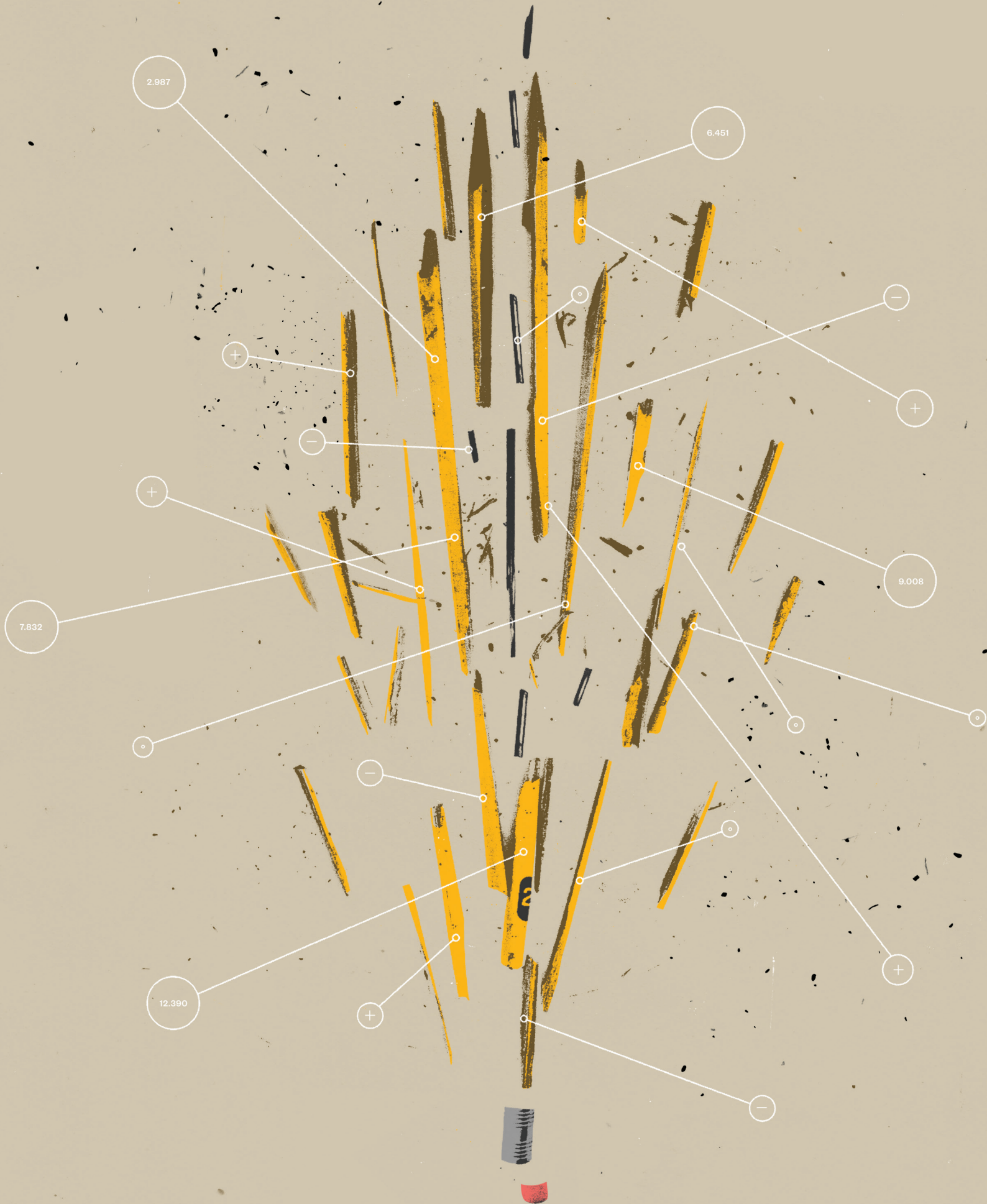


STORY BY
ZACHARY JASON

ILLUSTRATIONS BY
MIKE MCQUADE



T



6,800

Number of public charter schools in the U.S.

2.9

MILLION

Number of U.S. students enrolled in charter schools

HE FIERCEST BATTLE YET IN America's struggle over charter schools erupted last fall in Massachusetts. If passed, a ballot initiative in the general election would have given the Commonwealth the power to annually add up to 12 new charter schools — publicly funded, independently run alternatives to traditional public schools.

