunch, reduced lunch, and the percentage of migrant students enrolled.
3. School Performance—school statewide performance based on state of DOE Test Scores
4. School District—school district's name, number of schools managed, number of students managed, districts total revenue, district expenditure, district revenue per student, district expenditure per student
5. School Zip Code—percentage of population (25+) with a college degree, population average age, average household size, median household income,

average number of rooms in household, median age of housing structure, median value of housing unit, percentage of population owning or renting, and percentage of vacancy housing units

New Jersey Department of Education Website

An entire section of this Website is devoted to providing information relative to the charter schools in the state. Reports and other state documents that focus on the demographics related specifically to the public charter schools on the New Jersey Department of Education Website. Each of the charter schools in the state are listed and the following information is documented for the individual school and then compared to the state average. The New Jersey School Report Card is one type of document that provides an overall profile for each public school in the state.

New Jersey School Report Card for 2003

The annual New Jersey School Report Card is required under the 1995 State law. It presents 35 fields of information for each school in the following categories: school environment, students, student performance indicators, staff, and district finances.

The assessment results displayed on the New Jersey School Report cards are based on the state assessment data without any No Child Left Behind (NCLB, U.S. DOE, 2002) conditions applied. Therefore, the assessment data in the NJ School Report Card may be different from the assessment data displayed on the NCLB Reports where there have been NCLB conditions applied to the test results.

The following fields of information are included within the New Jersey State Report Card.

School Environment

1. Length of the School Day—amount of time school is in session on a normal school day
2. Instructional Time—amount of time per day students are engaged in instructional activities
3. Average Class Size
4. Length of the School Year—number of days that school is in session for students
5. Student/Computer Ratio—number of students per computer available for purposes of supervised instruction
6. Internet Connectivity—percent of room locations in the school that have access to the internet
7. School Classrooms—number of classrooms in the school
8. Waiting List—number of students on a waiting list for admission to school

Student Information

1. Enrollment by grade—counts of students “on-roll” by grade in October of each school year
2. Students with disabilities—percentage of students with IEPs
3. Limited English Proficient—percentage of LEP students

Student Performance Indicators

1. Assessments—High School Proficiency Assessment (HSPA) Language Arts and High School Proficiency Assessment (HSPA) Mathematics
2. Graduation Type—percentage of students satisfying the state testing requirements through different means
3. Scholastic Assessment Test (SAT) Results
4. Advanced Placement Results
5. Advanced Placement Results Summary
6. Advanced Placement Participation for Grades 11 and 12
7. Attendance Rates- percentage of students present on average each day
8. Dropout Rates- percentage of students in grades 9–12 who dropped out during the school year
9. Graduation Rate
10. Post Graduation Plans—percentage of graduating seniors pursuing various self-reported post-high school plans
11. Student Suspensions—percentage of students who were suspended from the school during the school year
12. Student Expulsions—the number of students who were expelled from the school during the school year

School Finance Data

1. Administrative and Faculty Personnel—number of administrators, number of students per administrator, and number of faculty per administrator
2. Median Salary and Years of Experience of administrative and faculty personnel
3. Teacher Salaries and Benefits
4. Administrative Salaries and Benefits
5. Revenues--percent of total revenues from various sources
6. Per-pupil Expenditures—the comparative cost per pupil and the total cost per pupil

Evaluation of the Public Charter Schools Program, Final Report 2004

This study uses data from multiple sources, including the study's charter school surveys administered in 2000–2001; 1998–1999 data from the National Study of Charter Schools conducted by RPP International; and data from the 1999–2000 Schools and Staffing Survey (SASS), which included surveys of a nationally representative sample of schools and teachers, as well as a supplemental study of the universe of charter schools.

Chapter 3 of this report focuses on characteristics of charter schools, students, and staff. Specifically, “What are the characteristics of charter schools and the students and families who are involved with them?” The findings indicated that compared with traditional public schools, charter schools enroll more African American students, fewer Whites, and slightly higher proportions of students eligible for free and reduced-price lunches. Charter schools also attract high proportions of low performing students. The summaries follow.

Student Race and Ethnicity

The charter school population during the 2001–2002 school year was 38% African American, 37% White, and 19% Hispanic. Over time, there have been slight shifts in the charter school student population. The two most significant trends as

reported in this study are the 11-percentage-point decrease in the proportion of White students and the 14-percentage-point increase in the proportion of African American students between 1998–1999 and 2001–2002.

A comparison of the racial and ethnic composition of student populations in charter schools and traditional public schools in 1999–2000 school year indicates that traditional public schools enrolled higher proportions of White students. Specifically, traditional public schools enrolled 17% more White students than charter schools. Conversely, charter schools enrolled greater percentages of African American and Hispanic students than traditional public schools.

Other Student Characteristics

Additionally, a greater proportion of students enrolled in charter schools were eligible for free and reduced-price lunches, rising from 30% in 1998–1999 to 53% in 2001–2002. This increase may be associated with the growth in minority populations attending charter schools or with a higher proportion of charter schools electing to participate in the National School Lunch Program. The proportion of limited English proficient (LEP) students enrolled in charter schools and the proportion with Individualized Education Programs (IEPs) have remained stable.

Charter schools also had higher proportions of students eligible for free and reduced-price lunches and lower proportions of special education students with IEPs than traditional public schools. These differences were significantly significant. The difference in the proportion of LEP students in charter and traditional public schools was not statistically significant.

Some of the charter schools sought out specific populations of students because of the school's educational mission or program design. More than one quarter of charter schools targeted low-performing students, drop-outs, or students from low-income communities. However many student populations were attracted to charter schools regardless of the school's mission or design. While 28% of the schools report targeting low-income and low-performing students, 74% reported attracting these groups of students. Similarly, less than one quarter of charter schools targeted gifted and talented or special education students, but more than half of the schools attracted these students.

New Jersey Charter School Application Document

Section 4 of the Application and Approval Process focuses on educational equity and access. The following information must be submitted as part of the application:

- (a) Describe how the charter school will identify and meet the needs of at-risk students.
- (b) Outline the charter school plan to identify and meet the needs of limited English proficient (LEP) students.
- (c) Describe how the charter school will meet the needs of special education students in accordance with federal and state statues and regulations in the following areas:
 - Child Study Team services;
 - Location of students;
 - Identification of students;
 - Evaluation of students;
 - Determination of eligibility;
 - Individual Education Program (IEP) development;
 - Special education placement options;
 - Implementation of IEPs;
 - Annual review of students, and;
 - Re-evaluation of students.
- (d) Describe how the charter school will assure compliance with requirements of N.J.A.C. 6a:14-1.2.
- (e) Describe how the charter school will meet the needs of students with disabilities who are not eligible for special education/IDEA services. Include reference to the use of Section 504 plans as required by Section 504 of the Rehabilitation Act of 1973.

- (f) Outline the school's policies and procedures to provide students with home instruction due to temporary illness or injury.
- (g) Describe how equal and bias-free access for all students to all school facilities, courses, programs, activities, and services will be provided regardless of race, national origin, sexual orientation, gender, religion, English proficiency, socioeconomic status or disability.

Reviews of these completed applications will include a focus on looking for evidence of

the following:

1. A commitment to serving the needs of special populations of students
2. A plan that reflects an understanding of services and costs associated with providing support for all students
3. Knowledge of the school's obligations regarding state and federal laws on special education, civil rights and students with limited English proficiency
4. A plan to develop policies and programs that recognize and value diversity
5. A plan for identifying students with special needs and for providing and staffing all necessary services

Section 12 of the Admissions Policy and Criteria of the application process includes:

- (i) A description of how the recruitment and admissions policy of the charter school will, to maximum extent possible, seek the enrollment of a cross section of the community's school-age population including racial and academic factors. It also requests an outline a detailed recruitment plan to publicize the charter school in the community and to attract a cross section of students from the district of residence or region of residence.
- (j) Additionally, for a charter school operating with a region of residence, they are required to submit a description of a plan to ensure the enrollment of a cross section of the communities' school-age populations, list an apportionment of available space from each of the district boards of education that comprise the region of residence, and explain the basis for the apportionment model.

Reviewers will look for evidence of:

1. Student recruitment plans that ensure adequate enrollment and full accessibility of the school to all eligible students
2. A fair non-discriminatory, open enrollment process in accordance with the charter school statute and regulations
3. The basis used to formulate an apportionment model
4. A plan for broad outreach and recruitment
5. A description of an aggressive and non-discriminatory recruitment and retention strategy
6. Knowledge of timelines and reporting requirements

Chapter Summary

The national profile of charter schools is changing, with increasing student enrollments and changing demographics. However, charter schools are distinct from traditional public schools because of lower total student enrollments, unique grade level configurations, a variety of instructional approaches, and in some cases a specific core curriculum focus.

The demographic characteristics of students in charter schools have been a topic of great interest to observers of educational reform. Key questions center on the differences between the student populations of charter schools and traditional public schools, as well as the extent to which charter schools are targeting and enrolling specific student populations.

Originally there was a concern that charter schools were designed for the “cream” or the most fortunate students. However, the evidence seems to indicate otherwise. Charter schools are often the recipients of troubled or at-risk students that are not successful in the traditional public schools. The proportion of children served by charter schools who are eligible for the federal school lunch program, who are disabled, and who have limited English proficiency is comparable to the proportion served by the traditional public schools. Additionally, charter schools serve a higher percentage of minority students than regular schools. In charter schools where students are mostly White, upper middle class youngsters, one would expect to find the same clientele in the local traditional public school. Demographics would then be attributed to the location of the school and specialized educational program as opposed to discriminatory admissions selection.

Twenty-six percent of United States charters report that “serving a special population” was one of the primary reasons for founding a charter school, with one fifth of these schools saying that was the most important motivation.

Student demographics as related to racial, ethnic, and socioeconomic profiles have a significant impact on the overall evaluation of charter schools. Evaluations of student achievement cannot be made by examining test score levels without adequately taking differences in student characteristics into account. For fairness and accuracy, these characteristics need to be defined more precisely than simply race, ethnicity, or free lunch eligibility. Additionally, evaluations of school performance cannot be made by comparing changes from year to year in the same school because the student group differs. In addition, if it is determined that charter schools tend to serve targeted populations such as at-risk, disabled, or delinquent students, it makes it much more difficult for researchers to draw a fair comparison between charter schools and traditional public schools. All schools in New Jersey need to be held accountable for the mandatory submission of data in a standardized format that differentiates student characteristics. In the *Public Charter Schools Program, Final Report 2004* (Finnigan et al., 2004), New Jersey data for student performance in charter schools was not included because 40% of the charter schools in the state had data missing.

In some cases, the establishment of charter schools has been associated with segregation in education and racial disparity. The Federal law states that a charter school may take race into account in making decisions in limited circumstances. Race may be used only in a narrowly-tailored way to meet a compelling interest, such as to remedy discrimination, to promote the educational benefits of diversity, or to reduce minority

isolation. The law is undergoing close examination by the courts. The legal standard that applies to a particular state may vary, depending on the State law and Federal Circuit in which the state is located.

Finally, the fact that a charter school has few minorities or only minority students is not sufficient evidence to suggest that segregation is taking place. In order to investigate this, a comparison must be made with each charter school and its host district. As in the Michigan Charter School, it might also prove beneficial to examine a number of student and family characteristics, such as parents' educational level, family structure, students' educational aspirations, amount of time parents spend volunteering in charter schools, previous school attended, and reasons for enrolling in charter school. This information may provide insight as to why a child is a candidate for the charter school and why a particular school was selected.

Even though charter schools have been in operation for a number of years, limited data, inconsistencies in reporting, inequity of comparisons, and numerous variables that contribute to the inability to draw any systemic conclusions related to race, ethnicity, and socioeconomic factors as they relate to charter schools.

	Guiding Question #3 Why is the racial, ethnic, and socioeconomic profile of existing charter schools important?
Data Source	Key Finding(s)
<i>2003 Charter Schools Annual Report, Content and Format Guide</i>	<ul style="list-style-type: none"> • Identification of responses to diverse learning needs • Description of services that are provided to limited-English proficient students • Identification of students, services, and allocation of staff to service varied populations • Responses identified for at-risk students
<i>Charter School Evaluation Report Commissioner's Recommendations (October 1, 2001)</i>	<ul style="list-style-type: none"> • Charter schools serve lower percentages of White, Hispanic, and Asian students than the district of residence • African Americans comprise almost 68% of charter school enrollment • Charter schools serve significantly higher percentages of students in Grades K–2, 6, and 9 • Percentage of students receiving free and reduced-price lunch in a charter school was 63% compared to 70% in the district of residence • The percentage of charter school students participating in Title I programs was greater than the district of residence • Charter schools enroll fewer students with educational disabilities than the district of residence • Potential impact on district of residence by decreasing the White student population
<i>New Jersey Department of Education Report on Charter School Hearings (April 24, 2001)</i>	<ul style="list-style-type: none"> • No correlations were noted between overall student achievement and the demographic profile of an individual school

Figure 3. Data sources and key findings for guiding question 3.

Data Source	Key Finding(s)
Transcript of LIVE CHAT on Charter Schools (Hendrie, 2004)	<ul style="list-style-type: none"> ▪ Educational equity and opportunity afforded to the poor and minority students ▪ Charter schools compare favorably to schools serving similar populations of students ▪ Charter schools disproportionately serve a disadvantaged population ▪ Comparisons of charter school achievement to overall public school achievement are deliberately misleading
New Jersey Statutes and Legislation that pertain to New Jersey Charter Schools	<ul style="list-style-type: none"> • Specific documentation regarding ethnicity of students in attendance • Assessment of the student composition of the charter school and the segregative effect that the loss of the students may have on its district of residence • Documentation provides the number of students by grade level, gender, and race/ethnicity from each district • A charter school must comply with: Civil Rights Act Education Amendments of 1972, Rehabilitation Act of 1973, American Disabilities Act of 1990, and Individuals with Disabilities Education Act 1997 • Charter school receives categorical aid from the district of residence • A district board of education must pay a charter school instructional aid money when the charter school has a concentration of low-income students that is equal to or greater than 5% and less than 20%
<i>The Public School Review- Demographic information related to New Jersey Charter Schools</i>	<ul style="list-style-type: none"> • Identification of students by grade, ethnicity, percentage eligible for free, reduced lunch and percentage of migrant students enrolled identifies median household income
New Jersey Department of Education Website	<ul style="list-style-type: none"> ▪ Charter school information is documented and compared to the state average

Figure 3 continued. Data sources and key findings for guiding question 3.

Data Source	Key Finding(s)
U.S. Charter Schools Website	<ul style="list-style-type: none"> • No key findings were reported
New Jersey Charter Public Schools Association Website	<ul style="list-style-type: none"> • No key findings were reported
<i>New Jersey School Report Card for 2003</i>	<ul style="list-style-type: none"> • Identification of the number of limited-English proficient students and those with disabilities • Identification of revenues and expenditures
<i>Evaluation of the Public Charter Schools Program, Final Report 2004</i>	<ul style="list-style-type: none"> • Compared with traditional public schools, charter schools enroll more African Americans, fewer Whites, and slightly higher proportions of students eligible for free and reduced price lunches • Charter schools also attract a higher proportion of lower performing students • Traditional public schools enroll a higher proportion of White students • Greater proportions of students enrolled in charter schools were eligible for free and reduced price lunches • The proportion of limited-English proficient (LEP) enrolled in charter schools and the proportion with Individual Education Plans have remained stable • Some charter schools have sought out specific populations of students because of the school's educational mission or program design • More than a quarter of the charter schools targeted low-performing students, drop-outs, or students from low-income communities • 28% of the charter schools report targeting low-income and low performing students, 74% reported attracting these groups of students • Less than one quarter of charter schools targeted gifted and talented or special education students, but more than one half of the schools attracted these students

Figure 3 (continued). Data sources and key findings for guiding question 3.

Data Source	Key Finding(s)
<i>New Jersey Charter School Application Document</i>	<ul style="list-style-type: none"> • Identification and plans to meet the needs of the at-risk student population • Identify and plan to meet the needs of LEP students • Plan to meet the needs of the special education population enrolled • Description of equal and bias-free access for all students to all facilities, courses, programs, activity services will be provided regardless of race, natural origin, sexual orientation, gender, religion, English proficiency, socioeconomic status, or ability • Development of a plan that reflects the understanding of services and costs associated with providing support for all students • Knowledge of the school's obligation regarding state and federal laws on special education, civil rights, and LEP • A plan to develop policies and programs that recognize and value diversity • Recruit and publicize a process to maximum extent possible, seek a cross-section of the community's school age population including racial and academic factors • Recruitment plans that ensure adequate enrollment and full accessibility of the school to all eligible students • A fair and non-discriminatory open enrollment process • A plan for broad outreach and recruitment

Figure 3 (continued). Data sources and key findings for guiding question 3.

CHAPTER VII

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Study Design and Format

On January 11, 1996, The Charter School Program Act of 1995 was signed into law providing for the creation of new types of schools which were designed to provide parents and students alternatives to the traditional public schools that operated in their districts. Originally, the primary purpose of these new schools known as charter schools was to foster competition and simultaneously stimulate reform of schools that were considered less than effective (NJDOE, 2001a).

New Jersey became the 20th state in the nation to allow for the establishment of charter schools. During the first 8 years of implementation following the initial legislation, the New Jersey State Department of Education received 221 charter school applications. Currently there are 52 approved charters in the state enrolling approximately 18,081 students. New charters are continually being proposed and submitted for approval in the state.

As in several other states, the charter schools in New Jersey continue to be closely monitored and scrutinized on a number of issues. However, one issue in particular seems to dominate the debates. That issue focuses on whether the claimed perceived advantages outweigh the need for hard data that document these outcomes. Charter schools claim to provide benefits in terms of program, pupil diversity, innovative funding opportunities, improved student achievement, and overall school reform. However, these claims often appear to lack the hard data that would document the assertion. Basically, stakeholders are excited about the concept of charter schools but not necessarily about providing hard

data to the unbelievers. As a result, determining charter school effectiveness is very much in its early stages.

Therefore, the purpose of this study was to complete exploratory research to formulate hypotheses for future quantitative research relative to charter school effectiveness in three specific areas: economic viability, student achievement, and racial, ethnic, and socioeconomic profile.

Information used in this study was reviewed from a national perspective on charter schools but the focus was limited to the charter schools in the state of New Jersey. The data and public documents referenced within the study do not extend to the years prior to the 1995 calendar year. The interpretation of the findings supported by the public documents is presented as the opinion of one principal investigator. Additionally, the research focused on the three specific areas of economic viability, student achievement, and racial, ethnic, and socioeconomic characteristics as related to charter schools.

This study was designed in a seven-chapter format. Contents of each chapter are described as follows:

Chapter I

Introduction

Statement of the Problem

Research Questions

Limitations of the Study

Definitions of Terms

Significance of the Study

Chapter II

Overview and History of the Charter School Movement

Relevance of No Child Left Behind Legislation

Literature Review

Chapter III

Introduction of Study Methodology and Design

Chapter IV
Analysis of Information Related to Economic Viability of Charter Schools

Chapter V
Analysis of Information Related to the Effectiveness Charter Schools in the Area of Student Achievement

Chapter VI
Analysis of Information Related to the Racial, Ethnic, and Socioeconomic Profile of Charter schools

Chapter VII
Summary, Conclusions, and Recommendations

Key Findings

The following information represents the key findings of this study as related to each of the previously identified guiding questions.

Guiding Question #1

What factors affect the economic viability for charter schools?

Charter schools' primary source of funding is through public monies. In practice however, the per-pupil funds may not meet the needs of a charter school since per-pupil funds typically do not begin to flow until students arrive in the fall or perhaps even after that. Consequently, schools in their first year of operation must finance all of the start-up costs with revenues other than their per-pupil dollars. The sources for this needed funding often include borrowed money and/or donations. However, state regulations prohibit charter schools from incurring long-term debt since they are not permitted to plan fiscally beyond the length of their charter. Additionally, if charter schools receive only operating money but must also pay for facilities their per-pupil dollars will fall short (Hassel, 1999). The long-term problems presented by needed funding associated with leasing and

maintenance of physical plants is significant. Charter schools have difficulty meeting the leasing and building costs that are not incurred by traditional public schools despite the fact that charter schools in urban Abbott districts receive 90% of the current cost per child of \$17,000. Typical charter school visionaries are good with educational focus but often overlook or fail to address business practices in areas such as cafeteria, bus transportation, security, janitorial services, and so forth.

The issue of obtaining start-up funds for buildings and equipment is identified as one of the major problems facing charter schools today. Money is spent renovating and maintaining buildings rather than paying teachers or buying student materials. Nathan cited a 1996 study that concluded, "Without a doubt, the absence of capital funding, access to conventional school facilities, and start-up money to cover initial equipment, planning, etc. is the heaviest cross charter schools bear today" (Nathan, 1999).

On average, the funding gap between charter schools and traditional schools is 22% or \$1,800 per pupil. The average charter school ends up with a total funding shortfall of nearly half a million dollars. As a result, specific per-pupil funds are reduced by approximately 65-70% as a result of instructional costs and administration.

In New Jersey taxpayers not only complain about their property taxes being the highest in the United States, but they also resent the fact that the majority of their tax money is used to support public schools. Conversely, New Jersey taxpayers also resent the idea of relinquishing control and support for their local school districts. Although not accurate, charter schools are frequently viewed as an outside institution that "diminishes funding" for traditional public schools.

It is also believed that state finance systems favor more affluent communities and neglect low-income communities where the educational needs are greater. For example, no Abbott funding is distributed to charter schools. The first year progress report of the National Study of Charter Schools points out, “most charter schools are eligible for Title I funding but some may not be aware of eligibility procedures” (RPP International and the University of Minnesota, 1997, p.25). Also the Federal Public Charter Schools, Title I, Title VI, Safe and Drug-Free Schools, and Dwight D. Eisenhower Professional Development Program grants, federal special education, and Child Nutrition funds should be considered as possible sources of funding.

According to the United States Department of Education, many of the obstacles facing charter schools have to do with resource limitations. Most charter schools continue to cite either lack of start-up funds or inadequate operating funds as serious challenges to their implementation. Newly authorized chartered schools were also more likely to cite resource limitations as a major difficulty than preexisting charter schools. Finally, a much lower percentage of charter schools that first opened in the 1998–1999 school year reported that start-up funding was more of a major difficulty than subsequent schools that opened in the 1997-98 school year (U.S. Department of Education, 2000).

Overall, the fiscal obstacles appear to present the greatest challenge for charter schools in New Jersey. These include the lack of capital financing for facilities, guaranteed start-up money, inadequate per-pupil operating costs, and the lack of a sustained cash flow. A 1999 study of charter facilities financing reports that “it is not uncommon for facilities costs to amount to 20-25 percent of a charter school’s costs” (Finn et al., 2000, p. 104).

Guiding Question #2

How is student achievement measured in charter schools?

One of the most frequently asked questions associated with charter schools is whether charter schools have improved student achievement as measured by both standardized tests and other assessments. As noted in the *New Jersey Department of Education, Report on Charter School Hearings (April 24, 2001)*, charter school staff, parents, and administrators discussed assessment more frequently than any other issue presented in the report. Additionally, charter school teachers and charter school parents and students cited smaller class size as a positive contributor to a student's learning and positive assessment results.

For the most part, student achievement results are presented within the context of the schools' required goals and required standards. The federal mandate of the No Child Left Behind Act holds charter schools to the same standards set in terms of Adequate Yearly Progress (AYP) and the New Jersey state assessments of New Jersey Acquired Skills and Knowledge Test (NJASK), Grade Eight Proficiency Assessment (GEPA), and the High School Proficiency Assessment (HSPA). Information related to the testing process includes: subject areas tested, frequency of testing, and the number of students tested. Frequently, comparisons of achievement are made between the students in charter schools and those in the traditional public schools in the district of residence. There is a definite need for comparisons to be done with similar populations and to provide a sense of equity by having charter schools and traditional schools use the same state and federal guidelines.

The 27 charter states differ greatly in how they approach accountability, with some following a centralized state agency approach, others a market-driven approach, and still others a district-based approach that relies on local accountability within a framework of state testing. More than 70% of charter schools said they made reports during the 1997–1998 school year for accountability purposes to one or more constituencies. These included their chartering agency, school governing board, state department of education, parents, the community and/or private funding agents. Additionally, more than 9 out of 10 charter schools used student achievement tests, augmented by other measures of student performance and school success, to make reports to their chartering agency as well as the school’s governing board and/or parents. More than one third of charter schools used at least seven measures of school performance, including standardized tests and other measures of student achievement, parent and student surveys, and behavioral indicators (U.S. Department of Education, 2000).

Research addressing student achievement, assessment, and accountability are still somewhat limited and certainly inconclusive. There have only been a limited number of cases where student level data has been examined in terms of a longitudinal study. Missing data on charter schools in many state databases is also a large problem. This further limits the available data for collective analysis to a relatively small number of states. In many cases studies were not consistent since, in some cases, charter schools were compared to traditional public schools serving general populations, whereas other studies compared charter schools to traditional public schools that targeted specific populations. Eighty-five percent of charter school students in New Jersey are in Abbott districts or in Atlantic City.

When attempting to determine charter school effectiveness in terms of student achievement several factors need to be considered. These include:

1. Definitive data related to pupil achievement is limited.
2. There are gaps in providing and reporting meaningful and accurate data.
3. A greater reliance will need to be placed on state-level data rather than multi-state data to assess student achievement in charter schools within New Jersey.
4. When comparing schools in terms of student achievement, it is also important to match pupil demographics.

Although research seems to indicate that student achievement is a major focus for charter schools, it appears that the collection of data is sporadic, inconsistent as to the targeted standards, and lack similarity in the selected populations for comparison studies.

While many stakeholders desire professed accountability in this new venture, it appears that educational leaders and departments of education demonstrate little interest in acting as “watch dogs” on schools created by parents (Lockwood, 2004).

Guiding Question #3

Why is the racial, ethnic, and socioeconomic profile of charter schools important?

Research is showing that many charter schools are being established to serve more students who have not been successful in traditional public schools. Student demographics as related to racial, ethnic, and socioeconomic profiles have significant impact on the overall evaluation of the charter school. Evaluations of student achievement cannot be made by examining test score levels without adequately taking differences in student characteristics into account. In addition, if it is determined that charter schools tend to serve targeted populations such as at-risk, disabled, or delinquent

students, it makes it much more difficult to draw a fair comparison between charter schools and traditional public schools.

A national report done by the United States Department of Education in 1998 indicated that charter schools serve a proportionately similar racial and ethnic distribution of students as other public schools. The majority of charter schools represented in the study (63%) serves low-income students. Yet students with disabilities were somewhat less represented in charter schools than in other public schools. Classified students attending charter schools represented only 8% of the total school population as compared to 11% in public schools.

Research in determining the exact racial, ethnic, and socioeconomic profile in charter schools is still limited. The New Jersey Statutes and legislation require specific documentation regarding the ethnicity of students in attendance as well as maintaining a record of the number of students by grade level, gender, and race from each district. That fact notwithstanding, there is contradicting data in many of these areas. For example, Nathan indicates that the best available information seems to show that minority students are overrepresented in charter schools and that more than half of all charter schools focus on students who have not succeeded in traditional schools. This information suggests that charter schools are expanding the opportunity for low-income and minority students rather than serving as elitist academies (Nathan, 1999).

In contrast, the United States Department of Education (2001) states that nationwide, students in charter schools have similar demographic characteristics to students in all public schools. However, charter schools in some states serve significantly higher percentages of minority or economically disadvantaged students. Lockwood

supports this view, stating that inner city parents of different races and ethnicities are choosing charter schools as a desperate means to rescue their children from decayed, poorly performing, urban schools of poverty. Some critics point to the possibility that charter schools actually may over represent children of color and different ethnicities. Critics suggest this could pave the way for a new type of educational ghetto and could result in even greater problems than the low-performing inner city school (Lockwood, 2004).

As inner-city parents of different racial, ethnic, and socioeconomic backgrounds select charter schools as their preferred education choice, it is possible that charter schools may come to over represent these children and create a new type of *de facto* educational segregation and/or provide opportunities for voluntary segregation. Currently as part of the New Jersey State Statutes and legislation, charter schools are forced to assess the student composition of their school and the segregation effect that the loss of the students may have on its district of residence.

As a result of charter schools still being a relatively new concept, limited data, inequity in comparisons, and inconsistencies in reporting contribute to the inability to draw any systemic conclusions related to race, ethnicity, and socioeconomic factors as they relate to charter schools.

Future Investigations

The findings and conclusions of this study will allow future researchers to quantitatively investigate the following hypotheses:

- H1: Inadequate funding in terms of start-up costs and operating costs for charter schools will affect student achievement.
- H2: Inadequate funding in terms of start-up costs and operating costs for charter schools will affect diversity of programs.
- H3: Inadequate funding in terms of start-up costs and operating costs for charter schools will affect public support.
- H4: Inadequate funding in terms of start-up costs and operating costs for charter schools will affect teacher moral.
- H5: The charter schools reform movement will affect racial sorting in terms of creating segregation.
- H6: Consistent assessment and consistent standards will affect student achievement.
- H7: The organizational structure used in a charter school will affect student achievement.

