

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Kathe Decker at 9:00 A.M. on February 10, 2006 in Room 313-S of the Capitol.

All members were present:

Committee staff present:

Kathie Sparks, Kansas Legislative Research
Art Griggs, Revisor of Statutes
Theresa Kiernan, Revisor of Statutes

Conferees appearing before the committee:

Rep. Gary Hayzlett
Rep. Bill Light
Sandra Lassiter
Betty Horton
Brad Ratliff, KC Sheriff, Juvenile Detention Ctr.
Faron Dyke, Kids-At-Risk
Ken Willard, State Bd of Ed., District 7
Supt. Tony Sawyer, USD 501, Topeka
Bob Vancrum, Blue Valley School District
Bill Wagnon, School Bd. Member

HB 2634 - Assessed valuation.

Representative Hayzlett addressed the Committee in support of **HB 2634**. (Attachment 1).

Representative Light offered the written testimony of Ardith Dunn, Supt. Of Satanta Schools, USD 507. It was in support of **HB 2634**. (Attachment 2).

Representative Flaharty made the motion that **HB 2634** be moved favorably and placed on the consent calendar. The motion was seconded by Representative Horst and passed on a voice vote.

HB 2652 - Appeal of charter schools denials.

Speaking as a proponent of **HB 2652** was Sandra Lassiter. (Attachment 3).

Betty Horton testified in favor of **HB 2652**. (Attachment 4).

Brad Ratliff offered testimony in support of **HB 2652**. (Attachment 5).

Addressing the Committee as a proponent of **HB 2652** was Faron Dyke. (Attachment 6).

Ken Willard spoke in favor of **HB 2652**. (Attachment 7).

A brief period of questions and answers followed.

Written only testimony in support of **HB 2652** was provided by: Scott Reaves, (Attachment 8); Paul Westhoff, (Attachment 9); Ann John, (Attachment 10); Robert John, (Attachment 11); LaDonna Umbarger, (Attachment 12); Janet Rehmert, (Attachment 13); Larry Wayne Rehmert, (Attachment 14); Sharon Hougardy, (Attachment 15); Susan Shaw, (Attachment 16); and Sparkle Sherrod, (Attachment 17).

CONTINUATION SHEET

MINUTES OF THE House Education Committee at 9:00 A.M. on February 10, 2006 in Room 313-S of the Capitol.

Speaking in opposition of **HB 2652** was Supt. Tony Sawyer. (Attachment 18).

Bill Wagnon offered testimony in opposition to **HB 2652**. (Attachment 19).

Written only testimony was provided by Jim Menze, Exec. Director, United School Administrators. (Attachment 20).

The meeting was adjourned at 10:55. The next meeting is scheduled for Monday, February 13, 2006.

STATE OF KANSAS



TOPEKA

HOUSE OF
REPRESENTATIVES

GARY K. HAYZLETT
REPRESENTATIVE, 122ND DISTRICT
GREELEY, HAMILTON, KEARNY,
SCOTT, & PARTS OF
HASKELL & FINNEY COUNTIES
P.O. BOX 66
LAKIN, KANSAS 67860
(620) 355-6297
STATE HOUSE—ROOM 115-S
TOPEKA, KANSAS 66612
(785) 296-7640
hayzlett@house.state.ks.us

COMMITTEE ASSIGNMENTS
CHAIR: TRANSPORTATION
MEMBER: ENVIRONMENT
WILDLIFE, PARKS AND TOURISM
SELECT COMMITTEE ON
SCHOOL FINANCE

Thank you Madam Chair and Members of the Committee for hearing HB 2634 and allowing me to testify on its behalf.

Historically when new businesses or large corporations build or move to a new location the boost to the valuation of the tax base for the area affected is greatly appreciated. Quite often the neighboring community or school district is envious because they don't get to share the wealth.

The reason for HB 2634 is that in Haskell County there are two school districts, 507 and 374. A new ethanol plant is scheduled to be constructed in school district 374. Instead of creating an envious situation over valuation, the County Commissioners and both school boards agreed to share the wealth equally. I was asked to assist them with legislation to allow this to happen, and that is the reason for HB 2634.

Thank you Madam Chair and Members of the Committee for your consideration and I will stand for any questions.

House Education Committee
Date: 2-10-06
Attachment # 1



Satanta Schools, USD #507

PO Box 279, 100 Caddo Street
Satanta KS 67870

Phone (620) 649-2234
Fax (620) 649-2668

Ardith Dunn, Testimony
House Education Committee
House Bill 2634 (Representatives Hayzlett & Light)
February 10, 2006
Shared Valuation of 1,120 acres in Haskell County

Chairperson and members of the committee:

Thank you for the opportunity to submit testimony on House Bill 2634 regarding the splitting of assessed valuation of specified acres.

Haskell County was approached approximately one year ago, about the possibility of constructing an ethanol plant in the area. In July, 2005, I was asked to attend the Haskell County Commissioner's meeting for the discussion of placement of the plant. The land available with the needed water rights for the ethanol plant is located between the cities of Satanta and Sublette. The land is adjacent to the Satanta School District line, but is actually in the Sublette School district.

Originally, the Commissioners were proposing the district line be moved to split the land purchased for the plant. After much discussion, the suggestion became to split the valuation of the land, so that both districts benefit equally and there is not a concern about where the plant is located and if the new district line would equally divide the valuation. Mr. Bruce (Sublette Superintendent) and I decided to take the proposal to our Boards of Education and have them discuss and make final decisions about the feasibility of the proposal. Satanta's Board of Education voted unanimously to accept the Commissioner's proposal to split the valuation of the land for the ethanol plant. I was later informed by Mr. Bruce, that Sublette's Board of Education was also in favor of the proposal.

The beginning figures approximated the ethanol plant at 120 million dollars. This will create an increase in valuation for both districts located Haskell County and in essence help all children in both communities.

Thank you again for considering House Bill 2634. As two school districts in rural western Kansas, we are striving to work together to better educate the children in Haskell County.

Sincerely,

Ardith Dunn, Superintendent
USD 507, Satanta Schools
Box 279, 100 Caddo Street
Satanta KS 67870
Email: adunn@usd507.org

House Education Committee
Date 2-10-06
Attachment # 2

February 10, 2006

Charter Schools are:

Public schools

Free and open to all students

Serving students from every race and a wide variety of cultures

On the average, much smaller than district-run public schools

Providing free transportation to help students attend their school

Responsible for improving student achievement

Required to meet the same graduation standards as other state supported schools

Responsible for following state school financial management rules

Managed by a board elected by parents, patrons, teachers, and staff at the school

Operated under a charter, or contract, with a local school board, a higher education

Institution, a social service agency, or a foundation

The Public school charter has these advantages:

Less **bureaucracy**, decisions are site based (community)

Less **political** –less time spent on decision-making (cut to the chase)

Community linked with wrap – around services

Research –based curriculum

Strong Instructional Manager

Certified Academicians- teaching at-will, with passion, committed and invested.

(Teachers who **want** to be in the school)

Highest quality teachers for the lowest students

Teacher equity – all teachers **respected**

Paraprofessional as educators- (Grow your own teachers)

Inclusive model-Each child will have an **ILP** –**Individual Learning Plan**- designed by Parent, Advocate, Staff and STUDENT

Mandatory that each child has a parent, mentor and or advocate

The school is based on a **GROWTH DEVELOPMENT MODEL**- not a

Lock-Step Model (Every child on the same page)

Socially appropriate- a foundation based on character development.

Accountable to **local stakeholders**- **This is Local Control**

A **governance board** of business partners and community leaders

I propose an appeal process for Charter schools. The money should **follow the student** to a Public Charter School for At-Risk, Special Ed, Academically, and or economically disadvantaged students.

Visit: University Academy in Kansas City, Missouri

68th and Holmes

816-412-5901

Principal, Pat Henley

Supported by the Helzberg Foundation

House Education Committee

Date 2-10-06

Attachment # 3



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The Facts About...Supporting Charter Schools

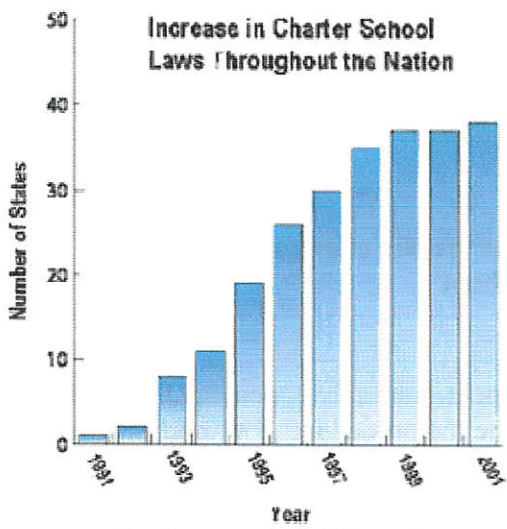
The Challenge: To promote and encourage more parental options through charter schools.

The Solution: Provide information to parents and educators on charter schools that are successful in improving academic achievement without the burden of unnecessary regulations.

HOW NO CHILD LEFT BEHIND HELPS CHARTERS SCHOOLS

No Child Left Behind recognizes the accomplishments of the charter school movement.

- Charter schools have greater freedom from burdensome regulations in exchange for being held to high standards of accountability.
- Consistent with the president's entire education plan, charter schools show that higher standards, parent and community involvement and greater freedom can result in higher achievement.



Charter schools are public schools which are largely free to innovate, and often provide more effective programs and choice to underserved groups of students.

The result is schools that are designed to meet students' unique interests (e.g., vocational training, arts) and special talents or needs. Many of these programs have clearly increased academic achievement.

Parents and teachers at charter schools develop programs for their students. In some, the community becomes the classroom, using museums and libraries to enrich the offerings.

