

City-wide Systems of Charter Schools: Proceed With Caution

Policy Brief

by

Gerald Bracey

George Mason University

Education Policy Research Unit (EPRU)

Education Policy Studies Laboratory

College of Education

Division of Educational Leadership and Policy Studies

Box 872411

Arizona State University

Tempe, AZ 85287-2411

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EDUCATION POLICY STUDIES LABORATORY

Education Policy Research Unit

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<http://edpolicylab.org>

Education Policy Studies Laboratory

Division of Educational Leadership and Policy Studies

College of Education, Arizona State University

P.O. Box 872411, Tempe, AZ 85287-2411

Telephone: (480) 965-1886

Fax: (480) 965-0303

E-mail: eps@asu.edu

<http://edpolicylab.org>

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Executive Summary

The charter school movement dates from the late 1980s and became a popular education reform tool in the 1990s. Some 3,000 charter schools exist today. Charter advocates made a number of claims regarding how charter schools would improve education. The charter, or contract, would free the school of many state and local district rules and regulations. Liberated from these onerous bureaucratic rules, charter schools would be more efficient and would also offer parents more choices. Most of all, the fundamental promise of charter schools was that they would improve achievement.

The City of Buffalo, New York has proposed to establish a network of charter schools under the aegis of the district school board. This appears to be the first time a large urban area has made such a proposal. This report addresses what the research literature to date has said about the performance of charter schools. It reviews the record of charter schools in the context of six questions asked in the planning document, *Creating a Network of Charter Schools in Buffalo*, prepared by the Education Innovation Consortium, a Buffalo think-tank, at the direction of the Buffalo School Board.

What Does Chartering Bring to Buffalo School Reform?

The planning document contends that charter schools would offer “true school-based decision making” and “curricular freedom subject to state performance standards.” This report observes that the state performance standards in New York already constrain curricular freedom and school-based decision making, and that the *No Child Left Behind* law restricts them further. It also notes that Educational Management Organizations

(EMOs) could well be the operators of Buffalo charters, and that these organizations, having developed their own curricula, offer no school-based freedom at all.

Can Chartering Bring Higher Levels of Accountability for Results?

Early charter advocates proposed a strict rule for judging charter schools: if they did not improve achievement, their charters should be revoked. They would be subject to performance-based accountability rather than the usual compliance-based accountability. In practice, very few charters have been terminated for academic reasons. Most charter revocations derive from the mishandling of funds or other financial problems.

Can Chartering Provide More Quality Choices for Parents?

This report observes that in evaluations throughout the nation, the evaluators have remarked on how similar the charter schools are to the traditional public schools that they have replaced.

Can a Network of Charters Promote the Transformation of the Entire System?

A hope of charter advocates has been that charter schools would be “laboratories of innovation,” and that the innovations begun in charter schools would create change throughout the district. The evaluations to date have not documented any such transformation. Often there are no mechanisms for dissemination of ideas or best practices, and in some cases the teachers and administrators at traditional public schools resent the presence of charter schools. In turn, charter school operators have not seen dissemination as one of their roles.

How Do Charters Compare Academically?

Again, the first and foremost promise of charter schools was to improve achievement. To date, no such improvement has been observed. Evaluations from

Michigan, California, and Ohio find that charter schools are *at best* matching the performance of demographically similar traditional schools. This brief provides an extensive review of state and national evaluations.

Can Charter Schools Provide Adequate Services to Children With Special Needs?

While there are some charter schools that serve special needs children, the remainder has a smaller number of special education students than the public schools. In addition, the special education students that charters *do* serve generally have mild disabilities. Finally, those charters that are market-oriented—those managed by EMOs—have fewer special needs students than charters that are not market-oriented.

Recommendations

Based on the research data available to date on charter schools, it is recommended that the Buffalo School District, local and state legislators, and other education policy makers undertake the following tasks:

1. Critically evaluate the research and conclusions suggested in *Creating a Network of Charter Schools in Buffalo*. That document omitted many evaluation studies and uncritically—and sometimes erroneously—accepted the conclusions of studies it did include.
2. Ensure that agencies proposing charter schools to the school board specify in clear and measurable terms what they expect to accomplish. Many evaluations to date report only vaguely stated goals.

3. Ensure that the procedures the charter school operators will use to attain the goals stated in the charter are defined in measurable terms that will provide clarity as to whether or not the goals have been met.
4. Ensure that all parties are clear about the meaning of statements of accountability, and the consequences of not meeting the goals as stated in the charter.
5. Present charter schools as an asset to existing schools rather than a threat.

