



## League of Women Voters of Illinois 2013-2015 Charter School Position Update Study Introduction and Instructions

**At the 2013 LWVIL state convention, delegates approved updating the Charter Schools Position during the 2013-2015 biennium, in light of new developments.**

**The current position, adopted in 2001, states:**

*The League of Women Voters of Illinois believes that:*

- *The Illinois State Board of Education should continue to monitor the progress of existing charters before supporting expansion, specifically looking for improvement in individual student test scores and achievement of the specific goals stated in the school's charter.*
- *Charters should be established by local school boards, with adequate provisions for public education and participation in the decision making process.*
- *An appeal process to the State Board of Education should remain in place as an option for charters who have been denied by their local school boards.*

*While we feel that advantages of charters largely outweigh the disadvantages, we have identified the following areas of concern:*

- *School funding. Charters do nothing to address the issue of equitable and adequate funding of education, including special education.*
- *Financial impact on underlying school districts, especially smaller districts. Charters place financial pressure on smaller districts by drawing money out of the traditional public schools.*
- *Privatization and profit-making. The LWVIL opposes the presence of private, for-profit companies in the governance of public education, as there could be a conflict between the interests of shareholders in the corporation and the citizens of the state.*

*LWVIL has also identified areas of opportunity resulting from charter schools:*

- *Innovation. Charters have a mandate to share innovations in teaching methods, curricula and standards of assessment for all stakeholders.*
- *Increased parental choice and involvement within the public school system.*

**Since the original position was adopted in 2001, there have been many new developments:**

- the creation of the state Commission on Charter Schools,
- the development of virtual charters,
- the emphasis of governmental policy-makers on promoting charter schools
- the rapid increase in number of charter campuses: from 19 charters with close to 40 campuses in 2001, to 64 charters with over 140 campuses in 2014
- the countless studies that have been conducted by educational researchers examining effects of charter schools.

### **Overview of the Study**

One rationale for creating charter schools has been to test whether schools could achieve better results for students if the schools were free from state mandates and the rigid bureaucracy that governs large traditional public school districts. This is particularly an issue in Chicago, the third largest district in the country. However, recent events in Illinois suggest that more oversight and accountability may be needed to prevent abuses of charter schools' freedom from the transparency and reporting requirements that apply to traditional public schools.

This study does not attempt to resolve the issue of whether charter schools or traditional public schools achieve better student outcomes or offer more to families. Every school should be considered individually, with its own strengths and weaknesses. There are excellent charter schools, just as there are excellent traditional public schools. When resources in this study describe problems that have afflicted certain charter schools, they are not intended to be an indictment of all charter schools. Rather, the primary question guiding this study is whether steps should be taken to tighten the school code so that such problems do not continue to arise.

This study takes as a given that charter schools are likely to be part of the public education landscape in Illinois for the foreseeable future. Because charter schools are publicly funded, the study raises the question of whether they should be held to standards of accountability and transparency which are at least as rigorous as those of traditional public schools.

Concerns have been expressed that focusing attention on charter schools will distract us from working on a critical problem in the state – the serious lack of funding for public education. We urge you to continue to advocate for adequate and equitable school funding even as you proceed with this study.

### **Timeline**

May 2014: Questions & initial materials approved by State Board and distributed

Suggested tasks for local leagues:

- Approve the study as part of your League's program for 2014/2015
- Identify a charter school study committee

- Share these preliminary materials with the committee
- Schedule a couple of meetings before January for the general membership to learn about the issues
- Schedule one or more 2-hour consensus meetings before January 31<sup>st</sup>.

June through August 2014

- If possible, meet with local school administrators and board members to get their perspectives about charter schools, and share findings with the state study committee
- Determine whether committee members will divide up work on the questions and resources
- Meet once a month to discuss what committee members are learning

September 2014: The state study committee will distribute additional resources for you, including a powerpoint and a list of possible speakers

October through December 2014

- Meet with your local league members to share information on the issues, using study resources
- Consensus meeting(s) must take place before end of January

**January 31, 2015: Absolute final date** to send the consensus results to the LWVIL office.

Each League will need to **print and complete a hard copy** of the consensus form, and mail to:

League of Women Voters of Illinois  
 325 South Michigan Avenue, Suite 525  
 Chicago, IL 60604-4422  
 ATTENTION: Charter update study

February 2015: The state study committee will compile results of local leagues' consensus studies and draft position revision

March 2015: State Board will vote whether to accept the revised wording of the positions

June 2015: LWV Illinois members at the convention vote whether to accept the reworded position

We welcome your questions and insights throughout the coming months. Email us at: [charterstudy@lwwil.org](mailto:charterstudy@lwwil.org).

Jean Pierce, Co-Chair, Geneva  
 Ann Courter, Co-Chair, Oak Park River Forest  
 Barbara Amster, Bourbonnais  
 Cheryl Chapman, LaGrange  
 Jan Deissler, Peoria  
 Rinda Allison, Glen Ellyn  
 Georgia Gebhardt, Wilmette

Barbara Hayes, Homewood Flossmoor  
 Lynn Kearney, Rockford  
 Karen Maurer, Homewood Flossmoor  
 Claire McIntyre, Roscoe/Rockford  
 Donna Moore, Homewood Flossmoor  
 Mary Cay Murray, Oak Park River Forest  
 Rae Sokolow, Chicago

## **Eight Resources, May 2014 (summer reading)**

### **Overview:**

1. FAQs – definitions, original purposes for creating charters in Illinois, etc.
2. Illinois State Board of Education Biennial Charter School Report January, 2014 - (Parts included here) <http://www.isbe.net/charter/pdf/biennial-rpt-1112-1213.pdf> (complete report)
3. Summary of research from Lubienski & Weitzel – lack of progress towards the original purposes. (J.W.Pierce) Lubienski, C. A. & Weitzel, P.C . (2010) *The Charter School Experiment: Expectations, Evidence, and Implications*. Cambridge, MA: Harvard Education Press
4. An easy-to-read sharing of different perspectives  
[http://inthesetimes.com/article/16401/charter\\_schools\\_the\\_promise\\_and\\_the\\_peril](http://inthesetimes.com/article/16401/charter_schools_the_promise_and_the_peril)

### **Achievement compared to traditional public schools:**

5. CREDO (2013) Charter School performance in Illinois (Conclusions included here)  
<http://credo.stanford.edu/documents/IL2013FinalReport.pdf> (complete report)
6. The Answer Sheet: The Bottom Line on Charter School Studies  
<http://nepc.colorado.edu/blog/bottom-line-charter-school-studies>
7. How to analyze false claims about charter schools  
<http://dianeravitch.net/2014/02/28/how-to-analyze-false-claims-about-charter-schools/>