Recommendations

The serious concerns and problems that have persisted in public education throughout the nation, and in particular in New Jersey, have been well documented. The public's frustration with higher taxes, insufficient academic achievement, and poor facilities has served to create fertile ground for new and innovative ideas. The charter school movement has in part been a response to this frustration, and for many it has been met with enthusiasm and great expectations. This pursuit of a viable educational alternative has created great expectations for charter schools. Perhaps this enthusiasm for

charter schools has colored the lenses through which the public and the professional educators view the overall effectiveness of the charter school movement.

This study provided insight into the financial viability of charter schools, the correctness of their claim of increased academic achievement, as well as an overview of the emerging racial, ethnic, and socioeconomic profile of existing charter schools. Existing public schools continue to be judged in part by the perceived and/or real success or failure of the charter school movement. It will continue to be important for educational leaders to closely monitor the good stories of solid performances associated with strong charter school performers. They will need to keep an eye on individual successes and failures of the charter school movement if they are to be successful in their efforts to make the traditional public school the preferred educational choice. School superintendents, principals, and school business administrators will need to examine the successes of charter schools as they refocus their efforts to provide quality education to their constituent families. The numbers of children involved in alternative educational initiatives, the academic successes or failures of these initiatives, and the myriad social issues associated with those students who chose the charter school alternative will have a profound effect on the ability of educational leaders to plan and put into action successful schools in the future.

The qualitative data reviewed in this study suggest that the existing funding policy and procedures need to be reviewed. It appears that consideration and understanding needs to be given to the significant and sometimes insurmountable financial hurdles that must be overcome during the initial and early years of the existence of a new charter school. This factor emerged as one of the major factors that inhibit charter school

viability, program expansion, and staffing. The New Jersey State Legislature needs to review current legislation and seek solutions to the financial realities of fledgling charter schools while maintaining the balance of the taxpayer's vested interest in not funding facilities. This task would appear formidable but is nevertheless an apparent essential if the charter school movement is to continue.

The current practice of charter schools in New Jersey appears to be of primary interest to parents and educators who seek to provide an alternative to low functioning schools that tend to serve minority and low-income students. In many areas, the student population does reflect the demographics of the community in which the charter school is located, and frequently a sense of community is established regardless of the new ethnic or socioeconomic profile. However, overall charter school proponents often claim that the schools cater to a larger proportion of minority and low-income students. Data to support this claim are not always reliable and are frequently dependent on the comparison groups one uses to benchmark the findings. Charter schools in urban areas are more likely to draw a pool of minority and low-income students, whereas a better comparison group would be the district in which the charter school is located. The fact that a charter school has few minorities or only minority students is not sufficient evidence to suggest that segregation is taking place.

The qualitative data in this study suggest that families will select schools for their children according to their beliefs in the schools' educational philosophy and mission. If charter schools are oversubscribed, they are required to use a lottery system or other random method to admit students, but the nature of some specialty schools and neighborhood demographics attract members of specific ethnic or focus groups. The

question then being asked is, “Does specialization contribute to segregation?” It is important to note that data presented in this study raise concerns about social sorting as a result of the charter school movement, but the reasons contributing to such sorting have not been investigated. If parents select charter schools that most closely match their educational views, is it reasonable to hypothesize that the family’s educational preferences are also highly correlated with their race and/or income?

Discussions of race and socioeconomic levels are always topics of controversy in education. Currently the effects of choice programs on integration are largely unknown. Evidence from other nations, however, suggests that large-scale unmonitored programs can lead to greater racial and ethnic stratification.

Finally, the underpinning of any school rests on the premise that students will learn. The question of whether charter schools provide a structure and an environment that increases student learning compared to what otherwise would have been the case for these same students is a question for which there is no clear answer. There is, without question, the need for tightly controlled studies to be completed before the jury can render a verdict based on fact rather than impressions. The importance of this aspect of future research is pivotal to the notion that charter schools are a viable educational alternative to traditional public education.

It could be argued that the best way to determine how effective charter schools are in raising student achievement would be to design an experiment that would measure the average achievement of the students who were admitted to the school with that of the students in the control group. The myriad issues of intervening variables and the ethical issues associated with random assignment of students to control groups significantly

complicate such studies. A good discussion of these issues as well as other experimental designs was presented in *The Impacts of Charter Schools on Student Achievement: Evidence from North Carolina* (Bifulco & Ladd, 2004). Bifulco and Ladd summarize their findings as inconclusive and inconsistent. In many previously conducted research studies, the charter school achievement story is equally unclear, inconsistent, and for the most part a story whose final chapter is not yet written. Further research in this area is needed to contribute to the existing body of research in order for the claim of achievement progress to have any merit in the current debate.

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Appendix A
2003
Charter Schools Annual Report
Content and Format Guide

**OFFICE OF VOCATIONAL-TECHNICAL, CAREER
AND INNOVATIVE PROGRAMS:**

NEW JERSEY CHARTER SCHOOLS PROGRAM

**2003
CHARTER SCHOOLS ANNUAL REPORT
CONTENT AND FORMAT GUIDE**

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2006 CHARTER SCHOOLS ANNUAL REPORT CONTENT AND FORMAT GUIDE

Introduction to Content and Format Guide

Annual Report. In accordance with the *Charter School Program Act of 1995* (N.J.S.A. 18A:36A-16(b)) and the *Administrative Code for Charter Schools* (N.J.A.C. 6A:11-2.2), the Board of Trustees of each charter school is required to submit an annual report to the Commissioner of Education, regional office assistant commissioner, county superintendent and local board(s) of education summarizing its progress in meeting the goals of its charter by August 1. In addition to providing a yearly summary of school activities and accomplishments, the annual report also provides the framework for the department's on-site program review of charter schools. The goals of the annual report are to provide a public accountability record of charter schools' progress, identify gaps between current and expected progress, guide improvements and recognize successes. Overall, the annual report establishes a public record of the school's effectiveness over time and serves as a factor in the renewal of the school's charter.

Annual Report in the Context of NCLB. On January 8, 2002, President Bush signed into law the *No Child Left Behind Act of 2001* (NCLB). The act contains the President's four basic education reform principles: stronger accountability results, increased flexibility and local control, expanded options for parents and an emphasis on teaching methods that have been proven to work.

The annual report guidelines presented herein are designed to enable schools to evaluate overall performance and develop or review benchmarks against which achievement may be measured and areas for improvement targeted. One of the requirements for accountability under NCLB is that state, school and district performance will be publicly reported.

Update on Report Format and Content. With a few minor format and content changes, noted below, the 2006 annual report guide is essentially the same as the 2005 guide:

- a header on "Teacher Input and Satisfaction" has been added (see page 7);
- additional guidelines to focus the content of each of the sections of the report are embedded in brackets in order to provide more specific direction;
- additional requirements are noted for both the cover page and the sections on assessment and self-evaluation and accountability;
- the AYP accountability component of NCLB is included in the section on assessment and student achievement.

Overall, given the implications of NCLB, self-evaluation and accountability are of major importance.

Focus. The major charter school activities and outcomes to be reported on are listed below:

1. Executive Summary;
2. Review of school governance and management accomplishments;
3. Review of progress: Incorporating the NJCCCS, delivering an educational program

- leading to high achievement for all students and providing professional development and support for teachers;
4. Review of state and local assessment activities and student achievement results in the context of the school's goals and required NCLB adequate yearly progress;
 5. Description of activities to involve parents and community members and public relations and outreach efforts;
 6. Description of student and staff recruitment efforts;
 7. Overview of co-curricular activities for students; and
 8. Review of the school's self-evaluation and accountability plan.

Additionally, charter schools must:

9. Append copies of:
 - A. the school's annual financial report including a balance sheet, an operational statement of revenues and expenditures and a cash flow statement (*Appendix A*);
 - B. a board resolution approving the 2005-06 Annual Report (*Appendix B*);
 - C. a board resolution naming the lead person (*Appendix C*);
 - D. the school's teacher supervision/evaluation protocol (*Appendix D*);
 - E. the school's academic goals and objectives (*Appendix E*);
 - F. the school's non-academic goals and objectives (*Appendix F*);
 - G. the school's student progress report (*Appendix G*);
 - H. the school's admissions policy and school application form(s) (*Appendix H*);
 - I. the school's self-evaluation and accountability plan (*Appendix I*);
 - J. Copy of any amendments to the bylaws of the board of trustees adopted during the 2005-2006 school year (if none, state that there were no amendments) (*Appendix J*);
 - K. Copy of the school calendar for the 2006-2007 school year (*Appendix K*);
 - L. Copy of board resolution naming the Affirmative Action officer, the Section 504 officer and the Title IX coordinator (*Appendix L*); and
 - M. Other appendices at the school's discretion.

Prescribed Content and Format. The prescribed content and format for the annual report are specified in the following pages. The report should include a cover page, a table of contents and a school description page. The report must address the prescribed content.

- **Cover Page.** The cover page should include the school's name and the date of the report. The bottom of the cover page should also note that the report was transmitted to the Commissioner of Education, the county superintendent and the board of education of the district(s) of residence.
- **Table of Contents.** A sample of the prescribed table of contents is appended. *See Appendix 1.*
- **School Description.** A sample of the school description page is also appended. *See Appendix 2.*
The purpose of this page is to give the reader a snapshot overview of the nature of the school.
- **Guidelines for Report Sections 1 to 9.** Guidelines for each report section prescribe the specific information to be included in the report. *See the following pages.*
- **Additional Guidelines for Report Sections 3, 4 and 8.** Additional Guidelines regarding

The nature of curriculum and curriculum guides (Report Section 3), requirements for Presenting assessment data and NCLB data (Report Section 4) and for creating a school self-evaluation and accountability plan (Report Section 8) are appended. *See Appendix 3.*

- **Financial Information.** Instructions and Forms for completing the financial information required in the annual report are also appended. *See Appendix 4.* This financial information is to be completed in full and included in the charter school's annual report as *Appendix A.*

The prescribed content and content headers for the report are presented in the order of the table of contents that is appended. Respond to the information requested under each of the headers

(i.e., summarize, discuss, provide, describe, list, state, indicate, specify).

Six copies of the Annual Report are due in the Office of Vocational-Technical, Career and Innovative Programs by August 1, 2006.

1. EXECUTIVE SUMMARY

Guidelines: Summarize the major activities carried out in the past year that contributed the most substantially, either directly or indirectly, to the school's ultimate achievement of its mission, goals and objectives. Address the content headers and guidelines cited below.

Summary of Activities and Accomplishments

Governance: Board of Trustees. Describe major activities and/or outcomes. [The response should describe several of the board's activities and/or accomplishments and provide some perspective on their significance.]

Management: School Administration. Describe major activities and any changes to increase the effectiveness of the administration of the school. [The response should describe major activities/changes: e.g., new business system, additional supervisory staff, staff reorganization, revised job descriptions, input from staff regarding administrative effectiveness, results of a needs assessment.]

Curriculum Development. Describe the status of the curriculum regarding both its completeness and its alignment with the NJCCCS. [The response should summarize the status of curriculum development: e.g., what's completed, under revision, and the timelines.]

Delivery of Educational Program. Describe the status of instruction regarding general education, special education, bilingual and at-risk students. Note any innovative programs. [The response should present the school's assessment of how well it is geared up to deliver instruction effectively to each of the above student populations and should also briefly describe any innovative programs.]

Professional Development and Support. Describe the professional development and support provided teachers. [The response should provide an overview that describes specific activities: e.g., "This past year the school conducted X, Y and Z professional development activities. All staff participated."]

Assessment and Student Achievement. Describe major assessment activities and the status of student achievement with regard to both the school's stated goals and objectives and NCLB adequate yearly progress criteria. [The response should describe the major assessments given, note specific levels of achievement, relate the achievement to the school's goals and describe the school's status re NCLB's AYP criteria.]

Parent/Community Involvement and Public Relations/Outreach. Describe major parent involvement and public relations activities and outcomes. [The response should cite 2-3 priority parent/community involvement and public relations/outreach activities engaged in over the past year.]

Co-Curricular Activities. Describe the school's major co-curricular activities. [The response should summarize the school's current co-curricular activities.]

Self-Evaluation and Accountability. Provide a progress report on the status of the school's self-evaluation and accountability plan and activities. [The response should list the topics addressed in the plan, note any changes in the plan and describe progress in implementing the plan.]

Grants Activities. Describe the status of the school's grant programs. [The response should describe any grant activities and/or plans and comment on their implementation.]

Other. Describe any other significant activities or accomplishments. [The response should describe other significant activities not included in the above.]

Note: *The above text section is intended to be no more than 4 to 7 pages in length. It should present a narrative review of the progress the school is making on multiple fronts toward achieving its mission. Do not provide any detailed data in this section. Provide supporting data in the form of tables and figures and a more detailed discussion of the achievement of the school's academic and non-academic goals and objectives in Section 4 of this report.*

2. REVIEW OF SCHOOL GOVERNANCE AND MANAGEMENT ACCOMPLISHMENTS

Guidelines: Describe the major accomplishments and substantive issues addressed by the board of trustees in the past year and provide the board-related information specified below.

Board of Trustees

Summary of Accomplishments. Summarize and discuss the board of trustee's major accomplishments in the past year. [The response should include both a summary/listing and a discussion. Ideally, several accomplishments will be cited.]

Policies. List and describe the critical policies adopted by the board within the last school year. [The response should include both a listing and "some" description/discussion to put the policies into context (i.e., What prompted the policies to be enacted? Does the board have an overall strategy/plan re policy development?)]

Board Members. State the number of board members cited in the school's charter and any qualifications (e.g., two must be parents). State the current number of board members and whether the board is at full strength. Describe any changes in the board over the past year. State when board vacancies, if any, will be filled. List the board members by name, their role, their organizational affiliation (parent, community member, lead person, etc.) and their voting status (voting or ex-officio). [The listing of board members by name can be accomplished by including the Board of Trustees and Administrator documentation form submitted to DOE on April 15, 2006.]

Meetings. Specify the frequency with which board meetings are held (monthly, semi-monthly, etc.). Provide the number and dates of the board meetings held in the past year. Provide the level of board attendance at each meeting. [The response should be an explicit response to all of the above. Ideally, a table will also be presented that summarizes the information requested above.]

Committees. List the standing and ad hoc board committees. Describe the changes to the committees and activities and/or accomplishments during the school year as well as any plans for the coming year. [For each committee, the response should provide some narrative describing their activities, frequency of meetings and accomplishments/plans. The intent is to provide verification of the effectiveness and viability of the board and its committees.]

Open Public Meetings Act. Describe the process utilized to assure compliance with the Open Public Meeting Act. [The response should describe how/where/when the notices are posted and any other pertinent information. Copies of the actual notices as they appear in the newspaper can be included in the appendix as supporting proof of compliance.]

Training. Indicate the number of board members who have attended NJ School Boards Association training and the number who still need to attend training. If there are board members who still need to attend training, indicate when they will attend training. Describe any additional training the board may have received from other sources and the number of board members who participated. [The response should provide specific information regarding all of the above.]

Anticipated Issues. Discuss the issues that are likely to require the board's attention in the near future. [The response should describe 2-3 key matters that will require the board's attention and provide some idea/discussion of their significance.]

School Administrators

Summary of Accomplishments. Summarize and discuss any school administrative-related changes or accomplishments in the past year (e.g., implementation of a computer-based record keeping system, addition of a staff person to manage curriculum, refinement of job descriptions, addition of clerical staff). [The response should present and discuss 2-3 key changes/accomplishments that were made and discuss the reasons/need for the changes.]

3. REVIEW OF PROGRESS: INCORPORATING THE NJCCCS, DELIVERING AN EDUCATIONAL PROGRAM LEADING TO HIGH ACHIEVEMENT FOR ALL STUDENTS AND PROVIDING PROFESSIONAL DEVELOPMENT AND SUPPORT FOR TEACHERS

Guidelines: Describe how the school is addressing the NJ Core Curriculum Content Standards (NJCCCS) and the delivery of the educational program, including the school's innovative practices, use of time and professional development activities.

Incorporation of the New Jersey Core Curriculum Content Standards

Summary of Curriculum Development Progress. Describe the procedures used and the school staff involved in developing/selecting the curriculum. Specify the time/resources allocated to curriculum work both during the school year and during the summer. Summarize and discuss the extent to which the school has developed curriculum guides and other supporting resources, at each grade level for each subject area that lead to common understandings among teachers of what is to be taught, how, to what degree and in what general timeframe. Describe the components of the school's curriculum guides or structure (e.g., introduction, content scope and sequence, expected student outcomes and relation of outcomes to NJCCCS, timeframe for instructional units, suggested instructional activities, resources and assessment procedures). [DOE is trying to determine the "who, what, when, where, how and how well" re the school's curriculum development activities. Are the activities structured, systematic and well led? The response should provide detailed information re all of the above. It should specify who has the accountability and/or leadership roles regarding curriculum development and implementation. It should indicate if the school is using some model or curriculum template. It should indicate if a consultant is involved and state who. It should describe the specific resources that were/are committed to the task and over what timeframe. It should describe the specific structure/components of the curriculum. It should clearly describe the school's progress to date and work still to be done. It is insufficient to state that work on the curriculum is done in the summer or during staff meetings. More detail is required.]

Curriculum Monitoring. Describe how the delivery of the curriculum is monitored in order to ensure both consistency of implementation and compliance with the NJCCCS. [The response should describe in some level of detail how curriculum delivery is monitored (who, what, when/how often, how, with what documentation?). It is insufficient to state that the principal or the lead person monitors the curriculum. A more detailed response is desired. It is important that chronological documentation be maintained on the curriculum monitoring process.]

Curriculum Needs and Planned Activities. Describe where additional work, if any, in the area of curriculum and instruction is planned. [Again a real and detailed response is desired. The response should be able to describe current curriculum needs and planned work with some specificity.]

Delivery of an Educational Program Leading to High Achievement for all Students

Delivery of Services to Students with Educational Disabilities. Provide appropriate data to describe how your school is organized to respond to the diverse learning needs of students with educational disabilities. State the number of classified students, the source of the school's child study team services, the programs

provided (resource room(s), self-contained classes, etc.) and the number and certification of staff and aides delivering special education services. [The school should respond literally to each of the above. Essentially, DOE wants the school's description of its program (as defined above) and its perception of "how well" the school is geared up to provide services to special education students, any problems the school is encountering and any plans to deal with the problems.]

Delivery of Services to Bilingual Students. If your school has limited-English proficient students, describe the number of students served, the services provided, and the staff allocated to this function. In the event your school has no LEP students, describe the school's plans for identifying such students, providing services and allocating staff to serve this function. [The school should respond literally to the above. In the event that the school doesn't have any LEP students the school still should be able to describe the assessment instruments they will use to diagnose English proficiency, the certified staff available or on call to provide this service and the instructional resources to be used.]

Delivery of Services to At-Risk Students. Describe how your school is organized to respond to at-risk students. More specifically, describe the school's procedures/criteria for identifying at-risk students, the number of students currently identified as at-risk, the services provided and the staff allocated to this function. [The school should respond literally to each of the above. It is not sufficient to state that all of the students in the school are at-risk. A more detailed response is required.]

Innovative Programs and Practices. Describe any innovative curriculum/instruction programs and/or practices that the school is implementing. More specifically, describe the essential elements or features of the program(s) or practice(s). Describe the extent to which the program or practice is being implemented (e.g., in one subject area or class versus more extensively). Discuss the impact of the program or practice on students' achievement. Provide supporting data. [The school should respond literally to all of the above. It's not enough to state that a school utilized team teaching, cooperative learning, multi-age classes and/or block scheduling. More detail needs to be provided so that a cold reader will know, for example, that the school uses multi-age classes only in reading, uses "X, Y or Z" reading program, assesses students' progress bi-weekly and reorganizes reading groups on a regular basis and computer-assisted interactive instruction is one of the components of the program, etc.]

Use of Time. Specify the extent that the school implements any of the following time-related practices: *In the event the school does not engage in the practice, include the "bulleted header" and state "Not Applicable."*

- **Extended school day.** Specify start and end times, total time and instructional time.
- **Extended academic year.** Specify start and end dates and the total number of days school is in session.
- **Before- and after-school programs.** Specify start and end times, nature of the programs and the number of students involved.
- **Tutorial sessions.** Specify how students are identified, frequency (e.g., twice a week), time (e.g., one hour), subject area(s), number of participants and instructor (e.g., teacher, aide, parent volunteer).
- **Other time-related features.** (e.g., Saturday, evening or summer classes). Specify duration (e.g., every Saturday for six weeks in March and April), start and end times, nature of the programs and the number of students or parents involved. [The school should respond literally to each of the above and provide appropriate details. It is insufficient to state that students are tutored after school. Additional details need to be provided.]

Professional Development and Support Provided for Teachers

Professional Development Activities. List the professional development activities made available to staff during the past year (e.g., workshops on various topics,

mentoring, peer observations, use of individual professional improvement plans, teacher-designed professional development, visits to other schools, conference participation, financial support for college courses). Specify the length or extent of each activity (e.g., two hours, two days, one observation) and the level of staff participation (e.g., all staff, three of ten staff). Describe the use of instructional technology in the school and the opportunities provided to build staff capacity in the use of technology in the classroom. Describe how the school is complying with the NCLB mandate for highly qualified teachers. [The school should respond literally to each of the above. Ideally, there will also be some discussion of the impetus of the particular professional development sessions offered, some particulars/examples of building staff capacity in the use of technology and discussion of the school's standing re the NCLB highly qualified teacher mandate.]

Prep-Time/Planning Time. Describe the time provided teachers for preparation and/or planning of curricular and instructional matters. More specifically, describe the number and duration of individual preparation periods provided teachers weekly, the frequency and duration of grade level meetings, the frequency of faculty meetings and the frequency and nature of any other activities/procedures to facilitate professional interactions among staff.

[A literal response is expected to each of the above instructions. Some commentary on the adequacy of the time would also be appropriate.]

Teacher Input and Satisfaction. Describe the procedures used to obtain systematic teacher input regarding the operations and effectiveness of the school. Summarize and discuss the results of any surveys of the school staff regarding perceived strengths, needs and the effectiveness of the school. [A literal response to each of the above is desired. What procedures are used to solicit teacher input regarding the operations of the school? Include a summary of teacher survey results either in the body of the report or in the appendix and discuss the results. Include a copy of the survey in the appendix.]

Teacher Supervision/Evaluation. Describe the school's teacher supervision/evaluation procedures. Specify how frequently teachers are observed and by whom. Discuss lesson-planning requirements and state if a common lesson plan format is used. *Attach a copy of the school's Teacher Supervision/Evaluation Protocol as Appendix D.* [A literal and detailed response to each of the above is desired. For example: What evaluation/observation form is used? Is a particular supervision model used? How long are the observations? Are pre- and post-observation conferences involved? Who conducts the observations? What certification does the evaluator/supervisor hold? Are observations scheduled throughout the year or done in the last month of school? Also, what is the school's perspective/policy on standard lesson plan formats?]

**4. REVIEW OF STATE AND LOCAL ASSESSMENT ACTIVITIES
AND STUDENT ACHIEVEMENT RESULTS
IN THE CONTEXT OF THE SCHOOL'S GOALS
AND REQUIRED NCLB ADEQUATE YEARLY PROGRESS**

Guidelines: Describe the major components of the school's assessment activities and procedures to date. Attach a copy of the school's Academic Goals and Objectives as Appendix E. Attach a copy of the school's non-academic goals and objectives as Appendix F.

Academic Goals and Objectives: Assessment Activities

(Do not present data in this section.)

[This section only relates to the activities; not the outcomes or data.]

Assessment Procedures. Describe the procedures implemented to date to measure or document the achievement of each of the school's "priority" academic goals and objectives. If the school has established annual "milestone objectives," describe the objectives. [The response should directly address the measurement of the school's progress in achieving its priority academic goals/ objectives (i.e., those presented in its approved charter). Which goals and objectives are being assessed, how, how frequently and by whom? Essentially, DOE is trying to determine the degree to which a school is measuring and tracking the achievement of its priority goals and objectives.]

State Assessments. List the state assessments in which the school participates (i.e., NJ ASK, GEPA, HSPA) and specify the number of students assessed. Describe the levels of staff involvement and accountability in regard to the state assessments. Describe how and when the state assessment information is used, by whom and for what purposes. Describe any accommodations in testing for students with educational disabilities. [The school should respond literally to each of the above.]

Standardized Assessments. Describe the standardized assessments (tests/subtests) the school administers and the purpose(s) for using the assessments. Provide the complete name and the publication date of the test. Specify the subject areas tested, the frequency of testing, the grade levels tested, the number of students assessed, and whether pre- and post-testing is involved. Describe the levels of staff involvement and accountability in the foregoing assessment procedures (i.e., Who is responsible for doing what? How is the information collected and used and for what purposes?). [The school should respond literally to each of the above.]

Other Assessments. Describe the nature of the assessments and procedures the school uses on an ongoing basis (daily, weekly, monthly, etc.) to gauge student achievement and document student performance in order to assess the effectiveness of instruction, redirect instruction and monitor and report student achievement. Specify the levels of staff involvement and accountability in the foregoing assessment

procedures. That is, specify what assessment information is collected, by whom, and for what purpose. [The school should respond literally to each of the above and insert sub-headers as needed (e.g., portfolio assessment, performance assessment, teacher-made tests, end-of-marking-period tests).]

Reporting System. Describe how and how frequently your school provides feedback to parents on student performance. *Attach a copy of the Student Progress Report(s) as Appendix G.* [The school should respond literally to each of the above.]

Accountability. Specify who has the primary accountability for assessment in the charter school (data collection, analysis, interpretation and reporting). Describe the qualifications of the person responsible and describe the role of consultants, if applicable. [The school should respond literally to each of the above.]

Guidelines. Summarize/describe and discuss the school's assessment program results to date. Provide data that describes the extent to which the school is making progress in achieving its academic goals and objectives, and any annual milestone objectives it may have set. Present state test data for grades 3-8, and/or 11 (as relevant to your school). Describe and discuss the school's standing with regard to the "NCLB Adequate Yearly Progress criteria" established by DOE for language arts/literacy and mathematics. Present standardized test data to illustrate cohorts of students' progress on nationally normed tests. Refer to Appendix 3 for additional information on presenting assessment results.

Academic Goals and Objectives: Assessment Results

(Present data in this section.)

[This section relates to the school's achievement of its academic goals.]

State Assessment Results. Present and discuss the results of the state assessments in which the school participated (name of assessment test, number tested, and percents partially proficient, proficient and advanced proficient). Provide comparisons to district-of-residence student performance. Present multi-year data where possible for baseline purposes. Describe and discuss the school's current Adequate Yearly Progress (AYP) status in the context of the No Child Left Behind (NCLB) standards established by the department. Utilize the data from the most recent NCLB State Report Card. For NCLB purposes, ensure that the data is appropriately disaggregated (see below).

Example of Disaggregation of Data for NCLB Purposes:

2006 NJ ASK 4 Results

Group	(N)	Language Arts			Mathematics			Other Indicator Attendance GOAL: 90%
		% Tested Proficient GOAL: 95%	Mean	%	% Tested Proficient GOAL: 95%	Mean	%	
All Students	()	_____						
General Education	()							
Special Education	()							
LEP	()							
Migrant	()							
Male	()							
Female	()							
White	()							
Black	()							
Hispanic	()							
Asian/Pac. Isl.	()							
AmInd/AlaNat	()							
Economically Disadvantaged	()							
Non-Economically Disadvantaged	()							

Note: For high schools, the secondary or "other indicator" is graduation rate. N = Number Tested. For each of the grades on which state test data is available, the school should present disaggregated data in a form similar to the table above. The test results presented in the table(s) should be discussed in terms of the extent to which each subgroup exhibited Adequate Yearly Progress (AYP) as defined by the criteria established by the department.

Standardized and Other Assessment Results. Present and discuss the results of the standardized test assessments which the school administers (e.g., baseline student performance in comparison to national norms, increases in cohorts of students' performance over time on criterion or norm-referenced measures). If applicable, describe the results of any Alternative Assessments utilized and/or describe the results of the school's participation in the National Assessment of Educational Progress (NAEP) testing program.

Non-Academic Goals and Objectives: Assessment Activities

(Do not present data in this section.)

[This section only relates to the activities; not the outcomes or data.]

Assessment Procedures. Discuss the school's progress in operationally defining how it will measure its non-academic goals and objectives. Describe the procedures implemented to date to measure or document the achievement of each of the school's "priority" non-academic goals and objectives. [Many charter schools specified numerous non-academic goals and objectives in their approved charters. Schools were instructed to select a "few" priority non-academic goals and objectives and determine/establish ways of measuring them, if only via unobtrusive or correlative indices or measures. In this section, the priority goals should be identified and the ways of measuring them should be described/discussed. See Appendix 3 for additional guidelines.]

