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TESTIMONY TO THE SENATE EDUCATION COMMITTEE REGARDING CHARTER SCHOOLS

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AFT represents educators in all public schools, including charter schools. We have long supported the role that charter schools can play as laboratories for innovation. Charter school reform is among Texas AFT's major legislative goals for the upcoming legislative session. We are very concerned about recent efforts to amend extensively current law relating to the establishment, operation, and funding of open-enrollment charter schools. Texas first needs charter quality control before considering charter expansion. Our agenda, therefore, focuses on promoting high quality charter schools. This requires strong state and local oversight enforcing high academic standards, effective school governance, and efficient financial and business operations. Texas needs comprehensive charter school reform that combines strong new quality standards, increased oversight, and accountability.

INCREASING THE NUMBER OF EXCELLENT CHARTER SCHOOLS

Problems with raising the cap

Texas charter schools have a long history of problematic performance results. Eleven years of official state evaluations of Texas charter schools have consistently concluded that traditional public schools generally outperform charter schools. A recent study of Texas charters by RAND education researchers reached the same conclusion. Excellence in Texas charter schools is the rare exception, not the rule. The inconsistencies in the quality of Texas charter schools should give pause to those considering lifting or eliminating charter school caps, particularly when such proposals are not matched with significantly increased accountability.

Legislation proposed in the 80th Legislature, however well-intentioned, would have gone in the opposite direction, opening the door to even less oversight and quality control than the current inadequate system. The legislation would have allowed existing charter entities to "self-authorize" establishment of an unlimited number of additional campuses, even if a charter entity has had campuses rated unacceptable and even if as many as 10 percent of its current campuses have been rated below acceptable in the previous two years. Expedited approval for new charter campuses might make sense if limited to consistently exemplary charter operations—not merely acceptable ones—but affirmative approval by the state should always be required.

Better ways to increase available charters

The quickest and most efficient way to increase the number of high quality charter schools in Texas would be simply to shut down charter campuses with consistently low academic or administrative performance. Charter schools are freed from many of the requirements facing

traditional public schools, most significantly the obligation to educate all students that come in the door. There is no reason to continue charter school experiments that fail to provide a useful and informative alternative to other educational models. Closing low-performers would allow significant room under the current cap to grant new charters to promising programs and would free up resources to assist and expand better performing charter schools.

Promoting other chartering methods—district and campus charters and university and college charters—would help fulfill demand for the charter model. Converting current state open-enrollment charters to those other types would also free additional state open-enrollment charters. For example, the Dallas County Community College District could probably operate its state open-enrollment charter Richland Collegiate High School of Math Science and Engineering as a college charter school.

Improving the charter application process

To increase the likelihood of charter school success, the TEA charter school application process should be carefully examined and improved. The experience of one recent charter applicant highlights the need for more thorough examination of charter applicants. Imagine Schools, Inc. is a corporate conglomerate that has had trouble lately winning approval for similarly constructed charter operations in other states. The two proposed schools are in the middle of a web of corporate affiliates that stand to profit from the rental of facilities and the provision of educational-management services to the schools. The corporation that provides management services to the charter school is still embroiled in an extensive legal battle with agency staff just to comply with current state law. The application process should have more oversight, allowing only responsible, transparent, and accountable charter schools to use state resources to educate students.

Providing state oversight and assistance

Currently, TEA staff is too overstretched to do an effective job of overseeing the state's 300-plus existing charter schools. If the state wishes to expand the number of charter schools in Texas, it must do so with significant additional resources to fund better TEA oversight.

BEST PRACTICES

Sharing experience between charter and traditional public schools

One of the goals of charter schools is to try out new instructional practices so that the lessons learned can be used to improve all public schools. This sharing of ideas should be a two-way street, with innovations coming from regular public schools, too. Charter schools should be encouraged to use ideas from TEA's newly established online clearinghouse of information relating to the best practices of campuses, school districts, and open-enrollment charter schools. TEA should examine both successes and failures at charter and traditional public schools and make those findings known to all.

Recognizing fundamental differences between charter and traditional public schools

Some observers have made much of certain charter schools' seeming ability to improve student learning faster or less expensively than traditional public schools. Such apparent advantages of select charter schools—or any educational model—invite further investigation rather than immediate conclusions. Some charter schools' seeming cost advantages, for example, tend to disappear after consideration of those schools' public and private grant funding.

More importantly, student sorting all but guarantees that charter schools and neighborhood schools generally serve student populations that are subtly but significantly different. (Similar differences occur between neighborhood and magnet schools.) First is the effect of self-selection. Nearly all charter school students are from families that have chosen an alternative to the default public school for their children. Parents of such students are clearly far more likely to be involved actively in their children's education—a well-known contributor to success in school. Even attempts to compare students granted and denied charter school admission by lottery cannot adequately control for the peer effects of these charter schools' very high concentration of students with particularly motivated parents versus the spectrum of motivation among parents with students in neighborhood schools.

Further, over time sorting leads to relative concentration of higher achieving students at certain charter and magnet schools and to commensurate concentration of lower achieving students at apparently comparable neighborhood schools. In recent testimony before the House Committee on Public Education, Dr. Ed Fuller outlined how charter and magnet schools effectively shed low-performing students, something that take-all-comer traditional public schools cannot do. (Shedding effects may be entirely systemic and are not dependent on any active effort to cast out certain students.) In six exemplary charter and magnet middle schools he studied, Fuller found that as many as 40 percent of students left between sixth and eighth grade, and that those who left were overwhelmingly lower-performing students. “What you see is a systematic pattern of lower-performing kids leaving charter schools and going back to district schools,” Fuller said, and because of this “sorting mechanism,” charter schools are “exacerbating the concentration of low-performing kids” in the traditional public schools. Fuller also found “huge gaps” between the high-average math scores of the students who stay in these charter schools and the low-average scores of those who leave.

INCENTIVES FOR PUBLIC EDUCATION CAMPUSES TO BECOME CHARTER SCHOOLS

District and campus charters

District and campus charters represent an efficient and successful avenue to convert traditional public schools into charter schools. A recent study conducted by AFT demonstrated higher and more consistent student achievement at in-district charter schools compared to state open-enrollment charter schools.

The San Antonio Alliance of Teachers and Support Personnel—a Texas AFT local affiliate—is working actively to promote locally developed district charter schools. In February, the union hosted a two-day Internal Charter Schools Conference themed “Reinventing schools. Unleashing

creativity,” funded by a \$150,000 Grow Our Schools Grant that the Alliance won from AFT national Innovation Fund. Nineteen San Antonio ISD campuses ranging from elementary to high schools sent teams to the conference. Campus teams included administrators, teachers, support staff, parent and community representatives, and students. The conference gave interested campus members a chance to explore potential curriculum ideas on which to base their district charters as well as professional development approaches that might be included. Sessions were also offered that helped attendees learn about the nuts and bolts of the district charter process. The conference was so successful that the Alliance received letters of intent to apply for the grant from nine schools.

Under SAISD Board policy, the school staff and community at these schools have the opportunity to demonstrate innovative instructional programming and school restructuring as spelled out in the charter, to request additional local autonomy in campus operations and decision making and to request exemption from instructional and academic rules and policies as spelled out in the charter. In-district charter schools may remain as neighborhood schools and also have the potential to draw students from outside of their attendance boundaries and outside of the district due to their focused instructional programs.

CHARTER SCHOOL FACILITIES

Texas AFT believes charter schools that meet the highest educational and financial standards should have access to facility funding within an equitable system. However, charter schools should not be granted facilities funding priority over traditional public schools.