### **Example illustrating why stricter regulations might be needed:**

8. Burke, C.W. & Better Government Association, (Jan. 2014) The Rise and Fall of Juan Rangel, the *Patrón* of Chicago's UNO Charter Schools. *Chicago Magazine*  
<http://www.chicagomag.com/Chicago-Magazine/February-2014/uno-juan-rangel/>

## 1. Frequently Asked Questions about Charter Schools

### What is a charter school?

A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois. (105 ILCS 5/ Art. 27A-5(a)) *NOTE: While in Illinois the charter is held by a nonprofit corporation, that body can hire a for profit management organization to run the school. In other states, there are for-profit charter holders.*

A certified charter shall constitute a binding contract and agreement between the charter school and a local school board. The charter may not waive or release the charter school from the State goals, standards, and assessments... (105 ILCS 5/ Art. 27A-6(a) (b))

A proposal to establish a charter school shall be submitted to the State Board and the local school board in the form of a proposed contract entered into between the local school board and the governing body of a proposed charter school. (105 ILCS 5/ Art. 27A-7) *NOTE: In other states, charters may be issued by entities other than school boards, including universities and nonprofits.*

The proposed contract must be submitted to and certified by the State Board before it can take effect. (105 ILCS 5/ Art. 27A-6(d))

The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act. (105 ILCS 5/ Art. 27A-5(c))

A charter school shall comply with all applicable health and safety requirements applicable to public schools under the laws of the State of Illinois. (105 ILCS 5/ Art. 27A-5(d))

A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. (105 ILCS 5/ Art. 27A-5(f))

### From ISBE Biennial Charter School Report January, 2014

The law exempts charter schools from almost all state laws and regulations in the School Code governing public schools and local school boards except for those designed to protect the well-being and privacy of students and staff, such as Sections 10-21.9 and 34-18.5 of the School Code regarding criminal background investigations of applicants for employment, and sections 24-24 and 34-84A of the School Code regarding discipline of students.

### Why was the Illinois School Code modified to address charter schools?

According to the statutory language, the enactment of legislation authorizing charter schools to operate in Illinois will promote new options within the public school system and will provide pupils, educators, community members, and parents with the stimulus to strive for educational excellence.

...this Article is enacted for the following purposes:

- (1) To improve pupil learning by creating schools with high, rigorous standards for pupil performance.
- (2) To increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for at-risk pupils, consistent, however, with an equal commitment to increase learning opportunities for all other groups of pupils in a manner that does not discriminate on the bases of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.
- (3) To encourage the use of teaching methods that may be different in some respects than others regularly used in the public school system.
- (4) To allow the development of new, different, or alternative forms of measuring pupil learning and achievement.
- (5) To create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- (6) To provide parents and pupils with expanded choices within the public school system.
- (7) To encourage parental and community involvement with public schools.
- (8) To hold charter schools accountable for meeting rigorous school content standards and to provide those schools with the opportunity to improve accountability. (105 ILCS 5/ Art. 27A-2(b))

**Who are “at-risk” pupils?**

“At- risk pupil” means a pupil who, because of physical, emotional, socioeconomic, or cultural factors, is less likely to succeed in a conventional educational environment. (105 ILCS 5/ Art. 27A-3)

**Can an existing private, parochial, or non-public school be converted to a charter school?**

A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. (105 ILCS 5/ Art. 27A-5(b))

No charter shall be granted under this Article that would convert any existing private, parochial, or non-public school to a charter school or whose proposal has not been certified by the State Board. (105 ILCS 5/ Art. 27A-4(c))

**Can voters of a school district petition the district to create a charter school?**

Yes, 5% or more of the voters of a district or of the districts identified in a charter school proposal can petition the local school board(s) to place on the ballot the question of whether a new charter school shall be established. The proposal for such a charter school must have been certified by the State Board of Education to be in compliance with the laws governing charter schools. The State Board shall be the chartering entity for charter schools established by referendum under this section of the charter school law. See Sec. 27A-6.5 for more particulars.

**What about charter schools with virtual schooling?**

...“virtual schooling” means the teaching of courses through online methods with online instructors, rather than the instructor and student being at the same physical location.

*From April 1, 2013 through April 1, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013. (105 ILCS 5/ Art. 27A-5 (b-5))*

**Is there a cap on the number of charter schools created in Illinois?**

The Illinois General Assembly has voted twice to increase the charter cap for Chicago Public School District 299 (from 15 to 30 in 2003 and from 30 to 75 in 2009, including five charters devoted exclusively to re-enrolled high school dropouts and students at risk of dropping out) in response to Chicago reaching the cap in the preceding years. In 2009 the cap also increased outside of Chicago, from 30 to 45. As a result, the number of charter schools in Illinois has grown steadily, from one charter school in 1996-1997 to 64 charter schools (47 schools under City of Chicago SD 299 and 17 schools authorized by either a local school board or the State Charter Commission) and 143 campuses operating during the 2013-2014 school year.

**Is there a limit on the number of campuses a charter school may have?**

Under the Charter Schools Law, schools outside of Chicago have the ability to create new campuses under an existing charter (i.e., to “replicate”) if authorized under their negotiated charter contract. No charter schools outside of Chicago have replicated to date. Conversely, a 2003 amendment to the Charter Schools Law restricts charter schools within Chicago to one campus per charter, but this did not apply to charter schools granted replicating status prior to 2003 (Biennial ISBE report Jan. 2014).