To date, charter schools have had little influence on the operations of traditional public schools, and some charters have been resented. If the district goal is transformation of the district schools, charter schools must be seen as a welcome addition to public education, and there must be clearly defined mechanisms by which charter schools contribute to the improvement of non-charter schools in the district.
6. Ensure that proposals offer specific and adequate statements about the administrative, personnel, and fiscal skills of those who will be in charge of managing the school. Many charter schools, and not only those whose charters have been revoked, have had personnel and financial struggles.
7. Ensure that proposals have specific statements about their approach to special education, and that this approach is consonant with district goals.
8. Obtain the services of an external, disinterested party to track the progress of charter schools and to conduct an evaluation *prior* to the opening of any charter schools under the proposed Network.

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Gerald Bracey

George Mason University

Introduction

Like most education reforms since Sputnik was launched in 1957, charter schools sprang from perceived problems in the public schools. The idea of a charter was that the school would enter into an agreement with some agency that would free the school from many district and state regulations. In return for this increased autonomy, charter schools promised to increase achievement. Charter advocates anticipated some ancillary benefits as well: innovations, improved efficiency, and increased program choices for parents. In addition, some proponents predicted the transformation of the public schools, since these would be forced to compete for students with the charter schools.

First proposed by a teacher in Vermont in the 1970's, charter schools became popular after receiving attention in the late 1980's from Albert Shanker, then president of the American Federation of Teachers.¹ Not long after Shanker touted the charter concept in a speech in Minneapolis, the Minnesota legislature passed the first charter law in 1991 and the first charter school, City Academy Charter School, opened in St. Paul in 1992. Charter schools have been characterized as "everyone's reform." Left-leaning organizers of free schools and the alternative school movements of the 1970s saw them as a natural extension of that effort; right-leaning advocates of vouchers and a privatized system of education saw charter schools as a first step toward their ultimate goal.

The charter movement grew rapidly. In the 1993-94 school year, there were 34 charter schools; by 1998, 1,000; and, currently, about 3,000.² Yet the promotion of charter schools as an instrument for reforming school districts has declined in the decade since 1994. Even during the period of most rapid growth, charter schools were solely dependent on individual effort; no authorizing agency initiated any systematic effort to install charter schools in a given state or district or series of districts. In fact, Shanker, somewhat disillusioned with large-scale reform efforts, believed that working to reform a single school would be the strength of the movement.³ Even where there were many charter schools managed by the same Educational Management Organization (EMO), such as in Michigan, those organizations took the initiative and approached the authorizers, not the other way around.

The Buffalo Proposal

Now, however, a new element has been added: a larger, urban school district, Buffalo, New York, is planning to develop a "network" of charter schools, the number as yet unspecified, with the city public school system as the authorizer. This would mark the first time a district has attempted to use charter schools in such a systemic way: not only to provide an alternative educational setting for the students directly enrolled in that setting, but also to incite change throughout the entire district. Its equivalent can be seen only in those districts that established groups of magnet schools. The Buffalo initiative is the most ambitious and therefore the most momentous of any charter school effort to date, and has the potential to serve as a model for other large, urban districts. Charter schools have been under the research microscope almost since their inception, and the

amount of evidence compiled has also grown exponentially, particularly in the period since 1998. The likelihood that Buffalo's effort could set a tone for further school reform nationwide warrants evaluating the district's plan against research evidence garnered from existing studies of charter schools.

The Buffalo plan grew out of conversations between the Education Innovation Consortium (EIC) and members of the Buffalo Board of Education. The Board invited the EIC to submit a "concept paper," which the EIC did in March 2003 in a document called *The Renaissance School Project*. On March 26, 2003, the Board authorized the EIC to develop a feasibility study for the ideas described in the February paper. This study was delivered to the Board as *Creating a Network of Charter Schools in Buffalo* in October, 2003, and unanimously adopted by the Board on December 3. The Board has issued a Request for Concept Proposals, due by March 15, 2004; as of February 26, 15 inquiries had been received, and proposals are expected to follow most inquiries. The Board will then ask some or all organizations that submitted concept proposals to deliver full proposals.

Questions and Answers

EIC's report *Creating a Network of Charter Schools in Buffalo* asked a series of eight questions and sought to answer them.⁴ The plan of this brief is to examine the research and evaluation evidence as it pertains to six of those eight questions, as well as the answers EIC provided. Two of the questions are not addressed in this report: Questions 6 and 8, for which little evidence exists, and for which answers can only be highly speculative.