A recent comprehensive national study of charter schools conducted by the RAND Corporation suggests that charter schools can have a positive impact on student achievement and increase levels of parental satisfaction.

Charter schools are an important alternative in districts where schools are having difficulty improving academic achievement.

Starting this fall, parents who have a child in a school that has been identified as needing improvement will have the opportunity to send their child to a new school.

- Under *No Child Left Behind*, children who attend schools identified as needing improvement have the opportunity to enroll in charter schools located within their district.
- These districts will be required to use federal funding to provide meaningful choices as well as to provide transportation to the new schools families choose.

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Last Modified: 02/17/2004

Outline of Amendments to KSA 2005 Supp. 72-1906

Charter schools provide enhanced parental choice and are exempt from many statutory and regulatory requirements. In exchange for increased flexibility, charter schools are held accountable for improving student academic achievement. The objective is to replace rules-based governance with performance-based accountability.

One of the promises of charter schools is that they can serve as laboratories of innovation—they can be public education's Research and Development, "R & D", arm. Charter schools have greater autonomy than traditional public schools, tend to attract pioneering educators, they try out new approaches to education that can be transplanted back into the larger public education system.

Recommended Change #1: (Definition of a public charter school)

25(d) ... (State and local requirements.) A public charter school:

- shall meet all applicable state and local health and safety requirements.
- Must be nonsectarian in its programs, admission policies, employment practices and all other operations.
- May not charge tuition
- Is subject to and must comply with [human Rights Act/nondiscrimination in employment and services.
- Is subject to and must comply with [suspension & expulsion policy].
- Is subject to the same financial audits, audit procedures, and audit requirements as a district.
- Is a district for the purposes of tort liability under [KSA].
- Must comply with [relating to Educational Data].

Recommended Change #2: (Include the word [public] as in 'public charter school'.

Change every reference to charter school to 'public charter school'.

Recommended Change #3: (Appeal process)

23. If the request is denied pursuant to subsection (e)(1), the petitioner may appeal such decision to the state board of education. The state board of education shall prescribe the procedures for appeals pursuant to this subsection.

Recommended Change #4: (State and federal per pupil funds)

36(i). Any public charter schools approved under this act shall receive from the state board the base state aid per pupil plus applicable weightings, and other categorical funds attributable to students enrolled in the public charter school.

Recommended Change #5: (Expanding sponsor options)

A public charter school may be sponsored by any of the following:

- The school board of the district; or
- A public four-year college or university with an approved teacher education program...; or
- A community college located in the district; or
- Any private four-year college or university with an approved teacher education program...; or
- The state board of education; or
- A new state body created to sponsor or oversee charter schools; or
- A social service agency; or
- A foundation; or
- A nonprofit organization.

4-2



OFFICE of the SHERIFF
WYANDOTTE COUNTY

Juvenile Division
710 NORTH 7TH STREET
KANSAS CITY, KANSAS 66101
PH.913.573.2900
FAX 913.573.8166

LeRoy Green
Sheriff

Rick Mellott
Undersheriff

Brad Ratliff
Juvenile Administrator

Legislators,

Thank you for the opportunity to speak to you this morning on an issue that is very close to all of us, children, and what is the best for our children in Kansas. I am here this morning representing LeRoy Green Jr., Wyandotte County Sheriff, who sees this issue as a very important issue. Since 1996, I have worked in the Wyandotte County Sheriff's Office starting out in the Adult Detention. In 1998, I became the Deputy Administrator for the Sheriff in the Juvenile Detention Center (JDC). Since 2001, I have worked in the capacity as Administrator of JDC. Now working in my 8th year with Juveniles, I have seen many things that work in the current systems and the many things do not work. My goal here today is to give you the facts on the juveniles we see every day in Wyandotte County, and from talking with my peers over the years, we are not alone.

Many people today believe once a juvenile is in a JDC, there is not much hope for that youth. This is nowhere close to the truth today. In 2005, 64% of the juveniles booked in to my JDC were released back to their legal guardian. Meaning these kids went back into the homes, back into the school they attended, and back in the bad environment that got them there in the first place. Only 7% of the juveniles booked into our facility went to Juvenile Correctional Facilities (JCF) in 2005. However, those in JCF's are juveniles and will most likely be back into their community, most within months to couple of years.

As many of you know, juveniles in JDC are required to attend school Monday through Friday. Some interesting numbers that I want to show you today is that educational levels and crime go hand and hand. In 2005, 18% of the juveniles tested in JDC for grade level ability were below 1st grade. Only 12% tested at 1st to 2nd grade, 17% tested 3rd to 4th grade, 12% tested 5th to 6th grade, 14% tested 7th to 8th grade, 15% tested 9th to 10th grade and 12% tested 11th to 12th grade. The average age in our Facility is 15 years old. Now with a juvenile being 15 years old today would put that juvenile in 9th grade. I am not here to throw rocks at any school district, they have a tough job. That is why you have those speaking to you today, because they want to help these kids. The community is saying they want to try something different to help their kids learn.

We have applied the MAYSI-II to every juvenile booked in JDC since 2004. This gives us a picture of the mental state of a juvenile when they are booked into JDC. Those numbers have shown that, "Anger," is number one on those tested. Second is "Somatic Complaints" and a close third is "Traumatic Experience." These kids are angry, feel bad, and experience horrible casualties in their life. We need to listen to what the parents need to help raise their kids and to educate their kids in Kansas. We need to empower parents to be parents and have them raise their children. We need to listen to the parents and not have the "system," tell them what is better for their kids.

Thank You,

Brad Ratliff
Juvenile Administrator

House Education Committee

Date: 2-10-06

Attachment # 5

Testimony on Charter School Laws
House Bill #2652
To: Education Committee
Presented by: Faron Dyke
Credentials: Parent and patron of CUSD #101
Date: February 10, 2006

Chairperson and Members of the Education Committee, thank you for allowing me to speak today regarding House Bill #2652.

Accountability: Responsibility to someone or for some activity. When does our local school board members become accountable for what they do? I'm asking this as a parent and a patron of CUSD #101. Last year our local board closed our high school, disbursing approximately 60-70 high school students elsewhere. Was it because of poor test scores? No. Lack of funding? No. It was because our board president wanted to be known (and I quote his own words from the local paper), the S.O.B. that closed our school. It was simply a grudge.

This action by our board has cost parents in our community a tremendous amount of money. Some children from our community drive 50 miles round trip, everyday to school. It is costing a fortune in gas prices, mileage, etc. And it's not like a job, there is no income coming in from them driving this distance daily, it is all an expense.

The children of our community has been in three major wrecks on the highway traveling to and from school. We are putting our children at risk everyday, sending them to school. This should not be something parents should have to worry about constantly. The fear of whether or not they will get a phone call that their child has been involved in an accident has become overwhelming.

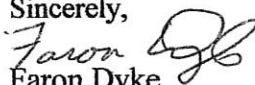
Here is just a few of the ways our children are being discriminated against:

1. Our students were displaced when a school remains within our neighborhood.
2. The distance they are expected to travel on a daily basis.
3. Educational opportunity: Our test scores were the highest in the district and our school was closed.
4. Extra-curricular activities: Students are unable to participate in sports and other extra-curricular activities if their parents cannot afford the extra vehicle expense.
5. Money: Our tax dollars are no longer going to support our students.

Because our local boards no longer feel as though they must be held accountable I am writing in support of House Bill #2652. This bill would allow:

- An appeal process to our local board's decision
- Allow money to follow our students

Again, I leave you with this question, when do we start holding our local boards accountable for the decisions they make. Thank you for your time and consideration in support of House Bill #2652.

Sincerely,

Faron Dyke
Thayer, KS 66776

House Education Committee
Date: 2-10-06
Attachment # 4-1

6-2

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times I've been in court or the number of people who hated me," Edmonds said. "They weren't bad people. They just had something to lose."
A similar fight is occurring in the southeast Kansas district of Erie. Board members voted in December to close

high schools in St. Paul and Thayer and send students to Erie. Parents challenged the board's decision in district court and have a restraining order to keep the schools open. "We can do so much more by bringing together all the high school students," Superintendent Randy Corns said. "But it does effect the communities. It will take years to heal

the scars."
Terry Diskin, a former board school board member from St. Paul, said that community's education heritage dates to 1847, when Jesuits taught Indians at the Osage Mission. Three of Diskin's six children are still in school. He said closing the two high schools would devastate their communities and force a number of parents to pull their

children out of the district. "It will kill Neosho County," he said.
But Erie school board president Kelly Coover, who defeated Diskin two years ago, said closing the schools will allow the district to offer a more well-rounded education to all its students. Still, he understands the emotions the closings have provoked. "People in our district are

very passionate about their school," said Coover, who plans to leave the board after his term ends in two years. "This is one of those things — I will always be 'the SOB who closed my school.'"
On the Net:
Kansas Legislature:
<http://www.kslegislature.org>
Kansas State Department of Education:
<http://www.ksbe.state.ks.us>

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120 S.E. 10th Ave.
Topeka, Kansas 66612-1182

(785) 296-3203
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www.ksde.org

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District 8

Iris Van Meter
District 9

Steve Abrams
District 10

February 10, 2006

TO: House Education Committee
FROM: State Board of Education
SUBJECT: House Bill 2652—Charter Schools

My name is Ken Willard, Legislative Coordinator of the State Board of Education. I appreciate the opportunity to appear before this Committee on behalf of the State Board.

The State Board of Education supports the following two changes in the charter school law proposed in 2005 House Bill 2652.

- **If a local board of education rejects a charter school proposal, the State Board supports allowing an appeal to the State board and its decision being final.**

From the time charter schools were first authorized in Kansas, the State Board of Education has had the responsibility of independently evaluating charter proposals and ultimately approving their creation. House Bill 2652 merely extends this review to proposals that may be denied at the initial stage.