### **Who can go to a charter school?**

Enrollment in a charter school shall be open to any pupil who resides within the geographic boundaries of the area served by the local school board. In Chicago, the board of education may define attendance boundaries for no more than one third of charter schools in order to deal with overcrowding or better serve low-income and at-risk students. (105 ILCS 5/ Art. 27A-4(d))

Students must not be required to attend a charter school. (105 ILCS 5/ Art. 27A-4(g))

If there are more applicants than slots, a lottery shall be held for admissions, but priority shall be given to siblings and current enrollees. (105 ILCS 5/ Art. 27A-4(h))

A pupil who is suspended or expelled from a charter school shall be deemed to be suspended or expelled from the public schools of the school district in which the pupil resides. (105 ILCS 5/ Art. 27A-4(h))

If the charter school's mission is to serve drop-outs, it may grant priority to dropouts or 15-16 year olds at risk of dropping out. (105 ILCS 5/ Art. 27A-4 (h)-(1))

Any charter school with a mission exclusive to the education of students from low-performing or overcrowded schools may restrict admission to students who are from such schools. (105 ILCS 5/ Art. 27A-4 (h)-(1))

### **What does it cost to go to a charter school?**

A charter school may charge no tuition, but can charge "reasonable fees for textbooks, instructional materials, and student activities." (105 ILCS 5/ Art. 27A-5(e))

### **Who can teach at a charter school?**

Charter schools shall employ in instructional positions, as defined in the charter, individuals who are certificated under Article 21 of the Illinois Code or who possess the following qualifications:

- (i) graduated with a bachelor's degree from an accredited institution of higher learning;
- (ii) been employed for a period of at least 5 years in an area requiring application of the individual's education;
- (iii) passed the tests of basic skills and subject matter knowledge required by Section 21-1a of the School Code; and
- (iv) demonstrated continuing evidence of professional growth which shall include, but not be limited to, successful teaching experience, attendance at professional meetings, membership in professional organizations, additional credits earned at institutions of higher learning, travel specifically for educational purposes, and reading of professional books and periodicals. (105 ILCS 5/ Art. 27A-10 (c))

### **What proportion of teachers must have certification?**

At least 75% of the individuals employed in instructional positions by the charter school shall hold teaching certificates issued under Article 21 of this Code beginning with the 2012-2013 school year. In any charter school established after the effective date of this amendatory Act of the 96<sup>th</sup> Assembly (2009-2010), at least 75% of the individuals employed in instructional positions by a charter school shall hold teaching certificates issued under Article 21 of this code by the beginning of the fourth school year during which a student is enrolled in the charter school. Charter schools may employ non-certificated staff in all other positions. (105 ILCS 5/ Art. 27A-10 (c-10))

### **What about teachers who do not have certification?**

Charter schools employing individuals without certification in instructional positions shall provide such mentoring, training, and staff development for these individuals as the charter schools determine necessary for satisfactory performance in the classroom. (105 ILCS 5/ Art. 27A-10 (c-5))

### **What about alternative certification programs?**

Charter schools are exempt from any annual cap on new participants in an alternative certification program. The second and third phases of the alternative certification program may be conducted and completed at the charter school, and the alternative teaching certificate is valid for 4 years or the length of the charter (or any extension of the charter), whichever is longer. (105 ILCS 5/ Art. 27A-10 (c-15))

### **How are charter schools financed?**

Charter schools receive funding from their local school districts, that is, the districts in which the charter school students reside. Revenues are negotiated as part of the charter, and fall between 75% and 125% of the amount the district would charge outside students to attend its schools, as determined by the formula for per capita student tuition. Charter schools may also receive certain start-up funding from the state. In addition, they are eligible for state and federal aid, just as any school district might be eligible. Also charter schools – like any public school - can receive funding via grants, gifts, or donations from governmental bodies or from private sources.

According to Lubienski and Weitzel (2010), considerable federal support goes to charters. Between 2006 and 2010, the US Department of Education gave \$278 M annually to charters, which was more than twice the amount given to magnet schools. Additional federal funding goes to choice and charter advocacy organizations.

### **What about funding for students with disabilities?**

...the proportionate share of State and federal resources generated by students with disabilities or staff serving them shall be directed to charter schools enrolling those students by their school districts or administrative units. (105 ILCS 5/ Art. 27A-11 (c))

### **What about categorical aid programs?**

The proportional share of moneys generated under other federal or State categorical aid programs shall be directed to charter schools servicing students eligible for that aid.

### **What funding does the State provide for charter schools?**

The State Board of Education shall make the following funds available to school districts and charter schools: transitional impact aid; grants for certain start-up costs; and loans from the revolving charter schools loan fund.

(1) From a separate appropriation made to the State Board for purposes of this subdivision (1), the State Board shall make transition impact aid available to school districts that approve a new charter school or that have funds withheld by the State Board to fund a new charter school that is chartered by the State Board. The amount of aid shall equal 90% of the per capita funding paid to the charter school during the first year of its initial charter term, 65% of the per capita funding paid to the charter school during the second year of its initial term, and 35% of the per capita funding paid to the charter school during the third year of its initial term...If the appropriation is insufficient in any year to pay all approved claims, the impact aid shall be prorated. (105 ILCS 5/ Art. 27A-11.5 (1)) *NOTE:* The state has not funded this program in recent years.

(2) From a separate appropriation...the State Board shall make grants to charter schools to pay their start-up costs of acquiring educational materials and supplies, textbooks, electronic textbooks and the technological equipment necessary to gain access to and use electronic textbooks, furniture, and other equipment needed during their initial term. ...these grants ... shall not exceed \$250 per student enrolled in the charter school. (105 ILCS 5/ Art. 27A-11.5 (2)) *NOTE:* The Walton Family Foundation also offers grants of up to \$250,000 for Chicago charters to meet startup expenses.

(3)The Charter Schools Revolving Loan Fund is created as a special fund in the State treasury. Federal funds, such other funds as may be made available for costs associated with the establishment of charter schools in Illinois, and the amounts repaid by charter schools that have received a loan (from this fund) shall be deposited into the Charter Schools Revolving Loan Fund, and the moneys (in this fund) shall be appropriated to the State Board and used to provide interest-free loans to charter schools. These funds shall be used to pay start-up costs of acquiring educational materials... (see description above) ...and for acquiring and remodeling a suitable physical plant, within the initial term of the charter school. Loans shall be limited to one loan

per charter school and shall not exceed \$250 per student enrolled in the charter school. A loan shall be repaid by the end of the initial term of the charter school. The State Board may deduct amounts necessary to repay the loan from funds due to the charter school or may require that the local school board that authorized the charter school deduct such amounts from funds due to the charter school and remit these amounts to the State Board, provided that the local school board shall not be responsible for repayment of the loan. The State Board may use up to 3% of the appropriation to contract with a non-profit entity to administer the loan program. (105 ILCS 5/ Art. 27A-11.5 (3))

(4) A charter school may apply for and receive, subject to the same restrictions applicable to school districts, any grant administered by the State Board that is available for school districts. (105 ILCS 5/ Art. 27A-11.5 (4))

### **What does an Authorizer do?**

"Authorizer" means an entity authorized to review applications, decide whether to approve or reject applications, enter into charter contracts with applicants, oversee charter schools, and decide whether to renew, not renew, or revoke a charter.

