

# **League of Women Voters of Greater Las Cruces Education Study Committee**

## **Literature Review and Report on Local Charter Schools**

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### **Definition of Charter Schools**

“Charter schools are nonsectarian public schools of choice that operate with freedom from many of the regulations that apply to traditional public schools. The “charter” establishing each such school is a performance contract detailing the school's mission, program, goals, students served, methods of assessment, and ways to measure success. The length of time for which charters are granted varies, but most are granted for 3-5 years. At the end of the term, the entity granting the charter may renew the school's contract. Charter schools are accountable to their sponsor-- usually a state or local school board-- to produce positive academic results and adhere to the charter contract. The basic concept of charter schools is that they exercise increased autonomy in return for this accountability. They are accountable for both academic results and fiscal practices to several groups: the sponsor that grants them, the parents who choose them, and the public that funds them (US Charter Schools website).”

In New Mexico charter schools were established by the state under the Charter School Act of 1993 (Mondragon & Stapleton, 2005). This act, which was amended in 1999, states that a charter school is a public school developed by one or more parents, teachers or community members authorized by the local school board or the NM Public Education Commission to provide an alternative educational setting to parents and students in the public school system (NMSA, 22-8a-8b). According to the NM Public Education Department website charter schools are intended to “provide an opportunity to create new, innovative and more flexible ways of educating children” (PED Website, 2011). The parents, teachers, and/or community groups that start a charter school, must also organize a governing board of at least five people to be selected by the method specified in the charter. The Charter Schools Division of the NM Public Education Department (PED) is responsible for the implementation of the provisions of state and federal laws, rules and regulations pertaining to charter schools. The Public Education Commission assists the Charter Schools Division of the PED in monitoring the performance of NM charter schools.

### **History of Charter Schools – Nationally and in New Mexico**

The history of charter schools is intertwined with the early efforts of states and local communities to introduce publicly funded voucher systems that would allow parents to send their children to any school of their choice including another school, school district or private or religious school. The author of the first voucher proposal in 1955 was the famous economist Milton Friedman (Friedman, 1955). He saw this as a market driven approach to offer the best possible education to students as a result of free market competition for government education funding. The basic premise underlying school choice was to provide parents with a way to obtain schooling for their children that would lead to greater educational success, especially for the most disadvantaged students. This movement came at a time when many of the nation’s schools were beginning to be criticized for what many perceived to be poor academic results. Friedman’s proposal was quickly embraced in the second half of the 50’s and 60’s by southern states where parents were eager to avoid sending their children to desegregated schools.

By the 1990s, three kinds of public school choice had emerged: 1) voucher schools 2) privately managed schools and 3) charter schools. In various states all three kinds of schools have received public money to educate students. Voucher schools are private schools that might or might not be religious in nature and parents enroll their children in them by choice. The public vouchers usually only pay a portion of the tuition and voucher programs exist only where they have been authorized by the state legislature or

Congress. Milwaukee established the nation's first voucher program in 1990 followed by Cleveland in 1995, and Congress authorized voucher schools in the District of Columbia in 2003. After many years of struggle by citizen groups with the federal, state and local governments and a successful Supreme Court case which supported vouchers in *Zelman vs. Simmons-Harris*, vouchers have gained very little support from the public nationwide (Ravitch, 2010).

Privately managed schools are public schools that an outside organization operates under a contract with a school district. The contractor may be a nonprofit or for-profit organization. The private organization works for the school district but is given a certain amount of flexibility to make changes in programs and staffing. Renewal of the contract is dependent on the school district's satisfaction with the results. This district's goal is usually to change the outcomes of a low performing school. Numerous examples of privately managed schools abound across the country, but the results are mixed.

Charter schools, as described earlier, are public schools created by persons or an organization obtaining a charter from a state authorizing agency. They may be managed by a nonprofit or for-profit group which may be a national or local community organization. The idea for charter schools originated in 1988 with Ray Budde, a professor of educational administration. He wanted "teams of teachers to apply for charters to run schools within the district. Each charter would have a specific set of goals and a specific term (say, three to five years) and would be rigorously evaluated to see what it had accomplished.....They would be expected to work on the cutting edge of research and knowledge, not to replicate what others were doing (Ravitch, 2010, p 122)."