One of the criteria now included in the federal grant application for awarding charter school funding is a provision for an appeals process. An appeals process would increase the state's chances of receiving federal charter school funds.

- **Guarantee that all revenue in the school districts' general fund generated by students in a charter school be allocated to that charter school.**

The purpose of this provision would be to ensure those schools receive their proper share of funding which gives them better chances of success.

The State Board of Education believes that charter schools can serve an important role for some students who do not do well in a regular public school setting. Charter schools provide a laboratory setting for innovation on a smaller scale. These schools disseminate best practices and models for schools on a larger scale.

In addition, charter schools provide opportunities to involve business and communities in education as well as provide recognition locally and nationally.

This bill would not require any additional state appropriation.

**LITERATURE REVIEW:
CHARTER SCHOOLS**

January 6, 2006

**Planning & Research
Kansas State Department of Education**

EXECUTIVE SUMMARY

Two percent of the nation's students and 0.3 percent of Kansas students are currently enrolled in charter schools. A recent Gallup Poll showed that while public support for charter schools has increased each year and is now at 49 percent, 72 percent of the public is against charter schools if they result in decreased funding for regular public schools.

Research on the effectiveness of charter schools is confounded by the significant amount of advocacy research that has not been vetted by external experts and by pronounced methodological difficulties. Randomized assignment of subjects to treatment and control groups and longitudinal measures—the best method for eliminating alternative explanations of results—is rare in educational research, including research about charter school effects. Student groups compared to one another frequently should not have been compared because of the way samples have been selected, pre-existing differences in such things as ability and motivation, differences in attrition rates, and lack of pretreatment measures. Thus, the results of many studies cannot be replicated or generalized to other populations; and it is difficult, if not impossible, to know if charter school attendance or some other factor caused any differences in results.

Charter schools are also very diverse. The student at a charter school focused on foreign language immersion receives very different instruction from the student in a charter school focused on dropout prevention, yet many studies aggregate the achievement results for all students in charter schools. Failure to control for differing curricula, instructional methods, and design differences further confounds results.

New research consortia promise better quality research in the future. In addition, states are building student information systems that will allow them to study the effects of

education programs. Until such research is available, policy makers will be limited to making decisions based on conflicting evidence.

Research suggests some factors for increasing the likelihood that a charter school will be successful: a state's charter school law (adequate provisions for autonomy and accountability and at least as much money as other schools for operations and facilities); allowing a mixture of conversion and start up charter schools; and ensuring that the needed knowledge, resources, and skills are provided to the charter school. In addition, RAND presents a number of recommendations for those considering charter schools, including:

- Require that all participating schools practice open admissions
- Target specific students, especially those most in need
- Provide generous funding, including supplemental funding, for students with special needs
- Avoid over-regulation
- Give public schools the autonomy they need to perform in a competitive educational market
- Enforce requirements for student achievement testing
- Impose consequences on schools that do not perform at acceptable levels
- Develop a statewide student-level record system that can track the performance of individual students and allow needed program evaluation/research
- Disseminate information to parents about mission, values, curriculum, and outcomes of each school
- Create multiple chartering authorities
- Actively inform parents about schools and school effectiveness
- Assess state curriculum standards
- Expose students to peers from variety of backgrounds

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LITERATURE REVIEW: CHARTER SCHOOLS

BACKGROUND FOR STUDY

This review of the charter school research was requested by Mr. Bob Corkins, Commissioner of Education, Kansas State Department of Education. The purpose of the study is to aid members of the Kansas State Board of Education in their policy deliberations.

An exhaustive review of the charter school literature was beyond the scope of this study. Due to time restraints, access to the literature was limited to Internet sources and the Kansas State Library collections. Literature selection was based upon: (1) scientifically based research guidelines in education, as outlined by the Scientifically Based Research Seminar, February 2, 2002, under the sponsorship of the Office of Elementary and Secondary Education, U.S. Department of Education; and (2) timeliness. Articles were limited to those published between 2000 and 2005.

DEFINITIONS AND CHARACTERISTICS OF CHARTER SCHOOLS

Charter schools are public schools of choice that receive public funds based on the number of students who attend. They are most often proposed as a method to offer students and parents increased educational choice within the public school system. They differ from regular public schools in that--

- Admission is by choice
- There is market accountability: that is, they survive only if they attract students
- They are often more autonomous and free of government regulation than regular public schools

The number of charter schools is limited in 27 states by legislative caps. In designing charter schools, states differ in the amount schools receive per student and whether that

amount comes solely from the state, the degree to which state regulations can be waived, and the number of support services (e.g., transportation, leadership, facilities modifications) offered to the charter schools (Levin & Belfield, 2005). Schools obtain charters only with the approval and oversight of their local school district or other state agency. (See Appendix C.) Charter schools generally proliferate more rapidly in states where local school districts are not the exclusive sponsors (RAND, 2001). By September 2004, after about 15 years in existence, almost one million children were enrolled in 3,300 charter schools in 40 states. Just six states account for 62 percent of charter schools and 63 percent of charter school students: Arizona, California, Florida, Michigan, Ohio, and Texas. Charter schools serve the most significant share of total students in Washington, D.C., Delaware, and Colorado.

Nationally, charter schools serve a larger proportion of minority and low-income students than other public schools, probably because they are three times more likely than other schools to be located in big cities. (They demographically match the districts to which they belong.) However, the student makeup differs from one state to another. Charter schools represent 3 percent of all public schools and 2 percent of public school enrollments.

Kansas has 0.3 percent of its students in charter schools. Table 1 in Appendix B shows the demographic makeup of different types of schools in Kansas and the nation. In the Kansas data, one can see how difficult it is to make summary statements about charter schools: the primary school charters serve mainly rural and small town populations that are predominantly white and female, while many of the high school charters are alternative schools serving much higher proportions of lower-income and male students.

Aggregating the student assessment data from all Kansas charters dilutes the achievement levels of the primary charter schools, and obscures the lower test performance of the high risk secondary students. The very different populations being served become less visible in the aggregate data (compare Table 1, Appendix B to Table 5). Because comparisons based on aggregates of charter and public schools serving very different populations are problematic, background characteristics should be accounted for in statistical models so that the school's influence on student results can be discerned in the data. Otherwise, even when one limits comparisons to superficially similar groups of students (see Tables 2 and 3), one may arrive at false conclusions.

Charters have significant freedom of action, but the schools must prove that they are effective. They often offer more intimate learning environments and give parents options and grade configurations not otherwise available (e.g., K-8 or K-12). In states that only allow local school boards to approve charters, 22 percent are conversion charter schools. That is, they existed as schools before they became charters. In other states, 6 percent are conversions. A policy question often debated by states when establishing charter schools is whether to only allow proven entities to open charters, which may limit innovation, or allow almost any entity to open them and then close the schools that are unsuccessful (Ziebarth, Celio, Lake, & Rainey, 2005). States that have decided to adopt the 'close unsuccessful schools' option have found it difficult to close under-performing charters because they are often popular with parents for reasons that have nothing to do with achievement (Ziebarth & Wohlstetter, 2005).

Kansas has adopted a fairly restrictive charter law (RAND, 2001). Facts about Kansas charters include:

- Early adopter of charter laws – 1994
- Local school boards are the sole authorizers
- Private schools cannot convert to charter schools
- Charter schools may not be operated by for-profit companies
- Certified teachers must be hired
- Exemptions from state and district regulations must be negotiated and specified in the charter
- Student body must reflect the racial and socioeconomic makeup of the local district
- No startup funding available

PUBLIC VIEWS ON CHARTER SCHOOLS

According to the 37th *Annual Phi Delta Kappa/Gallup Poll of the Public's Attitudes Toward the Public Schools* (2005), 24 percent of respondents assign an A or B to the nation's schools and 48 percent assign an A or B to the schools in their communities. About 69 percent of parents assign an A or B to the school their oldest child attends. The percent of respondents who favor charter schools has risen from 42 percent in 2000 to 49 percent in 2005. Eighty percent think that charter schools should be accountable to the state in the same way that regular public schools are. Only 28 percent of the respondents said that they would favor charter schools in their community if that meant reducing the amount of funds for regular public schools. The Gallup Poll findings were in line with what was found in the literature search. The number of charter schools has increased from a handful less than 15 years ago to over 3,000 in 2004. The number grew faster in 2004 than in any of the previous four years (Ziebarth et al., 2005).

There are multiple expectations for public education, according to Levin & Belfield (2005) and RAND (2001), and some expectations are in direct conflict with others. For example, initiatives for more choice with fewer restrictions can interfere with initiatives to provide greater equity. The major expectations are as follows:

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1. Freedom of Choice (Choice) – private benefits of education and the liberty to ensure that schools are chosen that are consistent with family preferences.

- Broad definition of education
- Minimal regulation of curriculum, admissions, and other dimensions of school operations
- Comparative information about school choices available to families
- Adequate system of transportation

2. Productive Efficiency (Academic achievement) – Maximization of educational results for any given resource constraint.

3. Equity (Access) – Quest for fairness in access to educational opportunities, resources, and outcomes.

- Equality in access, resources, and educational outcomes
- Schools required to choose some portion of students by lottery, if there are more applicants than openings

4. Social Cohesion (Civic Socialization) – Provision of a common educational experience that will orient all students to grow to adulthood as full participants in the social, political, and economic institutions of our society.

- All students exposed to peers from a variety of backgrounds
- Common elements in curriculum including the possibility of engaging in community service

The research reviewed speaks to how well different types of educational institutions are meeting one or more of these expectations.