### **What is the State Charter School Commission?**

The State Charter School Commission is established as an independent commission with statewide chartering jurisdiction and authority. The Commission shall be under the State Board for administrative purposes only. The State shall provide administrative support to the Commission as needed.

The Commission is responsible for authorizing high-quality charter schools throughout this State, particularly schools designed to expand opportunities for at-risk students, consistent with the purposes of this Article. (105 ILCS 5/ Art. 27A-7.5)

The Commission shall consist of 9 members, appointed by the State Board. The State Board shall make these appointments from a slate of candidates proposed by the Governor.

The Commission may charge a charter school that it authorizes a fee, not to exceed 3% of the revenue provided to the school, to cover the cost of undertaking the ongoing administrative responsibilities of the eligible chartering authority with respect to the school.

If a local school board votes to deny a proposal, then the charter school applicant has 30 days from the date of that vote to submit an appeal to the Commission.

### **How does the State Board of Education monitor charter schools?**

On or before September 30 of every odd-numbered year, all local school boards with at least one charter school, as well as the Commission, shall submit to the State Board any information required by the State Board pursuant to applicable rule. On or before the second Wednesday in

January of every even-numbered year, the State Board shall issue a report to the General Assembly and the Governor on its findings for the previous 2 school years.

The State Board's report shall summarize all of the following:

- (1) The authorizer's (local school board or the Illinois State Charter School Commission) strategic vision for chartering and progress toward achieving that vision.
- (2) The academic and financial performance of all operating charter schools overseen by the authorizer, according to the performance expectations for charter schools set forth in this Article.
- (3) The status of the authorizer's charter school portfolio, identifying all charter schools in each of the following categories: approved (but not yet open), operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened.
- (4) The authorizing functions provided by the authorizer to the charter schools under its purview, including the authorizer's operating costs and expenses detailed in annual audited financial statements, which must conform with generally accepted accounting principles.

Further, in the report required by this section, the State Board

- (i) shall compare the performance of charter school pupils with the performance of ethnically and economically comparable groups of pupils in other public schools who are enrolled in academically comparable courses,
- (ii) shall review information regarding the regulations and policies from which charter schools were released to determine if the exemptions assisted or impeded the charter schools in meeting their stated goals and objectives, and
- (iii) shall include suggested changes in State law necessary to strengthen charter schools.

In addition, the State Board shall undertake and report on periodic evaluations of charter schools that include evaluations of student academic achievement, the extent to which charter schools are accomplishing their missions and goals, the sufficiency of funding for charter schools, and the need for changes in the approval process for charter schools. (105 ILCS 5/ Art. 27A-12)

### **What can the State Board do to poor quality authorizers of charter schools?**

Based on the information that the State Board receives from authorizers and the State Board's ongoing monitoring of both charter schools and authorizers, the State Board has the power to

- 1) remove the power to authorize from any authorizer in his State if the authorizer does not demonstrate a commitment to high-quality authorization practices and,
- 2) if necessary, revoke the chronically low-performing charters authorized by the authorizer at the time of the removal.

The State Board shall adopt rules as needed to carry out this power, including provisions to determine the status of schools authorized by an authorizer who authorizing power is revoked. (105 ILCS 5/ Art. 27A-12)

## What are plans for the future?

Currently, 126 of the Chicago Public School District's 658 schools are charters. In January 2014, an additional seven charters were approved: Concept Schools, Intrinsic Schools, Noble Street School: two schools, Chicago Education Partnership, and Great Lakes Academy. [http://articles.chicagotribune.com/2014-01-22/news/chi-amid-protests-cps-considers-up-to-17-new-charter-schools-20140122\\_1\\_charter-schools-andrew-broy-charter-expansion](http://articles.chicagotribune.com/2014-01-22/news/chi-amid-protests-cps-considers-up-to-17-new-charter-schools-20140122_1_charter-schools-andrew-broy-charter-expansion).

Outside of Chicago, no new charters are currently scheduled to open.

**For more information, please consult the Illinois School Code, 105 ILCS 5/.**

### 2. Information found in ISBE Biennial report:

<http://www.isbe.net/charter/pdf/biennial-rpt-1112-1213.pdf>

A. Map of where charters are found in the state (see the next page)

B. Comparison of types of students served by charter schools vs. their districts. Caveat – percentages of low income or of special education do not reflect the fact that frequently traditional public schools serve the lowest of the low income or the most severe special education needs.

C. Key areas in which charter schools have requested autonomy from district rules and regulations:

Teacher Certification

Administrator Certification

Autonomy to set educational priorities

Autonomy to design curriculum independent from the school district

Autonomy to allow teaching methods that are new or different from the school district