Guidelines. Summarize, describe and discuss the results of the school's assessment of its non-academic goals to date. Provide data that describes the extent to which the school is making progress in achieving its non-academic goals and objectives. Refer to Appendix 3 for additional information on presenting non-academic goal assessment results.

Non-Academic Goals and Objectives: Assessment Results

(Present data in this section.)

[This section relates to the school's achievement of its non-academic goals.]

Assessment Results and Discussion of Progress. Present and discuss the results of any measures administered or any documentation collected (i.e., data) regarding the school's non-academic goals and objectives. Describe what the results reveal about the school's progress in achieving its non-academic goals and objectives. Describe how the data are used. Indicate if any program modifications were made as a result of the data collected to date. Describe any anticipated refinements or changes to the school's procedures for assessing its non-academic goals and objectives. [The school should respond literally to the above. Present data here. A more detailed data-based response is desired.]

Summary Note Re Section 4:

The school should respond literally to each of the directives in Annual Report Section 4 on the assessment of the school's academic and non-academic goals and objectives. The school should present, at a minimum, a narrative chronology of its assessment history, current baseline data and/or current cohort data in the subject areas of reading/language arts, writing and mathematics. Baseline data can come from both state assessments and standardized tests. Cohort data will need to come from standardized tests. There should be some discussion of the school's achievement status, progress and needs. Achievement data should be presented in clearly labeled tables and figures. Tables should be numbered sequentially and each table should have a title that clearly describes the content of the table. The table rows and columns should be labeled. Most importantly, there should be a discussion of the results or implications of each table. Evidence of a school's capacity to analyze, present and discuss achievement data is expected in this section of the report. It is also an expectation to see gains in cohorts of student's achievement over time and evidence that a school is exhibiting AYP. In the absence of expected achievement, DOE expects to see problem areas identified and proposed changes in curriculum and/or instruction in order to address the issues.

Additionally, the descriptive information presented in Report Section 4 will overlap slightly with some of the information presented in Section 8 in that a school's assessment activities constitute one component of the school's self-evaluation and accountability plan.

5. DESCRIPTION OF ACTIVITIES TO INVOLVE PARENTS AND COMMUNITY MEMBERS AND PUBLIC RELATIONS AND OUTREACH ACTIVITIES

Guidelines: Describe the nature and extent of parental and community involvement at the school.

Parental Involvement Activities and Outcomes

Outreach Procedures. Describe the procedures used to elicit parent involvement and their relative success. Describe the procedures used for regularly communicating with parents. [The school should respond literally to the above. Detailed responses are expected.]

Organizations and Committees. Describe any organizations or committees that have been established to organize/facilitate parental involvement. Provide data indicating the level of parent involvement (percentages) and the roles parents play (e.g., class volunteers, lunch aides, fund raising, class trip chaperones, phone chains, office help, newsletter help). [The school should respond literally to the above. Detailed responses are expected.]

Parent Satisfaction. Describe the kinds of feedback (formal or informal) that have been sought from parents (e.g., surveys, focus groups). Summarize with supporting data the results of parent feedback to date (major likes and/or concerns). [The school should respond literally to each of the above. Detailed responses are expected in the form of summaries of results and discussion of parent surveys. Survey results/tables should be appropriately labeled and be accompanied by a discussion of strengths and needs. The surveys should also be attached as appendices to the report. **Note.** School's are also encouraged to present annual data on student and staff satisfaction.]

Training/Support. Describe any training and/or support that have been made available to parents. Provide supporting data indicating the results/participation to date. [The school should respond literally to each of the above. Detailed responses are expected.]

Community Involvement Activities and Outcomes

Outreach Procedures. Describe how community participation is solicited and who is responsible for orchestrating community involvement. [The school should respond literally to each of the above. Detailed responses are expected.]

School/Community Activities. Describe the community organizations/agencies the school is involved with, in what capacity, with what results (e.g., role models, shadowing, guest speakers, tutors, fund raising support, community service projects, formal service-learning program, joint school-community activities). Provide appropriate supporting data. [The school should respond literally to each of the above. Detailed responses are expected.]

Plans. Describe any future plans the school may have regarding community involvement, including projected timelines if appropriate or available. [The school should respond literally to each of the above. Detailed responses are expected.]

Public Relations and Outreach Activities and Outcomes

Describe the school's public relations and outreach activities this past year.

Public Relations Activities. Summarize and discuss the school's public relations activities. Public relations activities may have encompassed such things as press releases, media coverage, presentations to groups, open houses, regular distribution of the school's newsletter and school brochure, and distribution of information in multiple languages. Other activities might include development of a school video or web page, radio coverage, booths at the mall, presentations on local television, student representation at community events, food drives, career fairs, and/or workshops for parents. [The school should respond literally to each of the above. Detailed responses are expected.]

Accountability and Plan. Specify who has the primary responsibility for public relations and outreach. Describe the school's proposed public relations and outreach goals and activities for the coming year. [The school should respond literally to each of the above. Detailed responses are expected.]

6. DESCRIPTION OF STUDENT AND STAFF RECRUITMENT ACTIVITIES

Guidelines: Describe the school's admission policies/procedures and the school's staff recruitment procedures.

Admissions Policies

Admissions Timeline and Recruitment Activities. Describe the school's admissions timeline. Describe the recruitment activities conducted by the school this school year (e.g., media ads, outreach in multiple languages, outreach to local schools, lottery process, etc.). Attach copies of the school's Admissions Policy and School Application Form(s) as Appendix H. [The school should respond literally to each of the above. Detailed responses are expected.]

Admissions Results. Summarize, using appropriate supportive data, the results of the admissions process (i.e., enrollment by grade this year, retention rate, waiting lists by grade, and the proposed grades and enrollment for 2006-2007 school year, etc.). Describe and discuss the extent to which the school's student population is representative of the community. [The school should respond literally to each of the above. Detailed responses are expected.]

Student Withdrawals and Exit Interviews. Describe and discuss any student withdrawals, the school's exit interview process and the data maintained on students who have withdrawn (e.g., number of students who withdrew, reasons for their withdrawal, demographics, if applicable, etc.). [The school should respond literally to each of the above. Detailed responses are expected.]

Staff Recruitment

Recruitment Timeline and Activities. Describe the staff recruitment timeline and activities (job ads placed, job fairs attended, use of the internet or a job recruitment/teacher placement agency, etc.). [The school should respond literally to each of the above. Detailed responses are expected.]

Application Review and Job Interview Procedures. Describe the school's application review and job interview process. Specify who reviews applications and conducts the interviews. Describe the extent to which there is board, faculty, parent and/or student involvement in the interview process. Indicate if applicants are

required to teach a demonstration lesson. [The school should respond literally to each of the above. Detailed responses are expected.]

Recruitment Results. Using supportive data, summarize the results of the staff recruitment process (i.e., number of applicants, interviews, and hires, retention rate and problems encountered, if any). [The school should respond literally to each of the above. Detailed responses are expected.]

Exit Interview Procedures and Data. Describe and discuss the school's exit interview process and the data maintained on teachers no longer employed by the school. Summarize appropriate data collected on staff members who have left (e.g., reasons for leaving employment, numbers of staff members who have left this year, etc). Describe, if applicable, any changes in the school's leadership this year (e.g., lead person, principal, business administrator); if none, state "None." [The school should respond literally to each of the above. Detailed responses are expected.]

7. OVERVIEW OF CO-CURRICULAR ACTIVITIES FOR STUDENTS

Guidelines: Provide the following information on co-curricular programs.

Co-Curricular Programs

Programs and Student Participation. Describe the school's co-curricular programs for students. Provide appropriate data concerning student participation rates (e.g., number and/or percent of students participating in sports activities, various clubs, school yearbook or paper, student council, safety patrol, field trips, dances, before- and after-school programs, Big Brother and Sister Programs, other activities). Discuss issues, if any, regarding the school's provision of co-curricular activities (e.g., lack of a playground facilities, transportation issues, age-related factors). [The school should respond literally to each of the above. Detailed responses are expected.]

8. REVIEW OF THE SCHOOL'S SELF-EVALUATION AND ACCOUNTABILITY PLAN (SEAP)

Guidelines: Provide the following information on the school's self-evaluation and accountability plan.

Self-Evaluation and Accountability Plan

Description of Major Areas of Self-Evaluation. Describe, in this section of the report, each of the major areas or topics that are the focus of the school's self-evaluation activities (i.e., the school's self-evaluation goals, objectives and/or questions). Describe the process or procedures involved in evaluating each area or topic. (**Note.** Each row of the SEAP chart generally addresses a major area or topic.)

Current and/or Proposed Changes to the SEAP. Describe any changes or refinements made to the plan in the 2005-2006 school year. Describe any proposed changes in the plan for the coming year.

Summary of Progress in Achieving Strategic Improvement Plans and Milestone Goals. Describe the school's progress in achieving specific short- or long-term improvement goals and objectives adopted by the board (e.g., five-year plans, strategic plans, improvement plans and/or annual milestone goals and objectives).

See Appendix 3 for guidelines regarding self-evaluation and accountability plans and guidelines for the school's SEAP chart. The school's plan should be comprehensive, address the suggested components and present a SEAP chart.

Attach as Appendix I a copy of the school's self-evaluation and accountability plan.

[The school should respond literally to each of the above. Provide evidence that the school has a viable, detailed and meaningful self-evaluation and accountability plan. The school's plan should be comprehensive, address the suggested components and present a SEAP chart. It is recommended that the school annually conduct and report the results of surveys of students, staff and parents regarding the effectiveness of key aspects of the school's operations and outcomes. Ideally, the school's plan will present more information than is presented in the hypothetical sample SEAP chart in Appendix 3 and will include a discussion of each row in the chart.]

9. APPENDICES

Guidelines: *Provide the following Appendices.* [Copies of board resolutions and amendments should be dated and signed by the board secretary or president. Resolutions should also include a vote tally.]

- A. Copy of Annual Financial Report**
- B. Copy of Board Resolution Approving the 2005-2006 Annual Report**
- C. Copy of Board Resolution Naming the Lead Person of the Charter School**
- D. Copy of Teacher Supervision/Evaluation Protocol**
- E. Copy of Academic Goals and Objectives**
- F. Copy of Non-Academic Goals and Objectives**
- G. Copy of Student Progress Report**
- H. Copy of Admissions Policy and School Application Form(s)**
- I. Copy of Self-Evaluation and Accountability Plan**
- J. Copy of any Amendments to the Bylaws of the Board of Trustees Adopted During the 2005-2006 School Year (If none, state that there were no amendments.)**
- K. Copy of the School Calendar for the 2006-2007 School Year**
- L. Copy of Board Resolution Naming the Affirmative Action Officer, The Section 504 Officer and the Title IX Coordinator**
- M. Other Appendices at the Charter School's Discretion**

Note: If you have questions regarding the educational program-related aspects of the Annual Report, contact Edward Patrick, accountability coordinator, Office of Vocational-Technical, Career and Innovative Programs/Charter Schools at (609) 292-5850.

Appendix B

**Charter School Evaluation Report Commissioner's Recommendations
(October 1, 2001)**

CHARTER SCHOOL EVALUATION REPORT COMMISSIONER'S RECOMMENDATIONS

October 1, 2001

INTRODUCTION

The Charter School Program Act of 1995, as amended in November 2000, requires that the Commissioner of Education submit to the Governor, the Legislature, and the State Board of Education by October 1, 2001 an evaluation of the charter school program based upon (a) public hearings in the north, central, and southern regions of the state to receive input from members of the educational community and the public on the charter school program and (b) an independent, comprehensive study of the charter school program conducted by an individual or entity with expertise in the field of education. The Act further requires that the Commissioner's evaluation shall include a recommendation on the advisability of the continuation, modification, expansion, or termination of the program. If the evaluation does not recommend termination, then it must include recommendations for changes in the structure of the program which the Commissioner deems advisable. The Commissioner may not implement any recommended expansion, modification, or termination of the program until the Legislature acts on that recommendation.

Three regional hearings were held by the Department of Education in March 2001 in Newark, Trenton and Mays Landing. The testimony, both oral and written, presented by 244 individuals, is summarized in attachment A. The independent, comprehensive study has been conducted by KPMG via contract with the Department of Education. Attachment B is the executive summary of the independent study. The complete independent study is available in hard copy or CD-ROM and can be obtained by contacting the Office of Publications and Distribution Services of the Department of Education at 609-984-0905. The summary is available on the Department of Education's web site at www.state.nj.us/education.

The following general conclusions have been drawn from the public hearings, the independent, comprehensive study and the four years of experience that the Department of Education has had in implementing the Charter School Program Act.

- Charter school students, in the aggregate, are making substantial progress in achieving the Core Curriculum Content Standards in some, but not all, areas of the statewide assessments based on the results for the Elementary School Proficiency Assessment (ESPA) and Grade Eight Proficiency Assessment (GEPA).
- Charter schools, in the aggregate, are outperforming the districts of residence from which they draw their students in math on the ESPA and language arts on the GEPA. Student performance in other areas on these tests is comparable to the districts of residence.

- Charter schools, on average, have lower class sizes, lower student-faculty ratios, lower student mobility rates, extended school days and academic years, greater instructional time, and higher faculty attendance rates than their districts of residence.
- Parental and student demand for, satisfaction with, and involvement in charter schools are all extremely high. Parents and students in New Jersey clearly value the choices provided by charter schools. There currently are approximately 11,300 students attending 51 charter schools in New Jersey.
- There is little evidence that there has been either a substantial positive or negative impact on programs and budgets in districts of residence.

The Department of Education has implemented the new form of accountability envisioned by the Legislature and Governor in enacting the Charter School Program Act of 1995. Meaningful school choices, especially in urban areas, are now available to parents and students. Based on analysis of the first three cohorts of charter schools, students are performing at levels greater than or comparable to their districts of residence. There is no evidence of substantial negative impact on programs and services in districts of residence. This new form of accountability intended by the Legislature has been faithfully implemented – the Department of Education has closed six operating charter schools over the first four years for lack of adequate performance.

Based on these findings, it is recommended that the charter school program in New Jersey continue. This does not mean, however, that our work is done. We have learned a great deal in the first four years of this initiative. The following specific conclusions and accompanying recommendations are offered to the Governor, Legislature and State Board of Education. They represent obstacles and opportunities that we have before us. Action on these recommendations is essential if the charter school movement in New Jersey is to continue to grow and thrive.

CONCLUSIONS AND RECOMMENDATIONS

FUNDING:

Conclusion: Insufficient resources are provided to charter schools. They currently receive only 90 percent of the per-pupil expenditure in their districts of residence. However, unlike traditional public schools, charter schools receive no aid for facilities. As a result, charter schools must use significant portions of the funds in their operating budgets to pay rent and other facilities costs. The average facility cost for charter schools is \$1500 per student. This reduces the percentage of per-pupil funds that is available for programs, instructional costs and administration to approximately 65 to 70 percent. While we have learned that well-run charter schools can do more with less, the amount of available funds is so significantly less than what is available to districts of residence that some charter schools have closed and others are likely to close for lack of sufficient resources.

Recommendation: Charter schools should be provided state aid for facilities. In the first year, the amount should equal the current average cost of facilities on a per-pupil basis or \$1500. In subsequent years, this amount should be increased by the rate of inflation. It should be noted that legislation (S-2496 and A-3773) has been introduced that will effectively address this issue. It is recommended that this legislation be enacted as soon as possible.

Conclusion: Current state regulations prohibit charter schools from incurring long-term debt. This severely restricts their ability to develop and implement fiscal plans in a time frame greater than one year. This, in some cases, has had a deleterious effect on their ability to conduct long-range planning and implement sustainable educational programs.

Recommendation: Amend the regulations to allow charter schools to incur long-term debt with appropriate controls and restrictions.

Conclusion: Charter schools are currently prohibited from using public funds for the construction of facilities. This prohibition was included in the authorizing

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statute to take into account a situation in which a charter school might use public funds to construct a school, but would then close its doors.

Recommendation: Modify the Charter School Program Act to allow the use of public funds for facility construction but build in mechanisms to ensure the appropriate future educational use of those facilities, e.g., mandates

regarding transfer of ownership to educational institutions and assurance that educational adequacy requirements are met.

Conclusion: Many charter schools have encountered great fiscal problems as a result of instability in the flow of resources. Their budgets are based on projected enrollments. If those enrollment projections are off to an appreciable degree, the flow of resources can change dramatically, necessitating budget, program and staffing cuts. Charter schools need to have greater revenue stability so they can effectively plan and implement their budgets throughout the school year.

Recommendation: Revise the statutory mechanism for providing aid to charter schools to provide a more stable revenue stream in order to mitigate cash flow problems and ensure sufficient resources, as well as to consolidate aid payments.

SUPPORT AND ASSISTANCE:

Conclusion: Starting a school is a very difficult proposition. Insufficient resources have been devoted to the support, guidance, assistance and nurturance of charter schools. Further, it is unwise to ask that a single entity, the Department of Education, serve two roles that often conflict – assistance and accountability.

Recommendation: Provide ongoing state funding to establish a charter school support center (in, but not of, the Department of Education or in an institution of higher education) with responsibility for assisting new and existing charter schools in the following ways:

- serving the needs of students with educational disabilities and limited English proficient students;
- securing appropriate facilities;
- establishing policies and procedures;
- general program development;

- developing and implementing curricula;
- conducting formative and summative program evaluation to drive continuous educational improvement;
- serving as a clearinghouse for successful and promising practices;
- hiring and developing staff;
- developing and implementing budgets and fiscal procedures;
- establishing governance mechanisms;
- grant writing; and
- other support, training and assistance functions.

By creating this independent support center, the Department of Education would be able to focus its attention on oversight and accountability.

PLANNING:

Conclusion: Starting a school is difficult even under the best of circumstances. It requires careful and thoughtful planning with sufficient guidance and assistance.

Recommendation: Require that all newly approved charter schools engage in a comprehensive planning phase, including development and approval by the Department of Education of a plan that, when properly implemented, will ensure the successful launch of the charter school and long-term viability.

Conclusion: Those leading the effort to establish a new charter school need to be able to devote their attention to the start-up phase. This is not something that can be done part-time by volunteers without assistance. Dedicated resources are needed to support and sustain planning efforts to ensure the creation of strong, high-quality public charter schools.

Recommendation: Provide state-funded grants to founders and/or lead persons of charter schools immediately after the charter school is approved and during the comprehensive planning phase to enable them to devote the necessary time and resources to ensure the successful development and implementation of the school viability plan.

Recommendation: With state and federal funds, provide start-up grants to all newly approved charter schools to enable them to conduct essential activities such as hiring staff, securing a facility and refining the academic program during the comprehensive planning phase.

Conclusion: If a new charter school is to be successful and viable, it must have a qualified, skilled and knowledgeable lead person at the helm.

Recommendation: Require that all new charter school lead persons participate in a leadership institute as a condition of the school's receipt of the charter to open its doors.

PERSONNEL:

Conclusion: Those charter schools that have encountered fiscal difficulties have almost universally not employed a qualified fiscal person to oversee their budgets and fiscal practices.

Recommendation: Modify regulations to require that all charter schools employ a qualified school business official.

Conclusion: Charter schools, as new ventures, often have greater difficulty recruiting and retaining qualified staff.

Recommendation: As an added incentive to teach in a charter school, a mechanism should be created to allow children of teachers in charter schools to attend those schools.

REGULATION/OVERSIGHT:

Conclusion: Essentially, charter schools are required to follow virtually all the major laws and regulations governing traditional public schools in New Jersey. We have not provided the kinds of relief from state mandates to provide the autonomy necessary to allow greater levels of innovation and creativity. Charter schools have made the commitment to higher levels of accountability. We, however, have not provided charter schools with the freedom from mandates in exchange for that higher level of accountability. Charter schools have made great educational strides in the first four-plus years of this initiative. Increased relief from mandates will enable charter schools to advance their educational goals and objectives as intended in the enabling legislation.

Recommendation: Amend the Charter School Program Act to eliminate the section that requires that a "charter school shall operate in accordance with ...the provisions of law and regulation which govern other public schools." Charter schools should be required to operate in accordance with appropriate mandates, but they must be freed from those mandates that interfere with the Legislative intent – to provide a greater level of autonomy in exchange for

increased accountability (i.e., increased student performance results). Of course, we must keep in place those essential mandates such as student health and safety, assessment, teacher certification, criminal history background checks, anti-discrimination statutes, civil rights, etc.

Recommendation: Provide greater regulatory relief. Conduct a comprehensive review of the entire charter school regulatory scheme and modify the regulations to require only those absolutely necessary.

Conclusion: The Charter School Program Act of 1995 authorized the establishment of charter schools by institutions of higher education and private entities and through the conversion of existing public schools. While such schools hold great promise, none has been established in New Jersey because there are significant obstacles and insufficient incentives to do so.

Recommendation: Modify the statute and implementing regulations to eliminate obstacles and create incentives for the establishment of:

- conversion charter schools,
- charter schools operated by businesses, and
- charter schools operated by institutions of higher education.

Conclusion: Charter schools need more time to establish stability and build momentum. Currently, charter schools are chartered for an initial four-year period, with renewal possible for another five years.

Recommendation: Modify the Charter School Program Act to allow the granting of charters for an initial five-year period with a renewal for five years. The modified legislation also should authorize the Commissioner to grant conditional renewals for one year with a comprehensive evaluation conducted by the Department of Education to determine if the full five-year renewal should be granted.

Conclusion: Charter schools currently are required to submit annual reports to the Commissioner of Education by August 1. This date is too early in that it does not allow schools to include their extended school years and most current student achievement data in their reports.

Recommendation: Modify the charter school statute to require the submission of the annual report of each school no later than November 5.

Conclusion: A variety of approaches need to be taken to foster innovation and creativity in charter schools, including the way they are authorized and overseen.

Recommendation: The Department of Education should continue as the main authorizer and oversight agency for charter schools. However, it is recommended that the statute be amended to allow an alternative form of authorization and oversight. In the context of a pilot project, an autonomous

agency or institution of higher education should be authorized to grant and oversee a limited number of charter schools.

Conclusion: There currently are six charter schools that have contracts with private, for-profit education management entities to operate some or significant portions of their programs and schools. There has been considerable confusion regarding the roles and latitude allowable under such circumstances.

Recommendation: A thorough review of the requirements of the Charter School Program Act of 1995 and the public school contracts law should be conducted. The statute should be amended to more clearly delineate roles, authority and latitude in these contractual arrangements.

JVO44/i/fil/charter schools/CHARTER RECS

Appendix C

New Jersey Department of Education
Report on Charter School Hearings
April 24, 2001

NEW JERSEY DEPARTMENT OF EDUCATION

REPORT ON CHARTER SCHOOL HEARINGS

April 24, 2001

EXECUTIVE SUMMARY

This analysis of the testimony received as a result of the public hearings held in March, 2001 on the charter school program in New Jersey is the first part of a legislatively required evaluation of the implementation of the Charter School Program Act of 1995.

During the three public hearings held, charter school constituents came out to speak or sent in written testimony comprising 85.3% of the total testimony given. Overwhelmingly, they spoke of their satisfaction with their schools. Parents, students, teachers, and administrators addressed common issues in several areas, and particular issues in others:

	TEACHERS	PARENTS/STUDENTS	ADMINISTRATORS
Class Size	X	X	X
Teaching Methods	X	X	X
Teacher Attention	X	X	X
Safety	X	X	X
Funding	X	X	X
Professional Development	X		X
Relation to Administration	X		X
Parental Involvement Appreciated	X	X	X

Curriculum	X	X	X
Ability to Affect Decision making	X	X	

These issues were cited with greater frequency than others and so are included in this table, with a complete listing included in the body of the report.

The remaining 14.7% of respondents represented parents and staff from districts, Board of Education members, teachers' associations, and other groups such as the Education Law Center and the Citizens to Preserve Public Education. Their concerns were varied and particular to each group. Most of the testimony from these groups focused on:

- Funding issues
 - Staffing problems due to teachers leaving a district school to teach in a charter school
 - Returning students and how to handle the scheduling and curriculum alignment problems
 - Suggestions for mandating a student's length of stay in a charter school
 - Suggestions for revisiting the criteria for where a charter school may be located.
-

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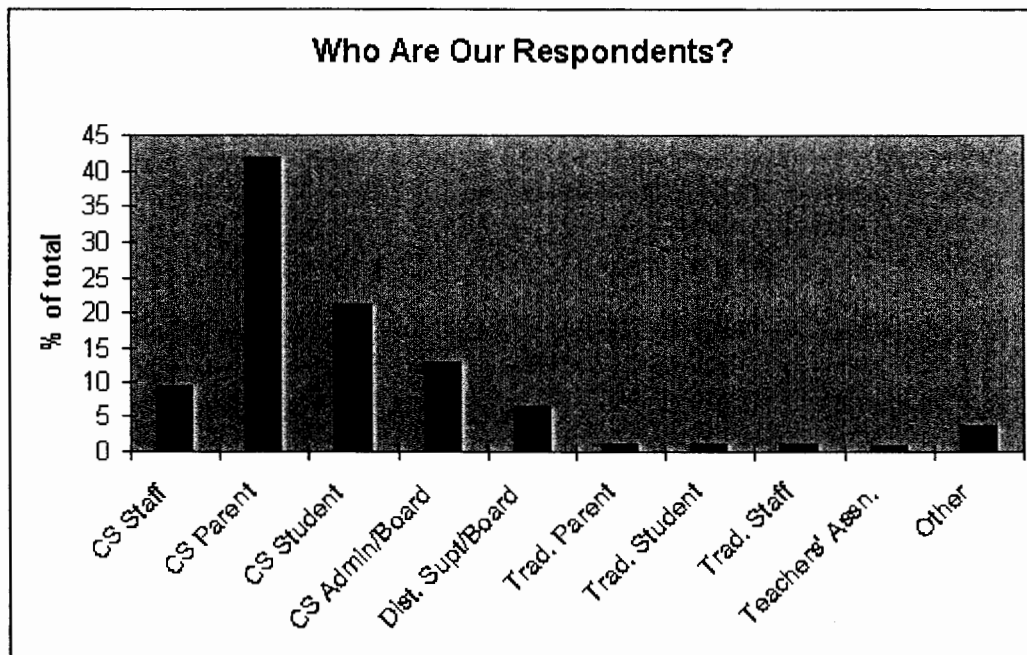
The Charter School Program Act of 1995, as amended on November 2, 2000, requires that the Commissioner hold public hearings by April 1, 2001 to hear input on the charter school program. These hearings have resulted in testimony, both oral and written, from representatives of the charter schools, traditional public schools, and independent groups such as the Education Law Center, Citizens to Preserve Public Education, and others. This is one component of an independent evaluation of the New Jersey Charter Schools Program. A database of all respondents and their affiliations is available.

The purpose of this testimony evaluation is not to prove or disprove any particular hypothesis, but to improve the understanding of issues involved in the charter school initiative. After reviewing all of the testimony, the respondent groupings and main themes were well defined. The matrix below represents the number of times that the themes were mentioned by each group:

Main Themes and Number of Times Mentioned for Each Respondent Group

	gover	fund	paren invol	reg over	stud assess	stud achiev	staff	accoun	curric	total
CS staff	1	7	11	1	8	11	16	1	7	63
CS parent/student	1	38	63	2	29	86	29	11	21	280
CS Admin/Board	2	21	21	4	17	19	14	9	12	119
District Supt/Board	2	10	1	1	1	2	3	0	1	21
Traditional parent/student	1	5	1	0	0	0	0	1	0	8
Traditional staff	0	0	0	3	1	0	0	0	0	4
Teachers' Association	1	2	0	2	2	0	1	0	0	8
Other	0	8	1	4	1	2	2	2	1	21
Totals	8	91	98	17	59	120	65	24	42	524

In looking at the categories of respondents, charter school parents and students have been separated, although for purposes of designation in the database, they have the same code. The same is true of the traditional parent/student designation .



RESPONDENTS	%	Number
CS Staff	9.4	23
CS Parent	41.8	102
CS Student	21.3	52
CS Admin/Board	12.8	31
District Supt/Board Member	6.6	16
Traditional Parent	1.2	3
Traditional Student	1.2	3
Traditional Staff	1.2	3
Teachers' Assn.	0.8	2
Other	3.7	9
Totals	100	244

The themes are further segmented into sub-themes with the frequency of occurrence noted for each.