They would have been built in a handful of urban communities, where 32,000 children, a majority black and Latino, were sitting on waiting lists of existing charters as they languished in underperforming district schools. But teachers, parents, and investors across the state, and the country at large, took to picketing, advertising, evangelizing. In one corner formed Save Our Public Schools (aka No on 2), a coalition that included teachers unions, PTA committees, the Jewish Labor League, and the Brazilian Women's Group, and aligned with the likes of the NAACP, the mayor of Boston, and Senator Elizabeth Warren. They argued, broadly, that charters pilfer money and students from district schools, aren't held accountable, and privatize public education.

Their opponent called themselves Great Schools (Yes on 2), a cluster of charter advocacy groups, funded by the Walton family and former New York mayor Michael Bloomberg and aligned with low-income parents of public school children, Massachusetts Senate President Stanley Rosenberg, and Governor Charlie Baker. Yes on 2 insisted that all families should have the ability to choose their education, and teachers should have the freedom to innovate. Both sides spent a combined \$33 million, one of the largest ballot-item campaigns in the state's history. A week before the election, polls showed a dead split.

To help decide, dozens of constituents asked Professor Paul Reville, former secretary of education in Massachusetts, how they should vote. Reville was the chief architect of the Education Reform Act of 1993, which introduced chartering to Massachusetts, and he's been an outspoken champion of charters since. But whenever someone asked, "What do you think of charter schools?" Reville was quick to respond, "Which school are we talking about?"

Are we talking about New York's Success Academy or KIPP schools nationwide, perennially profiled examples of the best — charter, public, and private included — in the nation? Are we talking about any of the five Massachusetts charters that Senior Lecturer [KAY MERSETH, M.A.T.'69, ED.D.'82](#), investigated in *Inside Urban Charter Schools*, wildly different in curricula, pedagogy, and mission, but all wildly successful? Are we talking about Boston-based Codman Academy, founded by [MEG CAMPBELL, C.A.S.'97, ED.M.'05](#), where 100

percent of its students (98 percent minority) are accepted to college? Nationwide, while charters only educate 6 percent of the nation's students, they regularly fill a third of *U.S. News and World Report's* top 100 high schools.

Or are we talking about Philadelphia's Harambee Institute of Science and Technology, a K-8 charter with a cafeteria that on weekends converted into an illegal nightclub? Harambee was featured in a recent *Last Week with John Oliver* segment on sensational examples of failing charters, including several that closed in the middle of the year, and a Florida elementary charter that shuttered in the middle of a day.