Autonomy to design different, additional performance standards

Autonomy to set unique school day and school year schedules

Autonomy to manage fiscal affairs independent of the school district

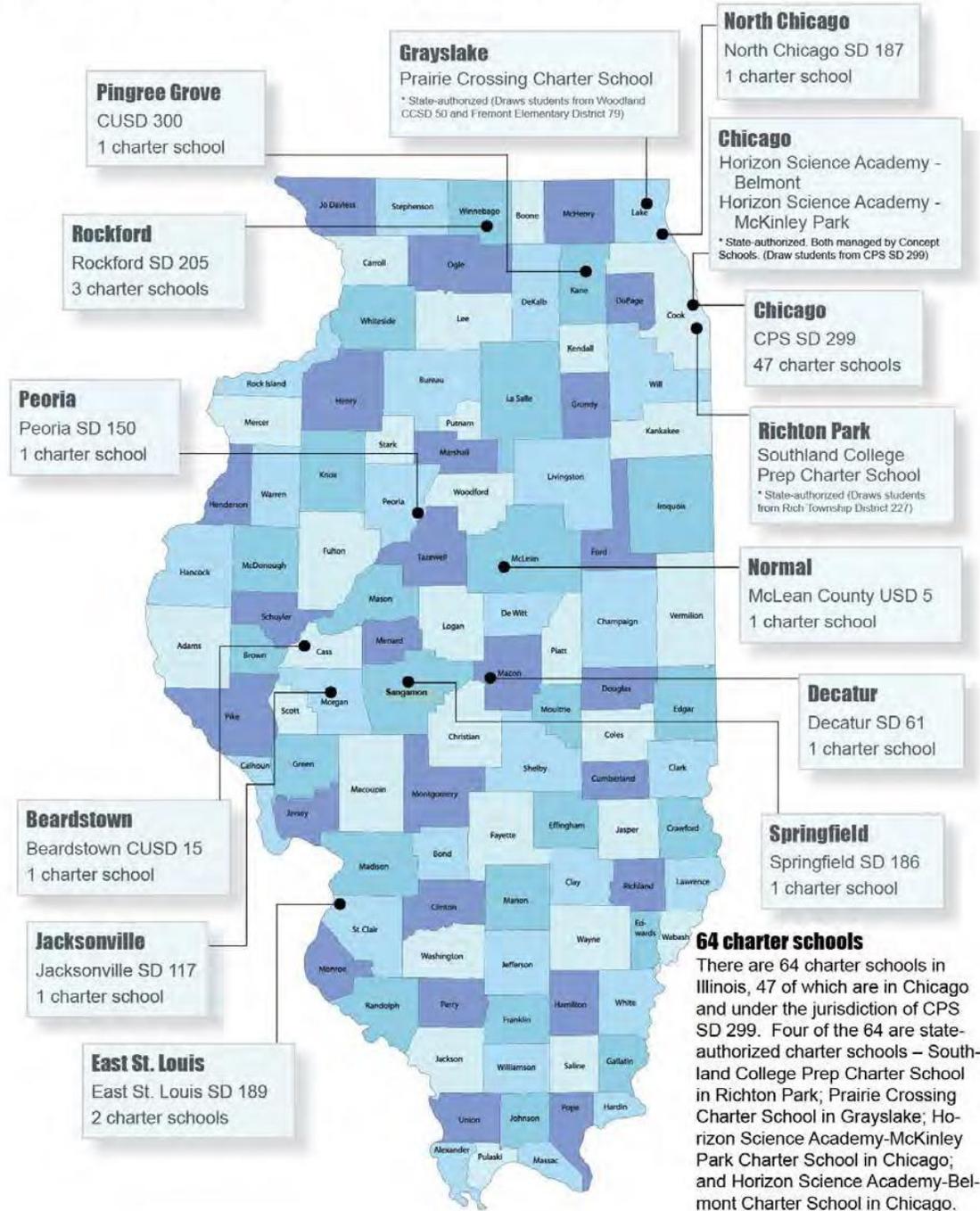
Autonomy to set employee compensation rates and/or bonuses

Autonomy to contract with external providers for various services

D. Academic performance of charter school students on high stakes testing. *NOTE:* Academic growth, as reported in table 5C tends to be a more valid measure than test scores. Growth scores range from 0 to 200, with average growth in reading and math close to 100.

E. Recommended statutory changes. *NOTE:* all are based on policies which charter school leaders would like to see.

# Charter schools in Illinois



### **3. Summary of research about progress toward purposes: (based on research discussed by Lubienski & Weitzel, 2010)**

Traditionally there have been three primary justifications for creating charter schools: equity, competition, and innovation.

Equity/Choice. Charters might provide higher achievement for low income students if greater choice led to more equitable, quality options. Research indicates that progress towards equity is not currently being met because:

- a) While disadvantaged families do have some additional choices, limited access to transportation prevents many of them from having the same range of options available to affluent families
- b) Social networks serve as a primary source of information about schools, and these networks are leading parents to choose schools which are segregated by race and socioeconomic status. In fact, ... many parents are choosing to send their children to segregated schools instead of a higher performing traditional public school. Interestingly, the strongest trend has been for minorities to self-segregate into “back-to-basic” charter schools (Frankenberg & Lee).
- c) Parents of children requiring special education frequently find that charter schools are not an option.
- d) Studies identifying characteristics of families who choose charters find that they tend to be highly involved in their children’s education, providing resources for learning at home and enrolling their children in preschool.

Competition: Much of the accountability of charter schools would be measured through their success in the marketplace. Further, market theory predicted that competition would incentivize traditional public schools to improve their instructional practices. Of course, some educators have argued that competition inevitably yields winners and losers, which is inappropriate when the goal of public education is to educate all students. Those who endorse the need for competition assume that traditional public school administrators would feel pressured when parents opt to remove their students and send them to charters. But the efficacy of competition has been called into question by research which has found,

- a) Many charter students transferred from private schools, not from traditional public schools.
- b) Some urban schools already experience high rates of student mobility, due to factors such as migrant work, so losing students to charter schools may not be noticeable.

- c) Many families choose schools based on factors other than academic performance (e.g. demographic similarities to their children)
- d) Traditional public school administrators who have realized that they are losing students to charter schools have rarely responded by making instructional improvements. Instead, the ones who have reacted have instituted a variety of other changes, including changing school leadership, investing in marketing, or creating after school child care.
- e) If administrators of traditional public schools perceive that families are choosing charters based on demographic composition, there is no incentive for them to change instructional programs.
- f) Traditional public schools with limited resources – such as many in Illinois – cannot invest in programmatic changes when they lose students to charters

Innovation. The potential for innovation has been cited as a third major reason to promote charter schools. Nevertheless, research is suggesting that many charters are simply using the curricula and pedagogies of traditional public schools. This may be happening because

- a) Charter schools are depending on parent selection, and many parents value traditional methods
- b) Innovation often costs money, which may not be available to the charter school.
- c) Charters may not be sharing information about educational innovations because they are competing with other schools.

If anything, some charter schools are serving as showcases for methods which have already been demonstrated to be effective in traditional public schools, such as learner-centered education. In order to be considered legitimate, they adhere to traditional notions of effective education.

This is not to say that no innovations have come from the focus on charters. Since charter schools depend strongly on attracting students, innovations from the movement have addressed ways of advertising and managing schools and personnel.

All three of these original purposes relate to assumed higher achievement of students attending charter schools – dissatisfied parents would choose higher performing schools for their children, competition would lead to higher performance, and using innovative instructional techniques would appeal to parents and would result in higher achievement. But research is not supporting any of these hypotheses.

Although the research on charter school performance is mixed, some groups have claimed that evidence of superior achievement in charter schools is overwhelming. Much of this debate has taken place in the mainstream media.

**4. APRIL 10, 2014 Charter Schools: The Promise and the Peril** (slightly abbreviated)  
[http://inthesetimes.com/article/16401/charter\\_schools\\_the\\_promise\\_and\\_the\\_peril](http://inthesetimes.com/article/16401/charter_schools_the_promise_and_the_peril)

*Joel Bleifuss, a former director of the Peace Studies Program at the University of Missouri-Columbia, is the editor & publisher of In These Times, where he has worked since October, 1986.*

There are as many types of charter schools as there are educational approaches. But a common difference between charter schools and traditional schools is that charter school teachers are not typically unionized.