Surprisingly during the same year, Al Shanker, president of the American Federation of Teachers proposed a similar idea in a speech at the National Press Club. He suggested that "groups of teachers should be able to run their own schools within regular schools and to pursue innovative ways of educating disaffected students (Shanker, 1988)." Shanker advocated for experimentation with these schools across the country, but in 1993 he withdrew his support of the concept. He in turn became a vehement critic as he saw the idea that he had so enthusiastically embraced being taken over by private corporations whose intent was to turn a profit and "do their own thing" instead of solving important problems of pedagogy and curriculum as he envisioned.

Nevertheless, the idea of charter schools began to take off in the 90's and the fervor for vouchers began to ebb. Minnesota became the first state to pass a law authorizing charter schools in 1991 and in 1992 the nation's first charter school opened in St. Paul, MN, (the City Academy High School) which was a model of what Shanker had hoped a charter school would be. By the year 2009, the Center for Education Reform reported: 4,600 charter schools had opened, enrolling over 1.4 million students; 40 states and the District of Columbia had charter schools; twelve communities had 20% of their students in charter schools; nearly a third of the students in Washington, D.C., Dayton Ohio, and Springfield, MI, were enrolled in charter schools; and 55% of students in New Orleans were enrolled in charter schools (Ravitch, 2010).

### **Benefits and Drawbacks of Charter Schools**

When comparing the benefits and draw backs of charter schools, it is important to remember that the theory of the charter movement is that competition with the regular public schools will lead to improvements in both sectors. Additionally, charters were supposed to be research and development laboratories for discovering better ways of educating hard-to-educate children. What has been the reality of two decades of experimentation with charter schools? Dozens of large scale studies exist, but for every study that shows significant results achieved by charter schools, there is an opposite study to show that the academic outcomes for charter school students are no better or worse, on average, than for students in public schools (Ravitch, 2010).

Investigations into charter schools have revealed instances of nepotism in hiring staff, conflicts of interest on the part of the staff and board directors, and financial mismanagement. One of the largest charter school chains in the state of California (the California Charter Academy) collapsed in bankruptcy and left 6,000 students stranded in 60 storefront schools. On the other hand competent, committed, charter school staff leaders and board members often are wise enough to provide safeguards against all these risks.

Of those schools that are well managed, the most important question still remains: are students performing better as a result of obtaining schooling in a charter school? In the state of Pennsylvania 127 schools were chartered between 1997 and 2007, with half in the city of Philadelphia. The RAND Corporation was hired to study the changes in performance as a result of reform plans across all schools in the city. By the end of the year 2008, the evaluation team concluded that achievement had improved in Philadelphia schools but the gains in both the charter schools and the privately managed schools were indistinguishable from the traditional public schools.

Some charter schools do get outstanding results and one of the best records of success are the KIPP (Knowledge is Power Program) schools. These schools not only aim to teach students a rigorous course of academics, but teach self-discipline and good behavior. They were specifically designed to prepare poor minority students for college and within 15 years after the first one opened in 1994, there were 82 KIPP schools enrolling 20,000 students. A KIPP student spends 60 percent more time in school than a regular public school student and the students, parents and teachers sign a contract agreeing to fulfill specific responsibilities. The schools have a very high attrition rate of both students and teachers which may be the result of the long hours and great performance demands on both groups. However, the students who do remain for four or more years tend to achieve large test score gains which they maintain over time. The children who attend KIPP schools consistently outperform students in the traditional public schools in the same neighborhood. The KIPP program “has demonstrated that youngsters from some of the toughest neighborhoods in the nation can succeed in a safe and structured environment (Ravitch, 2010, p. 136). “

Much like KIPP schools, many charter schools in Massachusetts have attained impressive results as well. These kinds of positive results can be found in many studies. Carolyn M. Hoxby, a Harvard University Economist, who analyzed in 2008 the performance of virtually every charter elementary school student in the nation, found that these students were more likely to be proficient in reading and math than public school students and students in charter schools that had been operating more than nine years showed the greatest gains. Yet a national study conducted in 2009 by researchers at Stanford University analyzed data from 2,403 charter schools in 15 states and the District of Columbia (about one half of all charter schools and 70% of all charter students at the time) lead to the following conclusions: 37 % of students had learning gains that were significantly below those of the public schools, 46% had gains that were no different, and about 17% showed academic growth that was significantly better.