Frequency of each issue:

Governance (8 total)

Decision-making processes	1
Make-up of governing board	2
Procedures to select governing board	1
Private entities, management companies	1
Impact on program	1
Other	2

Funding (125 total)

Effect on nonacademic services	12
Effect on school facilities	57
Compliance with guidelines for federal, state, local, and grant revenues	3
Abbott funding	16
Transportation costs	3
Effect on surrounding districts	19
Other	15

Petitions for funding are listed and counted separately

Parental Involvement (154 total)

Choice to attend charter school	35
Waiting lists as a measure of demand	8
Involvement in decision making	49
Satisfaction with reports of student progress	8
Taken satisfaction survey	1
Before / after school programs for parents / students	12
Feeling of family / community at charter schools	35
Other	6

Regulatory Oversight (20 total)

Special education	1
Technical assistance given by DOE	3
Oversight / program reviews	4
Return of students to district schools	6
Other	6

Student Assessment (86 total)

Compared to district	6
Compared to state	1
Methods of assessment	11
Class size	50
ESPA	7
GEPA	6
HSPA	1
Other	4

Student Achievement (177 total)

Transition to charter school	2
Indicators promoting learning	
Attendance	3
Retention	2
Support Programs-academic	15
Teacher Attention	47
Extracurricular activities	1
Discipline	13
Demographics	11
Feeling of safety in school	21
Student attitude toward learning	25
Extended school day / year	17
Other	20

Staff (87 total)

Standards of professional development	8
Ability to influence classroom and school policy	8
Benefits and salaries	2
Credentials	3
Student / teacher ratio	4
Training for technology	1
Innovative methods	33
Sharing methods, practices with districts	4
Relationship to administration	6
Availability of instructional materials	6
Non-teaching responsibilities	6
Union issues	1
Effect of teachers leaving for charter	

schools on public school districts	3
Support staff	2

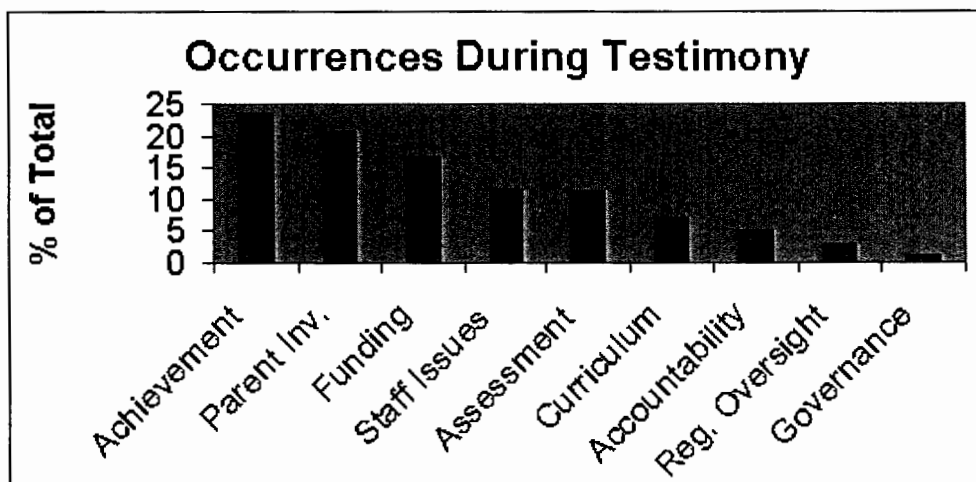
Accountability (38 total)

State requirements	3
Program Review	4
CAP	4
Probation	4
Effect on education reform, district programs	11
Adherence to state standards	5
Administrator accountability	1
Increments tied to performance	1
Other	5

Curriculum (53 total)

Special education, LEP have access to core curriculum	9
Use of technology	5
Core curriculum standards	19
Interdisciplinary curricula	4
Multi-age class	5
Performing arts	1
Other	10

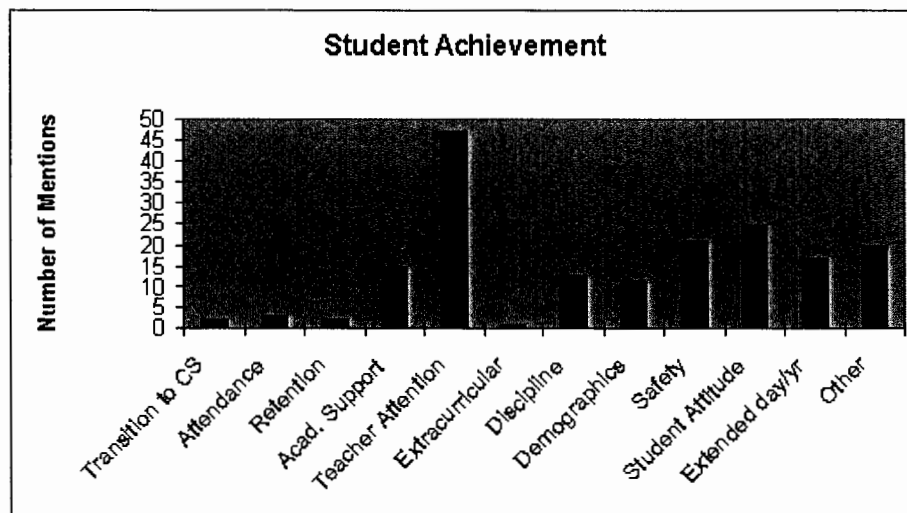
The percentage breakdown for these issues:



Issue	%
Achievement	23.7
Parent Involvement.	20.6
Funding	16.7
Staff Issues	11.6
Assessment	11.5
Curriculum	7.1
Accountability	5.1
Reg. Oversight	2.7
Governance	1
Total	100

I. Student Achievement

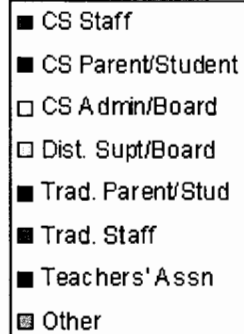
The issues involved in student achievement are better understood by looking at what was discussed and who discussed it. The charts that follow show that charter school parents, students, and staff felt that the support programs, extra teacher attention, safety in the schools, and extended time in school all contribute to higher levels of student achievement. Many parents and students mentioned safety in the schools as an important factor contributing to increased learning. An improved attitude toward learning and wanting to go to school were mentioned repeatedly.



Frequency of Mention

Transition to CS	2
Attendance	3
Retention	2
Acad. Support	15
Teacher Attention	47
Extracurricular	1
Discipline	13
Demographics	11
Safety	21
Student Attitude	25
Extended day/year	17
Other	20
Total	177

Number of Responses by Affiliation Student Achievement



Student Achievement Frequency of Mention

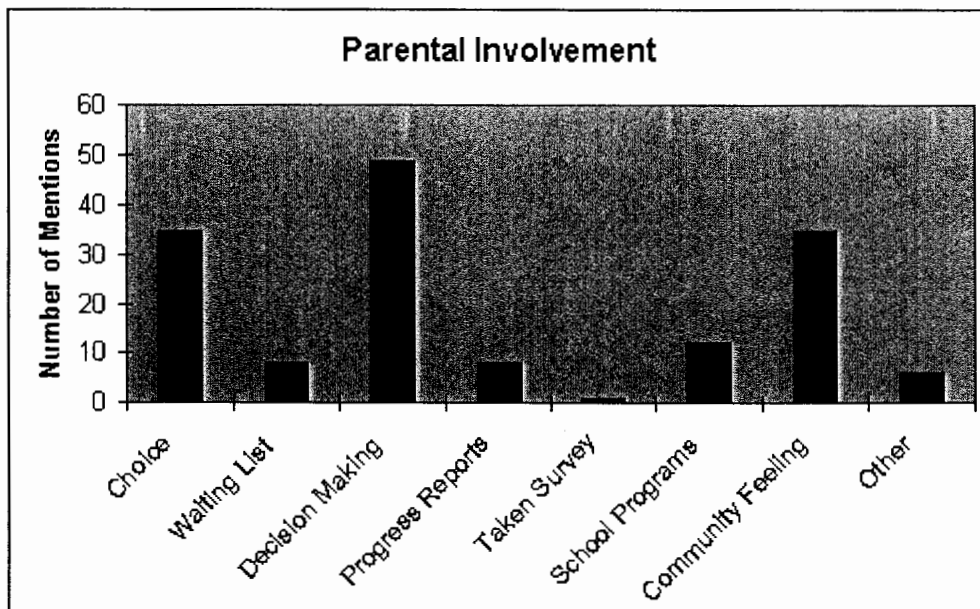
Charter School Staff	14
Charter School Parent/Student	131
Charter School Admin/Board	28
District Supt/Board	1
Traditional Parent/Student	0
Traditional Staff	0
Teachers' Association	0
Other	3
Total	177

Over a quarter (26.6%) of the discussion was focused on the attention teachers give to students in charter schools and how this affects learning. Some of the issues cited under "other" include:

- service learning programs in some schools
- charters have an inclusive setting
- the student focused programs need time to grow and so do the charter schools
- many parents and students expressed the wish that their schools could expand to include high school years

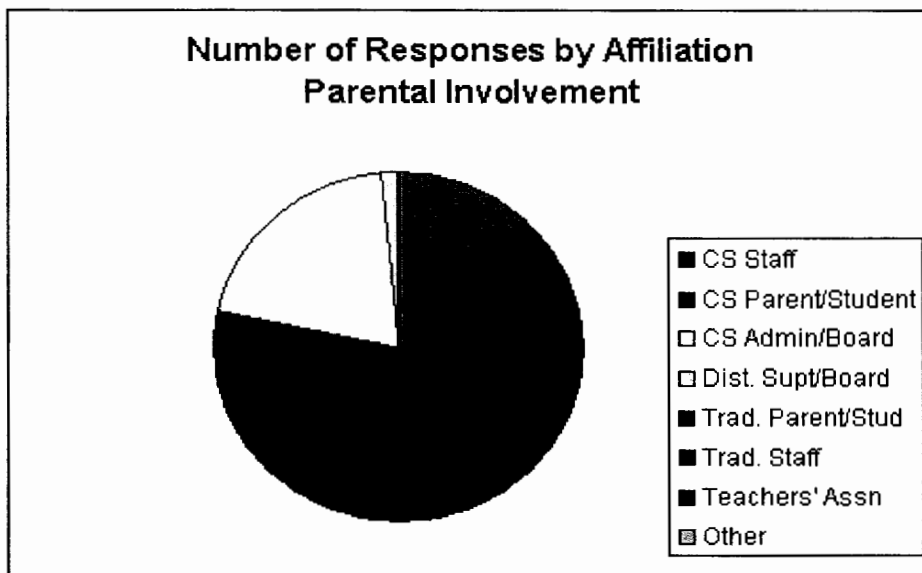
II. Parental Involvement

This issue was addressed mainly by charter school constituents (98.7% of responses) and their responses really help to define the form and magnitude of parental involvement in the charter schools. Many parents had children in non-charter schools prior to enrolling them in a charter school, and for some this is the first school of any kind that their children have attended. Overwhelmingly, parents want to choose the school that their children will attend, particularly in districts where it is perceived that the educational system is failing or there is a safety issue. Parents feel that they have a part in their children's education through their own participation in the school and through homework that requires parent participation. Volunteering in the classroom, acting as lunch monitors, working in the school, all give parents a feeling of ownership, participation, and a willingness to help direct and contribute to fulfilling the mission of the school. A sense of "community" was also mentioned frequently. All charter school constituents felt that the schools provide a welcoming atmosphere (" everyone knows everyone else") and this makes the school an inviting place to be for everyone involved. Several parents mentioned this atmosphere as contributing to their willingness to take part in the programs offered by the school for them and their children.



Frequency of Mention

Choice	35
Waiting List	8
Decision Making	49
Progress Reports	8
Taken Survey	1
School Programs	12
Community Feeling	35
Other	6
Total	154



**Parental Involvement
Frequency of Mention**

Charter School Staff	17
Charter School Parent/Student	108
Charter School Admin/Board	27
District Supt/Board	2
Traditional Parent/Student	0
Traditional Staff	0
Teachers' Association	0
Other	0
Total	154

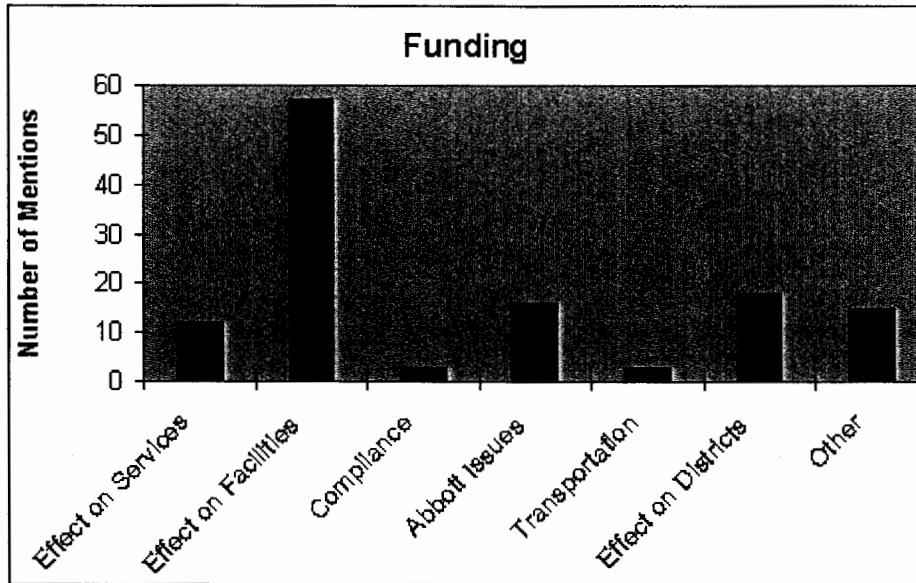
The issue discussed under "other" was the effect on the Hoboken community of the projects and programs started by the charter schools in Hoboken.

III. Funding

The lack of access to facilities funding gives charter schools an implementation obstacle not faced by districts. Charters have building and leasing costs not incurred by other schools. Many of the charter school populations increase by at least a grade a year according to the way many of the charters are set up and so they need to search for new space often. Some schools have no gym, no kitchen, or no lunchroom. Some share space with another school or business.

The issue of funding in general and facilities funding, in particular, dominated the testimony of those who addressed funding. The funding mechanism is perceived as inequitable by both charter school constituents and by the districts. An examination of who addressed the funding issue shows that charter school constituents represent 72.5%

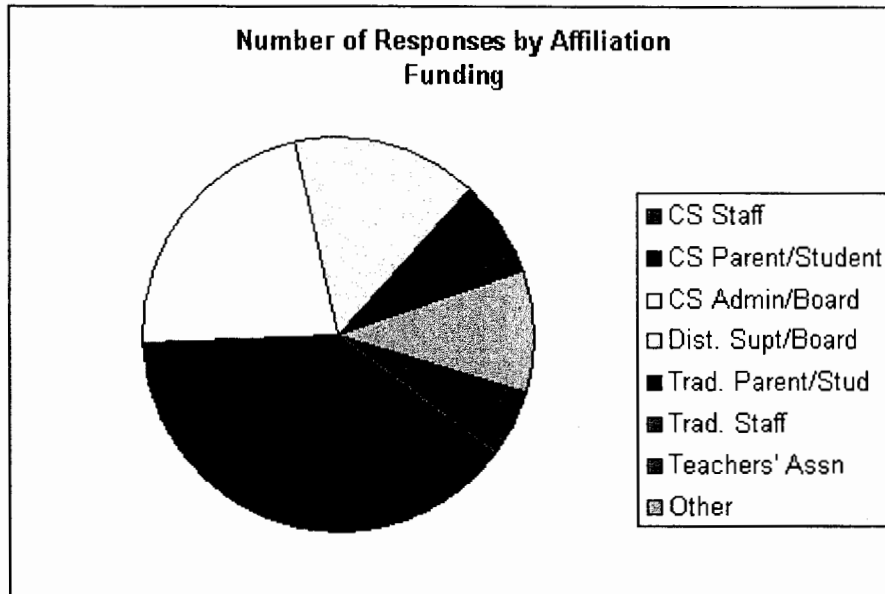
of this group. Much of their testimony spoke to the need for facilities funding (46% of the funding responses) and the need for Abbott funding to be distributed to the charter



schools.

Frequency of Mention

Effect on Services	12
Effect on Facilities	57
Compliance	3
Abbott Issues	16
Transportation	3
Effect on Districts	19
Other	15
Total	125



Frequency of Mention

Charter School Staff	7
Charter School Parent/Student	49
Charter School Admin/Board	28
District Supt/Board	19
Traditional Parent/Student	8
Traditional Staff	0
Teachers' Association	2
Other	12
Total	125

This issue of funding elicited wide-ranging comments and recommendations, including:

- The state should find a way to fund charter schools
- Charter approval should be a district matter
- Charter schools are made to wait for funding due to them by the districts
- Enrollment losses affect districts tremendously
- There is a great financial impact on districts
- Charter schools should be required to have a facility CO at least three months before opening
- Charter schools use every dollar wisely and show fiscal accountability
- The criteria for opening charter schools need to be evaluated
- Charter schools should not be allowed to open in districts that are deemed successful academically
- Charter schools should not be viewed as competitors to the district schools

Several petitions were presented supporting facilities funding. These are listed in the database as separate petitions, noting the number of signatures of each:

Number of Signatures

North Star Academy Charter School	71
Teaneck Community Charter School	79
Red Bank Charter School	76
Elysian Charter School	81
Hoboken Charter School	52
Granville Charter School	42
Pleasantville Charter School	124
Galloway Charter School	169

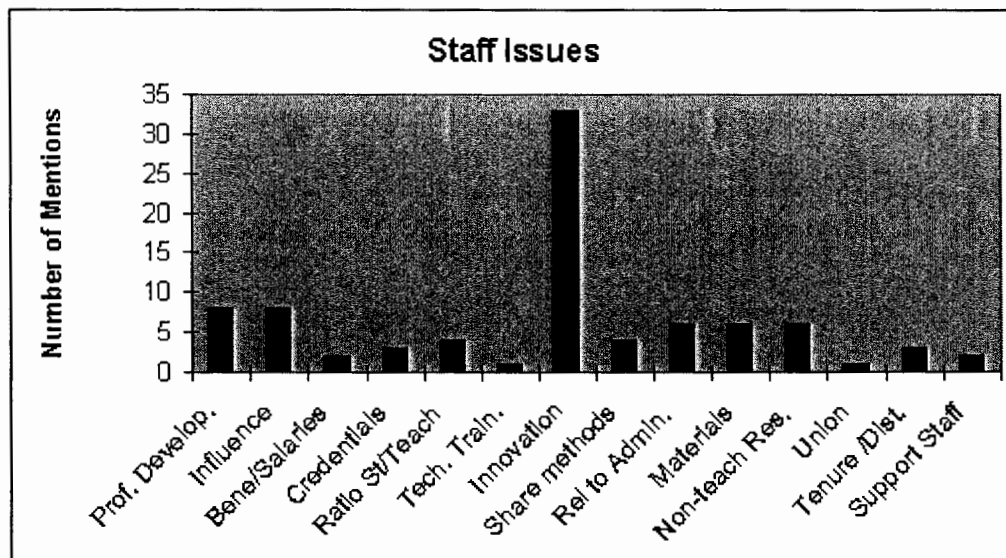
The total number of signatures collected on these petitions was **694**, making this the issue of greatest concern during these public hearings.

IV. Staff Issues

Charter school teachers represent 9.4% of the respondents. Teachers cited an appreciation of the flexibility they experience in the charter schools, their ability to focus more on students, the good relation between administration and staff, a feeling of faculty support and collegiality, and their ability to institute innovative methods (25.3% of teachers' responses mentioned this). The small class size and degree of parental involvement also makes their job easier.

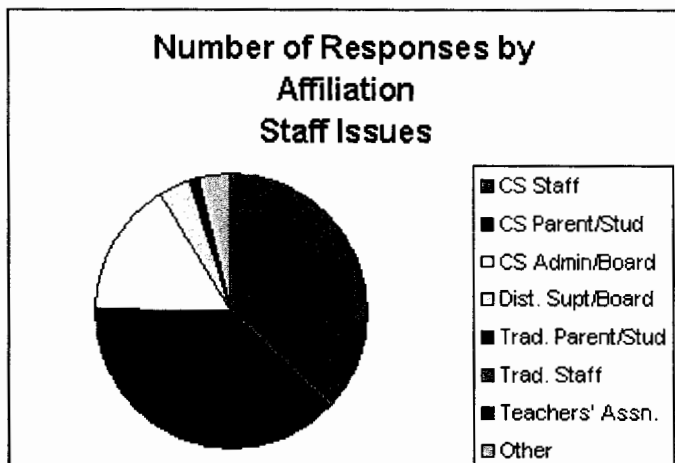
Some cited the longer hours and extra responsibilities, including having to make home visits to students before the beginning of the school year. Charter school parents and students also commented on staff issues, most often citing their appreciation of the innovative classroom methods developed and used by the staff. District superintendents

and board members were most concerned with the effect of teachers leaving the districts to work in charter schools, and the cost of hiring and mentoring replacements for what may be only a temporary position.



Frequency of Mention

Professional Development	8
Influence on Policies	8
Benefits/Salaries	2
Credentials	3
Ratio St/Teach	4
Technology Training	1
Innovation	33
Share methods	4
Relationship to Admin.	6
Materials	6
Non-teaching Responsibilities	6
Union	1
Tenure /District	3
Support Staff	2
Total	87



**Staff Issues
Frequency of Mention**

CS Staff	33
CS Parent/Student	33
CS Admin/Board	13
District Supt/Board	3
Traditional Parent/Student	0
Traditional Staff	0
Teachers' Assn.	2
Other	3
 Total	 87

The remaining themes will be summarized through discussion of the emerging issues only because of the smaller frequency of occurrence.

V. Student Assessment

Charter school staff, parents, and administrators discussed assessment more frequently than the other groups (92.9% of responses mentioning assessment). Of all responses on assessment, the issues most mentioned were:

Methods of assessment 12.8%

Class size 58.1%

Charter school teachers (17%) and charter school parents and students (65%) cited smaller class size as a positive contributor to students' learning and assessment results. Some of the concerns about assessment:

- Students should be attending a charter school at least 14 months before inferences are drawn from resulting assessment scores
 - State test results should be reported by aggregate
 - Charter school students who return to district schools affect the learning of all students and may adversely affect assessment results
 - Giving more money to district schools does not mean better test scores will result
-

VI. Curriculum

The core curriculum standards (35.8% of responses mentioning curriculum), special education (17% of responses mentioning curriculum), and other concerns

(18.9% of responses mentioning curriculum) were the main focus of those who discussed curriculum. Some of the recurring comments:

- Charter schools are "whole school reform"
 - Special education needs are addressed well, and the students are included in everything in the charter schools
 - Parents may get involved in the IEP for their child
 - Curricula were variously described as good, structured, flexible, and aligned to the standards
 - There is some difficulty in hiring child study teams
-

VII. Accountability

Of the 38 testimony points on accountability, 28.9% addressed the effect charter schools may have on district programs and overall reform efforts. Charter school administrators felt that the probation process and program reviews were positive things to have in place. Other ideas expressed:

- Efforts at reform in the districts may be accelerated
 - Districts will be forced to examine what the charter schools are doing and make some changes
 - Charter schools are small, efficient, and do more with less
 - A process for collaborative efforts between charter schools and districts is needed
 - Charter schools should look for partnerships with colleges, businesses, and districts
-

VIII. Regulatory Oversight

The main focus of discussions on oversight had to do with the return of students to district schools. Thirty percent of those mentioning oversight were from district schools, teachers' associations, or other groups such as the Education Law Center. Their concerns were mainly with students who leave a charter school and return to the district schools. This group is asking for a mandate that would require a charter school student to remain in the program for at least one year. They would also like to see final enrollment figures submitted to the districts no later than April 1st. They are concerned that incorrect figures cause problems with their own projected hiring abilities, and that returning students then put a strain on an already truncated program. They would like to see a requirement that teachers who leave to teach in charters give firm notice by May 15 of the preceding academic year, so that the district can plan for new staff.

IX. Governance

A charter school director, teacher, and parent (one each) spoke to the participation afforded different groups in governance, and that the school does not have a top-down management structure. The director asked for consideration for a training program for board members. Members of the Boards of Education and the NJEA were concerned about the effect of education management companies in charter schools, in particular their representation on the boards of charter schools and the influence they may exert in decision making. There was also some concern about the boards in charter schools not being elected.

Summary

The most passionate issue for everyone was the issue of funding. Methods of funding the charter schools, facilities funding, and Abbott funding for charter schools dominated most of the discussion on funding issues, and is pervasive in discussions of other issues such as teacher tenure, programs, and the effect of charter schools on the community. Charter school constituents and district representatives alike asked that this issue be revisited. While it is obvious that charter school parents and students feel that they are getting a good education, demonstrating it is another issue. State assessment scores, other assessment tests, student progress reports and other methods of assessment will be an important part of the evidence. Collection of this information over time will be important in determining whether or not student performance will improve in charter schools. That determination cannot yet be made, since most have been in operation for just a few years. It is too early to be precise and judge the effectiveness of the programs. Some trends, however, have emerged. The level of parental involvement in these schools makes them unique and is a factor behind high levels of student achievement. Many parents cited school choice as an important issue for them. The charter school presence as a choice for education seems to have given the public a reason to examine the need for educational improvement. These hearings and the upcoming independent

evaluation will help to answer the question of whether or not charter schools are a positive vehicle for educating the children of New Jersey.

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Appendix D

Transcript of LIVE CHAT on Charter Schools
November 18, 2004 retrieved November 6, 2006

EducationWeek
November 15, 2006

TRANSCRIPT

EDUCATION WEEK

Wednesday, November 15, 2006

Charter Schools: Policy and Practice

Caroline Hendrie (Moderator):

Welcome to Education Week and edweek.org's chat on charter schools. I'm Caroline Hendrie, a senior editor at Education Week, and I'll be moderating our discussion today. We are pleased to have with us two strong and knowledgeable advocates of charter schooling: Andy Rotherham of the Progressive Policy Institute in Washington and Michael Goldstein of the MATCH Charter School in Boston. We're looking forward to learning what's on your minds about charter schools and their evolving place in the nation's education landscape!

Question from **Bonnie J. Perry, staff assistant, student community relations, omaha public schools:**

Are we likely to see more charter schools now that Bush has appointed a new secretary of education?

Andrew Rotherham:

Hi Bonnie,

That's a great question to start with since the appointment of Margaret Spellings is the news of the day.

The Bush Administration has strongly supported charter schools and I don't think that will change with the new secretary. Overall, however, Spellings has not been an outspoken supporter of charter schools. You'd have to ask her why that is, but if I had to venture a guess I'd say it's because that while many states have done a great job with charter schooling others, like Texas, have much uneven quality. Her experience may be less positive than someone with a background in other states.

That said, there is a great deal of Democratic support for charter schools at all levels of the party from local state legislators to governors and senators. Senator Tom Carper (DE) is a leader in the U.S. Senate on the issue, Indianapolis Mayor Bart Peterson is chartering schools there (and is the only mayor who can do so), Virginia Governor Mark Warner just strengthened that state's charter school law and local Democratic legislators across the country are starting to see charters as a good way to increase the supply of high quality options for underserved youngsters.

I think the bipartisan support means that charters are an area where there can be some bipartisan action as opposed to some other issues where there are deeper disagreements between the parties.

Question from **William R. Gretton, III Assistant Superintendent for Business Affairs, Harrisburg School District:**

Should public policy allow individual Charter Schools that duplicate efforts of the local public schools to survive when student performance is not equal to or greater than those public schools?

Michael Goldstein:

Hi Bill. Great question. My sense is charter public school leaders differ on that question, and the public policy aspect is complicated since charter law varies by state. Speaking only for myself, if the original 5-year charter claimed that they'd have students outperforming district public schools, and they don't, then I'd be inclined to shut them down. Given the phrasing of

your question, I bet you agree! I can think of a mitigating circumstance, however. What if the charter tends to draw parents whose kids were doing poorly in the district schools, and therefore arrive with lower test scores than the district? In that case, I'd personally allow a charter to survive if its "gains over baseline" were equal or higher than the district. For example, let's say a charter high school attracts incoming 9th graders who'd scored at the 30th percentile statewide in their old middle schools, and get them to the 40th percentile by the end of 10th grade. And say the district's incoming 9th graders scored 50% in their old middle schools, and those kids go on to the 55th percentile two years later. I would personally think the charter has a good public policy rationale to continue its exist, because of its "Value-Add."

Question from **Carolyn Guthrie, Teacher, Miami-Dade County Public Schools, and parent of a recent charter school graduate:**

Recently released research seems to show that charter school student performance is not better than that of students in regular public schools, and, in fact, may even be lower. Please comment on these results.

Andrew Rotherham:

Hi Carolyn,

Good question. As I indicated earlier, the research on charter schools is mixed. This is not surprising because a charter school is just a school and there is nothing magical about having a charter, it still takes the same hard work and discipline to create an excellent school.