Since the first charter school was established in 1992 in St. Paul, Minn., the model has rapidly taken hold in cities across the United States. As of December 2011, about 5 percent of U.S. students attended the nation's 5,300 charter schools.

*In These Times* spoke with three Chicagoans who have strong opinions about the charter school movement: Catherine Chandler Deutsch, senior manager of strategy and research at the [Illinois Network of Charter Schools](#); Chris Baehrend, an English teacher at the Chicago charter school Latino Youth High School and vice president of the [Chicago Alliance of Charter Teachers and Staff](#) union, which is part of the [American Federation of Teachers](#); and Daniel Hertz, a graduate student at the [University of Chicago's Harris School of Public Policy](#) who writes frequently about education issues.

**What do you see as the main differences between Chicago's charter schools and the schools managed by Chicago Public Schools?**

CHRIS: Charter schools are public schools. It's almost all public money that funds them, and it's public school children who attend them, but private companies run them. So the lack of democratic participation in charter schools is an issue, especially where they are replacing neighborhood schools, like here in Chicago. The other problem is that at nonunion charters, teachers are at-will employees, wildly afraid for their jobs, afraid to speak up for students, so there's huge teacher turnover. That is destabilizing for children, especially for children who already live in destabilizing environments.

CATHERINE: What ties charters together and distinguishes them from traditional schools is the overall trade-off they make: more autonomy in exchange for more accountability. They have freedom from some of the regulations that make it hard for adults in traditional public schools to design their school in the best interests of their specific students and their specific teachers. The promise of the charter school movement is innovation, student-centered design and a certain amount of nimbleness. So, if interventions, if programs, if vendors, if teachers aren't benefiting the students, charters are able to pivot and don't have to walk through the red tape that a principal in a district-run public school would have to walk through.

DANIEL: Both of those answers made a lot of sense. But independence from the bureaucracy can raise its own issues. For example, charter schools can expel students for reasons that a regular public school cannot. And in public education, everyone has the right to go to school, so if charter schools are kicking out the students who cause problems, then the burden of educating those students falls entirely on public schools. And that is an issue.

**How would you respond to allegations that the charter school movement is a backdoor effort to turn public education over to for-profit corporations?**

CATHERINE: Talk to the folks who are operating charter schools. Many of these folks are teachers who are fed up with district-run schools and who are excited about building a school from the ground up. You do have investors from the private sector in the charter schools, but you also have investors from the private sector in the traditional public schools through large donations and grants.

CHRIS: Charters were originally proposed by American Federation of Teachers President Albert Shanker as a small number of schools run by teachers who had the protection of a union. They would only exist for a short period of time to try and deal with the students with the most difficult issues, and then once those lessons were learned they would be dissolved.

That should be the model—one in which charter schools do not replace district schools. That is the real promise of charter schools. But when charters are used to privatize public education, new problems come up. There is less accountability for private businesses than public institutions, so I worry that the money isn't getting into the classroom, but ending up in administrator salaries.

CATHERINE: All charter holders are nonprofits. Charter schools are accountable for the success of their students. How can we get growth of the skills and the character qualities in kids that are going to result in more success for them later in life? The 55,000 parents with children in Chicago's charter schools feel this is a democratic system where they can choose for their kid the best school, even if they happen to be raising their kid in Austin or Englewood or North Lawndale, where their kid, just because of being born there, has a very high chance of incarceration and a very low chance of graduation. Charter schools are turning these odds around. What would you say to those parents?

CHRIS: Why aren't they calling for charter choice on the North Side? Or in the rich north suburbs?

DANIEL: I have been in a lot of charter schools that are doing really impressive things with their kids. But I think it is dangerous to say that these are the best schools. They're not. If you're going to hang your hat on numbers, like ACT scores, they are still below CPS's own targets and dramatically lower than many of the middle-class schools out in the suburbs or on the North Side.

It may be the best current option for someone living in Austin, but the idea that this is an exceptional option is just not true. The education gap is still just enormous.

**Parental income has been shown to be a strong predictor of a child's success in the classroom, so wouldn't it be better if we put our effort into guaranteeing a universal living wage, rather than putting the onus on schools and teachers to make up for the failings of society?**

CHRIS: So many of the problems in the classroom are because of things that happen outside of the classroom, right? And these issues are often related to poverty. The Chicago Teachers Union and my union, Chicago ACTS, have been fighting for more justice in society because we care about the children in our city. So whether it is the Fight for 15 or the fight for democratically elected school boards or the fight to keep neighborhood schools open because they are centers of democracy, Chicago teachers are at the forefront.

CATHERINE: Anybody working in any school building in Chicago right now is in search for a way to mitigate the effects of poverty on kids. Parental income is a very big predictor of student outcomes. But education is one of our best tools for addressing this opportunity gap. When I hear Diane Ravitch and others say that charter schools are somehow trying to fix education rather than fix poverty, I think that's a false choice.

Charter schools serve as evidence points for what's working. We can measure the poverty level of kids and measure the level of interventions that they are getting and compare kids with similar demographic backgrounds and say that these interventions, these teachers, these schools, these programs, these funding levels are working better than the alternative. And we are all invested in any solution that can come out of that.

CHRIS: I support all schools, district and charter, although I oppose charter proliferation. The big problem is the privatization of public education, which proceeds by busting unions and offering false choices instead of fair funding for every neighborhood school.

## **5. 2013 Report by the Center for Research on Education Outcomes (CREDO)**

<http://credo.stanford.edu/documents/IL2013FinalReport.pdf>

Synthesis and Conclusions (TPS means traditional public school)

Based on the findings presented here, the typical student in Illinois charter schools gains more learning in a year than his TPS counterparts, amounting to about two weeks of additional gains in reading and about a month in math. These positive results are also found in Chicago, where

the majority of Illinois charter students are educated. A portion of Illinois charter schools appear to outpace TPS in how well they support academic learning gains in their students in both reading and math. Twenty percent of Illinois charters outpace the learning impacts of TPS in reading, and 37 percent do so in math. About 21 percent of charter schools have academic growth that is significantly worse than TPS for reading and math. The student-to-student and school-to-school results show charter schools to be performing fairly well relative to the local alternatives. The larger question of whether charter schools are helping students achieve at high levels is also important. Nearly 41 percent of Illinois charter schools have below-average growth and below-average achievement in reading, and the same is true for nearly 37 percent of the charter schools in math. Students in these schools will not only have inadequate progress in their overall achievement but will fall further and further behind their peers over time.