CHALLENGES WITH EDUCATIONAL RESEARCH

Research on charter schools has been limited and confusing. The National Charter School Research Project (NCSRP) was recently formed by a consortium of foundations to better formulate a research agenda for charter schools. However, the Project is too new to have made a difference to date.

One of the challenges associated with the interpretation of any study is that it is difficult for a researcher to ignore personal beliefs and report findings objectively. Decisions about how to report data and about what data to report are often influenced by ideology, consciously or not. When studies are funded and/or conducted by

organizations that have taken a strong stance for or against a particular idea, their position of advocacy needs to be taken into consideration when interpreting the studies. Examples of organizations with stated and advocated positions on charter schools issues are: The Manhattan Institute, The CATO Institute, The American Federation of Teachers, and People for the American Way.

William Howell's 2002 essay reiterates the aforementioned caution by pointing out in his review of seven prominent researchers that "in searching for consensus, these reviews only underscore how much disagreement lingers." Howell's review begins with Stanford University education professor Martin Carnoy's position of interjecting balance into a literature written by researchers who openly support school choice. Duke University economist Helen Ladd contends that the evidence thus far on academic achievement in school choice programs is at best "preliminary" and "does not support the claims of improving education." A middle position is assumed by the lengthy RAND study. Addressing the limitations of the existing empirical research, the RAND report finds that charter schools have achieved isolated and modest gains. Cautiously positive reviews are identified by Brookings Institute scholars Isabel Sawhill and Shannon Smith. Clear performance gains and an overall optimistic conclusion of the research are presented by Paul Teske and Mary Schneider of State University of New York at Stony Brook. Lastly, Jay Greene's findings are uniformly positive. As Howell points out, "while each reviewer and researcher can claim objectivity, they fail because the act of assigning meaning to facts is unavoidably subjective."

Another challenge with charter school research involves the absence of any clear identification of curricular or instructional differences or similarities existing between the

traditional schools and charter schools. While several studies established more equitable comparisons between groups (matched levels of free and reduced lunch eligible students, matched levels of ethnicity) no evidence of matched curricular or instructional comparisons between traditional schools and charter schools was found.

Using aggregates for all charter and all other public schools tends to mask any real differences, as can be seen in the results from Kansas charter schools. In Appendix B, Tables 2 and 3, Kansas' primary-school charters have very high proficiency levels and are very similar in student test results to other public schools. In Table 4, charter high schools show dramatically lower assessment results—as we would expect, given the preponderance of alternative high schools among them. But when the results of all charters—primary as well as secondary—are aggregated in Table 6, the data suggest that in general, reading results in charters are slightly lower than those in other public schools, while math results are somewhat better in charters, especially for females and students with disabilities. These are deceptive conclusions because we are not comparing schools with similar missions, curricula, or designs.

Finally, research design issues present a challenge. It is nearly impossible to have randomized design in any educational research, so it is very difficult to tell if two groups are comparable. There are seldom universal academic measures that are taken by students before the beginning of charter school attendance and then periodically after enrollment. Many students in the United States are very transient, and mobility isn't random. Even when it is possible to initially create a fairly randomized design, it is nearly impossible to keep groups similar over time. Students in charter schools are not representative of students in general. Therefore, their results cannot be generalized to the

total student population. For these reasons, almost all comparisons of students and schools are imperfect and employ complicated statistical tools: tools that can be used to have the same numbers support both positive and negative conclusions.

LITERATURE REVIEW

Initially, a total of 85 articles, essays, studies, reviews, and text pertaining to school choice were examined for this literature review. Essays, position papers, and summaries were deleted from further review. Selection criteria for the documents included in this review were guided by the following: (1) identifiable features of scientifically based research and (2) recency of the material¹. Equally important was an adherence to a balanced representation of the results and interpretations of the data. A full bibliography is listed in the back of this report.

When starting its research, the National Charter School Research Project (NCSRP) looked at findings from other researchers. It discovered that the American Federation of Teachers and Economic Policy Institute concluded that the available findings on charter schools were negative, while the Charter School Leadership Council drew the opposite conclusion; and that each group had excluded some studies from their analyses for various reasons. NCSRP found references related to 41 recent studies (26 in one state) on charter schools. In doing its review, NCSRP was unable to find one of the studies and excluded five others because they were meta-analyses. Results of the NCSRP review were that, whatever the research method used, there are some positive and some negative results. The 35 qualifying studies were described as follows:

¹ At the request of the State Board of Education, studies related solely to vouchers were also removed.

Results of charter school achievement studies done since 2000

Direction of result	Mean-to-mean comparisons, no controls	Multivariable analysis	Regression analysis, randomization, multi-year student scores	Total
Positive	4	3	8	15
Neutral/mixed	4	0	6	10
Negative	5	2	3	10

The reviews done by the Planning and Research Team will be listed in the same order: Positive, neutral/mixed, negative. All reviews are summarized in alphabetical order by authors name in Appendix A.

Positive

In a December 2004 study, Hoxby compared the percentage of charter school students in 3rd through 5th grade performing at or above proficient on state examinations in math and reading to the percentage of other public school students performing at the same levels. Ninety-nine percent of students attending charter schools were included in the study. Hoxby found that students in charter schools did have higher percentages of proficient students for both math and reading, and further that charter schools are more effective the longer they are in operation and the higher the percentage of per-pupil funding they receive. She also noted that no statistically significant differences were found in the proficiency levels of charter school and public school students in Kansas. (See Kansas proficiency comparisons in Appendix B.) Hoxby mentioned three major limitations to the study. First, there were no pretest measures to show how students attending charter schools had performed before enrolling in the charter schools, making it unclear whether attendance at the charter school or some other factor (such as parental involvement in education or prior achievement) is behind the difference in test scores. Second, Hoxby matched the charter schools to public schools based mainly on

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geographic location. Since students are often bussed from long distances to attend charter schools, assuming that the students at the schools would otherwise be attending the nearest public school might not be accurate. Finally, the study excluded results from charter schools that target at-risk or gifted students, but made no effort to exclude results from students in the regular public schools that may be at-risk or gifted.

A study by Hoxby and Rockoff (November 2004) used “lotteried out” students as a control group for the “lotteried in” students in the largest charter school system in the United States: Chicago. The authors mentioned many problems with evaluating charters, including the fact that they are so heterogeneous. An evaluation of any charter school only generalizes to others with similar management and student populations. Identifying a good comparison group is also problematic. Students may apply because they are already doing badly, they are exceptionally able, they are average but their public school is below average, parents want to intervene in a positive way, or parents are motivated to intervene in a dysfunctional way. Although using “lotteried in” and “lotteried out” students is like randomized design, students who are “lotteried out” may choose to attend somewhere else or be admitted later and those who are “lotteried in” may never show up. Charter schools may have different effects depending on when a student enrolls, how long a student stays, and how long the school has been in existence. Many students apply for charter school in kindergarten, so they have no prior achievement that can be included in the analyses.

To control as many variables as possible, charter schools studied were young but not new start ups and students in charter and regular public schools were matched as closely as possible. For students who applied in kindergarten through grade five, the

study found positive and statistically significant improvement in math test scores of 6 to 7 points. There was no effect on students who applied in grades six through eight. For reading in the early grades, charter school effects were positive by 5 to 6 percentile points.

Greene, Forster, & Winters (2003) reported that charter schools outperformed regular schools in math tests by .08 standard deviations and in reading by .04 standard deviations when compared nationally. Limitations of the study included the absence of pretest measures to show how students attending charter schools had performed before enrolling in the charter schools, the matching of charter schools to public schools based mainly on geographic location, and the exclusion of results from charter schools that target at-risk or gifted students without the effort to remove results from similar student groups in the regular public schools.

Neutral/Mixed

Interviews of teachers in the Knowledge Is Power Program (KIPP) charter schools in the Bronx, Washington, D.C., and Houston indicated that teachers referred students to KIPP who were more able than their peers; and that teachers thought that the most motivated and educationally sophisticated parents were those likely to take the initiative to pull children out of the public school and enroll in KIPP at the end of 4th grade. Teachers said they tended to talk with very supportive parents and with intact families about enrolling their students in KIPP. Thus, KIPP's success may have more to do with the students and families enrolled in the program than with the quality of the program (Carnoy, Jacobsen, Mishel, and Rothstein, 2005).

Cullen, Jacob & Levitt (2005) used a quasi-experimental design with a somewhat random selection of students (“lotteried in” vs. “lotteried out” students) in Chicago public magnet schools. Comparisons were made between 8th grade lottery winners and lottery losers. Scores of achievement and graduation rates were obtained for these students when they were in grades 9-12. Ordinary least squares regression analysis was used to test group differences. Students who won lotteries to high achieving schools had marginally increased reading scores at 10th grade. For students who won lotteries to value added schools, there were marginally improved English scores at 9th grade and significantly increased geometry scores at 10th grade. Students who won lotteries to highly popular choice schools made significant reading score gains in 10th grade. Within school types there were no differences in graduation rates; however, when school types were pooled there were significantly fewer lottery-winning students who graduated or remained in the Chicago public school system. Limitations to the randomization in the study included the following: students who lost the lottery were sometimes able to enroll in their school of choice through a different program; students could be accepted into a different school of choice after not being selected into a school using a lottery; and students could apply to multiple schools using lotteries and subsequently win the lottery at more than one school during a school year.

Cohort analyses by Miron (2005), examining test score data for the same groups over time, showed that students in charter schools outperformed students in the public school district hosting the charter school on the Connecticut Mastery Test. However, trend analyses comparing consecutive groups of different students at the same grade level on the Connecticut Academic Performance Test showed host districts with higher

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average scores than charter schools. Limitations of the study included the inability to track individual students over time, the newness of the charter schools involved, the lack of true longitudinal measures, the small sample sizes, and the inherent differences between the charter schools and the public schools chosen for comparisons.