In terms of the research, as with research about other public schools it's important to make sure that you view the research through the right analytic lens in terms of what different studies and data sets can and can't tell us.

You're probably specifically referring to the recent American Federation of Teachers "study" about charter school scores. Unfortunately the AFT report itself could tell us very little because of the limitations of the data and the New York Times front page story on it was very misleading for readers and poorly done (for example it offered no interpretation of various statistics for readers making it easy to draw incorrect conclusions). And quite frankly, though this was lost on the New York Times, you should have about as much confidence in a charter school report from the AFT as you would in a military outsourcing report from Halliburton.

A second study that came out shortly afterwards by Caroline Hoxby, an economist at Harvard. While also limited in several ways in terms of what it can tell us, her study offers a more complete picture of charter performance. It finds, as several other reputable studies have, that charters are doing, generally, as well or better than comparable public schools but that there are still too many low-performing charters and too many places and some states that should concern us.

The bottom line is reason for cautious optimism but charters are also bumping up against the same challenges that traditional public schools face. The challenges of educating some students are substantial and more complicated than rhetoric about "No Excuses" and so forth. On the other hand they can be met and our profession can do more to meet them than we do now.

Unfortunately though, lost in the ideological back and forth about charter test scores is an opportunity to have a discussion about those issues.

Question from **Julie Woestehoff, parent, Chicago Public Schools:**

First, I wonder why you chose to have both guests from the charter school business rather than a balanced program? Second, parents are concerned that they have little recourse when

they have problems with a charter school; if these problems are not resolved to the parent's satisfaction, they have nowhere else to go, and their only option is to remove their child from the school. How can parents hold charter schools accountable other than lobby for them to be closed?

Michael Goldstein:

I was invited by an EdWeek moderator. Andy Rotherham, however, is not in the charter business. He is an analyst with the Progressive Policy Institute, since indeed it was President Clinton who pushed for charters. I would assume EdWeek sometimes has charter opponents.

Good second question. In our school, each parent gets regular phone calls from the principal, just to check in. They can serve on the Parent Council, which meets monthly. Or they can complain to the state Department of Education.

I'm open to other ideas. Do district public school parents have other recourse?

Without charters, by the way, parents locked in district public schools lose both those options you name - they can't lobby to close the school, and they can't remove their kids.

Question from **Rolff Christensen, Connecting Waters Charter School:**

Tension exists between the need for autonomy and accountability. What accountability measures have you seen around the country that most inhibit autonomy. Also, does limited autonomy have a corresponding negative effect on innovation? please elaborate

Andrew Rotherham:

Hi Rolff,

The autonomy - accountability relationship is a tricky one and different states are dealing with it in different ways.

Right now the Progressive Policy Institute is in the midst of a seven state/city evaluation of charter school quality. We've looked at CA, MN, AZ, Indianapolis, New York City, and will be releasing studies on OH and TX soon. You can see this work at www.ppionline.org.

What we've clearly found is that there are trade-offs that policymakers must recognize. Arizona is a great example of this. That state has a very "loose" charter law with a great deal of autonomy and one that makes it pretty easy to get a charter. The result is that while Arizona has a lot of great charter schools, it also has some real disasters. Essentially looseness is going to cause a wide variation like that. Conversely, some states have laws that are so restrictive, offer so little autonomy, and make it so difficult to get a charter that they have hardly any charter schools at all. There are problems with both approaches.

I think states like Minnesota have struck a good balance on the autonomy - accountability balance. Laws like the one in Minnesota protect the public interest by ensuring that charter schools live up to their obligations as public schools and provide not just choices for parents but quality choices but at the same time ensure that groups and individuals seeking to provide public educational options to students are able to do so.

Another good place to look at this issue right now is Colorado. A state representative there, Terrance Carroll (D), just put forward, and got passed, legislation making it easier for would-be charter school operators to get a charter, even if the local school board is opposed, but the legislation also ensured accountability and monitoring for these schools.

Personally, I believe that you have to strike a balance here and can do so in policy. However, there are plenty of folks who think that autonomy and ease of opening a school is the most important thing and others who think that the more regulations that are put on charters, the better. I think both those viewpoints are counterproductive to the goal of creating more high quality public education options.

In terms of specific provisions, provisions that allow local school boards to veto the creation of charters with no appeal process to another entity and requirements that teachers have state certification are among the most problematic provisions right now. The former holds kids hostage to local politics and interest group pressure and the latter has no basis in empirical research. Also, in various state laws there are plenty of compliance and reporting issues that are problematic but that's par for the course in this business and something that all public schools have to deal with.

Question from **Trish Creegan, Project Coordinator, Institute on Disabilities, Temple University:**

I am interested in the impact of charter schools on the education of students with disabilities, particularly in terms of inclusive education and the larger context of school reform. If charter schools are meant to be "incubators of innovation" how can we take what is learned in some charter schools and use it to inform the larger reform efforts of a school district? I have seen isolated examples of some charter schools doing some really wonderful things for students with disabilities with a true vision for inclusion, but I am unclear how that can be translated to the bigger picture.

Michael Goldstein:

Trish, it's a great question. Your role may be ideal for disseminating some of those "Wonderful isolated examples"; when charter school leaders say to district school leaders "Hey check out the great things we're doing," you can imagine how that might sound like boasting. What if you identified 3 of those wonderful practices that you think are "portable" (don't need huge changes to school structure or staffing or \$\$\$), then create a little bus trip for Philadelphia area principals and special ed directors to visit charters? Most public school leaders of all stripes are looking first for the low-hanging fruit - easy-to-implement, sensible strategies. If a few of those work, maybe you can use the credibility to interest them in some more systemic changes....

Question from **John Cairns, Briggs and Morgan, P.A. charter school attorney:**

Uniquely, Minnesota permits sizeable 501c3 tax exempt entities to charter schools. Nearly half of Minnesota schools are chartered by such organizations (e.g. Volunteers of America - MN; YWCA; Ordway Theatre; Audobon Society, among others).

Is this a viable option in other states?

Andrew Rotherham:

Hi John,

I'm watching closely what happens in Minnesota with this. There are some things that make Minnesota unique (relatively small population, good charters now, a history of innovation with public school choice and charters, and a reasonably bipartisan climate on education policy, etc...) so I want to see how things play out there before I'd want to draw any conclusions more generally. Right now there are some states where I'd be leery of an approach like this.

Nonetheless, it's an interesting strategy and there are some smart folks out there doing a lot of great work on it. I'm hopeful it may open some new doors.

Question from **Kathleen Hagen**:

As a parent and long time observer of the public education system, I would like to know: How realistic is it for a layperson to spur the creation of a new charter high school in a district that would whole heartedly oppose it? Is a school board justified in believing a charter would drain funds from the existing high school? I've created an outline for the concept of a charter that I believe would greatly benefit many teens in our area. What are the next steps?

Michael Goldstein:

Hi Kathleen. It's daunting but realistic. Many parent lay groups have successfully spurred new charters despite district opposition, which ALWAYS argues that it will drain funds. They see it as: we have 2,000 kids @ \$8,000 each, any time you take a kid, that's \$8000 less for us to pay the 200 teachers et al. Charters respond: the public money should follow the kid. If we start a charter that attracts 400 of your students, then we should get the public money to hire the 40 teachers we need, and you can lay off your worst 40 teachers, or more likely with union rules, your 40 youngest teachers. Then there's an hour long back and forth of vituperative debate on this issue that you can find on various websites. The school board people are almost never convinced but many moderates in the locality can be swayed. We've found it politically useful to stress that the explosive growth of charter schools was led by President Clinton and the 2004 Democratic National Platform calls for more of them... Next steps? Try to find the existing charter school in your state that most reflects what you want to do (high school; district opposition; parent created). Visit. Find out their founding history. I've learned the most through other local charter leaders (Boston in my case) that had "been there before."

Question from **Cel Holloway, Teacher, S.O.S. Charter School**:

We are interested in knowing more about the changes in different states and/or counties that have successful charter schools. What is the role of the local school districts in the success and /or failure of the schools? What is the ratio of parental involvement? Was the original role of charter school(s) a parental choice or an alternative for children with behavior/academic problems.

Andrew Rotherham:

Hello Cel,

This just varies tremendously by place. As with all schools, many of the things that make a charter school successful are intangibles. Terrific leadership, a school culture fostering success, high expectations for everyone, etc...

I don't think you can point to any specific thing and say that if all schools did this we'd be better off. For instance, some successful charters have very specific expectations for parental involvement others don't and some have great relationships with their local school districts, some don't. And the same is true of charters that are struggling.

But this variation in what works is key to the policy rationale behind charters. Because there is not one best thing that works, it makes sense in public policy to allow more pluralism in how we provide public education services so long as providers, whether community groups, groups of teachers, non-profit networks, etc...are willing to abide by a common framework to ensure universal access and accountability to the public --the important hallmarks of public education.

In terms of at-risk students and those struggling with various issues it's worth noting that the nation's first charter school, the wonderful City Academy in St. Paul, MN, was founded specifically to serve students who had struggled in the traditional system. This is a common theme in charter schools in general and the reason that overall they serve a more disadvantaged population than the traditional public schools.

Different people will give you different answers about the role/rationale. Mine, in a nutshell, is that they help provide high quality public options for students who currently don't have them. While we can always do better, overall in this country we have public schools we can, and should be, proud of. But in some communities and for some groups of students, we're simply not getting the job done and we need to provide more options and customization in the public sector for these students.

Question from **James Rathbun, Teacher William C. Abney Academy:**

What is the best practice for colleges to team with sponsored charter schools? Have charters had visiting professors or curriculum teams to help chartered schools perform better or has it been the practice to let charters "go it alone".

Michael Goldstein:

We've had two close collaborations with universities - less on the advice side, and more direct service. Boston University lets our seniors take one of their classes each term, exposing our kids to "real" college level work. M.I.T. hosts our summer school, and 70 of their undergrads work 20 hours per week as tutors in that program. Each university has a commitment to the larger Boston community.

As for as "visiting professors," I think it's all about the individual. There are a few profs who we seek out for advice, but it stems less from "institutional partnerships" and more "personal relationships." With high-poverty schools in particular, I'd be wary of those who are pie-in-the-sky idealists and paper over implementation challenges.

Question from **Scott Thompson, Assistant Director, Panasonic Foundation:**

I have gradually come to the conclusion that charter schools represent an incomplete Theory of Change: they address the value of freeing educators from bureaucratic constraints, but there is a raft of important factors that this model does not appear to address: the importance of high quality instructional leadership, the importance of highly qualified teachers and of high quality teacher professional development, etc., etc. Some charter schools have high quality instructional leaders and others don't; some have highly qualified teachers who receive ongoing professional development, and others don't. Can you make the case for charter schools as a complete and powerful Theory of Change? If not, does this not make them a weak focal point for policy initiative?

Andrew Rotherham:

Hi Scott,

You've hit on an important issue that I tried to address a little in an earlier question. A charter is just an opportunity; it's not a curriculum, pedagogy, teacher quality initiative, or anything else.

What charters do is allow for the public sector to harness a lot of creative energy that is out there and get more people involved in school improvement efforts.

But, the same hard work of teaching and learning remains. The theory is that given more freedom to do things differently in exchange for public accountability will better facilitate this work, but it's there regardless. There are no shortcuts that I've seen.

I do think that some charters have underestimated the magnitude of the challenge and are struggling. But again, many others are showing what's possible when people are given the opportunity to take initiative and responsibility.

Question from **Paul Dunphy, Citizens for Public Schools, Boston:**

Mr. Goldstein, I notice from Massachusetts Department of Education data that in Boston, where almost one in five children in the public schools are learning English as a second language, no students at your charter school are English language learners. I also note that, compared to the public school system, your school enrolls a far smaller percentage of children with special needs and no children with severe disabilities. I was also curious to see that the attrition rate at your school is quite high, as students move from 9th to 12th grade. Could you outline why there are such dramatic demographic differences between your school and the public system and speculate on where students go when they leave your school before graduation?

Michael Goldstein:

Hi Paul,

You know, I'd love to meet you actually. I know you work very hard opposing charters, and perhaps we could find some common ground.

Anyway, for readers, I suspect even Paul would concede that his question skews the numbers in a way that leaves me as a respondent either leaving his assertion unchallenged or seeming "defensive."

Our school does enroll *more black and Hispanic students than Boston as a whole, slightly *more low-income students than Boston as a whole, the same percentages of mild/moderate special needs kids than Boston as a whole, and slightly worse incoming 9th graders in terms of their standardized test scores than the district as a whole.

We enroll fewer severe special needs students because we have a clear college prep mission and therefore fewer severe special needs students choose to apply for our lottery - although it's interesting that we have had a number of "severe" kids who we reclassified with their parents and new diagnoses as "moderate" and who went on to pass MCAS.

But we may have some common ground, Paul. I hope you'll work to help us enroll more limited English students. We've requested from the district the names and addresses of all 8th grade students, offering to mail, at our expense, the lottery info; and that we would translate it into languages as designated by the district. So far the District has declined.

Question from **Joanna Farmer, Scholar-Activist, Building Community Capacity:**

Have charter schools advanced the movement toward educational equity and how has that been measured?

Andrew Rotherham:

Hi Joanna,

Thanks for this important question.

In terms of equity, the fundamental equity problem we have is that we too often give poor and minority students a second-class school system. Charters are disproportionately opening in the communities most impacted by that problem. These are not schools for the affluent or privileged. If you're concerned about equity and educational opportunity, that should be encouraging news.

There are more than 3,000 charter schools around the country. Many are absolutely outstanding and are giving the lie to the notion that we can't or shouldn't expect a lot from economically disadvantaged or minority students. Many more are good and are providing

students with better options than they previously had. And, unfortunately, some, for various reasons, are not getting the job done and need to be dealt with.

But while we should be concerned about that latter group, and policymakers need to take steps to deal with it, but doing so should not come at the expense of the good and great charter schools around the country.

In terms of measuring educational improvements and equity, parental demand and parental satisfaction are good indicators but so are measures of student achievement. Overall, though certainly not without exception as I pointed out, charters compare favorably to schools serving similar populations of students. And, recent studies (see, for example, the work of Tom Loveless of the Brookings Institution) show that they're making faster gains than other public schools, meaning they are showing potential to close the achievement gap. Right now, because charters disproportionately serve a disadvantaged population, comparisons of charter school achievement to overall public school achievement are deliberately misleading.

However, the goal of charters should not be to do as well as mediocre urban schools but to do much better. Over time meeting that goal will be the real test of the value-added on the equity question.

Question from **Kate Neville, Practice Group Leader, The Finance Project:**

What do you consider the primary challenges charter schools face around financing? To what extent is their start-up and sustainability limited by financing issues? How so? What information and/or tools would be helpful?

Andrew Rotherham:

Hi Kate,

Charters face a lot of problems here. Some are the same as those facing traditional public schools, namely that in too many states the state finance systems favor more affluent communities and hamstring low-income communities where the educational challenges are greatest. Charters also face similar challenges with regard to special needs students.

But some are unique to charters. For instance in most places charters cannot go to the voters for facilities and they frequently get less per pupil funding than other public schools.

There is a lot of work to be done to make these policies more rational.

Sounds like a great project for The Finance Project to take on!

Question from **Kevin Nerz, St. Joseph's University:**

Do you feel that charter schools are taking advantage of their license to innovate? If not, how could charter schools better realize their innovative potential? Also, what factors may be hindering some charter schools from becoming truly innovative? Thanks.

Michael Goldstein:

Great question. I think there is a lot of "small innovation" that happens in charters. Think of Jet Blue, considered a very innovative young airline. Leather seats for all; online booking only; lower fares; TV on every seat; no meals. Little things that improve the customer experience. Many charters have slight changes to curriculum, teacher conditions, school hours, etc., that add up to "big differences" in student outcomes.

One hindrance is that charter schools are usually the only public schools that have to somehow privately finance their own school buildings. So a lot of energy and money is spent to solve an issue that don't affect most district public schools.

Question from **Milree Keeling, Vice chair, Lunenburg School Committee, Massachusetts:**

My district has not met AYP for 2 years solely because a sub-group of special needs students in a single school has not met targets for improvement. Our state and federal government have not fully met their obligations for funding education of this subgroup. Yet, in Massachusetts, charter schools receive ample funds from many sources not accessible to our schools, in order to meet the needs of a variety of (non-special needs) sub-groups of students. Aren't you establishing a dual system of public schools, competing for the same pool of public funds, but "pulling out" groups of students, either by interests, talents, level of parental involvement, even social class, etc.? To me this impoverishes education for all to enrich it for some. Please account.

Michael Goldstein:

Fair question, Ms. Keeling. Are you saying you think the AYP is fair and you want to make sure it applies to charters? Or do you think AYP is unfair and therefore you want exemption? I'm afraid I'm not that familiar with the situation there. Many charters are small enough that they have fewer subgroups than districts, but they still are subject to AYP. Before 1993, were you receiving "ample" funds? Remember that charters were invented in Massachusetts in 1993 as part of the Ed Reform Act that gave massive new amounts of state funding to all districts, including yours. I'm curious if you'd want to unwind the legislation - return to pre-1993 levels of state funding for education if it would eliminate charters and other reforms... I'm not sure I know which funds we receive which aren't available to "your schools." The local foundations that help our school also help many district public schools in Boston. Meanwhile, our state spends \$400 million per year, for example, on the School Building Assistance fund; charter schools are the only public schools, I believe, which are excluded from that cash cow...

Question from **Pamela Riley, education consultant, Berkeley CA:**

Should a charter school's academic achievement be measured by the same state and federal achievement goals that regular public schools are? What if a charter school falls somewhat short of the state mandates but scores high on parent and student satisfaction or on the school's own internal achievement goals?

Michael Goldstein:

Yes, great question, see (above?) earlier variation on the second part of your question. In Massachusetts, for example, charters are held accountable for the same state and federal achievement goals.

Question from **Robert B., Administrator, Orleans Parish:**

It seems like the charter movement is far more partisan in Washington than it is everywhere else. From an expert's view, what can local supporters do to bridge this gap?

Andrew Rotherham:

Hi Robert,

Great question. This is something that worries me a lot. Washington is a partisan mess right now and that's probably not going to change soon.

So, the best thing that local supporters and operators of charter schools can do is get people into the schools. I'm talking about community leaders, policymakers, elected officials, researchers, etc...Just spending time with students, parents, and teachers tends to temper a lot of the opposition. It's a lot easier for people to attack these schools from an office

somewhere or in the abstract than when they're seeing the changes in kids lives particularly in our most challenged communities.

Charter operators should also be vigorously reaching out to elected officials at all levels of government. The first time electeds hear from charter supporters should not be when there is a legislative issue at hand or an attack on charters, it should be well in advance to build that relationship.

A lot of the misunderstanding about charters could be eliminated if there was more communication like this. I reviewed a paper at a conference recently; it was about charter school performance in a particular city. The researchers had never visited any of the school they were profiling...

Question from **Stephanie Brown, Homeschool Teacher, San Jose:**

Can you comment on charter schools in relationship to homeschooling...for example, are you seeing a trend of homeschooling programming becoming formalized or customized via charters?

Andrew Rotherham:

Hi Stephanie,

Thanks for this important question. I think that over the next few years this is going to be a very important policy question.

I support charter schools because they are public schools, accountable to the public and open to all students. These are not minor issues.

I worry that going forward the funding streams available to charter operators are going to be very attractive to home-school parents and we're going to see applications for charter schools that are essentially home-schools, particularly with regard to virtual schools.

There is an upside and a downside to this. The upside is that the more people who become direct stakeholders in public education, the better. Then more people have a stake in issues like state school finance and passing local bonds and levies. This is going to be particularly important as the population continues to age.

The obvious downside is that public dollars are intended to serve public school students through schools meeting basic public purposes. These issues are not irreconcilable but they are complicated. If parents want to start a school that is open to all students and publicly accountable, that's one thing. If the intent is to run what is essentially a private school with public money, that's another.

As a practical matter, addressing this issue means states must ensure that their charter school authorizing processes and their monitoring processes are rigorous. The National Association of Charter School Authorizers has been a real leader in this area and has developed principles and guidelines for high quality authorizing.

Unfortunately, however, rather working these issues and developing appropriate policies, charter opponents use issues like this to attack charter schooling. That's unfortunate. Just because some lenders red-line and discriminate we don't allow only one entity to finance homes in this country. Instead, government develops policies to protect the public interest and monitor and encourage non-governmental groups to monitor for abuse as well. The same is true here.

Question from **Britt Ferguson, Assistant Professor of Special Education, Minnesota State University Moorhead:**

A colleague of mine distinguishes between "charter schools" and "public schools." Are "charter schools" also "public schools?" Why?

Michael Goldstein:

Depends on who you ask.

Technically, hard to argue that charter schools are "public": they are taxpayer funded, free for parents, generally answer to the State Board of Ed instead of the local Board of Ed (though varies by state), admit kids by random lottery, follow all state and federal rules, etc. Our opponents (the teachers union and its funded surrogates) have cleverly tried to separate charter from "public." That's because the vast majority of Americans like the idea of "independent public schools that admit kids by random lottery." So they've focus-group tested a line of attack is try to paint charters as "elitist organizations which cherry-pick the good kids"....

In Boston, for example, the "district public schools" serve 47% black students and "charter public schools" serve 70% black students - and there is a huge racial achievement gap here, detailed on the school district's website - yet as you can see even in this chat, the idea is to try to discourage the average moderate citizen from the fact that charters are indeed public schools.

Question from **Sade Bonilla, student, Brown University:**

Dear Mr. Rotherham and Mr. Goldstein,

Many conservatives are in favor of charter schools because of the market competition it offers traditional public schools. Is there any advantage to having for-profit companies run charter schools? How do progressive education reformists deal with this privatization of education?

Andrew Rotherham:

Hi Sade,

There are a lot of different views about this issue. Mine is that I'm interested in whether public schools are meeting public purposes and what the results are. I'm less concerned about whether a public school is operated by a local school district or Edison (for instance) than how the students are doing and whether it's meeting its public obligations to serve all students and be transparent to the public.

There is for-profit work all around education from supplies to textbooks to curriculum vendors and professional development. Lots of people are making A LOT of money. I think most of the concern about for-profit school management is just ideological because education certainly is not a profit free zone right now. In fact, some people make a lot of money complaining about for profit companies...On the other hand, some proponents of for profit schools seem to think that anything private is axiomatically better than something public. That's nonsense, too.

In any event, I don't think there is a great deal of money to be made in school management in low-income communities and most of these companies are "for profit" in name only right now...the money is in the suburbs and they don't want or need outside management.

Over time, keep an eye on the non-profit networks of public schools, that seems a more viable model assuming that the intensity of philanthropic interest does not significantly wane.

Question from :

What do you think lies in the future for virtual charter schools? Where can I find more

information about their impact on the education world, including successes and/or failures?

Andrew Rotherham:

Hi,

I'm not sure. For some students they offer a lot of promise and the technology can be exciting. I don't however see them as a large-scale model (if for no other reason than most parents want their kids in school during the day).

They also present some unique challenges in terms of accountability and ensuring that public dollars are being spent in the public interest.

This is a small corner of the charter sector though and I think the more exciting action is elsewhere with the kind of work that people like Michael are doing.

Question from **Kimberly Speight- Bennett, Educator, Memphis City Schools:**

When developing a charter school, what are the funding sources available for the support and maintenance of facilities, staffing, and instruction?

Michael Goldstein:

It really depends on the locality. Usually the basic package is: a per-pupil sum from the city/state, and, in high-poverty schools, some additional per-pupil Title I funding from the federal government.

Then it's up to the school to decide how to spend that budget. Do you want smaller class sizes or perhaps a guidance counselor? Do you want to provide more teacher training or perhaps new textbooks?

In Washington DC, the mayor and several city council members (all African-American) have slammed past charter opponents and created significant funding opportunities for charter school building assistance.

That's unusual, however. Most charters (like us) either have a mortgage or rent.

Question from **Dr. Ed Fuller, Univ of Texas at Austin:**

Texas has had Charter Schools since 1998. Students in such schools typically perform below their comparable peers in public schools. Given that Charter Schools typically fail to increase student achievement above and beyond what public schools can accomplish (based on comparisons of similar students in the two types of schools), why should the public support Charter Schools?

Andrew Rotherham:

Hi Dr. Fuller,

See my answer above. That's really not a very accurate presentation of the state of play nationally (though as I pointed out Texas is a different kettle of fish).

Texas should be looking at other states to figure out how to do better on the quality side.

Question from **Trina Abbott, parent of kids in public (not charter) school:**

My understanding is that charter schools were set up with the idea that we could look to them for best practices that could then be brought to the non- charter public schools. I have seen very little sharing- is it happening anywhere and why does it seem that the charter

school movement has fallen short on this front? Thanks for your answer.

Michael Goldstein:

Fair question. Do charters not share ideas? Or do they offer to share but regular district public schools don't want to listen? Or is there are lot of sharing?

Check out on the web <http://www.psinnovation.org/>

It shows a number of charter-district collaborations.

On the whole, I think you're generally right - there's some charter sharing but not a lot. For example, we help the local district high school and actually provide them with significant amounts of tutoring for about 100 of their kids. We disseminated a new tutor model that some other traditional public schools are now using.

Privately, many local school leaders tell me "A lot of the cool things you do are possible because your teachers seem to want innovation. It's harder here because if I want to even train teachers to put them in a position to help the kids, they can't get that training without more pay, and my budget is strapped. Your teachers simply work more hours for the same salaries. Therefore, I can't really use your innovations because my managerial constraints are different from yours."

And I don't blame those leaders. Put in their position, I don't know how many of the successful charter practices could be implemented if I couldn't get the teachers on board. It's true that, generally speaking, our teachers are willing to put in more time for no pay if they feel it will help them do better with kids...

Question from **Linda Sharp, Founder, Village Charter School, Anchorage, AK:**

What can our Congressional delegation and the US DOE do to help states with weak charter school laws (Alaska's is a "D" on the Center for Education Reform ranking of "A" to "F") to get their law changed to rank an "A" or "B"? We realize that state legislators make state laws. However, 10 years of lobbying Alaskan legislators for a better law leaves us with the same "D" ranked law. Can't money given for states for strong charter schools laws be an option? Alaska has 17 charter schools (and has for about 8 years) with a couple entering and a couple dying each year. About half of them are struggling for existence at any given time. Thank you for any solid recommendations.

Andrew Rotherham:

Hi Linda,

I spent a few weeks in Alaska this summer and the buzz on charters there was very interesting.

There not a lot that US DOE can do on this front aside from using helping with facilities financing and using the bully pulpit to encourage states to pass strong charter laws or improve their existing laws. Within some broad parameters most state laws are eligible for federal start-up funding.

The best thing people in your state and other states can do is convince state legislators that charters are one way to help improve educational options and outcomes for students. That's best done by people locally rather than in Washington.

Question from **Daleen Melis, Member, Salem School Committee:**

How do you explain to the Salem taxpayer that now they must pay for an additional school by the dictate of the Massachusetts Education Board?

Salem taxpayers had become accustomed to: small class sizes, librarians in every school, literacy specialists, bus service and free athletics; all of which have been lost due to state cut backs. Now with a charter school in the city, the taxpayer must compete against the state's fiats to get these programs back into the schools. With the new funding formula raising the charter school tuition by \$1,000 to over \$9,000 per pupil, the taxpayer is going to feel the burden through their property taxes.

Michael Goldstein:

Hmm. I may have my facts wrong here, but I believe...this is the first year of your charter school...yes? So in that case, the State actually reimburses you \$9,000 this year NOT to educate the kids who have left for the charter school.

Barring that reimbursement, taxpayers pay the same amounts.

Anyway, as you're someone who is on the School Committee, I wonder: what have you learned when you speak to the Salem parents who felt that the district schools weren't helping their kids, and therefore they chose to enroll at the charter school? Do you conclude they're elitists? Or did they seem like "real Salem parents whose kids had real problems"?

Question from **Chris Morehouse, Analyst, US GAO:**

Which No Child Left Behind Act requirements appear to be most challenging for charter schools, and why? What do you believe are the implications of the NCLB Act for charter schools?

Andrew Rotherham:

Hi Chris,

NCLB is a broad and complicated federal law and as such is creating all manner of challenges and opportunities. Historically it's always taken a while to get these issues worked out (today, for instance, a new IDEA is getting finished, after a generation there is still a lot of work to be done there).

Right now the biggest problems for charters that I hear about are the teacher quality requirements and problems for new schools and small schools. The small school issues are a more general problem because there are plenty of traditional public schools that are small. The others are more particular to charters.

AYP is also a challenge since students going to charters are most likely to be struggling but that's not an insurmountable problem. A small subset of public schools and charter schools do need alternative accountability arrangements but most schools can operate in the current framework. That's an issue for the next reauthorization.