The share of underperforming charter schools is offset, however, by the majority of charter schools that are either already achieving at high levels or are in positions to reach those levels. In both reading and math a majority of charter schools have academic growth that is above their market average. For reading, the proportion is about 56 percent and for math it exceeds 61 percent. Should these trends continue, the share of schools that currently lag the statewide average for absolute achievement would be expected to decline. These absolute improvements are achievable in Illinois.

## **Resources questioning the CREDO conclusions:**

### **6. The Answer Sheet: The Bottom Line on Charter School Studies.**

Kevin G. Welner & Valerie Strauss. <http://nepc.colorado.edu/blog/bottom-line-charter-school-studies> Dr. Welner is a professor at the University of Colorado Boulder, School of Education, specializing in educational policy and law. Ms. Strauss is the Washington Post education writer.

Charter school policy is important. It's worth arguing about. But those arguments can get a bit off-track and even ridiculous. Recently, the Center for Research on Education Outcomes (CREDO) released a national study of charter schools, the results of which suggest that less than one hundredth of one percent (<0.01 percent) of the variation in test performance in reading is explainable by charter school enrollment. Yet based on this, CREDO issued a press release stating that "charter school students now have greater learning gains in reading than their peers in traditional public schools." This conclusion was repeated in newspapers across the nation.

I hope that, upon reading such claims, readers immediately ask two questions: *Is that difference of any practical significance whatsoever?* and *Is this study really able to detect such infinitesimal differences?* For both questions, the answer is 'no'. But like a Kardashian, the import of the CREDO studies goes way beyond the justifiable.

CREDO's charter school research burst onto the scene in 2009, with the release of a national study backed by a strong promotional effort. The 2009 study is probably best known through "[Waiting for Superman](#)", a film backed by an even greater promotional effort. The 'Superman' narrator tells the audience that "one in five" charter schools is excellent. The actual finding from the study is that of the charters researched, 17% (which is really one in six) had better results than the comparison student results attributed to conventional public schools, while 37% did worse.

The publicity effort soon combined with the appeal of the study to some charter critics, who used those numbers to argue that conventional publics performed more than twice as well as charters. The buzz around the study was enormous; at one point, it seemed like "the CREDO study" was synonymous with "charter school research." And the strengths, weaknesses, methods, and even the findings of the study were not well understood.

In truth, sometimes the best and most responsible understanding of a controversial report is neither black nor white. Sometimes we need to be able to embrace some nuance—in a specific study and in the overall evidence. That's certainly the case here.

The National Education Policy Center (NEPC), which I direct, has reviewed three CREDO charter school studies: the original [2009 national study](#) that is described briefly above, as well as the 2013 [follow-up national study](#) and the 2013 [study of Michigan charters](#). These reviews are part of the NEPC's "Think Twice" [think tank review project](#), which provides the public, policy makers, and the press with timely, academically sound reviews of selected publications.

Because the CREDO studies have taken on such outsized importance, it is worthwhile to take a step back and consider those studies—with the help of the three NEPC reviews—and also to consider how they fit within the larger body of charter school research about test-score outcomes. The truth has always been that the CREDO studies are valuable and sound, but limited, contributions to an overall body of charter school research. This was true of the 2009 report/study, and it's true of the more recent CREDO studies. The scope of the CREDO studies makes them among the most important in the field—they are based on datasets that capture most charters in the nation—but they have never deserved the 'single, definitive study' status sometimes accorded them. And there are good reasons for exercising caution when using the studies' findings.

NEPC was not among those who argued that the original CREDO findings proved charters were doing meaningfully worse than publics. Instead, the review and [the press release](#) placed the CREDO study within the larger body of research and summarized the findings as follows: "The primary findings of the CREDO report show that charter school students' test performance is basically the same as the performance of students enrolled in traditional public schools." Notwithstanding the 17 percent/37 percent figures, the study if read properly did not show much separation between the sectors.

But for each of the CREDO studies, two questions need to be asked: *What are the findings?* and *How strong are the data and analyses?* The 2009 findings were somewhat favorable to conventional public schools—although not as favorable as some skeptics argued. The 2013 findings appear to show some improvement for charters, with great variation between schools and between states—and with an overall national estimate of students in charter schools scoring approximately 0.01 standard deviations higher on reading tests and 0.005 standard deviations lower on math tests than their peers in conventional public schools (the former being statistically significant; the latter not). That is, the ‘findings’ question can be answered as follows: small differences shown in 2009 are even smaller in 2013. The CREDO findings are highly consistent with an overall body of research concluding that the test-score outcomes of the sectors are almost identical.

How strong are the data and analyses? The CREDO data have always been impressive, reflecting the compilation of an unprecedented national dataset. The analyses, however, have been based on an atypical “virtual twin” approach that raised some concerns for the teams of NEPC reviewers in 2009 as well as in 2013. (Note that the 2009 reviewers’ main expertise was in charter school research, while the 2013 reviewers were experts on research methods.) Among the concerns that have been raised are the following two: 1. The study fails to use methods that could have directly modeled both individual student growth and school-level effects, such as hierarchical linear modeling, which would have been better matched to the goals of making generalizable statements about both students and schools. That is, the regression models used by CREDO fail to address independence of observations and the absence of measurement error, which are two key assumptions required in such analyses. 2. The so-called virtual twins in traditional public schools may not adequately control for differences between families who select a charter school and those who do not, which could bias the results.

Here’s the final sentence of the NEPC’s 2009 press release, “Because of the potential value of the CREDO work, the reviewers urge the authors to answer those questions [the methods concerns raised by the reviewers] in technical follow-up papers to the report and in later work with their data base.” Unfortunately, the CREDO researchers did not exercise the caution suggested or otherwise alter their approach.

Oddly, the 2013 CREDO studies have been used to argue that charters are outperforming conventional publics. In response, we have stressed the two points outlined above: (1) taking the CREDO results as gospel (setting aside methodological concerns) the results consistently show essentially no difference between sectors; and (2) we shouldn’t forget that the CREDO approach does have some weaknesses, those weaknesses have not been addressed even though they were first identified four years ago, and those weaknesses appear likely to result in stronger numbers for charters.

NEPC’s press releases for the 2013 reviews also included push back about inappropriate claims. In particular, Michigan’s pro-charter Mackinac Center held up the CREDO study of that state as

showing charters to be a “smashing success;” Louisiana’s Gov. Jindal held up the CREDO study of that state as showing charters to be “proof of the success of charter schools in Louisiana.” These claims were nonsense, and we didn’t hesitate to say so.