A criticism that is often leveled at charter programs like KIPP is that the lotteries used to select the students attract the best students in poor neighborhoods which in turn leave the public schools worse off by “creaming” the top performing students. An additional criticism is that they tend to enroll fewer students with high needs such as English-language learners and those needing special education. The public schools on the other hand must take all students – those whose parents do not motivate their children to perform well, those who come to school homeless and malnourished, those who are the victims of neglect and violence. Although many charter schools struggle for resources, particularly adequate facilities, many have far more resources than public schools as result of support and funding from business and corporate interests as well as wealthy benefactors. Some critics of charter schools argue that if the same amount of resources were committed to the regular public schools, these schools will perform just as well as the most successful charter schools (Ravitch, 2010).

## Las Cruces Public Charter Schools

In Las Cruces there are currently three charter schools: Alma d' arte High School, Las Montanas High school, and La Academia Dolores Huerta Middle School. In the fall of 2011, a fourth charter school is scheduled to open, the J. Paul Taylor Academy which will serve grades Kindergarten through 6<sup>th</sup> grade and has been chartered through the Public Education Commission as opposed to LCPS.

Alma d' Arte High School serves 9<sup>th</sup> to 12<sup>th</sup> grade students and was originally chartered in 2004 through an application to the Las Cruces Public Schools (LCPS). At the end of the five year charter period in 2009, the High School applied for the renewal of its charter directly from the NM Public Education Commission so that it is now directly accountable to the state instead of LCPS. The school was created "to provide students the opportunity to learn in a safe environment dedicated to instruction in the arts through production, and integration of the arts in core classes. In addition, Alma adheres to the methods and philosophies of positive Youth Development (see Search Institute website) an academic process of partnership, creativity, and collaboration (Alma d' arte course catalogue, 2010-2011). Students can specialize in the visual arts, performing arts, literary arts, or the culinary arts and must meet all state requirements for graduation. The school provides for advanced placement classes, an apprenticeship in the senior year and a very special requirement of participating in the Platica Advisory class designed to provide for student development of long range education goals in collaboration with teachers and parents. Student enrollment is held right around 180 to 200 students with class sizes at 20 or less. Artistic Director at Alma d'arte, Irene Oliver-Lewis, states that students come to the school for its unique curriculum which is thoroughly integrated with the study of the arts (LVWGLC Interview, 2011).

Alma's graduation rate for each of its first two 9<sup>th</sup> grade cohort groups was 80%. This graduation rate is significantly higher than the overall LCPS graduation rates of 59.7% in 2008 and 67.1% in 2009 according to figures provided by Traci O'Hara, Director of Accountability, Assessment, and Research for LCPS. Certification of Graduation numbers always lags more than a year behind the actual graduation rate. Close to 100% of Alma graduates go on to college and the attrition rate is usually less than 1% a year. The school's rate of special education students is 18% versus the LCPS district rate of 22.5% and the school missed making the average yearly progress (AYP) targets last year by 2 percentage points in the mathematics category. No other high school in the district made AYP last year, but Alma came close.

Las Montanas High School serves 9<sup>th</sup> to 12<sup>th</sup> grade students. Its mission is to develop the academic potential and personal character of each student by engaging and valuing the student, family, and community partnerships. Students work to prepare and meet the challenges of a post secondary or workforce environment for a global, diverse society. Started in 2007, this high school's curriculum allows juniors and seniors to specialize in two special career tracks: 1) hospitality and tourism and 2) pre-teaching and early childhood. The career paths involve dual credit courses with Dona Ana Community College and NM State University and include community and work experience. The school also has a special commitment to Title I students, those classified by federal definition as disadvantaged.

The commitment to disadvantaged students presents some significant challenges. Just like some of the KIPP schools the attrition rate is high. Out of the first 9<sup>th</sup> grade cohort about 70% have left the school. From the 30 remaining students of this cohort, 26 are slated to graduate this year along with 39 other students who entered at higher grades in later years. Both accelerated and remedial courses are taught using "Smart Lab" technology programs along with close teacher supervision. Classes are small and teachers team across all curriculum areas to track student progress and assist in developing individual education plans for students. The rate of special education students is 20%, very close to the 22.5% rate of LCPS as a whole. The school missed its AYP targets last year by 3 percentage points. Richard Robinson, the schools new Academic Dean stated in an interview that on student surveys the most

frequent reason that students give for satisfaction with the school is that they feel the teachers care about them and they are safe in this school (Richardson interview, 2011). Again, class sizes are small as they are in all three charter schools

La Academia Dolores Huerta Middle School serves 6<sup>th</sup> to 8<sup>th</sup> grade students. Its mission is to create an environment that enables middle school students to achieve high academic standards and personal growth through: 1) promoting multiculturalism and bilingualism; 2) nurturing diverse cultural awareness and appreciation; 3) recognizing and developing the gifts and skills of each student; 4) providing an education equal to or better than that provided by other public or private schools; 5) promoting nonviolence by emulating the principles and spirit of such leaders as Martin L. King, Cesar Chavez, and Dolores Huerta; 6) encouraging and assisting students and their parents to maximize their involvement in an interfacing relationship with the school's staff and thereby assist them to grow in self-motivation, competency, experiences, independence, knowledge and self-worth.