Based on a multi-dimensional approach--including a principals' survey, case studies, and analysis of secondary data sources in California's charter school system—Zimmer, et al. of RAND (2003) found that charter students are more likely to be African American, less likely to be Hispanic or Asian, and less likely to be special education students than other public school students. Students performed comparably on most state examinations. Charter schools reported having more control, used fewer resources per student, had more class time devoted to non-core subjects, and had less experienced staff than did comparable public schools.

Solmon, Paark, & Garcia (2001) used longitudinal data from the years 1997-1999, as opposed to cross-sectional data, in their study of charter schools. Comparable student groups between charter schools and traditional public schools were achieved by “blocking.” The specifics involved in the “blocking” process included student scores on the Stanford Achievement Test, Ninth Edition (SAT9), reading and math quartiles, grade level, and traditional public school of attendance. The statewide sample size from grades 3-12 was 102,724: 13.6 percent from charter schools. The first strategy used to evaluate the effectiveness of charter school attendance was an analysis of covariance (ANCOVA). The second strategy introduced both fixed and random effects panel models. There was not significant improvement in reading for charter school students compared to public school students during the first year of charter school attendance. Mathematics results

showed a significant disadvantage for charter school students during the first year. For the second and third years of charter school attendance there were significant gains in reading but no significant gains in math when compared to regular public school students.

Negative

The National Center of Education Statistics (NCES) analysis of the National Assessment of Education Progress (NAEP) data showed that students attending charter schools had about the same achievement levels as other public school children. Charter school students generally scored lower in each disaggregated group, but not significantly lower. The researchers found negative impacts of enrolling in a charter school that were substantially larger than the negative impacts of changing schools or making the transition from elementary school to junior high. Negative effects were larger for new charter schools. However, negative effects were statistically significant even after five years of operation.

Hanushek, Kain, Rivkin, & Branch (2005) followed four consecutive cohorts for the period 1996 to 2002, focusing on student achievement gains in grades 4 through 7. For each cohort there were more than 200,000 students in over 3,000 public schools including over 200 charter schools. The criteria referenced were the math and reading tests of the Texas Assessment of Academic Skills (TAAS), which were transformed into standardized scores. Student demographics including ethnicity, gender, and subsidized school lunch eligibility were included in the analyses as were charter school years in operation. A series of linear probability models were used to estimate parental decisions involving exiting charter and regular schools. Student achievement results during the initial start-up years (1-3) of charter schools were lower than those in regular public

schools. After 4 years of operation, student scores in charter schools were the same as or slightly above (although not significantly above) those in other public schools.

An individual level panel data set was used by Bifulco & Ladd (2004) to evaluate the impact of charter schools in North Carolina on the math and reading performance of students in grades 4 through 8. Student level fixed-effects models together with auxiliary analysis were used. Individual student level panels were assembled for five cohorts of students: third graders in 1996, 1997, 1998, 1999, and 2000. Students within each cohort were followed through the eighth grade. The average cohort size was 99,727. The number of students observed who spent at least one year in a charter school was 8,745. Only students who had three or more observations (assessments) could be included because the research design requires gains observed at least once in a charter school and at least once in a traditional public school. The design was possible because North Carolina has been testing all students in grades 3-8 in math and reading since 1992-93 and students have unique identifiers that allow researchers to follow them over time. Charter school students' gains were nearly .10 standard deviations smaller in reading and .16 standard deviations smaller in math than gains those same students had when enrolled in regular public schools.

CONCLUSIONS

As this review shows, the research conducted on charter schools is inconclusive. We are left with two main questions: (1) What research is needed to find better answers to policy questions? (2) Is any information available from the research conducted so far that can help Kansas provide successful charter schools?

Additional Research Needs

As with any complex issue, the need for additional and ongoing research on charter schools is crucial. In addition to continued research on the effectiveness of charter schools in terms of student achievement, for example, expanded studies dealing with charter school autonomy, innovation, accountability, and relationship to traditional school change are necessary to more fully understand the potential and limits of the charter school idea. The Thomas B. Fordham Institute has developed a charter school typology consisting of 10 charter school types and 55 sub-types. Given the extensive range of charter school types and targeted student populations served within these schools, research into the unique and specific issues of each type holds important promise for stakeholders at all levels.

Good research designs are critical to learning more about the impact of any education initiative, but they are limited by the difficulty of randomization, the variety of achievement measures used, student attrition, and design drift. Every study reviewed for this paper had substantial limitations. Longitudinal field trials with randomized designs are the strongest studies, but even these studies should be vetted by independent scholars to minimize researcher bias. Student background characteristics are very complex and aren't adequately represented by race, school lunch status, and gender. Better variables are needed, and they should be included in the analyses simultaneously. Growth scores are fairer estimates of school effectiveness than point-in-time scores, but attrition must be carefully monitored to ensure the students for whom multiple scores are not available do not significantly differ from the students that remain in the study. The instruments that are the sources of the scores must be comparable. Schools and programs that are new or

transitioning and students who transition from one school to another generally have a period of time in which achievement gains are not as great. Therefore, transitions should be included as variables. Finally, consider the goals, curricula, and grade configurations of schools when doing analyses and match schools with like schools.

Each of the aforementioned research considerations is applicable to a deeper understanding of the viability of charter schools in Kansas. As evidenced by the review of the research presented in this document, the absence of easily generalizable findings and the inconsistency of the results place even higher demand upon investigating the complexities of the issues within the context of Kansas.

Characteristics of Successful Programs

Whether or not charter schools are successful seems to depend on a state's charter school law (adequate provisions for autonomy and accountability and at least as much money as other schools for operations and facilities); whether the charter school is a conversion or start-up school (conversions might contain the same staff and problems as before); and efforts to ensure that the needed knowledge, resources, and skills will be provided to the charter school. Sufficient time is needed to hire new leaders and staff, engage students and parents and community members in the planning, and make improvements to buildings. It is very difficult to close a charter school after it has been opened, even if it is not performing well, since many are very popular with parents. It is much better to carefully plan, support, and closely monitor charter schools to help them be successful than to allow many to open and then close those that don't live up to their promise (Ziebarth & Wohlstetter, 2005).

The goals of the education system seen throughout the literature are choice, efficiency, equity, and social cohesion. Often, when one of the goals becomes a priority, another of the goals becomes more difficult to achieve. How might policymakers (a) maximize the likelihood that charter schools will be academically and financially successful, (b) maximize the likelihood that systemic effects on non-choosers will not be negative, (c) ensure that a substantial number of autonomous schools will be available for all students, and (d) ensure that students become responsible citizens? The best way to ensure all of these is to “develop new methods for evaluating education outcomes and to assemble high-quality evidence on the long-term programmatic effects of different programs, serving different populations, in different geographic settings” (Howell, 2002). Based on the evidence currently available, RAND presents a number of recommendations for those considering charter schools. The recommendations have been placed under the four goals of education mentioned previously in this report.

- Equity
 - Require that all participating schools practice open admissions and lottery systems (if there are more applicants than slots available)
 - Target specific students, especially those most in need
 - Provide generous funding, including supplemental funding, for students with special needs
- Efficiency
 - Do not expect charter programs to create substantial savings if they are to provide high-quality choices to a substantial number of children
 - Avoid over-regulation
 - Give public schools the autonomy they need to perform in a competitive educational market
 - Enforce requirements for student achievement testing
 - Impose consequences on schools that do not perform at acceptable levels
 - Develop a statewide student-level record system that can track the performance of individual students and allow needed program evaluation/research
- Choice
 - Disseminate information to parents about mission, values, curriculum, and outcomes of each school

- Create multiple chartering authorities
 - Actively inform parents about schools and school effectiveness
- Social Cohesion
 - Assess state curriculum standards
 - Expose students to peers from variety of backgrounds

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APPENDIX A

CHARTER SCHOOL RESEARCH SUMMARY TABLE

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CHARTER SCHOOL RESEARCH SUMMARY TABLE

Authors	Title of Study	Type of Study	Questions Addressed	Direction of Findings
Bifulco & Ladd, 2004	The Impacts of Charter Schools on Student Achievement: Evidence from North Carolina	Quasi-experimental value added study, using individual panel data (3 rd graders in 1996, 1997, 1998, 1999, & 2000) & controlling for student transitions between schools	<p>Do students who attend charter schools make larger achievement gains, on average, than they would have in the absence of charter schools?</p> <p>Do students who attend traditional public schools located near charter schools, and thus subject to competition from charter schools, make larger achievement gains than they would have in the absence of charter schools?</p>	<p>Charter school students' gains are nearly .10 standard deviations smaller in reading and .16 standard deviations smaller in math than gains those same students had when enrolled in public schools; results for students in new charter schools are more negative</p> <p>A little more than 1 percent of students are lost to charter schools; charter school competition slightly reduces student reading test score gains in schools located within 2.5 miles of a charter school and has no effect on gains in schools located between 2.5 and 10 miles; there are no sig. differences in math</p>
Carnoy, Jacobsen, Mishel, and Rothstein, 2005	The Charter School Dust-Up: Examining the Evidence on Enrollment and Achievement	Qualitative study using teacher interview data	What types of students do teachers refer to Knowledge Is Power Program (KIPP)?	Teachers in the Bronx, Washington, D.C., and Houston refer students to KIPP who are more able than their peers; they tended to talk with very supportive parents and with intact families about enrolling their students in KIPP; thus, KIPPs success may have more to do with the students and families enrolled in the program than with the quality of the program