1. What does Chartering Bring to Buffalo Public Schools Reform?

The EIC report answers this question with the traditional promise of autonomy for performance, a tradeoff that has been the hallmark of the charter school movement. In addition, the EIC report claims that charters offer “true school-based decision-making” and “curricular freedom subject to state performance standards” (p. 9-11).

As long as the provisions of the *No Child Left Behind* legislation are in force, freedom is greatly restricted at the elementary and middle school level. *No Child Left Behind* requires the establishment of state standards and tests aligned with those standards. All children in grades 3-8 must be tested every year in reading and math and, soon, in science. Schools that fail to make a pre-determined amount of progress on the tests are subject to sanctions, with the sanctions becoming more severe for each consecutive year of failure. New York, in particular, has a long history of strong statewide Regents examinations.

Recent research by the Council of the Great City Schools suggests that curricular freedom and school-based decision-making may be harmful to urban districts. The Council commissioned MDRC (a non-partisan public policy research group in New York City, formerly called The Manpower Demonstration Research Corp.) to study urban districts that were making relatively rapid progress in improving achievement and those that were not. The rapidly improving districts did not all look alike, but they shared a focus on instructional coherence.⁵

Urban districts employ less qualified and often less experienced teachers than suburban districts. Building-level curriculum choices might not be appropriate; indeed, building-level choices might be the more difficult for charter schools. Without the support normally provided by various specialists in the central office, all aspects of administration, personnel, and finance must be managed by the school. In effect, each school becomes a separate district and in some states is treated as such. The difficulties inherent in running a school have created significant opportunities for the EMOs. Schnaiberg reported instances where operators of “mom and pop” charter schools turned the keys over to an EMO, saying, “It was a burnout situation.”⁶ As a consequence of this lack of experience, in a period of five years, the percentage of charters operated by EMOs rose from 17 percent to 74 percent.⁷

A similar phenomenon has been observed in Ohio. A report from the Legislative Office of Education Oversight (LOEO), which monitors Ohio charter schools, found that Ohio “community schools” (Ohio’s name for charter schools) benefited greatly from the assistance provided by management companies. Community schools not operated by a management company were at a disadvantage, because they were responsible for all aspects of running the schools, “...ranging from curriculum design to staff hiring and evaluations to planning budgets.”⁸

The irony of this situation is that schools run by EMOs offer no curricular freedom or building-level decision-making whatsoever. Indeed, evaluators of charter schools in Michigan referred to such charters as “cookie-cutter schools.”⁹ Depending on the location of an EMO’s headquarters, fees paid to the EMO might even leave the state.

2. Can Chartering Bring Higher Levels of Accountability for Results?

Again, this is the fundamental promise of charter schools: we will abandon accountability defined by compliance in favor of accountability defined as performance. Charter school champion Joe Nathan of the University of Minnesota put it this way:

Hundreds of charter schools have been created around this nation by educators who are willing to put their jobs on the line to say, “If we can’t improve student achievement, close down our school.” This is accountability—clear, specific and real.¹⁰

A similar statement comparing charter school accountability to the more traditional kind of accountability in public schools was put forth by Paul Hill and colleagues at the University of Washington:

Conventional public schools are considered accountable because they must follow all rules set by local and state school boards, and abide by all the provisions of contracts that these boards enter with unions and other organizations. Charter schools are exempted from many of these rules and instead are required to demonstrate student learning.¹¹

Although the improve-or-close philosophy is discussed often, it does not appear to play much of a role in the closing of charter schools. Of the 154 charter schools reported closed in an October, 2002, report from the Center for Education Reform (CER), only 13 were closed for academic reasons (the report had not yet documented the reasons for an additional 40 closures not included in the 154 figure). Most charter revocations derive from the mishandling of funds or other financial problems.¹²

Based on the data from CER (which in fact promotes charter schools as an educational reform tool), charter schools have earned a closure rate of 6.7 percent. There is no consensus as to how to interpret this low closure rate; it is sometimes presented as evidence of the movement's success and sometimes as evidence of the failure of accountability in charter schools. The reported closure rate may understate matters, however. The CER report lists another 77 charter schools that were re-absorbed into the district and 84 schools that received a charter "but never opened and thus are not counted as closed" (p. 2). If these last two categories are placed with the closures in a category that might be called "unsustained," then the failure rate of charters is 12.4 percent, not 6.7 percent.