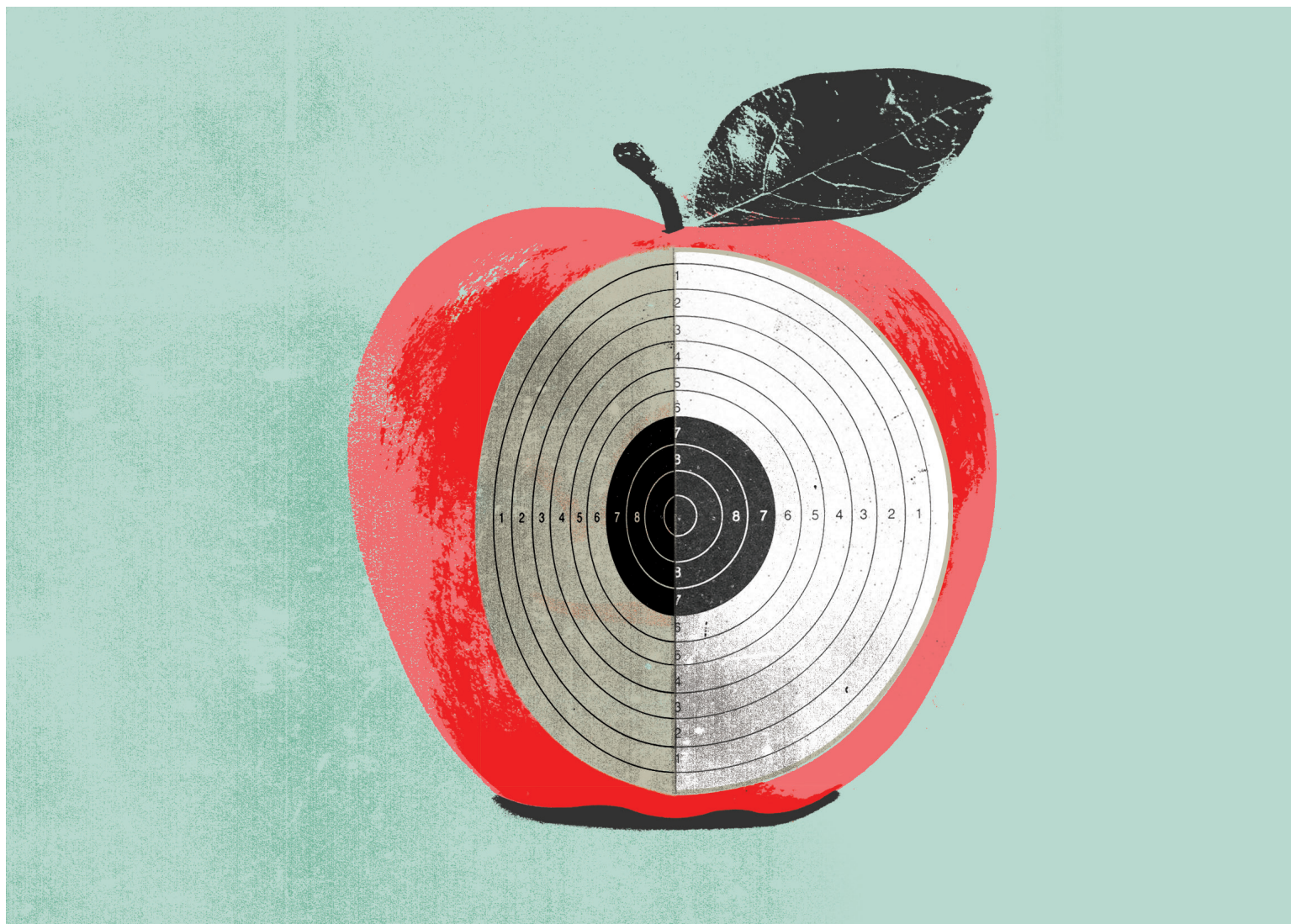
Reville's point: It's impossible to generalize charter schools. How charters are run, funded, and overseen varies dramatically from state to state, school to school. In *Charter Schools at the Crossroads*, one of the most comprehensive overviews of the charter movement, [CHESTER FINN, M.A.T.'67, ED.D.'70](#), concludes, "The charter track record can best be described as stunningly uneven."

But voters most often asked Reville a simpler question: "What am I voting for?" A majority were unfamiliar with charter schools; there are 78 in Massachusetts, to traditional public schools' 1,934. As Finn told me, "Most Americans still have no idea what a charter school is." Knowing seems to make a difference. When *Education Next* surveyed parents, teachers, and members of the general public across the country last fall, only 28 percent supported the formation of charter schools. Yet when participants were provided a two-sentence definition of a charter school, 52 percent approved.

Today charters educate 3 million pupils (a million more sit on waiting lists) in 43 states. But as some 330 new charters open a year, the sides grow more polarized. Folks like Meg Campbell claim they fight for charters because they're fighting "on the side of justice." Others, like [KELLY HENDERSON, ED.M.'06](#), a public high school English teacher in Newton, Massachusetts, claim that charters are not only an "attack on public schools," but also a "pernicious" and deliberate "attack on women," who comprise 76 percent of public school teachers.

How did charters get so muddy? How did a movement that began with far-flung bipartisan support just 25 years ago morph into one of today's most contentious debates in education?

FIRST, A DEFINITION. THE "CHARTER" IN charter schools is a contract, agreed upon between those who run the school and the entity that authorizes the school's existence (which ranges from school districts to for-profit companies to boards of education). Charter schools are public schools, tuition-free and open to all on a first-come, first-serve basis, or by lottery. But the charter grants autonomy to develop



curricula, personnel, and budgets free of the regulations to which district schools are beholden. For example, many charters have longer school days and school years than their peers. It is the good and the bad that charter schools have done with that autonomy that has largely fueled the charter battle.

Looking back, a schism over charters seems inevitable because its roots are so tangled. In the 1960s, conservative economists and liberal academics alike argued for school choice, albeit for different reasons. In *Capitalism and Freedom*, published in 1962, the Nobel Prize-winning economist Milton Friedman proposed that the government provide needy families with vouchers that they could redeem at private schools. This would allow market forces, not the government, to shape public education — causing failing schools to close and compelling individuals and organizations to open competitors.