Concerning the teacher quality requirements, most charter operators are not too concerned about the subject matter requirements for teachers but the certification requirements are causing some problems in states that require charter teachers (or some percent of them) to have state certification, too. While there is evidence supporting the subject matter requirement the research base on certification (as even the Education Commission of the States conceded recently) can most charitably be described as extremely weak.

Question from **Milree Keeling, vice chair, Lunenburg School Committee, Lunenburg, MA:**

Mr. Goldstein, your answer to the parent who asked about what recourse parents have with a charter school was incorrect when you said, "parents locked in district public schools lose both those options you name - they can't lobby to close the school, and they can't remove their kids."

School boards are elected by the public; there are governing or advisory councils required by law in public schools; there are many legal protections for prents, especailly re: specail needs; amd there is the press, who attend every meeting of the school boards, because they are PUBLIC MEETINGS. The privacy and business model of charters is a real barrier.

Michael Goldstein:

In Salem, if a parent is dissatisfied, he can choose a charter public school. That's immediate potential help for a student.

I'm not sure if there's a charter in Lunenburg. Assuming no, a parent can show up at a meeting, but what is his or her realistic probability of getting structural change that will help their failing child?

Each charter board member must be approved by the state Department of Education, and all charters answer to a State Board of Education, which is appointed by the Governor who is elected by the people.

Question from **Sally Wade, Director, FL Partnership for Family Involvement:**

Do you think that generally Charter schools have more parent involvement than traditional schools? Are there unique challenges for charter schools in parent involvement?

Michael Goldstein:

Charter parents are probably more involved, though that's hard to measure. One reason is: the parent must actively choose to enter the charter lottery. Another is: many charters were at least partially formed by parent teams, and not surprisingly, parent involvement is very important to them.

Many charters in cities try to make parent involvement easier since many are single moms with multiple jobs and no cars. That's one challenge. It's not unique to charters, however; district schools have the same challenge.

Question from **Ruth Fletcher, Parent:**

Most of the charter schools I have heard of are in big cities. Please tell me what charter schools have to do with folks in rural communities like mine?

Andrew Rotherham:

Hi Ruth,

Great question.

My wife and I live in a rural community so I see this issue firsthand. Rural life has a great deal to recommend it; however, many services are more likely to be limited in our communities. That's the trade-off. In this case, charters are no exception.

To be sure, there are some rural charter schools around the country but simply because there are more students in urban areas and more capacity to create schools, that's where most charters are.

But, all of us, regardless of where we live, have a big stake in seeing urban schools improve. We simply cannot continue on the path we're on in terms of urban achievement and graduation rates. This issue has serious consequences for our society. So, even though charters will touch rural communities directly less often, it's still an important idea to support.

I should also add that in a lot of rural communities there is only a single high school and often just a single elementary and middle school, too. This works well for a lot of kids, but not all. Charter schooling can help provide more options for students who are not getting what they need from the traditional comprehensive school. Multi-district and multi-county arrangements have a lot of potential here.

Question from **David Patterson, Executive Director, Rocklin Academy:**

PPI has advocated for Democrats to embrace charter schools as both consistent with the ideals of the Democratic Party and a powerful tool to improve public education overall. However, the strongest opposition to charters in many states is coming from Democratic legislators. Why is this, how much of this opposition is tied to teacher union opposition to charter schools, and what are the reasons for opposition beyond union opposition?

Andrew Rotherham:

Hello David,

Important question.

Many Democrats, from President Clinton to mayors and state legislatures do support charter schools because they are consistent with the Democratic Party's best traditions of expanding opportunity and they are also consistent with the progressive tradition that is also important to our party.

The politics are tough though, that's obvious. Still, around the country leading Democrats support charters and the support is growing so I'm optimistic.

Question from **Leah Ramirez, student, University of Michigan:**

How, as charter school advocates, would you define or determine when charter schools overall (versus individual schools) have succeeded? Is it when every school is a charter school, or what percentage of students would need to be in charter schools? Or when there is a charter law in every state? Or do you want every child to have a certain number of schools to choose from? What is your ultimate goal?

Michael Goldstein:

Good question. Varies enormously among charter advocates.

The meta-theme of this chat, among charter "insiders", is the hard-core opponents list a million ways why we're evil and we try to refute them.

People like you are interested in the Big Picture: how are charters part of the larger question of getting more kids to reach their potential?

Boston is an interesting example. In 1994, charters opened here. In 1995, the district responded by creating pilot schools - the "in-district" version of charters, small and autonomous.

There are 19 pilots now! It's great. Many are very popular.

Interestingly, in 2003, the charter schools recently were "capped" in Boston at 9%. There can no longer be new charters in Boston. In 2004, the head of the local teachers union overruled a group of his own union teachers who, along with the Superintendent, were trying to create a new pilot school, and blocked it.

The lesson - competition creates reform that helps more kids end up in schools they and their parents want. When that competition is stifled, then status quo prevails.

Question from **Philip Waring, Trustee, Peabody Foundation:**

Is there anything at all that the Charter Schools can do, that they're not already doing, to gain the support of the teachers' union members, not to mention the union itself?

Andrew Rotherham:

Hi Phillip,

Per the previous question, this is a tough issue. The unions think that it's not in their interest or the interest of their members to have charter schools. I think that's wrong in a few ways.

First, some charters are showing that even within a collective bargaining framework you can have charter schools. Green Dot Public Schools in Los Angeles is a good example of this. The teachers there work under a modified version of the LAUSD agreement.

That model will not work everywhere but it shows that this issue is not black and white.

Second, charters create a variety of professional and leadership opportunities for teachers and give teachers the chance to lead and grow professionally. This is why young people, who are obviously the future of the profession, are attracted to charter schools.

That sort of energy is good for teachers and more importantly it's good for students. I think that in the long run the unions will realize this and come around but change like this takes time. But there are hopeful signs around the country and some enterprising union leaders are stepping up.

Question from **Kathryn Hedges, teacher, Campagna Academy:**

Our charter school accepts students who have not been successful in the conventional classroom. We used to get state funding for alternative education but this was discontinued. How does the state expect us or for that matter any school to serve these at risk students without the adequate funding? These are students that the public schools do not want. It seems that either the federal government needs to set aside special funding for schools like ours or the state needs to reevaluate its criteria. (I was told that we do not have a local school district- it is statewide so we can not be funded by the state as an alternative school.)

Michael Goldstein:

I apologize - no ideas here.

We do have a few "alternative" schools in Massachusetts which are indeed fully funded by the usual charter formula. One, called Boston Evening Academy, serves dropouts.

Incidentally, BEA is actually a "Horace Mann Charter School" - that means they are blessed by the District.

Question from **Comfort Okpala, Program Specialist, Education Development & Research Center of North Carolina:**

What is your opinion about the research findings of Dr. Ladd of Duke University and others on the academic achievement of students in Charter schools in North Carolina?

Andrew Rotherham:

Hi Comfort,

I thought that study was well done and important. We need more research using methods like that and data like what is available in NC. Clearly policymakers in North Carolina need to take a close look at what's going on. I think one issue there is that North Carolina has done a great deal to improve its public schools and focus on its lowest performing students. That means that the bar is higher for all schools and that's reflected in the data on charters there right now.

However, problems in one state should not be used to cast aspersions on charters elsewhere. It's an important study for North Carolina, but it doesn't tell us anything about charters in, for instance, California.

Question from **Milree Keeling, vice chair, Lunenburg School Committee, Lunenburg, MA:**

Mr. Goldstein, Boston is not the only community in the state affected by charters and charter funding. There are many inequities in finance and in accountability standards that all of us should share information about. We have over 50 new schools in MA, and we have students moving between charters and home districts all the time. Charters and public school decision-makers need to dialogue, in detail, without accusation or defense, to understand the big picture. Otherwise we are at risk of being used to further political agendas. We have more in common than we have differences, but we should all get our facts straight. My email is mkeeling@net1plus.com, if you want correct information about the effect of charters on the bottom line of a public school district like Lunenburg's.

Michael Goldstein:

Let's do it, Milree! I'll send you an email.

Question from **Marie Henderson, Graduate Music Education Student, University of Arizona:**

In an effort to align charter curriculum with state standards as well as serve students through alternative instructional styles, how do you see the role of the arts and incorporation of arts education in charter programs?

Michael Goldstein:

Great question. Check out the website for Conservatory Lab Charter School in Boston - they use music as a way to enlist struggling elementary students

Question from **Shaka Mitchell, Director of Policy and Planning, Center for Education Reform:**

Andy, What implications will the WA state referendum loss have on the charter movement in WA and throughout the nation?

Andrew Rotherham:

Hello Shaka,

I think that referendum was really unfortunate and a classic example of adult interests trumping those of kids.

I hope we do not see similar referendums in other states but I think we may. It's a remarkable waste of time, effort, and resources, on all sides, that could be better spent.

Washington voters also defeated a referendum that would have slightly increased the state's sales tax to help fund schools. It's unfortunate that these two initiatives were not linked so that the message could have been invest more in schools and offer more choices within the public system.

Parents want both.

Question from **Sarah Mendonca-McCoy, Policy Analyst, Florida Legislature:**

What national trends have you observed in terms of the financial accountability and viability of charter schools, and what are some "best practices" that you have observed in the financial management of charter schools?

Michael Goldstein:

Charters in Massachusetts have an outside audit each year by a private auditor. That certainly helps.

The ever-shifting political landscape makes charter school budgeting challenging...hard to have a long-term plan, therefore higher borrowing costs et al. A public policy that "locked in" a charter formula for 5 years would lead to better financial management.

Mass Development has set up a public-private charter school loan guarantee program here. This helps charters to purchase and renovate facilities, reducing their long-run facilities costs.

Caroline Hendrie (Moderator):

Our guests are working on answering a few more questions. We thank them for going above and beyond!

Question from **Rosetta Brown, Charter School Consultant:**

Do you see the need to mandate board member training for all charter schools to ensure leadership and staff are effectively and consistently working toward the school's mission, and finding preventive ways to deter mismanagement?

Michael Goldstein:

I think GOOD board training is of course helpful. We've certainly done some.

I've seen, however, some examples of bad board training.

The basic idea of charters - less regulation in exchange for more accountability - suggests to me that mandated board training isn't the way to go.

It's like teacher training - of course GOOD training is helpful but in many public schools the teachers feel "Geez this is such a waste of my time!" because the training is lame.

Question from **Diana Dahl, Curriculum Development Project Leader, Learning by Grace, Inc:**

I am a young educator interested in applying to open my own charter school. I am just interested in advice from elders in the field...

Michael Goldstein:

Find a charter near you and immerse yourself to learn the lay of the land!

Put together a great team!

And do it! I love coming to work each morning; I love our kids and our team and the opportunity to work together.

Thank you all for the chat...

Best, Michael

Question from **Susan Phillips, Editor, Connect for Kids:**

In your opinion, who is doing the most rigorous research on charter school achievement? Why do we hear so little about the District of Columbia, which has I believe close to 50 charters now, but which no one seems to be paying much attention to?

Andrew Rotherham:

Hi Susan,

Unfortunately there is not a lot of good research on DC, which is unfortunate because it looks as if, overall, charters sponsored by the DC School Board do not do nearly as well as those sponsored by the DC Public Charter School Board.

The Charter School Board has, in my opinion, a much better authorizing and monitoring process and more research would allow us to learn more about the impact that has on school quality.

Note to funders out there, we're seeking funding for a research project on DC right now!

In terms of overall research there is a lot of good stuff out there. Recent studies worth looking at include that Hoxby study I mentioned earlier, the Ladd study that was mentioned, the Goldwater Institute did a good study of charters in Arizona, RAND has examined the research overall, and Tom Loveless at Brookings has done good work. For state specific reports you can look at our evaluations of CA, MN, AZ, and Indianapolis and New York at www.ppionline.org

There is a lot of research going on now and a lot of charters are also participating in several national research projects that are going to shed a lot more light on this soon. In fact, the willingness of most charters to subject themselves to scrutiny and evaluation is refreshing.

But again, remember, a charter is just a license, it's what the school does with that license that matters so there is a lot that is subsumed under the label of "charter". When looking at the research it's important to keep that in mind.

Question from **Karen Y. Palasek, Ph.D., Policy analyst, John Locke Foundation:**

Do you believe that the greatest value in the growth of charter schools will be in increasing academic achievement, in getting government regulation out of a larger segment of the education arena, or something else?

Andrew Rotherham:

Hi Karen,

Good question to end on. I think the value is in expanding educational opportunities for disadvantaged students who today are too often horribly served by the current public system.

Charters don't get government out of education, and I frankly think that's an ideological goal that would do nothing to change the nature of educational arrangements for underserved students.

The goal is making this government service work for kids and we need to be pragmatic about how we do that and too often both sides of this debate are driven by ideology rather than pragmatism. Locke had a healthy stream of pragmatism, didn't he?

Thanks for all the great questions, sorry we couldn't get to all of them!

Caroline Hendrie (Moderator):

Thank you all for joining our live chat. Your questions were thoughtful and provocative. And our special thanks to our guests, Andy Rotherham and Michael Goldstein. A transcript of our chat will be posted shortly at www.edweek.org/chat.

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Appendix E

New Jersey Administrative Code Charter Schools 6A:11-1.2

CHAPTER 11. CHARTER SCHOOLS

SUBCHAPTER 1. GENERAL PROVISIONS

6A:11-1.1 Purpose

(a) The purpose of this chapter is to provide the rules to govern the implementation of the Charter School Program Act, N.J.S.A. 18A:36A-1 et seq. The rules define the processes for establishing and operating charter schools; complying with the School Ethics Act (N.J.S.A. 18A:12-21 et seq.); implementing programs; certifying classroom teachers, principals and professional support staff; applying streamline tenure for teaching staff members, janitors and secretaries. The rules for conducting the financial operations of the charter schools are set forth in the finance and business services rules at N.J.A.C. 6A:23-9.

(b) The rules set out the requirements for applying for a charter and operating a school when a charter is awarded by the Commissioner of Education. In addition, these rules affect students who attend the charter schools, the parents and legal guardians of these students, the district boards of education where these students reside, the district boards of education in which the charter schools are physically located and the people who will serve on the boards of trustees and on the staffs of the charter schools.

6A:11-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise.

"Administrator" means an employee of a charter school who:

1. Holds a position which requires a certificate that authorizes the holder to serve as school administrator, principal or school business administrator;
2. Holds a position which requires a certificate that authorizes the holder to serve as supervisor and who is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services of a charter school; or
3. Holds a position which does not require that the person hold any type of certificate but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by a charter school.

"Annual review" means the yearly assessment by the Commissioner as to whether the charter school is meeting the goals of its charter.

"Application" means the New Jersey Charter School Application which includes, but is not limited to, a description of the areas listed in N.J.S.A. 18A:36A-5 and N.J.A.C. 6A:11-2.1(b).

"Approval of a charter" means an endorsement by the Commissioner following the review of an eligible application by the Department of Education and contingent upon the receipt of necessary documentation in accordance with N.J.A.C. 6A:11-2.1(h).

"Board of trustees" means the public agents authorized by the State Board of Education to supervise and control a charter school.

"Certification" means the endorsement of a person who is employed by a district board of education or a charter school board of trustees to perform duties that are regulated by N.J.A.C. 6:11 and 6A:23, and N.J.S.A. 18A:26-2.

"Charter school" means a public school that is operated under a charter granted by the Commissioner, that is independent of the district board of education and that is managed by a board of trustees.

"District of residence" means the school district in which a charter school facility is physically located; if a charter school is approved with a region of residence comprised of contiguous school districts, that region is the charter school's district of residence.

"Eligible applicant" means teaching staff members, parents of children attending the schools of the district board(s) of education, a combination of teaching staff members and parents, or an institution of higher education or a private entity located within the State in conjunction with teaching staff members and parents of children attending the schools of the district board(s) of education.

"Final granting of a charter" means the written notification in which the Commissioner makes the charter effective as a result of all required documentation being submitted by the charter school and approved by the Department of Education in accordance with N.J.A.C. 6A:11-2.1(h), (i) and (j).

"GAAP" means the generally accepted accounting principles established by the Governmental Accounting Standards Board as prescribed by the State Board of Education pursuant to N.J.S.A. 18A:4-14 and N.J.A.C. 6A:23-2.1.

"In-depth interview" means the performance assessment of the founders of a charter school during the application and approval process for a charter.

"Initial recruitment period" means the period during which there are the first outreach efforts by a charter school to a cross section of the community for the application, random selection process (if applicable) and enrollment of students for the next school year.

"Lead person" means the person who performs the organizational tasks necessary for the operation of a charter school. Where a group of individuals shares these organizational tasks, the person designated as responsible for completion of the tasks required by these rules is the lead person.

"Monitoring" means an on-site review at a charter school to corroborate and augment the annual reports and to verify compliance with statutes, regulations and the terms of the charter.

"Non-resident district" means a school district outside the district of residence of the charter school.

"Non-resident student" means a student from a non-resident district attending a charter school.

"Panel of six permanent arbitrators" means the group which shall hear all streamline tenure cases. Three arbitrators shall be chosen by the New Jersey Education Association (NJEA) and three by the New Jersey School Boards Association (NJSBA). All arbitrators shall be from either the permanent panel of arbitrators of the American Arbitrators Association or the permanent panel of arbitrators of the Public Employees Relation Commission (PERC).

"Region of residence" means contiguous school districts in which a charter school operates and is the charter school's district of residence.

"Renewal" means the granting of the continuation of a charter for a five-year period by the Commissioner following a comprehensive review conducted by the Commissioner.

"Resident student" means a student who resides in the area served by the district board of education that is the same as the district of residence of the charter school.

"Revocation" means the withdrawal of a charter of a school from the board of trustees by the Commissioner.

"School Ethics Act" means the statute N.J.S.A. 18A:12-21 et seq. designed to set standards to guide the conduct of school officials and ensure maintenance of those standards in order to ensure and preserve public confidence in the integrity of elected and appointed school board members and school administrators.

"School official" means a member of the board of trustees or an administrator of a charter school.

"School year" means July 1 to June 30 of any given academic year. If operating with an extended school year, this term means an alternate fiscal year beginning no later than September 1 and ending no later than August 31 of any given academic year.

"Streamline tenure" means the tenure process for all charter school teaching staff members, janitors and secretaries who are either newly employed in a charter school or who are employed in a charter school while on leave from district boards of education.

"Streamline tenure removal" means the process by which an employee who has obtained streamline tenure can be dismissed or reduced in compensation.

"Structured interview" means the performance assessment of the accomplishments of a charter school during the first three years of its charter for renewal of the charter.

"Waiting list" means the document identifying the names of grade-eligible students with applications to a charter school pending acceptance for the subsequent school year, based upon the order of random selection from a lottery following a recruitment period.

SUBCHAPTER 2. APPLICATION AND APPROVAL, REPORTING, RENEWAL, PROBATION AND REVOCATION, APPEAL AND AMENDMENT PROCESSES

6A:11-2.1 Application and approval process

(a) The Commissioner with the authority of N.J.S.A. 18A:36-1 et seq. may approve or deny an application for a charter after review of the application submitted by an eligible applicant and the recommendation(s) from the district board(s) of education or State district superintendent(s) of the district of residence of the proposed charter school.

(b) An eligible applicant for a charter school shall:

1. Complete the New Jersey Charter School Application which shall be annually disseminated by the Department of Education and which includes a description of the areas listed in N.J.S.A. 18A:36A-5 and a description of the following as each relates to the charter school:

- i. Mission;
- ii. Goals and objectives;
- iii. Founders;
- iv. Student discipline policy and expulsion criteria;
- v. Special populations;
- vi. Transportation;
- vii. Self-evaluation process;
- viii. Insurance;
- ix. Timetable; and
- x. Educational equity and access.

2. If seeking to operate a charter school with a region of residence, the charter school shall:

i. Include as founders a teaching staff member or a parent with a child attending a school of the district board of education in accordance with N.J.S.A. 18A:36A-4(a) from each of the contiguous district boards of education that comprise the region; and

ii. Describe its plan to ensure the enrollment of a cross section of the school-age population of the region of residence including racial and academic factors. This plan shall include apportionment of available space from each of the district boards of education that comprise the region of residence.

3. Submit the completed application to the Commissioner, the respective county superintendent of schools and the district board(s) of education or State district superintendent(s) of the district of residence of the proposed charter school no later than 4:00 P.M. on July 15. If July 15 falls on a weekend, the application is due on the first subsequent work day.

(c) Following the review of the applications, the Department of Education may request subsequent information as addenda to the applications.

(d) The Department of Education shall evaluate the addenda.

(e) The district boards of education or State district superintendents of the districts of residence of the proposed charter schools shall review the applications and addenda.

1. The recommendations of these district boards of education or State district superintendents shall be forwarded to the Commissioner within 60 days of receipt of the applications.

2. The recommendations of these district boards of education or State district superintendents shall be forwarded to the Commissioner within 30 days of receipt of the addenda.

(f) The Commissioner or designee(s) shall conduct an in-depth interview with each eligible applicant for a charter school.

(g) The Commissioner shall notify eligible applicants regarding approval or denial of applications by January 15. The notification to eligible applicants who are not approved as charter schools shall include reasons for the denials.

(h) The Commissioner may approve an application for a charter which shall be effective when all necessary documents and information are received by the Commissioner. The charter school shall submit on or before the dates specified in the letter of approval the documentation not available at the time of the application submission including, but not limited to, copies of:

1. A directory of the current members of the board of trustees;
2. The bylaws of the board of trustees;
3. The Certificate of Incorporation;
4. The Federal Employer Identification Number;
5. The Credit Authorization Agreement for Automatic Deposits;
6. The lease, mortgage or title to its facility;
7. The certificate of occupancy for "E" (education) use issued by the local municipal enforcing official at N.J.A.C. 5:23-2;
8. The sanitary inspection report with satisfactory rating;
9. The fire inspection certificate with "Ae" (education) code life hazard use at N.J.A.C. 5:70-4;
10. A list of the lead person, teachers and professional support staff;

11. The Authorization for Emergent Hiring Pending Completion of Criminal History Check form or Criminal History Approval letter for each employee of the charter school;

12. Evidence of a uniform system of double-entry bookkeeping that is consistent with generally accepted accounting principles (GAAP); and

13. The resolution of the board of trustees naming the Affirmative Action Officer, the Section 504 Officer and the Title IX Coordinator.

(i) Prior to the granting of the charter, the Commissioner shall assess the student composition of a charter school and the segregative effect that the loss of the students may have on its district of residence. The assessment shall be based on the enrollment from the initial recruitment period pursuant to N.J.A.C. 6A:11-4.4(a) and (b). The charter school shall submit data for the assessment:

1. In a format prescribed by the Commissioner; and

2. No later than 4:00 P.M. on April 15 of the school year in which a charter school is approved or no later than 4:00 P.M. on January 15 of the school year following the school year in which a charter school that elects to take a planning year was approved.

(j) All statutorily required documentation shall be submitted to the Department of Education by May 15. The final granting of the charter by the Commissioner shall be effective when all required documentation as listed in (h) above is submitted and approved by the Department of Education.

(k) A charter school shall locate its facility in its district of residence or in one of the districts of its region of residence.

6A:11-2.2 Reporting

(a) The board of trustees of a charter school shall submit an annual report no later than 4:00 P.M. on August 1 following each full school year in which the charter school is in operation to the Commissioner, the respective county superintendent of schools and the district board(s) of education or State district superintendent(s) of the district of residence of a charter school. If August 1 falls on a weekend, the annual report is due on the first subsequent work day.

1. The report in a format prescribed by the Commissioner must include, but is not limited to, a description of the following:

i. The achievement of the school's mission, goals and objectives of its charter;

ii. The efficiency in the governance and management of the school;

iii. The attainment of the New Jersey Core Curriculum Content Standards and the delivery of an educational program leading to high student academic achievement;

iv. Statewide Assessment Program results and local assessment results of students;

v. The degree of parental and community involvement in the school;

vi. The school's public relations and outreach efforts; and

vii. The student admissions policies and staff recruitment plan.

2. The report must include a copy of the following:

i. A comprehensive annual financial report including a balance sheet and an operational statement of revenues and expenditures;

ii. The resolution of the board of trustees naming the lead person of the charter school;

iii. A directory of the current members of the board of trustees;

iv. Amendments to the bylaws of the board of trustees adopted during the previous year;

v. A calendar for the upcoming school year; and

vi. The resolution of the board of trustees naming the Affirmative Action Officer, the Section 504 Officer and the Title IX Coordinator.

3. The board of trustees of a charter school shall make the annual report available to the parents or guardians of the students enrolled in the charter school.

4. The district board(s) of education or State district superintendent(s) of the district of residence of a charter school may submit comments regarding the annual report of the charter school to the Commissioner by October 1.

(b) The board of trustees of a charter school shall submit documentation annually to the Commissioner for approval prior to the opening of school on dates specified by and in a format prescribed by the Commissioner. The documentation shall include, but is not limited to, copies of:

1. A new lease, mortgage or title to its facility;
2. A valid certificate of occupancy for "E" (education) use issued by the local municipal enforcing official at N.J.A.C. 5:32-2;
3. An annual sanitary inspection report with satisfactory rating;
4. An annual fire inspection certificate with "Ae" (education) code life hazard use at N.J.A.C. 5:70-4;

5. A list of the lead person, teachers and professional support staff;

6. The Authorization for Emergent Hiring Pending Completion of Criminal History Check form or Criminal History Approval letter for each employee of the charter school; and

7. Evidence of a uniform system of double-entry bookkeeping that is consistent with generally accepted accounting principles (GAAP).

(c) On an annual basis, the Commissioner shall assess the student composition of a charter school and the segregative effect that the loss of the students may have on its district of residence. The assessment shall be based on the enrollment from the initial recruitment period pursuant to N.J.A.C. 6A:11- 4.4(b). The charter school shall submit data for the assessment:

1. In a format prescribed by the Commissioner; and
2. No later than 4:00 P.M. on January 15.

6A:11-2.3 Renewal of charter

(a) The Commissioner may grant a five-year renewal of a charter following the initial four-year charter.

(b) The Commissioner shall grant or deny the renewal of a charter upon the comprehensive review of the school including, but not limited to:

1. A renewal application submitted by a charter school to the Commissioner, the respective county superintendent of schools and the district board(s) of education or State district superintendent(s) of the district of residence of the charter school no later than 4:00 P.M. on September 15 of the last school year of the current charter;
2. The review of a charter school's annual reports pursuant to N.J.A.C. 6A:11-2.2(a);
3. Comments of the annual reports from the district board(s) of education or State district superintendent(s) of the district of residence of the charter school;
4. Student performance on the Statewide Assessment Program pursuant to N.J.A.C. 6:39-1;
5. Monitoring of the charter school by the county superintendent;

6. Monitoring of the charter school by the Commissioner or designee(s);
 7. The annual assessments of student composition of the charter school;
 8. The recommendation of the district board(s) of education or State district superintendent(s) of the district of residence forwarded to the Commissioner within 30 days of receipt of the renewal application; and

9. A structured interview with the Commissioner or designee(s) with:

- i. A member of the charter school board of trustees;
- ii. The lead person of the charter school;
- iii. A teacher at the charter school; and
- iv. A parent or other representative of the charter school.

(c) The Commissioner shall notify a charter school regarding the granting or denial of the renewal during December of the last school year of the current charter. The notification to a charter school that is not granted a renewal shall include reasons for the denial.

6A:11-2.4 Probation and revocation of charter

(a) The Commissioner may place a charter school on probationary status for a period of 90 days to allow the implementation of a remedial plan upon a finding that the charter school is not operating in compliance with its charter, statutes or regulations.

1. The Commissioner shall determine the date on which the probationary status will begin and notify the charter school of such date.
2. The charter school must submit a remedial plan to the Commissioner within 15 days from the receipt of the notice of probationary status.
3. The charter school must provide the specific steps that it shall undertake to resolve the condition(s) not fulfilled and/or the violation(s) of its charter.
4. The Commissioner may remove the probationary status of a charter school if the remedial plan is implemented and the causes for the probationary status are corrected.
5. The Commissioner may grant an extension to the probationary status where warranted and extend the probationary period for an additional 90 days if the charter school has implemented its remedial plan but needs additional time to complete the implementation of its corrections.

(b) The Commissioner may revoke a school's charter following review by the Department of Education for one or more of the following reasons:

1. Any condition imposed by the Commissioner in connection with the granting of the charter which has not been fulfilled by the school; or
2. Violation of any provision of its charter by the school.
3. Failure of the remedial plan to correct the conditions which caused the probationary status.

(c) The Commissioner shall notify a charter school in writing of the revocation and may allow a charter school up to a maximum of 60 days from the receipt of the revocation notice from the Commissioner to cease its operations.

6A:11-2.5 Charter appeal process

An eligible applicant for a charter school, a charter school or a district board of education or State district superintendent of the district of residence of a charter school may file an appeal according to N.J.A.C. 6A:4- 2.5.

6A:11-2.6 Amendment to charter

(a) A charter school may apply to the Commissioner for an amendment to the charter following the final granting of the charter.