3. Can Chartering Provide More Quality Choices for Parents?

According to charter proponents, charter schools would serve as laboratories of innovation. As Nathan put it, "The charter school movement attempts to promote widespread improvement in public education both by allowing people to create new kinds of schools and by encouraging existing school systems to improve in order to compete effectively with these new schools."¹³ Ted Kolderie, another Minnesotan and long-time charter advocate, emphasized the "second-order effect" of instigating change that he expected charter schools to have on the educational system.¹⁴

Thus, the quality choices question is twofold: will charter schools develop innovations? And, will these innovations create change in the districts? The answer to these questions thus bears on question 7 in the Buffalo plan as well as question 3.

7. Can a Network of Charters Promote Transformation of the Entire System?

In evaluations of charter schools reported to date, neither aspect of innovation appears as a dominant theme. In a survey of numerous states, Eric Rofes, then of Policy Analysis for California Education, expressed surprise at the lack of innovation:

Certain innovations and changes in school districts and traditional public schools [that I hypothesized would take place] had rarely occurred: Few superintendents, principals and teachers in district schools were thinking of charter schools as educational laboratories or attempting to transfer pedagogical innovations from charters to the district schools; districts were still building large school facilities and rarely creating smaller schools; the large urban districts studied rarely had responded in meaningful ways to charter laws and charter schools.¹⁵

An analysis of charter schools in California by Amy Stuart Wells, then at UCLA, offered an explanation of Rofes' observations: "There are no mechanisms in place for charter schools and regular schools to learn from each other." As a consequence "all but two of the public school educators, and nearly all of the educators we interviewed, reported that they had very little information about what was going on in the charter schools, and nearly all of the educators we interviewed said they saw little if any direct impact of charter schools on their schools."¹⁶

The recent RAND evaluation of charter schools in California examined whether or not public schools, in reaction to charter schools, had restructured teacher compensation, restructured hiring or firing practices, changed their curricula, changed instructional practices, or changed professional development. The RAND team reached a

conclusion similar to that of Wells and Rofes: “[Our analyses] suggest that conventional public schools have not felt much of a competitive effect from charter schools and have not changed their operational practices significantly.”¹⁷

Other reports suggest that even had there been a mechanism for dissemination, there was little to disseminate. When Michael Mintrom of Michigan State University examined Michigan charters, he concluded: “More striking is the degree of similarity that we find across all schools, be they charter or traditional.”¹⁸ Mintrom solicited statements about innovations that had been made in public and charter schools. He then prepared a list of such innovations and asked principals to rank the degree of innovation—without telling the principals what kind of school had adopted the innovation. He concluded that, “while some charter schools are definitely doing some innovative things, overall Michigan’s charter schools are no more remarkable than many traditional public schools in their practices.”¹⁹

Mintrom found that charter schools exceed public schools in the adoption of innovations in only three areas: non-traditional scheduling, mandatory foreign language study, and uniforms.²⁰

Horn and Miron reached a similar conclusion in their study of Michigan “public school academies” (PSAs), another name for charter schools in that state: “Based upon school visits and documentation provided by the PSAs, we conclude that there are limited innovations being developed and applied in the PSAs. In fact, the charter schools were remarkably similar to the regular public schools, with the notable exception of generally smaller student enrollments, the presence of additional adults in the classroom, governance, and the span of contracted services.”²¹ Within the schools operated by

EMOs, Horn and Miron found great similarity; as noted earlier, they referred to such schools as “cookie cutter” schools.²² EMOs operate more than 75% of all charter schools in Michigan.²³

When asked to list their innovative practices, teachers and administrators in Michigan charter schools brought forth the following:

- Community activity experiences for students
- Time set aside for reading
- Multiage classrooms
- Before- and after-school programs
- Individual Education Plans for all students
- Small class size
- Greater Individualization
- Teaching assistants and volunteers in classrooms
- Cooperative learning
- Chicago Math and Saxon Math
- Learning Labs
- Foreign-language instruction
- Outcomes-based education
- Direct Instruction
- Montessori methods
- Curriculum with specific focus—for example Native American and African American culture, arts, ecology, etc.²⁴

All of these practices are well known to public school educators and do not qualify as innovations. These practices might very well increase the range of choices available to parents in a given locale, however. Horn and Miron did not investigate this possibility. Some would challenge, however, whether or not all of the choices listed above represent “quality” programs or instruction.