Then-Ed School Dean TheodoreSizer made a similar proposal in 1968 with a “Poor Children’s Bill of Rights,” though not to grant the market power, but

“The charter [school] track record can best be described as stunningly uneven.”

Chester Finn, M.A.T.’67, Ed.D.’70

to give “incentive for each [public] school to be sensitive to the needs and expectations of its constituency,” as Sizer later wrote.

Finn cites seven other “ancestors” of chartering including a growing emphasis on educational outcomes and equity, and “the impetus to replace a bureaucratic quasi monopoly with a competitive marketplace.” Finn, president emeritus of the Thomas B. Fordham Institute, an education think tank, says



The first charter school opened in Minnesota in 1992

the propulsion toward school choice is and has always been that “way too few kids in America have been able to pick their schools, and way too many have been stuck in bad schools that they have no alternative to.” As Dean James Ryan wrote in an *Ed Week* blog, “Are you comfortable allowing more affluent families to choose their schools while denying poorer families similar opportunities?”

In 1974, Ray Budde, a World War II veteran and an education professor at the University of Massachusetts Amherst, introduced the idea of chartering. He proposed that states grant charters to create new, experimental programs and departments at existing public schools. The response? Nothing. As Budde recalled, “No one felt that things were so bad that the system itself needed to be changed.”

But soon after he shelved the idea, think tanks and the federal government released a series of damning reports on public schools, most notably the Reagan Administration’s *A Nation at Risk: The Imperative for Education Reform*, the 1983 report that warned of a “rising tide of mediocrity.”

When Budde resurrected his charter idea in 1988, he caught the attention of Albert Shanker, longtime president of the American Federation of Teachers. Though teachers unions almost unilaterally oppose charters today, Shanker became the movement’s first major booster. Writing in *The New York Times*,

he extended Budde’s argument, and proposed the establishment of publicly funded, independently managed schools that could experiment with ways to educate the some 80 percent of students that he estimated traditional schools weren’t serving well.

Shanker piqued the curiosity of a group of progressive educators and policymakers in Minnesota. They pitched charter schools as educational “labs” — district schools would adopt trials that worked. Teachers unions feared a lack of accountability and charged that charters would prove a back-door entrance to private-school vouchers. But the state passed a charter law in 1991, and the country’s first charter school opened a year later. St. Paul’s City Academy still exists today. California passed a charter law in 1992; six states followed in 1993.

In *The Charter School Experiment*, the authors note that charters schools’ early advocates “envisioned small-scale, autonomous schools run by independent mom-and-pop operators who would be positioned to respond to local community needs.” The vision enjoyed sweeping appeal. Everyone from the NAACP to the Walton Family Foundation to the Bill and Melinda Gates Foundation supported charters. Bill Clinton signed a federal support program for charters in 1994, and every president since has advocated for school choice. As John Oliver quipped, “Charter schools unite both sides of the aisle more quickly than when a wedding DJ throws on ‘Hey Ya.’”

But as charter schools bloomed, the laboratory theory largely gave way to the reality of a parallel education system. Charters collaborated with public schools far less often than teachers unions liked, and liberal legislators — historic allies — began to side with the unions more readily. Competition bred animosity. Finn boils down the charter battle to this: “If you are an adult invested in district education for jobs, and you discover charters are slowly eating your lunch, you will grow intense in your desire to contain or kill charters.”

The top criticism of charters is that they rob funding from district schools. It’s the primary tactic No on 2 took last fall. And it’s true, but only in that states and districts transfer funding per pupil; the money follows the child. In 2016, the Massachusetts Taxpayers Foundation concluded that the district-charter balance had been stable — 3.9 percent of students were in charters, and 3.9 percent of district funding went to charters. But district schools argue that this still makes it harder to cover their relatively unchanged operating costs. For example, if a school loses two students per grade, they lose the per-pupil funding but fixed administrative costs remain the same. As Moody’s found in 2012, a yearly trickle of students transferring isn’t the “critical mass” district schools need to justify cutting programs, and so some districts struggle to adapt. But some states, Massachusetts included, have even reimbursed public schools the funds they lost to charters.

TYPES OF CHARTER SCHOOLS

Half of the country’s 6,800 charters could be classified as “general,” without a specific mission, pedagogy, or curriculum. In addition to novel approaches, many charters follow “good old-fashioned education practices” that district schools had abandoned, as a Massachusetts Department of Education study found. Specialized charters include progressive (like some Montessori), single-gender, STEM, and arts-based, plus:

No Excuses: Characterized by high academic and behavioral expectations and rigorous structure, no excuse schools predominate in urban areas with a majority of minority children. Some 15 percent of charters follow the no excuses model, though fewer call themselves such today. One franchised example includes KIPP, with 200 schools across the country.