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A-B

Authors	Title of Study	Type of Study	Questions Addressed	Direction of Findings
Cullen, Jacob & Levitt, 2005	The Effect of School Choice on Student Outcomes: Evidence from Randomized Lotteries	Quasi-experimental using lottery random selection into Chicago public magnet schools; comparisons between students who were lottery winners and lottery losers in grade 8; ordinary least squares regression analysis used to test group differences	<p>Do students who choose to apply to lottery schools with higher average achievement scores and less violence score better on school performance measures?</p> <p>Do students who choose to apply to value added lottery schools score better on school performance measures?</p> <p>Do students who choose to apply to high popularity lottery schools score better on school performance measures?</p>	<p>No significant differences in reading, English, and math at 9th grade; marginal ($p < .10$) support for reading at 10th grade; no significant differences at end of 4 years for graduation</p> <p>Marginal ($p < .10$) support for English in 9th grade; significant ($p < .05$) results for geometry at 10th grade; no significant differences at end of 4 years for graduation</p> <p>No significant differences in achievement at 9th grade; significant ($p < .05$) support for reading scores at 10th grade; no significant differences at end of 4 years for graduation</p> <p>For all types of schools combined lottery winners do not graduate or leave the Chicago public school system at higher rates than do non-lottery winners (significant at $p < .05$)</p>
Gill, Timpane, Ross, & Brewer (RAND), 2001	Rhetoric versus Reality: What We Know and What We Need To Know about Vouchers and Charter Schools	Literature Review/Meta-Analysis	<p>How effective are voucher and charter programs overall?</p> <p>Will vouchers/charters promote the academic skills, knowledge, and attainment of their students?</p>	<p>Empirical evidence not conclusive</p> <p>-Small-scale, experimental privately funded voucher programs targeted to low-income students suggest a modest achievement benefit</p>

08-16

Authors	Title of Study	Type of Study	Questions Addressed	Direction of Findings
			<p>What do voucher/charter parents think of their children's schools?</p> <p>Are voucher/charter programs available to those who presently lack such options, notably low-income (frequently nonwhite) residents of inner cities? Do they provide any options for students with special needs?</p>	<p>for African-American students after one to two years in voucher schools; other racial/ethnic students have not benefited from or been harmed by vouchers</p> <p>-Charter school performance improves after the first year of operation; however, studies do not suggest that charter school achievement outcomes are dramatically different than that of conventional public schools</p> <p>Parental satisfaction levels are high in virtually all voucher and charter programs studied, although they decline slightly in the second year; satisfaction remains substantially higher than those of public-school comparison groups</p> <p>Programs explicitly designed with income qualifications have succeeded in placing low-income, low-achieving, and minority students in voucher schools; in most choice programs, students with disabilities and students with poorly educated parents are somewhat underrepresented; education tax subsidy programs are disproportionately used by middle- and upper-income families</p>

18-6

Authors	Title of Study	Type of Study	Questions Addressed	Direction of Findings
			<p>Do vouchers/charters increase or reduce the racial and economic integration of students?</p> <p>Do vouchers/charters contribute to the socialization of responsible, tolerant, democratically active citizens?</p>	<p>Targeted voucher programs may modestly increase racial integration; on average, charter schools have racial/ethnic distributions that fall within the range of distributions of local public schools; in some states, however, many charter schools serve racially homogeneous populations</p> <p>There is virtually no empirical evidence about the civic socialization effects of voucher and charter schools</p>
Greene, Forster, & Winters, 2003	Apples to Apples: An Evaluation of Charter Schools Serving General Student Populations	Comparison of test score improvements in eleven states over a one-year period	Do charter schools serving "untargeted" populations outperform regular public schools serving the general student population?	Charter schools outperform regular schools in math tests by .08 standard deviations and in reading by .04 standard deviations
Hanushek, Kain, Rivkin, & Branch, 2005	Charter School Quality and Parental Decision Making with School Choice	Quasi-experimental value added study, using individual panel data	<p>On average are charter schools better or worse than regular public schools in raising achievement?</p> <p>Are some charter schools better than others in raising student achievement?</p> <p>Do parents who select a charter</p>	<p>Student achievement results during the initial start-up years (1-3) of charter schools are lower than those in regular public schools; after 4 years scores same as or slightly above (although not significantly above) those of public schools</p> <p>Variation of quality of charter-schools is similar to that in the public school sector</p> <p>Charter schools with lower</p>

1.3.2

Authors	Title of Study	Type of Study	Questions Addressed	Direction of Findings
			school tend to remove children if the quality is low?	quality have higher exit rates than low quality public schools
Hoxby, 2004	Achievement in Charter Schools and Regular Public Schools in the United States: Understanding the Difference	Statistical comparison of state assessment scores for 99% of charter school students nationwide compared to students in nearby public schools with similar racial/ethnic and economic populations	How do students attending charter schools perform on state proficiency examinations compared to students in regular public schools?	Higher percentage of charter school students perform at or above proficient on state exams than public school students; however, because there is no pretest measure showing how the charter school students performed before attending charter schools, there is no way to know if higher performance is due to charter school attendance or due to some other preexisting difference. Students in charter schools who had been in operation longer had higher proficiency levels than students in newer charter schools
Hoxby & Rockoff, 2004	The Impact of Charter Schools on Student Achievement	Quasi-experimental, using lotteried-in and lotteried-out students as comparison groups to achieve some randomization; regression analysis controlling for grade entry, age of charter school, and time in charter school effects; point in time assessment with	<p>How does the achievement of Chicago public school students in charter schools compare to the achievement of other Chicago public school children?</p> <p>How do charter schools affect the student population of the regular public schools?</p>	<p>Positive and statistically significant reading and math score improvement for charter school K-5 students</p> <p>Charters draw students who are more likely to be Hispanic and bilingual than average CPS students, but otherwise they are typical of the CPS population</p>

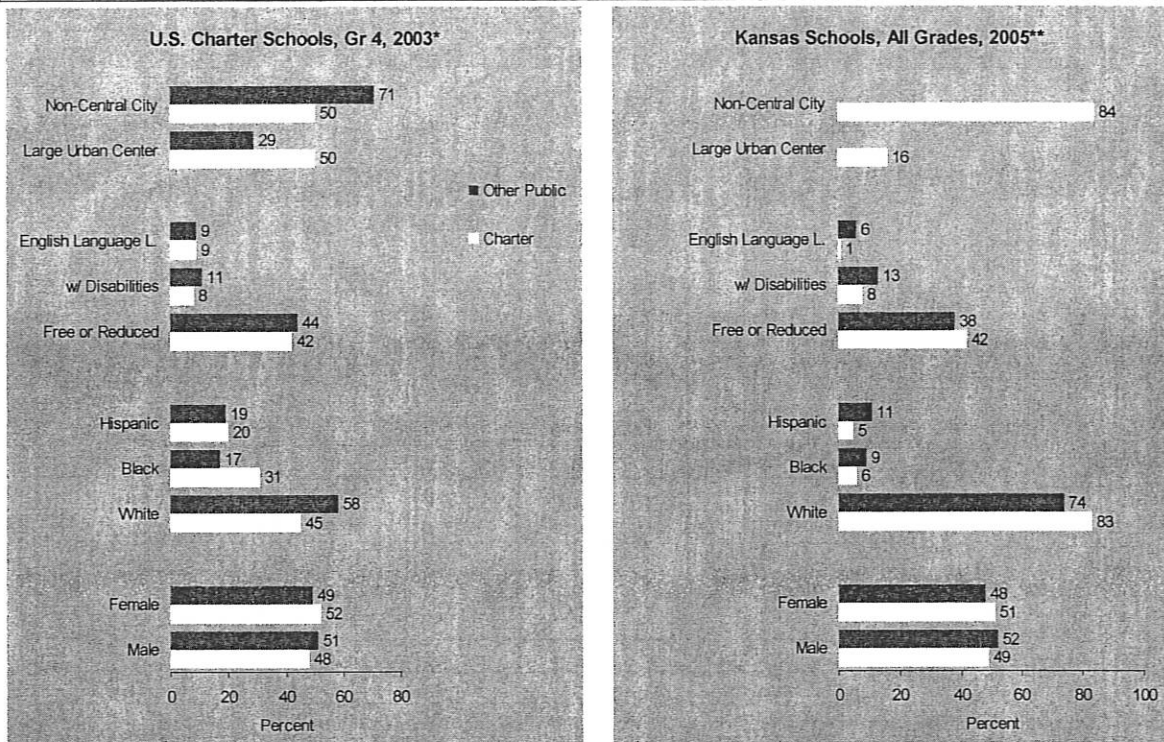
17-33

Authors	Title of Study	Type of Study	Questions Addressed	Direction of Findings
		prior test results included in analysis, if available		
Miron, 2005	Evaluating the Performance of Charter Schools in Connecticut	Trend analysis comparing consecutive groups of different students at same grade level; Cohort analysis examining test score data for same group over time	What are the performance gains made by charter school students on standardized tests relative to gains made by traditional public school students?	Cohort comparisons show charter schools outperforming the comparison host district on the Connecticut Mastery Test; trend data from the Connecticut Academic Performance Test showed host districts with higher average scores than charter schools
Solmon, Paark, & Garcia, 2001	Does Charter School Attendance Improve Test Scores? The Arizona Results	Matched group comparison with three-year longitudinal study	Does attendance in a charter schools improve test scores?	Results on reading assessments indicate no significant improvement during 1st year of charter school attendance compared to traditional schools; significant improvement in reading results are gained by 2 nd & 3 rd year of attendance for charter students. Mathematics results show significant disadvantage in 1st year of charter attendance; no significant difference in 2 nd & 3rd years of attendance
Zimmer, Buddin, Chau, Faley, Gill, Guarino, Hamilton, Krop, McCaffrey, Sandler, Brewer (2003)	Charter School Operations and Performance: Evidence from California	Multi-dimensional approach including principals' survey, case studies, and analysis of secondary data sources	What population of students attend charter schools? Is student achievement higher in charter schools than in	Charter students are more likely to be African American and less likely to be Hispanic or Asian, and also have fewer special education students Charter schools generally have comparable or slightly

1-3-1

Authors	Title of Study	Type of Study	Questions Addressed	Direction of Findings
			conventional public schools?	lower test scores than do conventional public schools
			What oversight and support do the chartering authorities provide?	Charter schools report greater control than conventional public schools over decision making
			How do charter schools differ from conventional public schools in terms of their operation including finances, academic environment, and staffing?	Charter schools are not homogenous; thus there is no single charter school effect; charter schools use fewer resources per student, have more class time in non-core subjects, and have less experienced staff than public schools

Table 1: Who Attends Charter Schools?