The similarity between charter schools and traditional public schools takes on increased importance when one considers that charter schools are often presented as near-revolutionary tools. For instance, the Buffalo charter plan document quotes Tony Wagner of Harvard as saying: “Reforming our present system isn’t the solution. We need to reinvent it. This study [of charters in Buffalo] explores an approach that is significantly closer to reinvention.”²⁵ Or again: “Despite its leadership’s laudable and persistent efforts at reform during the last several years, BPS carries all the baggage common to Industrial Era school systems across the country.”²⁶ The report does not spell out the nature of the “baggage” these schools carry, but the implication is that charters are schools for the information age, and that there is an enormous difference between charter schools and traditional public schools. The descriptions above from Michigan and California are not consonant with that conception.

In fact, another evaluation of Michigan charter schools, by investigators at Michigan State University, concluded that charter school directors who planned significant innovations risked eliciting reactions from parents ranging from skeptical to hostile (“not-with-my-kid-you-don’t”). Parents seemed to feel that they were satisfied with the schools they themselves had attended and they wanted the same for their

children. “Insofar as this is what parents want, charters have little to gain and much to lose from experimentation with innovative practices.”²⁷

4. How Do Charters Compare Academically?

Charter school advocates have described a number of advantages that charter schools would have over traditional public schools, including more innovation and greater efficiency. The most often cited advantage, in some cases the *raison d’etre* of charter schools, is that they would increase achievement.

The remarks quoted in the response to question 2 illustrate what charter advocates have promised for their institutions. Two years after the first charter school opened, Jeffrey Henig, observed that little was being done in the way of systematically looking at charter schools. He noted that charter schools and authorizers had no inclination towards such an examination.²⁸

In 1996, former assistant U.S. secretary of education, Chester Finn, and two colleagues, Louann Bierlein and Bruno Manno, examined accountability plans in charter states and reported that no state had developed a strong evaluation system for evaluating its charter schools.²⁹

Three years later, Manno pointed to three reasons that accountability information has been lacking for charter schools. One is lack of data; two is underdeveloped accountability systems; and three – perhaps the cause of the first two – is that charter authorizers and operators are not interested in developing rigorous accountability agreements.³⁰

The most recent comment on the situation, from 2003, indicates by its title that information on achievement is still lacking: *Student Achievement in Charter Schools: What We Know and Why We Know So Little*.³¹

Still, there have been some systematic evaluations, some of which appeared too late to be included in the Miron and Nelson summary. The most systematic studies have occurred in Arizona, California, Michigan, and Ohio. There have been, as well, a few attempts to examine achievement in charter schools in state and national studies.

Arizona's charter law was enacted in 1994. Initially, the Arizona Department of Education had an office of charter school evaluation. When it began uncovering problems in charter schools, however, the state superintendent, who, as a state legislator, originally wrote Arizona's charter law, shut the evaluation office down and withheld its report for a year. This produced a series of semi-scandalous articles in the local and national media.³² The state superintendent, Lisa Keegan, declared, "In the main, I'm pleased, far and away with the quality of the public charter schools"; but Marilyn Henley, who had headed the evaluation team and then entered the private sector, contradicted her: "I resent her [Keegan] and others who say charter schools are just like or no worse than district schools. Charter schools are way worse."³³

The following year, 1999, the Morrison Institute for Public Policy at Arizona State University observed the lack of strong analyses of student achievement in charter schools, despite the fact that improving achievement is a central goal of Arizona's charter school law.³⁴

The Institute's own general analysis concluded that although rates of improvement were similar for charter and public school students in elementary

school, charter school students began to lag behind public school students in middle school. The disparity increased in high school, with a difference of 10-15 points between charter and public school students.³⁵

The analysis could not determine if charter schools were selecting lower achieving students or if the students were not learning as much. As will be seen later, similar lags appeared in California middle and high schools.

Taking advantage of Arizona's student data base, which permits the tracking of students from year to year as long as they are in Arizona public schools, the Center for Market-Based Education at the Goldwater Institute purported to find a significant advantage in reading, though not in mathematics, for students who attended charter schools for two or three years as compared to students who attended traditional public schools (TPSs) for the same period of time.³⁶

The study is an econometric analysis, and it is difficult to know precisely what kind of analysis the Goldwater researchers performed. After reviewing the study, Douglas Harris, an economist at the Economic Policy Institute, said: "It's hard to tell what they actually did. Their descriptions of the methods are really poor."³⁷ Christopher Nelson of Western Michigan University and Kevin Hollenbeck of the W. E. Upjohn Institute for Employment Research critiqued the study on a number of methodological grounds. Their report also contains a number of conditional clauses, such as "As we understand it" and "it appears as if," suggesting that they, too, are uncertain about the methodology.³⁸

It's important to note, however, that even if the study is taken at face value, although the researchers claim effect sizes are large, the advantage for charter schools is small: the "points" mentioned in this statement are percentile ranks. The gains cited would translate into only about one-half test item per year.