Online: Virtual charters educate 8 percent of all charter students and are found in 17 states. In 2015, Stanford’s Center for Research on Education Outcomes found that the average online charter student, compared with the average district school student, achieves 72 fewer days in reading each year and 180 fewer days (not a typo) of learning in math, based on a 180-day school year.

Hybrid: These schools include face-to-face and online instruction. Forms vary greatly. At San Francisco’s Flex Academy, students take online classes in the same building five days a week, but on-site teachers only intervene when students perform poorly. At others, students complete the vast majority of coursework at home, save for occasional drop-in hours.

Expeditionary Learning: Largely influenced by German educator Kurt Hahn, “EL” schools like Launch focus on immersive, interdisciplinary, and often community-based research projects, character development, and leadership skills. ZI

Opponents also cite the high turnover rate: Nationwide, charters lose 24 percent of their teachers each year, double the rate of traditional public schools. Why? Longer hours and less pay, for one. But charters in general are also less apt to retain teachers for decades, and more apt to embrace both a startup-like culture and millennials' compulsion toward multiple careers, and to continuously recruit fresh, highly motivated talent. (The average Success Academy teacher, for example, leaves after four years.) But the attrition gap is narrowing, and these numbers are also slightly misleading: When charters franchise, many veteran faculty leave existing schools to ensure the new locations maintain the quality of the original. Still, high turnover tends to diminish student achievement.

And critics highlight that after 25 years and some 6,000 schools, charters still on average produce results roughly equal those of the public schools to which they set out to be better alternatives. Nationwide, low-income students, especially black and Hispanic, tend to benefit from charters the most, studies show. But for white and Asian students, as Finn notes, "the effects are generally neutral or negative."

THE STAGGERING RANGE IN CHARTER quality starts with authorizers. Every charter school has a state-sanctioned organization that grants its license, reviews its performance, and renews or terminates its contract. About 200 charters close a year, not just for academic shortcomings, but for flawed governance or leadership, a drop in student demand, or financial miscalculations. Districts themselves authorize 39 percent of the country's charters, state education agencies 28 percent, and the rest include colleges, nonprofit, and for-profit organizations. In Indianapolis, even the mayor's office has authorizations. An undiscerning authorizer is the main root of weak charters.

Take Ohio, often called the Wild West of chartering. Notorious for its leniency with authorizers, 65 in all, Ohio celebrated what *Charter Schools at the Crossroads* dubbed a 15-year-long "fiesta of almost unlimited chartering" that resulted in a lasting hangover. A 2014 study from the Center for Research on Education Outcomes (CREDO) at Stanford University found that the average Ohio charter student, compared with his or her public school peer, acquired 14 fewer days in reading and 43 fewer days of math in a 180-day school year. The results were nearly identical five years earlier. CREDO cited many authorizers' inability to "provide monitoring and oversight" as the primary source of failure.

But Finn also blames parents. Learning why they sent their children to charters, he says, "was a real cold shower." Surveys by the Center on Reinventing Public Education at the University of Washington and others revealed that parents, especially low-



DeVos is a champion of vouchers, state-funded scholarships that parents in low-income districts can use to send their children to private or religious school.

Known as Michigan's "godmother of school choice," newly appointed Secretary of Education Betsy DeVos, above right, with President Donald Trump and Vice President Mike Pence, has been one of the top funders of Detroit's charter schools

income parents, often pick schools based on convenience and safety, "but pay little or no attention to whether the kids were learning anything," says Finn. Demand for things like location, security, and athletic programs allowed failing charters to thrive. (See sidebar for more on parents.)