Stepping back from the CREDO study specifically, there exists a very large body of evidence about charter schools (see “[Exploring the School Choice Universe](#).” Among this research, studies like CREDO’s that look at test-score outcomes are the most common. Because this social science research takes place outside the controlled conditions of a laboratory, in the real (messy) world, each study comes with its own strengths and weaknesses. A broad use of the research base is accordingly much preferable to reliance on even the best study. Yet as noted, it matters not in this case: the overall body of research tells us the same thing as the CREDO research: the sectors are the same in terms of test-score outcomes.

Charter school critics and charter school advocates should be able to agree that there are excellent and awful charter schools, just as there are excellent and awful conventional public schools. What CREDO and others have shown is that, on average, the two sectors are very similar in terms of test-score outcomes. For those of us interested in improving overall educational opportunities it’s time to set aside the “which sector is better” test-score argument and instead invest across the board in the sorts of practices and supports that the best schools in each sector have provided for their students.

### **Another resource questioning the CREDO conclusions:**

**7. How to analyze false claims about charter schools**, from a blog by Diane Ravitch, Education historian, policy analyst, and research professor at New York University. Previously, she was a U.S. Assistant Secretary of Education. <http://dianeravitch.net/2014/02/28/how-to-analyze-false-claims-about-charter-schools/>

An experienced researcher saw a story in the *Economist* about charter schools. It was, as is typical among news stories, incredibly naive. The writer didn’t ask the right questions. Maybe he already believed in the charter “miracle” story and didn’t ask any questions.

So my correspondent—who requires anonymity—decided that it would be helpful to reporters and members of the public to explain how to read stories about charter schools. Mainly it involves the ability to decipher false claims.

They do not have a “secret sauce,” the phrase once used by Mayor Rahm Emanuel to describe the Noble Network of Charter Schools, each of which is named to honor a very rich patron.

They do have a secret recipe, however, for manufacturing the illusion of success.

Be wise. Think critically. Read carefully.

## How to Read News Stories about Charter Schools

Reports and stories about charter schools are in the media every day. The majority of these stories praise charters, while often demeaning public schools. We propose that every reader of such stories ask the following questions before taking the claims of such articles seriously.

Does the story compare the demographics of the student population served by charter schools to the demographics of local public schools? Does it include data on the charter school attrition rate? Does it include data on how the students who leave the charters compare to students who leave public schools? Does it include numbers of students expelled? Does it include numbers of students suspended? Does the story focus exclusively on test scores? If so, has someone, with educational expertise, visited the school to determine if the school focuses on test prep at the expense of a rich curriculum? Are the test scores reported outside of school assessments such as the SAT/ACT or does the story only report test scores of exams that are proctored in-house? Does the story account for the fact that, due to the need to apply to the charter school, parents of the students at charters are, on average, likely to be more engaged in education than the parents of students at public schools? Does it exclusively or primarily cite reports funded by pro-charter or conservative think tanks? Does it include quotes from academic scholars or does it just cite charter school advocates? Does it identify advocates or simply call them “experts” or “researchers”? Does it compare the resources available to charter schools to those available to public schools? Let’s call this approach “identifying charters’ bogus statistics” or the ICBS strategy.

It grows tiresome to dispute every tendentious article written on charter schools. But let’s see how the ICBS strategy would help us evaluate a sample story. *The Economist* recently ran an article praising charter schools and attacking Bill de Blasio for proposing to charge rent to charter schools that use public space in New York City.

*The Economist* presents the Noble Network of charter schools in Chicago as a paragon of charter school excellence. “Around 36% of the...children enrolled with Noble can expect to graduate from college, compared with 11%...city-wide.” What does the data actually tell us about the Noble Network? As is, unfortunately, standard practice across many charter schools, the Noble Network does not serve equal proportions of the neediest students. In fact they serve 35% fewer English Language Learners and 22% fewer special education students than Chicago Public Schools. This lack of inclusivity extends to other areas too, such as their ban on a Gay Straight Alliance student group.

An op-ed by Congressman Danny Davis noted that the Noble Network suspends 51% of its students at least once during a school year. This includes suspending 88% of the African American students who attend its schools. It might be hard to understand why a school would want to suspend so many of its students...until you realize that this encourages students to leave. And it specifically encourages the more challenging students, the ones most likely to bring down

test scores and college graduation rates, to depart. This is not the only such strategy they employ. One expose revealed that the Noble Network's "discipline system charges students \$5 for minor behavior such as chewing gum, missing a button on their school uniform, or not making eye contact with their teacher, and up to \$280 for required behavior classes. 90% of Noble students are low-income, yet if they can't pay all fines, they are made to repeat the entire school year or prevented from graduating. No waivers are offered, giving many families no option but to leave the school." The data show that this strategy works. The Noble Network loses of the students in each class that enters its schools.

As has become all too common, the public school district officials refuse to acknowledge these facts. The former CEO of the Chicago Public Schools told a reporter that he'd turn over data showing that charters don't "have policies that systematically weed out weaker students." But as the story notes "the district didn't keep that promise. WBEZ did obtain an internal CPS memo. It's titled "Memorandum on Charter School Myths." The four-page report actually finds that traditional schools held onto more kids than charters did for the year CPS examined."

The other set of Chicago charter schools praised by *the Economist* had their contract shortened from 3 years to 5 due to poor performance. Despite the *Economist's* claim that "charters have worked well in Chicago," the actual data show that charters are not working well. As reported by the *Chicago Sun Times*, "The overall passing rate at two city charter franchises — Aspira and North Lawndale — was below the city average at every campus those two groups operate. Four other chains — Betty Shabazz, Perspectives, North Lawndale and Chicago International — saw the majority of their campuses with over-all pass rates that were below the citywide average." Even the Walton Foundation-funded CREDO report cited by the *Economist*, which did not account for the numbers-gaming we noted above, showed mixed outcomes by Chicago's charters. "In reading, 21 percent of charters performed worse than traditional schools, while 20 percent did better and 59 percent showed no difference. In math, 21 percent of charters did worse, 37 percent performed better and 42 percent showed no difference. Black and Hispanic students continued to lag behind white students in reading, and received "no significant benefit or loss from charter school attendance" compared to students in traditional schools."

And let us not even mention Chicago's largest charter chain, called UNO, which received a state grant of \$98 million to build new campuses. Its politically powerful CEO—who was co-chair of Mayor Emanuel's election committee—resigned after revelations in the media of multiple conflicts of interest in the award of contracts and jobs....

#### **8. Example of why stricter regulations might be needed:**

<http://www.chicagomag.com/Chicago-Magazine/February-2014/uno-juan-rangel/>