Early researchers on charter schools in California were hampered in their evaluations of achievement by the fact that the California assessment program was in a transition period and different tests were used in different years in different districts. Nonetheless, two reports found that evaluating outcomes was difficult because of how the goals were specified. According to SRI International, "many of these charters were written in the early days of the law, and few had experience writing or evaluating them. Many charters included goals in their charters that are difficult to measure. For example, many charter schools included goals such as the appreciation of cultural differences, the empowerment of staff and parents, stronger community ties, or improved social skills."³⁹ Similarly, Wells' evaluation of California charters recognized that the "goals and outcomes are often vaguely written and ill-defined; they frequently cover a wide range of desired outcomes, such as the goal of 'enabling pupils to become self-motivated, competent, and life-long learners.'"⁴⁰

The state's current STAR assessment program has been in place for over four years. Several evaluations of California charters using STAR data appeared in 2003. Investigators from the RAND Corporation compared traditional schools, traditional schools that had converted to charter status, and charter schools that had started from scratch.⁴¹ After examining test score results from 1997-98 through 2001-02, the researchers concluded:

Our analysis suggests that charter schools generally have comparable or slightly lower test scores than do conventional public schools. Achievement, however, varies by type of charter school. Conversion schools that deliver their instruction in classrooms had mixed results, with some scoring the same, higher, or lower than conventional public schools. Start-up schools using classroom instruction had slightly higher test scores in everything but elementary math, where the scores are slightly lower. Conversion or start-up schools that deliver at least a portion of their instruction outside the classroom had lower test scores across the board.⁴²

The RAND group cautioned, however, that the students in schools with instruction delivered outside of classrooms might differ in important ways from those in conventional classrooms, be they traditional or charter schools. RAND had no means of identifying any such differences. The RAND researchers also found some school districts that had the capability of tracking individual students over time, offering the possibility of longitudinal rather than cross-sectional analyses. In these data, “the analysis shows that charter school students are keeping pace with comparable students in conventional public schools.”⁴³

Charter advocates, though, promised to exceed the performance of public schools, not merely to keep pace with it.

A statewide analysis of California’s test-based Academic Progress Index (API) found results similar to those in the RAND study. David Rogosa conducts an annual analysis of API changes for the California Department of Education. In 2003 he examined such changes for 1998-99 through 2001-2002.⁴⁴ Rogosa’s results follow:

Table 1: Changes in the Academic Progress Index 1998-99 THROUGH 2001-02

	1999	2002	Change
Grades 2-6			
Charter	588	664	76
Regular	620	694	74
Grades 2-8			
Charter	598	657	59
Regular	622	685	63
Grades 9-11			
Charter	597	611	15
Regular	617	637	20

In more targeted analyses, Rogosa finds advantages for regular public schools in grades 7 and 8. The advantage is magnified when the data are analyzed according to socioeconomic status. While elementary charter schools with high percentages of economically disadvantaged kids enjoyed a slight edge over traditional public schools, the public schools gained dramatically more than charter schools at the middle grades. Indeed, the “gain” for disadvantaged 8th graders in charter schools was -12.1 points.

Margaret Raymond of the Hoover Institution found results similar to those that Rogosa observed, breaking out the data in different categories. Raymond compared traditional public schools, charter schools, and what she termed “local competitor” schools, these last being traditional public schools in a district that also contained at least one charter school. This category would seem to be of limited utility or validity given the

prior comments on the charters' lack of impact on regular schools, and indeed Raymond does not appear to have made use of the distinction in reporting her findings.

Elementary schools in all three groups were comparable. Charter schools gained half as much as other public schools at the middle grades, a finding that accords with Rogosa's, but Raymond contended that charter high schools gained twice as much as other public high schools. Her analysis is statistically flawed, however. Raymond chose the *school* as the unit of analysis rather than the pupil; this gives small schools more weight than they deserve. Raymond's procedure is comparable to finding an average SAT score by using the state-level results for, say, New York and North Dakota. In 2003, 145,562 seniors in New York took the SAT, while 394 in North Dakota did so. But an analysis that starts with the state average gives both states equal weight. To get the true average, the average in New York should be multiplied by the number of students in New York taking the SAT. A similar calculation needs to be made for North Dakota. The two resultant figures then need to be divided by the total number of students taking the test in both states combined. When this is done, Raymond's findings at the high school level are in line with those of Rogosa.