It is the only dual language charter middle school in the state, which teaches classes on alternating weeks in English and Spanish. As part of its multi-cultural curriculum it offers as electives: ballet folklorica, guitar, mariachi, piano, toulouche, violin, trumpet, and conjunto. The school's focus on nonviolence and justice allows students to feel safe and it is rare to have even one fight a year. There has been no incidence of drugs the past two years. Of the 120 students, 15% are classified as special education students, a significant amount below the district average of 22.5%. The school made its AYP targets in 2008-2009, but missed AYP by several percentage points in math last year according to the school counselor, Mike Davis (Davis Interview, 2011). So the school has been focusing on bringing up math proficiency scores this year.

## **Summary**

Charter schools are public schools which have been awarded a charter through a state or a state authorized chartering agency to act independently to organize curriculum and hire staff with the intent of providing an innovative education alternative to traditional public schools. The concept of charter schools has gained wide popularity over the past two decades as a result of parents' great desire to be afforded some choice in how their children are schooled for educational success with public funds.

Research evidence to date indicates that there are exceptional, average, and poorly performing charter schools at about the same rate as found in traditional public schools. However, parents continue to apply to charter school lotteries (the method used by charter schools to choose students from the waiting list for admission). Chester E. Finn, Jr., an educator, scholar, and public servant who has devoted his life to the reform of primary and secondary schooling wrote: "Some of the best schools I've ever been in are charter schools, some of which are blowing the lid off test scores in such vexed communities as Boston, New York, and Chicago. And some of the worst - and flakiest - schools I've ever been in are charter schools. Yet people are choosing them" (Finn, 2004). Perhaps it all depends on whether you are the parent of a child you know in your heart has great potential, but is not doing well or has already dropped out of the traditional public schools.

In the LWVGLC Education Study Committee interview with NM Education Commissioner Eugene Gant, he stated that "Charter schools have made important contributions, but the public schools can be organized to do all that charter schools are doing" (Gant Interview, 2011). To accomplish this feat the question that must be answered is: Does the public - especially those citizens who want a better community and world - have the will to commit to the advocacy and public funds necessary to make all public schools as effective as the best charter schools? Or will parents just have to keep saving one child at a time through the only method of choice available to them in many instances - a charter school?

## References

Davis Interview, 2011, (Interview conducted with Mike Davis, School Counselor at La Academia Dolores Huerta Middle School by Jane Asche, member of the LWVGLC Education Study Committee, on May 16, 2011).

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Gant Interview, 2011, (Interview conducted with Eugene Gant, District 7 NM Education Commissioner, by the League of Women Voter's Education Study Committee on April 19, 2011).

Mondragon, John B. & Stapleton, Ernest S., 2005, *Public Education in New Mexico*. (Albuquerque, NM: University of New Mexico Press), p. 147.

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PED Website, 2011 (website for the Public Education Department of New Mexico: <http://www.ped.state.nm.us/charter/index.html/>).

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Shanker, Albert, 1988, National Press Club Speech, Washington, D.C., March 31, ([www.reuther.wayne.edu/files/64.43.pdf](http://www.reuther.wayne.edu/files/64.43.pdf)), "State of Our Union Speech," 70<sup>th</sup> Convention of the American Federation of Teachers, San Francisco, CA, July 2, 1988, "A Charter for Change," *New York Times*, July 10, 1988.

US Charter Schools, 2011, (website: <http://www.uscharterschools.org>).

## Additional Important Websites for Information on Charter Schools

Alma d' arte Charter High School (<http://www.almadarte.org>)

La Academia Dolores Huerta Charter Middle School (<http://www.academianm.org>)

Las Montanas Charter Middle School (<http://www.lasmontanashigh.com>)

Search Institute 40 Positive Youth Development Assets (<http://www.search-institute.org>)

NM Coalition for Charter Schools (<http://www.nmccs.org>)

US Charter Schools Organization (will be in references)