1. The board of trustees of a charter school shall submit in the form of a board resolution the amendment request to the Commissioner and the district board(s) of education or State district superintendent(s) of the district of residence of a charter school. The amendment request shall:

i. Include the applicable revised pages to the approved New Jersey Charter School Application; and

ii. Be made by October 15 of the previous school year to increase enrollment in the subsequent school year.

2. The amendment shall not change the mission, goals and objectives of a charter school.

(b) The Department of Education shall determine whether the amendments are eligible for approval and shall evaluate the amendments based on N.J.S.A. 18A:36A-1 et seq. and this chapter.

(c) The district board(s) of education or State district superintendent(s) of the district of residence of a charter school may submit comments regarding the amendment request to the Commissioner within 21 days of receipt of the resolution of the board of trustees.

(d) The Commissioner may approve or deny amendment requests of charter schools and shall notify charter schools of decisions. If approved, the amendment becomes effective immediately unless a different effective date is established by the Commissioner.

SUBCHAPTER 3. SCHOOL ETHICS ACT

6A:11-3.1 Board of trustees and administrators

(a) For the purposes of implementation of the Charter School Program Act, the members of the board of trustees of a charter school shall be school officials as defined in the School Ethics Act (N.J.S.A. 18A:12-23). The trustees shall comply with the provisions of the School Ethics Act and the rules promulgated pursuant thereto at N.J.A.C. 6A:28.

(b) Each administrator shall hold the certificate or perform the tasks as defined in N.J.A.C. 6A:11-1.2 and in the School Ethics Act (N.J.S.A. 18A:12-23) and the rules promulgated thereto at N.J.A.C. 6A:28.

(c) Each school official shall file the Financial and Personal/ Relative Disclosure Statements annually on or before April 30 or within 30 days of his or her election or appointment in accordance with N.J.A.C. 6A:28-1.5.

(d) Each member of the board of trustees of a charter school shall, during the first year of his or her first term on the board, complete a training program prepared and offered by the New Jersey School Boards Association which shall include in its content instruction relative to the board member's responsibilities under the School Ethics Act in accordance with N.J.A.C. 6A:28-1.6.

SUBCHAPTER 4. PROGRAM IMPLEMENTATION

6A:11-4.1 Local education agency

A charter school shall be a local education agency only for the purpose of applying for Federal entitlement and discretionary funds.

6A:11-4.2 Student records

(a) A district board of education or a State district superintendent shall forward to the lead person of a charter school records of a student transferring to the charter school in accordance with N.J.A.C. 6:3-6.5(c) 10.

(b) The lead person of a charter school shall forward to the district board of education or the State district superintendent records of a student transferring from the charter school in accordance with N.J.A.C. 6:3-6.5(c) 10.

(c) A charter school shall create, maintain and dispose of student records in accordance with N.J.A.C. 6:3-6, Pupil Records.

6A:11-4.3 Student attendance

A charter school shall record student attendance in the school register during school hours on each day that the school is in session in accordance with N.J.A.C. 6:3-9.

6A:11-4.4 Initial recruitment period

(a) No later than April 15 of the school year in which a charter school is approved, a charter school shall submit to the Commissioner the number of students by grade level, gender and race/ethnicity from each district selected for enrollment from its initial recruitment period for the following school year.

(b) No later than January 15 of subsequent school years, a charter school shall submit to the Commissioner the number of students by grade level, gender and race/ethnicity from each district

selected for enrollment from its initial recruitment period for the following school year.

(c) The number of students by grade level from each district selected for enrollment from the initial recruitment period of a charter school is used to establish a per pupil amount for the specific grade level at the charter school rate in accordance with N.J.A.C. 6A:23-9.4.

(d) A charter school may conduct subsequent recruitment and enrollment periods if vacancies remain in its enrollment after the initial recruitment period.

6A:11-4.5 Waiting list

(a) A charter school shall maintain a waiting list for admission of grade-eligible students that:

1. Begins with the close of the annual initial recruitment period and first random selection process and ends with the close of the subsequent school year; and
2. Is divided into two groups: students from the district of residence or region of residence and students from non-resident districts.

(b) During the recruitment period, a charter school shall notify parents that their children's names remain on the waiting list for enrollment for the subsequent school year only.

6A:11-4.6 Age eligibility for kindergarten

(a) A charter school shall enroll a student selected for admission to kindergarten based on the student reaching the age of five in that school year by:

1. October 1 in accordance with N.J.S.A. 18A:38-5; or
2. A date later than October 1 that is established by the district board of education in which the student resides.

6A:11-4.7 Limited English proficient students

A charter school shall provide an enrolled limited English proficient student with all required courses and support services to meet the New Jersey Core Curriculum Content Standards for high school graduation in accordance with N.J.S.A. 18A:7A-4 and 18A:7A-5 and N.J.A.C. 6A:15.

6A:11-4.8 Students with educational disabilities

A charter school shall provide an enrolled student with educational disabilities with a free, appropriate public education in accordance with the Individuals with Disabilities Education Act, Part B (IDEA--B) at 20 U.S.C. § § 1400 et seq., 34 C.F.R. 300 et seq., N.J.S.A. 18A:36A-11(b) and N.J.A.C. 6A:14.

6A:11-4.9 Home instruction for students

A charter school shall provide home instruction due to temporary illness or injury for an enrolled

student in accordance with N.J.A.C. 6A:14-4.8 and 4.9.

6A:11-4.9 Home instruction for students

A charter school shall provide home instruction due to temporary illness or injury for an enrolled student in accordance with N.J.A.C. 6A:14-4.8 and 4.9.

6A:11-4.10 Pupil transportation

In accordance with N.J.S.A. 18A:36A-13 and N.J.A.C. 6:21-20, a district board of education shall provide transportation or aid in lieu of transportation to a student in kindergarten through grade 12 who attends a charter school.

6A:11-4.11 Board of trustees and Open Public Meetings Act

(a) A charter school shall constitute its board of trustees no later than April 15 of the year in which its application is approved.

(b) The board of trustees of a charter school shall operate in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.

(c) The board of trustees shall send a copy of all meeting notices and meeting minutes to the respective county superintendent of schools.

(d) The board of trustees shall include a report on changes in student enrollment in the monthly minutes.

6A:11-4.12 Equity in education

A charter school shall comply with all applicable laws and regulations governing equity in education including, but not limited to: N.J.S.A. 18A:36-20, N.J.S.A. 10:5-1 et seq., N.J.A.C. 6:4, Titles VI and VII of the Civil Rights Act of 1964 at 42 U.S.C. § § 2000d et seq. and 2000e et seq., respectively, Title IX of the Education Amendments of 1972 at 20 U.S.C. § § 1681 et seq., Section 504 of the Rehabilitation Act of 1973 at 29 U.S.C. § 792, the Americans with Disabilities Act of 1990 at 42 U.S.C. § § 12101 et seq. and the Individuals with Disabilities Education Act (IDEA--B) of 1997 at 20 U.S.C. § § 1400 et seq. and 34 C.F.R. 300 et seq.

6A:11-4.13 Financial operations of a charter school

A charter school shall be subject to the provisions of the finance and business services rules, N.J.A.C. 6A:23.

6A:11-4.14 (Reserved)

SUBCHAPTER 5. CERTIFICATION REQUIREMENTS FOR STAFF

6A:11-5.1 Certification

(a) All classroom teachers, principals and professional support staff employed by the board of trustees of a charter school shall hold appropriate New Jersey certification in accordance with N.J.A.C. 6:11-3.1.

(b) The board of trustees of a charter school shall employ or contract with:

1. A lead person or another person who holds a New Jersey standard school administrator or supervisor certificate or a New Jersey standard or provisional principal certificate in accordance with N.J.A.C. 6:11-9.1 through 9.6 to direct and guide the work of instructional personnel including, but not limited to, the supervision and evaluation of staff and the development and implementation of curriculum; and
2. A person who holds a New Jersey standard or provisional school business administrator certificate in accordance with N.J.A.C. 6:11-9.7 and 6A:23-9.3 to oversee fiscal operations of the charter school.

SUBCHAPTER 6. STREAMLINE TENURE

6A:11-6.1 Tenure acquisition

All teaching staff members, janitors and secretaries shall acquire streamline tenure in a charter school after three consecutive academic years, together with employment at the beginning of the next succeeding academic year, in accordance with the tenure acquisition criteria as set forth in N.J.S.A. 18A:28-5(b), 18A:28-6 and 18A:17-2(b)2.

6A:11-6.2 Filing of and response to tenure charges

(a) Once streamline tenure is acquired, an employee of a charter school shall not be dismissed or receive reduced compensation except for inefficiency, incapacity, conduct unbecoming or other just cause.

(b) In all instances of the filing and certification of streamline-tenure charges, except inefficiency, the following procedures and timelines shall be observed:

1. The lead person of the charter school shall file written charge(s), executed under oath, accompanied by a supporting statement of evidence with the board of trustees.
2. The board of trustees shall transmit the charge(s) to the affected streamline-tenured employee within three work days of the date that they were filed with the board of trustees. Proof of mailing or hand delivery shall constitute proof of transmittal.
3. The affected tenured employee shall have the opportunity to respond to the charge(s) in a written statement of position and a written statement of evidence, both of which shall be executed under oath and submitted to the board of trustees within 15 days of receipt of the streamline-tenure charge(s).
4. Upon receipt of the affected employee's response, the board of trustees shall determine within 30 days whether there is probable cause to credit the evidence in support of the charge(s) and whether such charge(s), if credited, are sufficient to warrant a dismissal or reduction of compensation.
5. The board of trustees must notify, in writing, the affected employee of its determination within 15 days. Proof of mailing or hand delivery shall constitute proof of notice.
6. If the board of trustees determines that there is probable cause to credit the charge(s), the board of trustees shall certify the charge(s) to the Commissioner.

7. If the affected employee wishes to contest the certified charge(s) filed against him or her, he or she shall do so in writing to the Commissioner within 15 days of receipt of the board of trustees' determination.

(c) In instances of the filing and certification of streamline-tenure charges for inefficiency, the following procedures and timelines shall be observed:

1. The lead person of the charter school shall file written charge(s), executed under oath, accompanied by a supporting statement of evidence with the board of trustees.
2. The board of trustees shall transmit the charge(s) to the affected streamline-tenured employee within three work days of the date that they were filed with the board of trustees. Proof of mailing or hand delivery shall constitute proof of transmittal.
3. Upon completion of the 90-day corrective action period, the lead person of the charter school shall notify the board of trustees in writing whether the inefficiencies were corrected.
4. The board of trustees shall transmit the notification to the affected streamline-tenured employee within three work days of the date that it was noticed. Proof of mailing or hand delivery shall constitute proof of transmittal.
5. The affected tenured employee shall have the opportunity to respond to the charge(s) in a written statement of position and a written statement of evidence, both of which shall be executed under oath and submitted to the board of trustees within 15 days of receipt of the inefficiency charge(s).
6. Upon receipt of the affected employee's response, the board of trustees shall determine within 30 days whether there is probable cause to credit the evidence in support of the charge(s) and whether such charge(s), if credited, are sufficient to warrant a dismissal or reduction of compensation.
7. The board of trustees must notify, in writing, the affected employee of its determination within 15 days. Proof of mailing or hand delivery shall constitute proof of notice.
8. If the board of trustees determines that there is probable cause to credit the charge(s), the board of trustees shall certify the charge(s) to the Commissioner.
9. If the affected employee wishes to contest the certified charge(s) filed against him or her, he or she shall do so in writing to the Commissioner within 15 days of receipt of the board of trustees' determination.

6A:11-6.3 Arbitration

(a) If the streamline-tenured employee contests the charge(s), an arbitrator from a panel of six permanent arbitrators shall be assigned by the Commissioner to determine the case. All employees who acquire streamline tenure in a charter school shall be subject to dismissal or a reduction in compensation only upon the determination of an arbitrator.

1. Arbitrators on the panel shall be listed in alphabetical order and assigned to hear streamline tenure cases on a rotating basis in the order that cases are filed with the Commissioner's office.
2. The hearing shall be held before the arbitrator within 30 days of the Commissioner's assignment of the arbitrator to the case.
3. All necessary discovery procedures shall be completed 15 days prior to the hearing. At least 10 days prior to the hearing, information and witness lists shall be exchanged between the parties.
4. The arbitrator shall render a decision within 20 days of the closing of the hearing.

(b) The decision of the arbitrator is final and binding and cannot be appealed to either the Commissioner or the State Board of Education. Said decision shall be subject to judicial review and enforcement as provided pursuant to N.J.S.A. 2A:24-7 through 24-10.

(c) The board of trustees of the charter school shall forward arbitration decisions to the State Board of Examiners.

SUBCHAPTER 7. (RESERVED)

Appendix F

**The Public School Review
Demographic Information Related to New Jersey Charter Schools**

New Jersey Charter Schools

New Jersey charter schools are listed below. Click on the county or town names for a list of all schools in that area.

New Jersey Charter High Schools:

County			
1. <u>Atlantic</u>	<u>Linwood</u>	<u>Charter Tech High</u>	248
2. <u>Camden</u>	<u>Camden</u>	<u>Camden Academy Charter High</u>	292
	Camden	<u>Leap Academy University Charter</u>	627
3. <u>Essex</u>	<u>Newark</u>	<u>North Star Academy Cs Of</u>	268
4. <u>Hudson</u>	<u>Hoboken</u>	<u>Hoboken Charter</u>	261
	Hudson	<u>C.r.e.a.t.e. Charter</u>	267
	Hudson	<u>University Academy Charter</u>	262
5. <u>Mercer</u>	<u>Trenton</u>	<u>Emily Fisher Cs Of Advanced</u>	255
	Mercer	<u>Granville Charter</u>	546
	Mercer	<u>Trenton Community Charter</u>	560


New Jersey Charter Middle Schools:

County			
1. <u>Atlantic</u>	<u>Atlantic City</u>	<u>Learning Center Charter</u>	78
2. <u>Camden</u>	<u>Camden</u>	<u>Camden Academy Charter High</u>	292
	Camden	<u>Camden's Promise Charter</u>	261
	Camden	<u>Leap Academy University Charter</u>	627
3. <u>Essex</u>	<u>Newark</u>	<u>Discovery Charter</u>	75
	Essex	<u>Maria L. Varisco-rogers Charter</u>	64
	Essex	<u>Newark Charter</u>	112

Essex	Newark	<u>North Star Academy Cs Of</u>	268
Essex	Newark	<u>Team Academy Charter</u>	150
4. <u>Hudson</u>	<u>Hoboken</u>	<u>Hoboken Charter</u>	261
Hudson	<u>Jersey City</u>	<u>C.r.e.a.t.e. Charter</u>	267
Hudson	Jersey City	<u>Gateway Charter</u>	160
Hudson	Jersey City	<u>University Academy Charter</u>	262
5. <u>Mercer</u>	<u>Trenton</u>	<u>Emily Fisher Cs Of Advanced</u>	255
Mercer	Trenton	<u>Granville Charter</u>	546
Mercer	Trenton	<u>Trenton Community Charter</u>	560
6. <u>Passaic</u>	<u>Clifton</u>	<u>Classical Academy Cs Of</u>	99
Passaic	<u>Paterson</u>	<u>Paterson Cs For</u>	143
7. <u>Sussex</u>	<u>Sparta</u>	<u>Sussex County Cs For</u>	94
8. <u>Union</u>	<u>Plainfield</u>	<u>Calla Charter School</u>	167

New Jersey Charter Elementary Schools:

<u>County</u>			
1. <u>Atlantic</u>	<u>Atlantic City</u>	<u>Oceanside Charter</u>	316
Atlantic	<u>Galloway</u>	<u>Galloway Community Charter</u>	285
Atlantic	<u>Pleasantville</u>	<u>Pleasantech Academy Charter</u>	259
Atlantic	Pleasantville	<u>Pleasantville Cs For Acad.</u>	321
Atlantic	<u>Smithville</u>	<u>Galloway Community Charter</u>	152
2. <u>Bergen</u>	<u>Englewood</u>	<u>Englewood On The Palisades Charter</u>	189
Bergen	<u>Teaneck</u>	<u>Teaneck Community Charter</u>	211
3. <u>Camden</u>	<u>Camden</u>	<u>Camden Academy Charter High</u>	292
Camden	Camden	<u>Leap Academy University Charter</u>	627
4. <u>Essex</u>	<u>East Orange</u>	<u>East Orange Community Charter</u>	485
Essex	<u>Newark</u>	<u>Gray Charter School</u>	244
Essex	Newark	<u>Lady Liberty Academy Charter</u>	428


Essex	Newark	<u>Marion P. Thomas Acad. Charter</u>	260
Essex	Newark	<u>New Horizons Comm. Charter</u>	492
Essex	Newark	<u>North Star Academy Cs Of</u>	268
Essex	Newark	<u>Robert Treat Academy Charter</u>	400
5. <u>Hudson</u>	<u>Hoboken</u>	<u>Elysian Cs Of</u>	270
Hudson	Hoboken	<u>Hoboken Charter</u>	261
Hudson	<u>Jersey City</u>	<u>C.r.e.a.t.e. Charter</u>	267
Hudson	Jersey City	<u>Jersey City Comm. Charter</u>	396
Hudson	Jersey City	<u>Jersey City Golden Door Charter</u>	488
Hudson	Jersey City	<u>Learning Community Charter</u>	307
Hudson	Jersey City	<u>Liberty Academy Charter</u>	385
Hudson	Jersey City	<u>Schomburg Charter</u>	511
Hudson	Jersey City	<u>Soaring Heights Charter</u>	171
Hudson	Jersey City	<u>University Academy Charter</u>	262
6. <u>Mercer</u>	<u>Hamilton Twp</u>	<u>Pace Cs Of Hamilton</u>	118
Mercer	<u>Princeton</u>	 <u>Princeton Charter</u>	278
Mercer	<u>Trenton</u>	<u>Emily Fisher Cs Of Advanced</u>	255
Mercer	Trenton	<u>Granville Charter</u>	546
Mercer	Trenton	<u>International Cs Of</u>	85
Mercer	Trenton	<u>Trenton Community Charter</u>	560
Mercer	Trenton	<u>The Village Charter</u>	289
7. <u>Middlesex</u>	<u>New Brunswick</u>	<u>Greater Brunswick Charter</u>	141
8. <u>Monmouth</u>	<u>Asbury Park</u>	<u>Hope Academy Charter</u>	134
Monmouth	<u>Red Bank</u>	<u>The Red Bank Charter</u>	162
9. <u>Morris</u>	<u>Morristown</u>	<u>Unity Charter School</u>	105
10. <u>Passaic</u>	<u>Paterson</u>	<u>Paterson Cs For Urban</u>	304
11. <u>Somerset</u>	<u>Somerset</u>	<u>Franklin Charter</u>	214
12. <u>Union</u>	<u>Plainfield</u>	<u>Queen City Academy Charter</u>	177

State Statistics:

About This State (NJ)

Nationwide Statistics

Population	8,231,508 people	285,172,806 people
% (age 25+) w/College Degree	35%	25%
Population Average Age	36 years old	38 years old
Average Household size	2.6 persons	2.6 persons
Median Household Income	55495	\$36,135
Avg. # of Rooms in Household	5.6 rooms	5.7 rooms
Median Age of Housing Structure	45 years old	42 years old
Median Value of Housing Unit	\$171,384	\$86,500

 [View Current Housing Listings in New Jersey](#)

% Owning / % Renting	61% / 39%	72% / 28%
% Vacancy of Housing Units	6% vacancy rate	9% vacancy rate

Appendix G

New Jersey Department of Education Web Site
<http://www.nj.gov/njded/chartsch/>



STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION



- » [About Charter Schools](#)
- » [NJ Charter School Fact Sheet](#)
- » [Regulations](#)
- » [Charter School Application](#)
- » [Charter School Audit Information](#)
- » [Charter Schools Directory](#)
- » [Reporting Requirements](#)
- » [Research & Resources](#)
- » [Charter Schools Calendar](#)
- » [Grants Update](#)
- » [Technology](#)

Charter School News:

- View 2004-05 model annual reports from [Lady Liberty](#), [Greater Newark Academy](#) and [North Star Academy Charter Schools](#)
- View 2003-04 model annual reports from [Oceanside](#), [Princeton](#) and [Robert Treat Charter Schools](#)
- [NJDOE receives 25 new charter applications](#)

A charter school is a public school that operates independently of the district board of education under a charter granted by the Commissioner. Once the charter is approved and established, the school is managed by a board of trustees with status as a public agent authorized by the State Board of Education to supervise and control the school. A charter school is a corporate entity with all the powers needed to carry out its charter program.

NJ Department of Education
Office of Vocational-Technical, Career and Innovative
Programs
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[DOE Data](#) | [NJ School Report Card](#) | [Certification Application Status Check](#) | [Doing Business with DOE](#) | [NJ QSAC](#) | [NCLB](#)

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Appendix H

U.S. Charter Schools Website

http://www.uscharterschools.org/pub/uscs_docs/index.htm

US Charter Schools

[OVERVIEW](#)[NEWS](#)[COMMUNITY](#)[STATE PROFILES](#)[FEDERAL SUPPORT](#)[RESOURCES](#)

Site Highlights



National Charter School Conference 2007

The National Charter Schools Conference is taking place April 24 – 27 in Albuquerque, NM.



Primers on Implementing Special Education in Charter Schools

Resources to facilitate the successful inclusion of students with disabilities in charter schools.



Successful Charter Schools Guide

Elements of effective charter schools and stories of eight successful charter schools



Just for Parents

Valuable information for parents seeking to learn more about charter schools.

About this Site

: [Site Sponsors](#)
: [History](#)
: [Browser Options](#)

I. Site Sponsors

While the initial development of the US Charter Schools Web site involved input from numerous individuals in the charter school movement from across the country and the generous support of the US Department of Education, this site is currently supported by a consortium of organizations interested in providing accurate information and promising practices about and for charter schools.

National Alliance for Public Charter Schools

Providing the valuable Charter Schools [News Connection](#)
and [Resource Update](#)



**National Alliance for
Public Charter Schools**

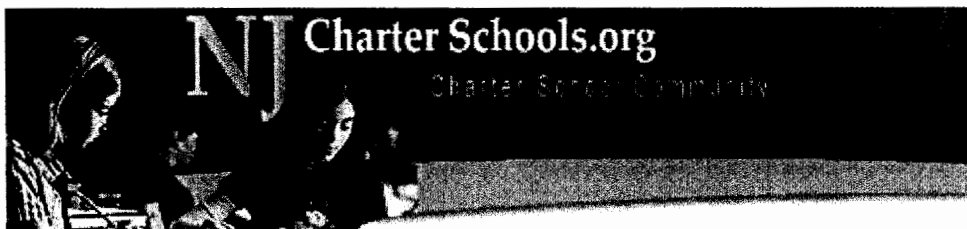
National Association of State Directors of Special Education

Supporting the [Primers on Implementing Special Education
in Charter Schools](#)



Appendix I

New Jersey Charter Schools Association Website
<http://www.njcharterschools.org/>



Welcome

New Jersey Charter School

Resource Center

Growing and Sustaining your Legacy of Choice in New Jersey
a program of the Center for Effective School Practices

The mission of the New Jersey Charter School Resource Center (CSRC) is to help organizers and operators create and sustain high quality public schools of choice. No other organization in the state is committed to this singular focus. The CSRC supports educational reform and innovation by helping charter school organizers work through the challenges of designing and operating a public charter school. At every stage of school development--planning, proposal, approval, and operation--the CSRC provides information, resources, and technical assistance. Through workshops, statewide conferences, and site visits, the CSRC assists charter school planners and operators, introduces regional participants to experienced educational leaders, and highlights exemplary schools.



- Home
- About Charter Schools
- Resource Center
- School Search
- Shared Insights Insitute
- Events
- Statistics
- Parents
- Charter Developers
- Career Opportunities
- Contact Us

Appendix J

New Jersey School Report Card for 2003
<http://education.state.nj.us/rc/2003/index.html>



STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION

>>REPORT CARDS >>HISTORICAL DATA >>2003

Historical Report Card Data 2003

Instructions

Instructions
Definitions

Data Layout

PDF
Microsoft Excel

Data Files

It is recommended that you download these files to your local computer and not try to open them in your browser.

Microsoft Access (16,376 kb), Zipped (2,545 kb)
Microsoft Excel (18,837 kb), Zipped (4,489 kb)

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Appendix K

Evaluation of the Public Charter Schools Program, Final Report 2004

POLICY AND PROGRAM STUDIES SERVICE
**Evaluation of the
Public Charter Schools
Program
FINAL REPORT
2004**

**U.S. DEPARTMENT OF EDUCATION
DOC # 2004-08
OFFICE OF THE DEPUTY SECRETARY**

**Evaluation of the
Public Charter Schools Program:
Final Report**

Prepared for:

**U.S. Department of Education
Office of the Deputy Secretary
Policy and Program Studies Service**

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Washington, D.C.

2004

This report was produced under U.S. Department of Education Contract No. ED98CO0074 with SRI International. Dena Patterson served as the contracting officer's representative. The views expressed herein do

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the U.S. Department of Education of any product, commodity, service or enterprise mentioned in this publication is intended or should be inferred.

U.S. Department of Education

Rod Paige

Secretary

Office of the Deputy Secretary

Eugene Hickok

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Executive Summary

Introduction

Charter schools are public schools that operate under a contract (or "charter"). The expectation is that these schools meet the terms of their charter or face closure by their authorizing bodies. As public schools, charter schools must also meet the accountability requirements of the federal Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB).¹ Since 1991 when Minnesota passed the first state charter school law, the charter school sector of public education has grown rapidly. By the 2002-03 school year, 39 states and the District of Columbia had charter school laws in place, and more than 2,700 charter schools were operating nationally, serving hundreds of thousands of students from every socioeconomic and demographic segment of the U.S. population. Federal support for charter schools began in 1995 with the authorization of the Public Charter Schools Program (PCSP), administered by the U.S. Department of Education (ED).² The PCSP funds the state grant program discussed in this report, supports charter school research and demonstration programs and underwrites national charter school conferences.

¹ The data presented in this study covers a period of

time (1999-2002) prior to the enactment of NCLB.

² The name of the Public Charter Schools Program (PCSP) changed to the Charter Schools Program (CSP) when the U.S. Department of Education issued nonregulatory guidance in August 2003.

This report has a dual purpose: (1) to provide the public and education policymakers with findings from a descriptive examination of how the PCSP

operates and (2) to continue documentation of the evolution of the charter school movement that began in 1995 under another federally funded study.³

Context

The charter school sector includes a diverse array of schools categorized as newly created or converted from previous status as public or private schools. Although these schools are subject to the terms of an individual state's charter school legislation, all charter school laws require that a designated body—the charter school authorizer—hold a school accountable for particular outcomes through the school's individualized contract. Further, flexibility (freedom from many policies and regulations affecting traditional public schools) and autonomy (control over decisions) are central to this educational reform. This is the basic context in which the charter school movement has evolved and in which the PCSP operates.

³ RPP International conducted the first federally funded charter school study. In part, the study

reported in this document extended the RPP study to provide a longitudinal portrait of charter schools.
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Highlights

Based on three years of data (collected in school years 1999-2000, 2000-01 and 2001-02), the national evaluation of the PCSP found that:

□ PCSP money is the most prevalent source of start-up funding available to charter schools. Nearly two-thirds have received federal PCSP funds during their start-up phase. Charter schools primarily use PCSP funds to purchase technology and curricular and instructional materials, as well as to fund professional development activities.

□ Charter schools are more likely to serve minority and low-income students than traditional public schools but less likely to serve students in special education.

□ Charter schools, by design, have greater autonomy over their curriculums, budgets, educational philosophies, and teaching staff than do traditional public schools. Because some state charter school laws allow schools flexibility in hiring practices, charter schools as an overall group are less likely than traditional public schools to employ teachers meeting state certification standards.

□ In five case study states, charter schools are less likely to meet state performance standards than traditional public schools. It is impossible to know from this study whether that is because of the performance of the schools, the prior achievement of the students, or some other factor. The study design does not allow us to determine whether or not traditional public schools are more

effective than charter schools.

□ Charter schools rarely face formal sanctions (revocation or nonrenewal). Furthermore, authorizing bodies impose sanctions on charter schools because of problems related to *compliance with regulations* and *school finances* rather than *student performance*. Authorizers have difficulty closing schools that are having problems.

□ During the time period examined by this study, little difference exists between the accountability requirements for charter schools and traditional public schools.

Evaluation Questions

The primary questions guiding this evaluation can be grouped into four overarching topic areas:

The Public Charter Schools Program

(1) How does the PCSP work and how do

this federal grant program and its state grantees encourage the development of charter schools?

(2) How do federally funded charter schools and school planners use their PCSP subgrants?

Profile of the Charter School Sector

(3) What are the characteristics of charter schools and the students and families who are involved with them?