Also consider Michigan, home state of Secretary of Education Betsy DeVos. Known as Michigan's "godmother of school choice," DeVos has been one of the top funders of Detroit's charter schools, which, as a *New York Times* op-ed commented, "even charter advocates acknowledge is the biggest school reform disaster in the country." As the *Times* reported, half of Detroit's charters performed only as well, or

WHAT PARENTS THINK OF CHARTERS

In 2016, *Education Next* magazine asked 1,571 parents to assess their children's respective district, charter, or private schools. Private school parents were more satisfied than their peers on almost every measure of their schools' performance (save racial and ethnic diversity, with which charter parents were equally satisfied). Parents of charter and public school children are equally satisfied with their respective school's quality of teachers, safety, and facilities. But parents of charter school children were "very satisfied" more often than district school parents in terms of their schools' discipline (34 to 17 percent), student achievement expectations (38 to 25 percent), "instruction in character or values" (38 to 21 percent), and on every measure of the schools' communications with parents. **z**



Number of states without
charter schools

Alabama
Kentucky
Montana
Nebraska
North Dakota
South Dakota
Vermont
West Virginia

worse, than traditional public schools in the city, which are some of the most challenged in the country. (Last year, only 10 percent of rising high school seniors scored college ready on reading tests.) Some of the worst charters have even added locations. The problem stems largely from Michigan's plethora of authorizers (44), most of which allow "just about anyone [who] can raise the money" to open a school, according to *The Washington Post*.

Perhaps it's not surprising that for-profit companies run 80 percent of Michigan's charters, far more than any other state. Finn writes in *Crossroads* that there's nothing "reprehensible" about profiting from "public education, any more than a paving contractor that profits from work it does for the highway department." Charter opponents argue schools shouldn't be run like businesses — weighing education with efficiencies. Some even see a slippery slope. Says Henderson, "Are we going to have charter police forces, charter fire departments?"

Ideologies aside, the overall record of for-profit schools is subpar. In 2009–10, while 66 percent of nonprofit charters achieved what the No Child Left Behind Act defined as "adequate yearly progress," only 51 percent of for-profit charters made the grade. Beginning in the mid-2000s, many states have banned for-profit charters. At one point, the New Jersey-based Edison Schools Inc. franchised 130 charters in 22 states. They now run five. Today for-profits run 14 percent of all charters, many of which are online charters, which have failed students horribly. On average, online charter students achieve 180 fewer days of learning math each year.

Charter opponents pound on these grim examples to build the case of charter schools as a failed experiment. As Merseeth says, "Terrible schools are the biggest black eye in the whole charter movement."

BUT CHARTER ADVOCATES, OF COURSE, argue that they exist as better alternatives to terrible public schools. And states with judicious authorizers have a strong record of charters outperforming districts. Massachusetts has one lone authorizer, the state board of education. Every Massachusetts charter must provide annual evidence of its "faithfulness" to its contract, its academic success, its equity among students, and its engagement with parents, and be subject to annual financial auditing and site visits, otherwise the state can close the school. "That's the thing I like most about charter schools: There's a public mechanism for shutting them down," says Campbell. CREDO found in 2013 that the commonwealth's charter students gained 36 more days in reading and 65 more days in math a year. Studies from the Ed School's Center for Education Policy Research and MIT show similar results, and two months before the election, Brookings Institution released a study that found the state's charter cap "holds back disadvantaged students." Massachusetts is the poster child for charter success.

Standouts include Alma Del Mar, a K–8 charter that **WILL GARDNER, ED.M.'10**, founded in 2011. While running an afterschool program for middle schoolers in low-income New Bedford, Gardner was shocked that, in spite of the "tremendous resources and human capital" in Massachusetts, many students were woefully behind their peers even in sixth grade. After fielding suggestions from dozens of local parents, he decided to start a "high-demand, high-support" school where college prep would start in kindergarten. Alma's teachers are expected to keep their cellphones on at night for homework help and/or emotional support and to visit the home of every child every year.

In Dorchester, Campbell's Codman Academy, which was founded in 2000, is the only school in the country located within a community health center. High school students complete healthcare internships, and all students receive free dental cleanings and vision screenings.

A Dorchester resident for the past 35 years, Campbell sent her children through the Boston Public Schools. But she started Codman after becoming frustrated with local public schools' lack of flexibility (BPS has the shortest school day in the country) and what she described as tracking systems that begin in second grade and perpetuate "the illusion that intelligence is innate." Her fervor for charters only grew after she served on the Boston School Committee from 2011 to 2015. Even though more than 20 BPS schools were performing well below the state's average, the committee, she says, "sat on its laurels just because its competition was so bad." She concluded, "I'm under much more scrutiny as one little charter school than any district school."

But No on 2 still found myriad criticisms.