In Michigan, as we have seen, evaluators have found charters to closely resemble regular public schools. Michigan has had a long-standing statewide testing program, the Michigan Educational Assessment Program (MEAP), which provides much of the achievement data for evaluations. Three of the evaluations have examined the achievement of charter schools relative to public schools. Jerry Horn and Gary Miron observed that over a four-year period, the passing rates for charter schools declined while those for public schools in the host districts of the charter schools rose. The variability of

pass rates was considerable, but typically favored the host district. The rates and ranges of the rates are in Table 2.

Table 2⁴⁵

Assessment	4-year Average		Range of Pass Rates	
	Charter	Host District	Charter	Host District
4 th -grade math	45.2%	63.9%	33-35%	49-68%
4 th -grade reading	35.8%	51.7%	33-38%	38-55%
5 th -grade science	20%	30%	14-22%	19-37%
5 th -grade writing	43%	56%	36-57%	49-69%
7 th -grade math	33.8%	47.3%	25-36%	32-51%
7 th -grade reading	30.5%	37.9%	19-34%	33-44%
8 th -grade science	9%	18%	8.6-9.4%	15-20%
8 th -grade writing	46%	59%	37-62%	50-72%

Eric Bettinger of Columbia University concluded: “When charter schools are compared to public schools with similar characteristics, pupils in charter schools score no higher, on average, and may even be doing worse.”⁴⁶ Randall Eberts and Kevin Hollenbeck of the Upjohn Institute for Employment Research found charter students 2-4 percentage points lower on the MEAP 4th-grade reading, 4 percentage points lower on the MEAP 5th-grade science and 6 percentage points lower on the MEAP 5th-grade writing test.⁴⁷

It is worth noting that these three evaluations approached the data differently and used different analytical methods, and still concurred in their conclusions.

One additional piece of research comes from Gary Miron and Christopher Nelson. They developed a technique for looking at the relative gains or losses of charter schools

compared to other public schools. They subtracted the gains of the charter schools from the gains of the host districts and concluded: “[W]ith the exception of 4th-grade math, all differences favor regular public schools.”⁴⁸

As noted earlier, some have viewed with alarm the dominance of EMOs in Michigan charter schools. When Miron and Nelson calculated the relative gains of EMO schools for non-EMO schools, they found the non-EMOs to produce larger gains.⁴⁹

More skepticism attended the arrival of charters in Ohio than in most other states. Journalists early on questioned the motivation of those who advocated them

To determine if the charter schools, permitted only in the seven largest metropolitan areas of Ohio, would improve over time, the Ohio legislature established the Legislative Office of Education Oversight (LOEO), which began issuing reports in 1999 on various aspects of the charter experience. The LOEO’s final report summarizes the achievement of charter schools, known in Ohio as “community schools,” relative to other public schools. Generally, when the LOEO compared traditional schools with the community schools, 14 of 20 comparisons were significant, and 13 of 14 favored traditional public schools.

When the LOEO compared the passing rates on the Ohio Proficiency Tests of each community school to its demographically matched traditional school, it found mixed results. Of the 415 comparisons, 270 were not statistically significant. Of the 145 that were significant, 103 favored traditional schools and 42 favored community schools. Comparisons using scaled scores from the Ohio Proficiency Tests yielded small effect sizes favoring traditional schools. When the comparisons used passing rates rather than

scores, the effect sizes were larger and favored traditional schools. In sum, the data generally indicated that the charter schools were not performing as well as demographically matched public schools.

These results are somewhat tentative, however, because over the five years of LOEO's reports, many of the charter schools have failed to deliver required information, information routinely supplied by public schools. The LOEO noted that many community schools failed to report data that allowed them to be evaluated according to their charters, although such data are required by law. Those that did not report data often did not meet the academic performance goals set out in their charters.⁵⁰

Thus, compared to either traditional public schools or to the requirements specified in their charters, the community schools come up short. The states reviewed are the most active charter states in the nation. These four states contain 1,343, or 44 percent, of the 2,996 charter schools operating at the start of the 2003-2004 school year.⁵¹ The sample of charter schools they provide, then, is unlikely to be a non-representative sample of all charter schools. The possibility must be considered that charter schools are not succeeding as hoped.