*Source: U.S. Dept. of Education, NAEP 2003 Grade 4, Mathematics Charter School Pilot Study. All percentages rounded to nearest whole number. Weighted samples of 3,238 charter students and 188,201 other public school students.

**Source: Kansas Dept. of Education, 2005 enrollment data, Principal's Building Reports. Urban classifications of Kansas public schools unavailable. There were 1,361 charter students and 448,961 other public school students.

Data Observations:

- Compared to national charters, Kansas charters are largely based in small towns and rural communities and have few African-American or Hispanic students.
- In both the national and Kansas samples, there are fewer students with disabilities and fewer boys in charter schools.

7-35

Table 2: How Well Do Charter School Students Do on Assessments?

Reading Assessment Results, Charters vs. Other Publics
Grade 4 (NAEP data) & Grade 5 (Kansas data)

	NAEP*		Kansas**	
	% Basic or Above		% Proficient or Above	
	Charters	Other Publics	Charters	Other Publics
All Students	58	62	79	78
Male	55	58	76	78
Female	60	65	83	79
White	73	74	80	82
Black	37	39	**	62
Hispanic	45	43	none	67
Free or Reduced Non-Poor	39	45	63	69
	72	76	87	85
w/ Disabilities	N/A	N/A	**	60
ELL	N/A	N/A	none	67

*Source: U.S. Dept. of Education, National Assessment of Educational Progress (NAEP) 2003 Grade 4, Reading Charter School Pilot Study. Percentages are rounded to the nearest whole number.

**Source: Kansas Dept of Education, 2005 State Reading Assessments, Grade 5. For charter schools, the number of African-American as well as Students with Disabilities with valid assessments were less than 10, so these cells were suppressed to protect student confidentiality. There were no Hispanic or ELL students tested.

Table 3

Math Assessment Results, Charters vs. Other Publics
NAEP & Kansas data

	NAEP*		Kansas**	
	% Basic or Above		% Proficient or Above	
	Charters	Other Publics	Charters	Other Publics
All Students	69	76	88	86
Male	69	77	91	86
Female	68	75	87	85
White	84	87	88	90
Black	51	54	**	70
Hispanic	58	62	**	72
Free or Reduced	53	62	87	78
Non-Poor	81	88	90	91
w/ Disabilities	N/A	N/A	**	75
ELL	N/A	N/A	none	64

*Source: U.S. Dept. of Education, NAEP 2003 Grade 4, Math Charter School Pilot Study. Percentages are rounded to the nearest whole number.

**Source: Kansas Dept of Education, 2005 State Math Assessments, Grade 4. For charter schools, the number of African-Americans, Students with Disabilities, and Hispanics with valid assessments were less than 10, so these cells were suppressed to protect student confidentiality. There were no ELL students tested in the charter schools.

7-31

Table 4
Kansas High School Assessment Results,
Charters vs. Other Publics

	Reading* % Proficient or Above		Math* % Proficient or Above	
	Charters	Other Publics	Charters	Other Publics
All Students	35	65	32	52
Male	35	63	24	54
Female	35	67	45	51
White	33	69	32	58
Black	**	37	**	23
Hispanic	**	47	**	26
Free or Reduced Non-Poor	40 30	49 70	42 25	33 60
w/ Disabilities	none	35	**	26
ELL	none	52	none	13

*Source: Kansas Dept of Education, 2005 State Assessments. For charter schools, the number of African-Americans, Students with Disabilities, and Hispanics with valid assessments were less than 10, so these cells were suppressed with ** to protect student confidentiality. There were no ELL students tested in the charter schools.

Data Observations:

- Disaggregated by grade, the number of Kansas charter-school students is very small. Therefore, even small changes in the populations served, or in charter-school designs, could result in large changes in assessment results.
- The Kansas charter results, like those of the regular public schools, show good results in the early grades, and markedly worse results in the high school grades. This seems to be best explained by the differences in the charter schools' missions: a high-proportion of charter high schools are alternative schools serving at-risk students. The differences in demographics can be seen in the table below.

7-38

Table 5
Kansas Charter Schools' Demographics:
Primary Differs from Secondary

	4th Grade, Percentages		10th Grade, Percentages	
	Charters	Other Publics	Charters	Other Publics
Mobile Students	1	5	73	5
Not Tested	0	0	0	0
Male	41	51	57	52
Female	59	49	43	48
White	94	74	70	79
Black	1	8	13	7
Hispanic	1	12	3	8
Free or Reduced	38	41	47	29
Non-Poor	62	59	53	71
w/ Disabilities	12	14	7	11
ELL	0	7	0	2

Source: Kansas Dept of Education, 2005 State Math Assessments. Percentages are based on students eligible for state assessments. All have been rounded to the nearest whole number.

Data Observations:

- Kansas primary charter students have a higher proportion of white students—by 20 points—and of females—by 10 points—than regular public schools.
- Charter secondary schools serve a radically different population, with a male majority of 57 percent and a much higher proportion of low-income students: 18 points higher than the regular public schools.
- Mobile students—students who enter school after September 20th—also illustrate the change in populations served by primary and secondary charter schools. Fourth-grade charter school students—with only 1 percent registering late—are more stable than those in the regular public schools. Since mobile students do not count in proficiency calculations for adequate yearly progress, our current accountability system cannot evaluate the academic performance of alternative schools accurately.

7-39

Table 6

Kansas Assessment Results, Charters vs. Other Publics
Data Aggregated Across All Grades

	Reading* % Proficient or Above		Math* % Proficient or Above	
	Charters	Other Publics	Charters	Other Publics
All Students	70	74	72	69
Male	71	72	67	70
Female	70	76	78	68
White	74	78	76	74
Black	**	55	**	46
Hispanic	**	61	**	52
Free or Reduced Non-Poor	58	63	70	57
	78	79	74	76
w/ Disabilities	57	51	69	51
ELL	none	63	**	47

*Source: Kansas Dept of Education, 2005 State Assessments. For charter schools, the African-Americans, Hispanics, and in math, English Language Learners, with valid assessments were less than 10, so these cells were suppressed with ** to protect student confidentiality. In reading, there were no ELL students tested in the charter schools.

Data Observations:

- Aggregating all charter data obscures the high-level performance of the primary-school charters (see Tables 2 and 3) and the dramatically lower performance of secondary charter schools. The charter high schools are predominantly alternative schools serving high-risk students. An analysis of their performance, at a minimum, would require matching with comparative student populations and statistical techniques that control for the influence of background characteristics.

7-40

NAEP Survey Data

As part of its recent study of charter schools,² the U.S. Department of Education researchers surveyed the principals of the 150 charter schools participating in the National Assessment of Educational Progress (NAEP). They were then able to link the survey results with student results on NAEP assessments. While the data is based on a relatively small and diverse sample and must be interpreted with caution, some of the survey responses may inform questions before the Board:

Does student performance differ by charter-school oversight?

charter-granting authority	% of students tested	% at Basic or Above
school district	49	65
state board of ed	27	52
university	15	45
state charter-granting agency	6	60

On all charts, basic or above should be lower case

Does student performance differ by charter-school focus?

program focus	% of students tested	% at Basic or Above
comprehensive curriculum	59	56
specialized curriculum	24	59
specialized ed philosophy	5	53
specialized values	11	63

Foreign language immersion or math-science focus would be examples of specialized curricula; Montessori or open schools of specialized educational philosophies; religious or character-focused of specialized values.

Does student performance differ by charter-school independence?

	% of students tested	% at Basic or Above
part of a school district	55	64
stand-alone	45	52

² U.S. Dept of Education, Institute of Education Sciences (2005) *America's Charter Schools: Results from the NAEP 2003 Pilot Study*, (Washington, DC: National Center for Education Statistics) NCES 2005-456. Copies of the report can be downloaded at: <http://nces.ed.gov/nationsreportcard/studies/charter/> . Copies of the survey can be downloaded at <http://nces.ed.gov/nationsreportcard/studies/charter/results.asp> .

APPENDIX C

CHARTER SCHOOL AUTHORIZERS/SPONSERS³

³ In addition to sponsors, ECS has collected data (by state) on waivers, state policies, and funding for charter schools. The information is available at <http://mb2.ecs.org/reports/Report.aspx?id=113>.



Charter School Authorizers/Sponsors

At the present time, 40 states, the District of Columbia and Puerto Rico have enacted charter school laws, so this database only contains information for them. It does not contain any information for the 10 states that have not enacted charter school laws.