They contend that charters inadequately serve children with special needs. Charter schools suspend children with disabilities at a higher rate than public schools, and there have been many cases of inadequacy due to a lack of resources, experience, and insensitivity. Nationwide, however, the gap is relatively small: 12.6 percent of public school children have special needs, 10.4 percent in charters. And many charters serve special needs children specifically, such as Utah's Spectrum Academy for autistic students and Minnesota's Metro Deaf Charter School.

They also note that since charters serve a disproportionate amount of minorities, they are more racially segregated than traditional public schools. As the Brookings Institution also noted last fall, this is a delicate balancing act. "Reducing school segregation and improving the quality of schools serving minority students are both important goals, but they are not necessarily the same." Still, the NAACP boosted the No on 2 campaign in October, when the civil rights organization called for a national moratorium on expanding charters until there was less segregation and better accountability and transparency.

In the end, despite the polls, Reville says the vote was always "no contest." No on 2 had a sprawling ground game, thanks in part to 110,000 members of the Massachusetts Teachers Association. And the message they repeated relentlessly stuck with the undecided voters: Charter schools steal public schools' money. Most charter advocates agree the referendum was a doomed political strategy. Explaining the nuances of funding "gets too complicated for the average voter," Reville says. Sixty-two percent of voters rejected the cap lift. Only 18 of 351 towns voted a majority in favor, and they were all in suburban districts without charters. In the state with the nation's greatest charter record, the vote marked the charter movement's greatest defeat.

THE CHARTER WAR HAS ONLY GROWN more fraught since the election. President Donald Trump backed Michigan native DeVos, an ardent school-choice crusader, to lead the Department of Education, with a proposed \$20 billion for school-choice initiatives. A victory for charters, but at the cost of deeper division.

While not solely responsible for charters' failings in Detroit (and although she has backed successful charters in Michigan), DeVos remains what Reville calls a "divisive figure even within the charter movement" and has left many questioning her ability to hold charters accountable.

Many also fear that should Trump become the face of choice (he urged Congress, in his first address to them in March, to fund choice), many would-be supporters of charters may convert to

pro-district school only, simply as a revolt against Trump. Reville says many leaders of high-quality charters have decided to keep a low profile for now. "They don't want to be alienated by associating with a DeVos-Trump charter framework," he says.

On the other hand, DeVos is a champion of vouchers, state-funded scholarships that parents in low-income districts can use to send their children to private or religious school. Charter and district supporters alike tend to dislike vouchers. As a result, would both sides of the charter war unite against vouchers? How things move forward with DeVos could drive district and charter schools to compromise and collaborate.

Merseeth, Campbell, Reville, and Gardner all argue that there's already much more collaboration than the mainstream narrative of competition suggests. The Alma Del Mar Charter School leads monthly professional development workshops for public school teachers in New Bedford and neighboring towns like Fall River and Dartmouth and has partnered with the local high school, where Alma's top eighth-graders can take ninth-grade algebra. If pro- and anti-charter zealots "zoom in, they'll see lots of cross-pollination," says Gardner.

Bolstering the original "laboratory" ideal of charters, informing the public more about charter schools themselves, closing failing charters, holding for-profit charters as accountable as nonprofit charters and district schools — these would all staunch the charter debate, experts all agree.

In *Charter Schools at the Crossroads*, Finn and his coauthors make their final case for charter schools by referencing the Massachusetts Constitution of 1780, the oldest constitution in continuous effect in the world, written centuries before the advent of charter schools and decades before Horace Mann universalized public education. The document mandates that the Commonwealth "cherish the interests of literature and the sciences, and all seminaries of them ... to encourage private societies and public institutions ... to inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality." Lofty goals for all children, and very open-ended for how to achieve them.

Finn says, "If the goal is educational excellence for children, we should be agnostic as to what sorts of institutions can best deliver it."

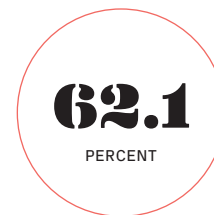
ZACHARY JASON IS A BOSTON-BASED WRITER WHOSE LAST STORY, "BORED OUT OF THEIR MINDS" WAS PUBLISHED IN THE WINTER 2017 ISSUE OF *ED*.



LINK TO DEAN RYAN'S *ED WEEK* BLOG, WHICH LOOKS AT CHOICES FOR PARENTS AT: GSE.HARVARD.EDU/ED/EXTRAS



California has the most charter schools of any state: 1,253



Percentage of **NO** votes for the Massachusetts ballot question to expand the charter cap (37.9% voted **YES**)