A recent report by researchers from The Manhattan Institute concluded that charter schools have a positive effect.⁵² The study involved 11 states. Perhaps more importantly, it examined only schools that served "general" populations rather than "targeted" populations. Schools serving advantaged or disadvantaged populations were not included unless they received those populations solely as a function of their locations. The study excluded "cyber" schools because there was no means of comparing such a

school with a nearby traditional public school. Schools that had been ordinary public schools and converted to charter status were also excluded because they were not genuine schools of choice.

The results indicated that in math, charter schools out-performed nearby traditional public schools by an effect size of 0.08, equivalent, according to the researchers, of 3 percentile ranks. In reading, the effect size was 0.04, equivalent to 2 percentile ranks (in both cases, the effect size is that as measured from the 50th percentile).

Among the 11 states, only five had sufficient data to yield state estimates of effects. Of these, only Texas showed a consistently significant effect in both reading and math. Results were insignificant in Arizona, North Carolina, and California. Results were inconsistent in Florida. In Florida, the effect size was significant in math on the Stanford Achievement Test, but not on the Florida Comprehensive Assessment Test (FCAT). In reading the effect was significant on the FCAT but not the Stanford. In both instances of significance, significance was attained at the .05 level.

5. Can Charter Schools Adequately Provide Services to Children With Special Needs?

The ability of charter schools to provide services to children with special needs is a difficult one to analyze. A summary of 12 states finds the percentage of students in special education in charter schools consistently smaller, sometimes dramatically smaller, than the percentage in regular schools. Connecticut, for instance, has more than 14 percent of its students in regular schools receiving special education services, but only 2 percent of the students in charter schools receiving such services.⁵³

On the other hand, the District of Columbia schools have slightly more students in special education than do charter schools within the district.⁵⁴ Like all averages for special education, however, this average could be misleading. Some schools target special education students, skewing the average. For instance, while Miron and Nelson found that charter schools had, on average, a smaller percentage of special education students than their counterpart public schools, some of the charters did have more than 40 percent.⁵⁵

Moreover, differently managed charter schools might react to special education students differently. Researchers from The George Washington University set out to test the hypothesis that charter schools were “creaming” students from public schools—taking the academically superior students. They found little evidence of this. They did find, however, what they called “cropping.” While market-oriented charter schools didn’t *include* a disproportionate number of superior students, they did tend to *exclude* students at the other end of the academic spectrum, “cropping” high-cost students, including special education students, out of the picture. Such charter schools had a much smaller percentage of special education students than non-market oriented charter schools.⁵⁶

Because it is not clear at this time what kind of entity or entities will be managing Buffalo’s charter schools, the market orientation (or absence thereof) of applicants to operate schools could be important. Charter schools nationally spend more money on administration and less on instruction than regular schools.⁵⁷ This result might be exaggerated in for-profit EMOs.

A national case study of 32 charter schools conducted jointly by Westat and SRI International found that most students with disabilities in charter schools had only mild disabilities. Parents and students both reported more individualized attention in the charter schools, but did not think that the actual services provided there were better.⁵⁸ Another national study found that charter schools often have difficulty finding appropriate special education staff.⁵⁹

Recommendations

Based on the research data available to date on charter schools, the Buffalo School District, local and state legislators, and other education policy makers should undertake the following tasks:

1. Critically evaluate the research and conclusions suggested in *Creating a Network of Charter Schools in Buffalo*. That document omitted many evaluation studies and uncritically—and sometimes erroneously—accepted the conclusions of studies it did include.
2. Ensure that agencies proposing charter schools to the school board specify in clear and measurable terms what they expect to accomplish. Many evaluations to date report only vaguely stated goals.
3. Ensure that the procedures the charter school operators will use to attain the goals stated in the charter are defined in measurable terms that will provide clarity as to whether or not the goals have been met.

4. Ensure that all parties are clear about the meaning of statements of accountability, and the consequences of not meeting the goals as stated in the charter.
5. Present charter schools as an asset to existing schools rather than a threat.
To date, charter schools have had little influence on the operations of traditional public schools, and some charter schools have been resented. If the district goal is transformation of the district schools, charter schools must be seen as a welcome addition to public education, and there must be clearly defined mechanisms by which charter schools contribute to the improvement of non-charter schools in the district.
6. Ensure that proposals offer specific and adequate statements about the administrative, personnel, and fiscal skills of those who will be in charge of managing the school. Many charter schools, and not only those whose charters have been revoked, have had personnel and financial struggles.
7. Ensure that proposals have specific statements about their approach to special education, and that this approach is consonant with district goals.
8. Obtain the services of an external, disinterested party to track the progress of charter schools and to conduct an evaluation *prior* to the opening of any charter schools under the proposed Network.

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