(4) What flexibility provisions are charter schools granted?

Student Performance in Charter Schools

(5) To what extent are charter schools meeting state standards for student performance and how do charter schools and traditional public schools compare in meeting these standards?

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Charter School Authorizers

(6) What are the characteristics and roles of

authorizing bodies?

(7) What types of accountability relationships do authorizers have with their schools?

Several data sources inform answers to these questions: survey data from state charter school coordinators, charter school authorizers, and charter school directors; data from the federal Schools and Staffing Survey (SASS); and data from state departments of education. The evaluation team also conducted multiple site visits to 12 charter schools in the following six states: Arizona, California, Massachusetts, Michigan, North Carolina, and Texas.

Key Findings

☉ *The PCSP is a targeted federal grant program that awards grants to states with charter school legislation. States, in turn, award subgrants to charter schools and charter school planning groups. At least 95 percent of the state grants currently reach charter schools, as required by the legislation.*

In FY 2001, 90 percent of the 37 states and the District of Columbia with charter school legislation received PCSP grants. The U.S. Department of Education (ED) competitively awards these grants to states on a three-year cycle, based on projected estimates of the level of chartering activity. Within the grant cycle, ED makes annual adjustments, as necessary. States withhold up to 5 percent of these PCSP grants for administration costs, and distribute the

remaining 95 percent to schools in the form of PCSP subgrants.

If a state with charter school legislation does not receive a PCSP award, individual charter schools within the state may apply directly to ED for a school grant. Charter schools in four states received grants through this provision in 2001-02.

☉ *From FY 1995 through 2001, growth in the charter school sector kept pace with growth in federal appropriations for the PCSP program. During this period, the number of charter schools increased tenfold, as did the size of the average three-year state grant.*

Exhibit ES-1

Mean State Public Charter Schools Program Grant Amount, by Fiscal Year

\$0							
\$500,000							
\$1,000,000							
\$1,500,000							
\$2,000,000							
\$2,500,000							
\$3,000,000							
\$3,500,000							
\$4,000,000							
\$4,500,000							
\$5,000,000							
	FY95	FY96	FY97	FY98	FY99	FY00	FY01

State PCSP Grant

Sources: SRI 1999-2000 and 2001-02 state coordinator surveys.

Exhibit reads: In FY 2001, the mean state grant was \$4.5 million.

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State charter school coordinators and charter school directors confirmed the importance of the PCSP as a federal investment in charter school development. States may

award two types of subgrants: (1) start-up subgrants to support planning and early implementation of charter schools and (2) dissemination subgrants to support charter schools in sharing their ideas and practices. Based on the 2001-02 survey of charter school directors, 61 percent reported that they had received a PCSP start-up subgrant and 19 percent had received a dissemination subgrant at some point in time.⁴ Federal appropriations for the PCSP grew steadily from \$6 million in FY 1995 to \$190 million in FY 2001 (increasing to \$218.7 million in FY 2004). During the same period, the number of charter schools grew from approximately 250 to 2,700. PCSP awards to states have increased in size, from a mean state grant of \$512,900 in FY 1995 to nearly \$4.5 million in FY 2001 (see Exhibit ES-1). This increase in state grant awards reflects growth in the PCSP annual appropriation coupled with a leveling off of the number of states with charter legislation. While the number of charter schools has continued to grow nationally, the growth is most substantial in a limited number of states. These states (for example, California and Florida) currently receive the largest PCSP grants.

⁴ These statistics derive from separate survey items and are not intended to be summed. These data may

underestimate the percentage of schools with start-up subgrants because of school-level confusion about the funding source—the state versus ED.

⌚ *PCSP start-up and dissemination subgrants support professional development activities and technology-related purchases. In addition, schools used start-up subgrants to purchase curricular or instructional materials. Each state with a PCSP grant creates its own process and selection criteria for distributing the funds as subgrants to charter schools or planning groups.⁵ In general, start-up subgrants are more easily obtained than dissemination subgrants. The size of subgrants to charter schools or planning groups varies by state. The average school subgrant in FY 2001-02 ranged from \$20,000 in one state to \$263,000 in another—with most state averages tallying between \$80,000 and \$150,000. Most charter schools used PCSP start-up subgrants to purchase instructional materials (87 percent), fund professional development (79 percent), and purchase technology (78 percent).*

⌚ *In comparison with traditional public schools, charter schools are smaller and employ fewer certified teachers than traditional public schools because of provisions in some state laws.⁶ These schools are also more likely to serve more grade levels (e.g., K-12) than the typical public school.*

⁵ The federal PCSP legislation places relatively few

restrictions on the use of these funds. One prohibition is the use of PCSP funds to purchase a facility.⁶ By law, some states afford charter schools more flexibility with respect to teacher certification provisions.

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Although the median enrollment in charter schools has been steadily rising (e.g., from 137 students in 1998-99 to 190 students in 2001-02), these schools remain considerably smaller than traditional public schools serving similar grade ranges. For example, according to data from the federal Schools and Staffing Survey (SASS), the median enrollment in charter high schools in 1999-2000 (the most recent year of the Schools and Staffing Survey data) was 132 compared with 675 in traditional public high schools.

In addition, states provide flexibility to charter schools over many areas including hiring practices and the certification and licensure of their teachers. While charter schools must meet the accountability requirements of NCLB, they retain any flexibility provided to them in individual state chartering laws, especially in the area of teacher qualifications. One result of this flexibility may be that charter schools employ fewer traditionally certified teachers. According to the 1999-2000 SASS, 79 percent of teachers in charter schools held certification, compared with 92 percent

of teachers in traditional public schools. In contrast to the typical configuration of elementary, middle, and high schools, charter schools are more likely to contain either grades K-8 or grades K-12. More than one-third (35 percent) of charter schools are K-8 or K-12 schools, compared with 8 percent of other public schools.

Interviews with charter school staff and parents indicated that the K-8 and K-12 configurations might be in response to the desire for students to avoid the difficult transitions between school-levels.⁷

⊙ *Charter schools disproportionately attract students and families who are poor and who are from African American backgrounds.*

⁷ Some research has found an association between grade level configuration and student academic and nonacademic performance (see Renchler, 2002, and Franklin et al., 1996).

Exhibit ES-2 **Characteristics of Students Attending Charter Schools and Traditional Public Schools, 1999-2000** **Percentage of Students** **Student Characteristic**

Charter Schools (n=870)	
Traditional Public Schools (n=8,432)	
African American***	27 17
Hispanic***	21 15
White***	46 63
Free or reduced-price lunch***	43 38
Special education students with Individualized Education Programs (IEP)***	9 12

***p<.01 (Indicates significant difference between charter schools and traditional public schools in the

percentage of students with various characteristics.)

Source: 1999-2000 public charter school SASS survey and public school SASS survey.

Exhibit reads: Of all students enrolled in charter schools in 1999-2000, 27 percent were African American, compared with 17 percent in traditional public schools. This difference is statistically significant.

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The profile of students who attend charter

schools differs from traditional public schools, as illustrated in Exhibit ES-2. In 1999-2000, charter schools served fewer white students and more minority students

(including African American and Hispanic)

than traditional public schools. Charter schools also served more students from low-income

families but fewer special education students with Individualized Education Plans (IEPs).

Furthermore, the overall proportion of minority students attending charter schools

has been increasing—in 2001-02, approximately two-thirds of students in charter schools were from minority backgrounds. As Exhibit ES-3 demonstrates,

virtually all of the growth in minority enrollments is the result of increases in the

percentage of African American students.

Over the same period, the proportion of white students decreased and the proportion

of Hispanic students remained fairly constant.

☉ *Case studies of Texas, Colorado, Illinois, Massachusetts, and North Carolina show that more than half of the charter schools in these states were*

already meeting state performance standards in 2001-02, although charter schools were somewhat less likely than traditional public schools to meet standards.⁸ These findings are not indicative of the impact of charter schools on student achievement. Furthermore, it is not possible to determine from this study whether or not traditional public schools are more effective than charter schools.

⁸ While the data analyzed predate the requirements of NCLB, these five states already had set school-level

standards, perhaps in response to the Improving America's Schools Act of 1994.

Although the No Child Left Behind Act of 2001 (NCLB) subjects charter schools to the

same performance standards as traditional

public schools, this study conducted case studies⁹ of five states during the period prior

to NCLB and found that more than half of

charter schools in each state were meeting

state performance standards in 2001-02 (with as many as 90 percent meeting performance standards in Colorado).

However, because many charter schools tend to target students with educational disadvantages, some studies have shown that

charter school students typically do not perform as well in school as students in other public schools. Charter schools in all

five case study states were less likely than

traditional public schools to meet performance standards even after controlling

for several school characteristics. This

finding, which does not imply a lack of charter school impact on student achievement, may be linked to the prior achievement of students or some other factor. The design of this study did not allow us to determine whether charter schools are more or less effective than traditional public schools.

The purpose of this study's student performance component was to determine whether charter schools met state performance standards and to determine how charter schools compared to traditional public schools in meeting these standards.

The study originally intended to use student-level data, but in 2001-02, policy interpretations of the Family Educational Rights and Privacy Act (FERPA) precluded this. As a result, the study shifted its emphasis to school-level data, conducting an analysis in the states with adequate data.

9 Because these state analyses are not representative of the charter school universe, this evaluation refers to them as "case studies."

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The results of these analyses suggest that charter schools may have difficulty in meeting the high-stakes performance standards recently adopted by states under NCLB. Future studies should examine the extent to which charter schools serving high proportions of educationally disadvantaged

students exhibit improved performance over time.

⌚ *Charter school authorizers monitor their schools for accountability purposes and provide direct services (often on a fee-for-service basis). Authorizing bodies that charter many schools are likely to have an infrastructure for monitoring but are not likely to provide services.* Authorizing bodies are a critical component of the charter school movement and include a variety of entities. In 2001-02, local school districts authorized 45 percent of charter schools, while state departments of education authorized 41 percent, and institutions of higher education authorized 12 percent. (See Exhibit ES-4.) (In addition, other entities, such as independent charter boards, authorized 2 percent of charter schools.) It is interesting to note that although they authorize 45 percent of all charter schools, local education agencies represent 91 percent of the population of authorizers. State education agencies on the other hand, authorize 41 percent of all charters but represent just 3 percent of all authorizers. There is a general expectation in the charter school sector that authorizers have a responsibility to regularly oversee charter

school operations and progress toward meeting the goals in the charter. The reality is that only 36 percent of authorizers had a charter school office or staff in 2001-02,

Exhibit ES-3

Student Racial and Ethnic Composition in Charter Schools, 1998-99 to 2001-02

0
10
20
30
40
50
60
1998-99 (n=975)
1999-2000 (n=870)
2000-01 (n=377)
2001-02 (n=444)
Percentage of Students
White
African American
Hispanic or Latino
Other Minority

Note: Racial and ethnic categories are based on current census categories and differ somewhat from RPP and SASS categories. Other Minority includes Asian, American Indian or Alaska Native and, in 2000-01 and 2001-02 only, Native Hawaiian or other Pacific Islander.

Sources: 1998-99 data: Nelson et al. (2000); 1999-2000 data: Public Charter School SASS survey;

2000-01 and 2001-02 data: SRI 2000-01 and 2001-02 charter school surveys.

Exhibit reads: In 1998-99, 48 percent of students in charter schools were white, compared with 46 percent in 1999-2000, 41 percent in 2000-01, and 37 percent in 2001-02.

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suggesting limited capacity to address charter school oversight. However, this finding varies by type of authorizer. For example, 85 percent of states that are authorizers have an office or staff dedicated to charter school work. Because states are more likely to

authorize a large number of schools, they may require an infrastructure to provide adequate oversight.

Some authorizers, particularly local school districts, report that they provide a number of services to charter schools, the most common being administrative oversight, assistance in meeting state or federal regulations and special education services. Increasingly, authorizers report that schools must pay for these services.

Exhibit ES-4

Percentage of Charter Schools, by Type of Authorizer (2001-02)

Percentage of Charter Schools
45%
41%
12%
2%
Local school districts
State boards of educ. or state educ. agencies
Universities or colleges
Other entities

Source: SRI 2001-02 charter school survey.

Exhibit reads: In 2001-02, local school districts authorized 45 percent of charter schools.

⌚ *Charter schools do not automatically have flexibility with respect to complying with state and federal regulations and often share authority over key decisions with their authorizers. Only 37 percent of charter school states automatically allow waivers of state regulations for charter schools. More commonly, charter schools must request specific waivers from the state. Few states (less than five) exempted charter schools from student assessment requirements in 2001-02.*

In theory, charter schools enjoy flexibility or school-level control over key decisions not

available to the typical school in exchange for accountability for specified outcomes. In reality, the autonomy of charter schools is limited by state policies, as well as by relationships with authorizers, education management organizations (EMOs) and community-based organizations (CBOs). Only 37 percent of states with charter schools granted them automatic waivers from state policies and regulations in 2001-02, but 54 percent waived regulations on selected policies or allowed charter schools to request waivers on a case-by-case basis. Nine percent did not permit any waivers to charter schools. Furthermore, charter schools frequently share their school-level authority with one or more other entities. Schools were most likely to report sharing control with their authorizers. Some school directors reported sharing authority with EMOs or CBOs.

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 ☺ *Authorizers determine which schools to charter, monitor progress and performance and decide whether or not to renew the charter at the end of its term. However, more than half of all authorizers reported difficulty in closing a school that is having problems. In addition, the charter contract, with its tailored outcomes, may have diminished importance in the current high-stakes accountability environment.*

The charter school accountability process involves three phases: the application process, the monitoring process and the implementation of sanctions (if needed).

During the *application* process, authorizing bodies screen applications, denying charters because of problems relating to, for example, proposed instructional strategies, governance procedures, accountability provisions, and business plans. The *monitoring process* occurs after authorizers have awarded charters to planning groups. Authorizers and states reserve legal authority to monitor charter schools, but other entities are also involved, resulting in a complex system of accountability. Charter schools reported being monitored by their authorizers, governing boards, states and, in some cases, EMOs or CBOs. They reported that they are most accountable to their own governing boards. Authorizers have developed monitoring procedures and determined criteria for applying interventions or sanctions with little specific guidance from state charter school legislation. Authorizers reported monitoring nearly all of their schools on: compliance with federal or state regulations; student achievement results; enrollment numbers; financial record keeping and viability; and special education services. Finally, authorizing bodies have the authority to implement formal or informal *sanctions* against a school that fails to meet the terms of its charter. Results from the survey of authorizers show that few authorizers had implemented formal sanctions: only four percent of authorizers

had not renewed a school's charter and six percent had revoked a charter as of 2001-02. (We are unable to compare these rates with the proportion of traditional public schools that have been sanctioned through closure or reconstitution.)

Informal and less severe sanctions, such as written notification of concerns, were more common. Formal and informal sanctions were usually associated with problems relating to compliance with state and federal regulations and school finances. Authorizers report facing a wide range of challenges in sponsoring and providing support to charter schools, including inadequate financial or human resources. More important, more than half of authorizers report difficulty closing a school that is having problems—a key responsibility of authorizers in this educational reform.

In the early years of the charter school movement's development, charter schools—at least theoretically—were more accountable for outcomes than other schools, by virtue of the terms of a charter contract. More recently, however, states have implemented reporting systems to track school inputs in addition to outcomes for all public schools. As Exhibit ES-5 indicates, little difference now exists between state reporting requirements for charter schools and those for traditional public schools.

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Exhibit ES-5 State Reporting Requirements for Charter Schools and

Traditional Public Schools

Percentage of States

Reporting Requirement

Required for

Charter

Schools

Required for

Traditional

Public Schools

Reporting student achievement results on required statewide

assessments (n=35) 100 97

Reporting on other student performance indicators, e.g., attendance

rates (n=34) 97 97

Reporting on enrollment numbers (n=32) 100 94

Aligning of curriculum to state standards (n=31) 90 94

Reporting on student demographics (n=31) 94 100

Reporting on teacher qualifications (n=26) 100 96

Reporting on teacher demographics (n=19) 89 100

Reporting on school waiting list (n=11) 91 27

Note: The number of respondents varies by accountability requirement because some states reported that these requirements were "not applicable" in their states.

Note: The actual survey used the term "accountability requirements" to encompass both inputs and outputs.

To avoid confusion

with the current narrower definition of accountability in NCLB, we have used the term "reporting requirements" in this exhibit and accompanying text.

Source: SRI 2001-02 state coordinator survey.

Exhibit reads: All states (n=35) required that schools report student achievement results as part of their state accountability system.

Of these, all required this for charter schools and 97 percent required this for traditional public schools.

Appendix L

New Jersey Charter School Application Document
<http://www.nj.gov/njded/chartsch/app/app.pdf>

SECTION ONE

2006 NEW JERSEY CHARTER SCHOOL APPLICATION

OVERVIEW

The New Jersey Charter Schools Initiative

On January 11, 1996, *The Charter School Program Act of 1995* was signed into law enabling the creation of new types of schools which provide parents and students with a variety of educational options. Additionally, the primary purpose of charter schools is to stimulate reform in the public school system. In 1997, the first group of charter schools was approved by the New Jersey Department of Education.

New Jersey became the 20th state to allow for the establishment of charter schools. During the first ten years of implementation of the legislation, the Department of Education received 262 charter school applications. Currently there are 59 approved charter schools in 15 counties in the state. There are 51 charter schools operating during the 2005-06 school year serving approximately 15,000 students. An additional four charter schools are scheduled to open in September 2006 and four schools are scheduled to open in September 2007.

This *2006 New Jersey Charter School Application* booklet provides guidance for a charter school applicant to plan properly for a proposed charter school. Based on the established timelines for this application cycle, a proposed charter school should write an application for a starting date of the 2007-08 school year or for the 2008-2009 school year if a planning year is requested.

Charter schools hold the promise of creating a new kind of publicly funded school. Charter schools break the traditional mold in an effort to help children achieve at higher levels. The introduction of charter schools is not just part of an isolated reform effort, but is one strategy in a broader effort to improve student achievement. The charter school program enables teachers, parents, community leaders, private entities and institutions of higher education to take the lead in designing public schools that will provide unique and innovative approaches toward educational excellence and equity.

Charter School Program Act of 1995 and Administrative Code, Charter Schools General Information

The Charter School Program Act of 1995 (P.L. 1995 c. 426, N.J.S.A. 18A:36A) (The Act), effective January 11, 1996 and amended November 2000, authorizes the Commissioner of Education to establish a charter school program. The Commissioner has the authority to grant a charter for a four-year period which may then be renewed for five-year periods. A copy of *The Charter School Program Act of 1995*, as amended October 2000, November 2002 and July 2004, appears in Appendix A.

The New Jersey Administrative Code, Charter Schools (N.J.A.C. 6A:11), as amended October 2000 and November 2002, is found in Appendix B and provides the regulations to implement *The Charter School Program Act of 1995*. The Act and the regulations are critical documents needed for developing a charter school application.

A description of financial operations as defined in *The Charter School Program Act of 1995* and the *Administrative Code, Charter Schools* is found in Part 2: Financial Plan. Other major highlights of *The Charter School Program Act of 1995* follow Part 2 of this application.

Charter School Definition

A charter school is a public school that:

- has a charter granted by the Commissioner of Education;
- operates independently of a district board(s) of education;
- is managed by a board of trustees deemed to be public agents authorized by the State Board of Education to supervise and control the school; and
- is open to all students.

Establishment and Eligibility

- A charter school can be established by teaching staff members, parents with children attending the schools of the district board(s) of education or a combination of teaching staff members and parents.
- An institution of higher education or a private entity located within the state, in conjunction with teaching staff members and parents with children attending the schools of the district board(s) of education, may establish a charter school.
- A private entity cannot constitute a majority of the trustees of a charter school, cannot realize a net profit from operating a charter school and cannot use the name of the entity in the name of a charter school.
- A private or parochial school is not eligible for charter school status.
- A charter school cannot charge tuition.

Conversion

The Charter School Program Act of 1995 provides for the conversion of existing public schools to charter school status. For a public school to apply for charter school status, at least 51 percent

of the teaching staff in the school and 51 percent of the parents or guardians of students attending the school must sign petitions in support of the charter school status.

District of Residence/Region of Residence

- District of residence is the district board of education in which a charter school is established and its facility is physically located.
- Region of residence is defined as the contiguous district boards of education in which a charter school is established.
- The charter school facility is physically located in one of those district boards of education.
- If a charter school is approved with a region of residence, that region is the charter school's district of residence as outlined in *The Charter School Program Act of 1995* and the *New Jersey Administrative Code, Charter Schools*.

Admissions

- A charter school must be open to all students on a space-available basis and cannot discriminate in its admissions policies and practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as an individual with a disability, proficiency in the English language or any other basis that would be illegal if used by a district board(s) of education.
- A charter school must also comply with applicable state and federal anti-discrimination statutes.
- A charter school, to the maximum extent practicable, must seek the enrollment of a cross section of the community including racial and academic factors.
- A charter school may focus admissions to a particular grade level or to areas of concentration of the school such as mathematics, science or the arts.

Students who reside in the district of residence or region of residence in which a charter school is established must be given preference in enrollment. If a charter school receives more applications than spaces available, the charter school must use a random selection process (lottery) to determine which students will be admitted. If space permits, charter schools can then enroll non-resident students. Once admitted to a charter school, a student has the right to continue to attend the charter school in the following year unless the grade level is not offered. A charter may give priority to the enrollment of a sibling of a student enrolled in the school.

A student can withdraw from a charter school at any time. The student's records are then forwarded to the district board(s) of education, superintendent of a State-operated school district, another charter school or a private school.

A student can be expelled by the board of trustees pursuant to criteria established by the board of trustees and approved by the Commissioner as part of the school's charter and consistent with *N.J.S.A. 18A:37*. Any expulsion may be made upon the recommendation of the charter school lead person in consultation with the student's teachers and in accordance with statute and code. However, as per code, a charter school must provide an alternative educational program for any student who is expelled from the regular education program.

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Enrollment

In order for a student to apply for enrollment in an approved charter school, the student must be registered with the district board of education in which the student resides.

The school district of residence shall pay directly to the charter school for each student enrolled in the charter school who resides in the district an amount equal to the lower of either 90 percent of the program budget per pupil for the specific grade level in the district or 90 percent of the maximum thorough and efficient (T & E) amount. The per pupil amount paid to the charter school shall not exceed the program budget per pupil for the specific grade level in the district in which the charter school is located. The district of residence shall also pay directly to the charter school any categorical aid attributable to the student and any federal funds attributed to the student, provided the student is receiving appropriate categorical services. Charter schools are not eligible for Abbott Parity Aid or school construction/facility aid.

During the school year, a charter school shall conduct an enrollment count on October 15 and the last day of the school year. A charter school shall submit each count through a summary school register for the purposes of determining average daily enrollment.

Transportation

The district board(s) of education shall provide transportation of students to and from a charter school who reside in the district of residence in which the charter school is located. Services shall be provided on the same terms and conditions as transportation is provided to students attending the schools of the district board(s) of education. *The New Jersey Administrative Code, Student Transportation*, N.J.A.C. 6A:27, outlines specific procedures and responsibilities regarding the transportation of students from the district of residence or region of residence as well as non-resident students.

Personnel Issues

In the case of a currently existing public school that converts to charter school status, all charter school employees are deemed members of the bargaining unit defined in the applicable agreement and are represented by the same majority representative organization as the employees covered by the agreement. In all other charter schools, the board of trustees may choose whether or not to offer the terms of any collective bargaining agreement already established by the district board(s) of education where the charter school is located; however, the board must adopt any health and safety provisions of the agreement. The board of trustees has the authority to employ, discharge and contract individually or collectively with all employees. Charter school employees are public employees; hence, they are covered by the existing *Public Employment Relations Commission* statute, *N.J.S.A. 34:13A-1 et seq.*, and can organize themselves and choose union representation.

With respect to salaries, the Act establishes a salary range for charter schools. The board of trustees cannot set a teacher's salary below the statutorily required minimum teacher's salary (currently \$18,500) nor higher than the highest step in the salary guide in the

collective bargaining agreement which is in effect in the district board(s) of education in which the charter school is located.

All classroom teachers and professional support staff must hold appropriate New Jersey certification and meet the Highly Qualified Teacher/Paraprofessional provisions in the No Child Left Behind Act. Only a person holding a Certificate of Eligibility or a Certificate of Eligibility with Advanced Standing may be hired. However, after being hired, the charter school must register the candidate with the Office of Licensure and Credentials in the Provisional Teacher Program. Once the criteria specified under the Provisional Teacher Program are met, a Provisional Certificate will be issued.

A public school employee (tenured or non-tenured) can request a leave of absence of up to three years from a local district to work in a charter school. Approval for a leave of absence shall not be unreasonably withheld. During this leave, the employee remains in his/her existing retirement system and continues to make retirement contributions. Such employees on leave shall be enrolled in the health benefits plan of the school district where the charter school is located. The charter school must make the employer contributions to that district's health benefits plan.

However, as described in the Act, public school employees on a leave shall not accrue tenure in the public school system but shall retain tenure, if so applicable, and shall continue to accrue seniority, if so appropriate, in the public school system if they return to the existing public school when the leave ends. Upon return, the employee will be reinstated with previously retained tenure and with the seniority accrued in the charter school. If that employee remains in the charter school beyond the three-year leave of absence, he/she relinquishes tenure and seniority rights in the home district. However, after three consecutive academic years, together with employment at the beginning of the next succeeding academic year in the charter school, he/she will acquire streamline tenure. If this employee is dismissed or chooses to leave the charter school during the three-year leave period, the employee has the right to return to his/her former position in the district board(s) of education, provided the employee is otherwise eligible for employment in a school of the district board(s) of education.

All charter school employees who have not accrued tenure in a public school do not accrue traditional tenure in the charter school. The Act provides that such employees shall acquire streamline tenure pursuant to guidelines promulgated by the Commissioner. The Commissioner's Streamline Tenure Guidelines are included in Appendix C and in the *New Jersey Administrative Code, Charter Schools*, Appendix B.

Facility

A charter school may be located in part of an existing public school building, in space provided in a public work site, in a public building or any other suitable location. A charter school cannot construct a facility with public funds.

The facility of a charter school must comply with any regulations affecting the health and safety of students and must follow the Uniform Construction Code.

A charter school must obtain the following documents in order to begin serving students in its facility:

- certificate of occupancy from the local municipal enforcing official with “E” (education) use group;
- fire inspection certificate with “Ae” (education) code; and
- sanitary inspection report with ”Satisfactory” rating.

Note: A charter school must also be accessible in compliance with the Americans with Disabilities Act (ADA).

Deregulation/Waivers

A charter school operates in accordance with its charter and the provisions of law and regulation which govern all public schools. Upon the request of the board of trustees of a charter school through a waiver, the Commissioner may exempt the charter school from state regulations concerning public schools except those pertaining to assessment, testing, civil rights, special education and student health and safety. The board of trustees of the charter school must demonstrate to the Commissioner, however, that the exemption will advance the educational goals and objectives of the charter school. The waiver authority provided in the Act to the Commissioner is authority to waive regulations in Administrative Code only. Charter schools must comply with all state statutes governing public schools.

Grievances/Advisory Grievance Committee

The Charter School Program Act of 1995 requires the development of a grievance procedure that would allow individuals or groups to bring a complaint to the board of trustees alleging a violation of the provisions of the Act.

The board of trustees must establish an advisory grievance committee consisting of only parents and teachers who are selected by the parents and teachers of the school. This advisory grievance committee will make non-binding recommendations to the board concerning the disposition of a complaint. The board shall consider the recommendations of the advisory grievance committee and render a decision. Appeal of the board’s decision can be taken to the Commissioner, who must investigate and respond to the complaint.

Annual Report, Charter Renewal and Revocation

The Charter School Program Act of 1995 requires the Commissioner to assess annually whether a charter school is meeting the goals of its charter and to conduct a comprehensive review prior to granting a renewal of the charter. To facilitate this process, the Act provides authority to the county superintendent to have ongoing access to the charter school records and facilities to ensure compliance with regulations concerning assessment, testing, civil rights, special education and student health and safety.

To facilitate this process further, the Act also requires the charter school to file an annual report with the Commissioner, the respective county superintendent of schools and the district board(s) of education and/or State district superintendent(s) of its district of residence by August 1. The charter school must also make its annual report available to the parents or guardians of the students enrolled in its school and to the public in accordance with the *Open Public Records Act*.

The Commissioner may grant a renewal of a charter for five-year periods following the initial four-year charter. Based on the annual assessment and comprehensive review or other good cause, the Act also authorizes the Commissioner to renew or revoke a school's charter or place a charter school on probationary status. This will allow the implementation of a remedial plan if the charter school is not operating in compliance with its charter, statutes or regulations. *The New Jersey Administrative Code, Charter Schools*, outlines specific procedures regarding reporting, renewal, probation and revocation.