	Who can approve charter schools?
Alaska : Charter Schools	Both the local school board and the state board of education must approve application.
Arizona : Charter Schools	Local school board, the state board of education or the state board for charter schools.
Arkansas : Charter Schools	For both conversion and open enrollment charter schools, both the local school board and the state board of education must approve the application.
California : Charter Schools	Local school board or county board of education. The state board of education may approve charter schools operating in multiple sites throughout the state. If all sites are within a given county, however, the petition for the charter must go to the county board.
Colorado : Charter Schools	A charter school applicant may submit an application to the local school board or, if the school district in which the charter school is to be located has not retained exclusive authority to authorize charter schools from the state board of education, to the state charter school institute. The state board of education automatically grants exclusive authority to authorize charter schools to: school districts where the total pupil enrollment is less than 3,000 pupils; school districts where the percentage of pupils who are eligible for free or reduced-cost lunch and who enrolled in charter schools authorized by the school district is greater than the percentage that is one percentage point below the overall percentage of pupils eligible for free or reduced-cost lunch who are enrolled in the school district; or school districts that annually certify to the state board of education that the total number of students enrolled in charter schools authorized by the school district, or the maximum number of students allowed to be enrolled pursuant to charter school contracts entered into by the school district, whichever is greater, divided by the district pupil enrollment for that budget year and reflected as a percentage, exceeds by more than three percentage points the percentage of students enrolled in charter schools statewide.
Connecticut : Charter Schools	Local charter schools must be approved by the local or regional board of education and the state board of education. State charter schools must be approved by the state board of education.
Delaware : Charter Schools	For conversions, local school boards. For start-ups, local school boards or the state secretary of education and the state board of education.
District of Columbia : Charter Schools	District of Columbia Board of Education and the District of Columbia Public Charter School Board.
Florida : Charter Schools	Local school boards. Also, state universities may grant a charter to a lab school and community college district boards of trustees may grant a charter to a charter technical career center.
Georgia : Charter Schools	Both the local school board and the state board of education must approve application.

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Hawaii : Charter Schools	State board of education, upon recommendation of the new century charter school review panel.
Idaho : Charter Schools	Only local school boards may approve conversion charter schools. Local school boards and the state public charter school commission may approve start-up charter schools.
Illinois : Charter Schools	Local school boards. Also, a local school board shall, whenever petitioned to do so by 5% or more of the voters of a school district or districts identified in a charter school proposal, order submitted to the voters thereof at a regularly scheduled election the question of whether a new charter school shall be established. If the majority of voters approve the referendum, the state board of education shall enter into a contract with the charter school.
Indiana : Charter Schools	Local school boards, public universities that offer a four-year baccalaureate degree or persons assigned under the direction of the university's board (although a university may not sponsor a charter school in Marion County until after June 30, 2005), or the mayor of Indianapolis, upon approval of a majority of the members of the city's legislative body. Also, before granting a charter under which more than 50% of the students in a district will attend a charter school, a local school board must receive the approval of the state department of education.
Iowa : Charter Schools	Both the local school board and the state board of education must approve a charter application.
Kansas : Charter Schools	Both the local school board and the state board of education must approve a charter application.
Louisiana : Charter Schools	Local school boards and the state board of education.
Maryland : Charter Schools	Local school boards. However, under certain conditions specified in the state's charter school law, the state board of education can approve the restructuring of a public school as a charter school.
Massachusetts : Charter Schools	For commonwealth charter schools, the state board of education. For Horace Mann charter schools, the local school board, local teachers union and state board of education.
Michigan : Charter Schools	Local school boards, intermediate school boards, community colleges or state public universities, all subject to state board of education review for compliance with law.
Minnesota : Charter Schools	Local school boards, intermediate school boards, cooperatives, nonprofit organizations, public postsecondary institutions or private colleges, all subject to approval by the state commissioner of education.
Mississippi : Charter Schools	Both the local school board and the state department of education must approve application.
Missouri : Charter Schools	The Kansas City and St. Louis school boards, a community college in the Kansas City and St. Louis school districts or a public four-year college or university located in the Kansas City and St. Louis school districts or in a county adjacent to the county in which the districts are located with an approved teacher education program that meets regional or national standards of accreditation. If a charter is approved by a sponsor, it is submitted to the state board of education, which may disapprove the granting of the charter within a specified time period.
Nevada : Charter Schools	A local school board may apply to the state department of education for authorization to sponsor charter schools within the school district. A local school board's application must be approved by the state department of education before the local school board may sponsor a charter school. A charter school

	application must be approved by the state department of education and a local school board. A charter school that is formed exclusively to serve special education students must be approved by the state board of education.
New Hampshire : Charter Schools	In one route, the local school board and the state department of education must approve the application. In a second route, in place between July 1, 2003, and June 30, 2013, only the state board of education must approve the application.
New Jersey : Charter Schools	The state commissioner of education.
New Mexico : Charter Schools	Local school boards.
New York : Charter Schools	Local school boards and the Chancellor of the New York City Public Schools may approve conversions and start-ups. The State University of New York board of trustees and the State Board of Regents may approve start-ups. The New York State Board of Regents must also approve any charter application approved by another entity.
North Carolina : Charter Schools	Local school boards, the University of North Carolina or the state board of education. Charter schools approved by local school boards and the University of North Carolina must also be approved by the state board of education.
Ohio : Charter Schools	For conversion charter schools, local school boards. For start-up charter schools in "big eight" school districts, "academic emergency" school districts, "academic watch" school districts and school districts that are part of the pilot project area: local school boards; boards of joint vocational school districts; boards of educational service centers; state universities, as approved by the state department of education; federally tax-exempt entities, as approved by the state department of education; or, when another authorizer fails to comply with its obligation as a sponsor, the state department of education.
Oklahoma : Charter Schools	Charter schools shall only be sponsored by a school district or an area vocational-technical school district in districts with an average daily membership of 5,000 or more and which all or part of the school district is located in a county having more than 500,000 residents or in a county which is contiguous with a county having more than 500,000 residents, provided no charter school shall be chartered in School District I029 in County No. 14 and School District I027 in County No. 9.
Oregon : Charter Schools	Local school boards.
Pennsylvania : Charter Schools	Local school boards. Two or more local school boards may grant regional charters.
Puerto Rico : Charter Schools	Education Reform Institute.
Rhode Island : Charter Schools	State board of regents, after charter school has been approved by local school board or state commissioner of elementary and secondary education.
South Carolina : Charter Schools	An applicant must first submit an application to the state-level charter school advisory committee, who determines whether the application is in compliance. If so, the application is forwarded to the local school board, who then determines whether or not to approve the application.
Tennessee : Charter Schools	Local school boards.
Texas : Charter Schools	Local school boards for school district-approved charters. State board of education for open-enrollment charters.

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Utah : Charter Schools	Local school boards and the state charter school board, subject to state board of education approval.
Virginia : Charter Schools	Local school board. Two or more local school boards can sponsor a regional charter school.
Wisconsin : Charter Schools	Outside of Milwaukee, local school boards. In addition, the University of Wisconsin-Parkside may sponsor one charter school. In Milwaukee, the local school board, city of Milwaukee, University of Wisconsin-Milwaukee or Milwaukee Area Technical College.
Wyoming : Charter Schools	Local school boards.

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700 Broadway, #1200 | Denver, Colorado 80203-3460
303.299.3600 | Fax: 303.296.8332 | Email: ecs@ecs.org |
www.ecs.org

Regarding level playing field:

Evaluation of the Public Charter Schools Program: Final Report

Charter schools are public schools that operate under a contract (or "charter"). The expectation is that these schools meet the terms of their charter or face closure by their authorizing bodies. As public schools, charter schools must also meet the accountability requirements of the federal Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB).

Federal support for charter schools began in 1995 with the authorization of the Public Charter Schools Program (PCSP), administered by the U.S. Department of Education (ED). The PCSP funds the state grant program discussed in this report, supports charter school research and demonstration programs and underwrites national charter school conferences.

The charter school sector includes a diverse array of schools categorized as newly created or converted from previous status as public or private schools. Although these schools are subject to the terms of an individual state's charter school legislation, all charter school laws require that a designated body--the charter school authorizer--hold a school accountable for particular outcomes through the school's individualized contract. Further, flexibility (freedom from many policies and regulations affecting traditional public schools) and autonomy (control over decisions) are central to this educational reform. This is the basic context in which the charter school movement has evolved and in which the PCSP operates.

Based on three years of data (collected in school years 1999-2000, 2000-01 and 2001-02), the national evaluation of the PCSP found that:

- PCSP money is the most prevalent source of start-up funding available to charter schools. Nearly two-thirds have received federal PCSP funds during their start-up phase. Charter schools primarily use PCSP funds to purchase technology and curricular and instructional materials, as well as to fund professional development activities.

7-4/6

- Charter schools are more likely to serve minority and low-income students than traditional public schools but less likely to serve students in special education.
- Charter schools, by design, have greater autonomy over their curriculums, budgets, educational philosophies, and teaching staff than do traditional public schools. Because some state charter school laws allow schools flexibility in hiring practices, charter schools as an overall group are less likely than traditional public schools to employ teachers meeting state certification standards.
- Charter schools rarely face formal sanctions (revocation or nonrenewal). Furthermore, authorizing bodies impose sanctions on charter schools because of problems related to compliance with regulations and school finances rather than student performance. Authorizers have difficulty closing schools that are having problems.
- During the time period examined by this study, little difference exists between the accountability requirements for charter schools and traditional public schools.

Charter schools do not automatically have flexibility with respect to complying with state and federal regulations and often share authority over key decisions with their authorizers. Only 37 percent of charter school states automatically allow waivers of state regulations for charter schools. More commonly, charter schools must request specific waivers from the state. Few states (less than five) exempted charter schools from student assessment requirements in 2001-02.

In theory, charter schools enjoy flexibility or school-level control over key decisions not available to the typical school in exchange for accountability for specified outcomes. In reality, the autonomy of charter schools is limited by state policies, as well as by relationships with authorizers, education management organizations (EMOs) and community-based organizations (CBOs). Only 37 percent of states with charter schools granted them automatic waivers from state policies and regulations in 2001-02, but 54 percent waived regulations on selected policies or allowed charter schools to request waivers on a case-by-case basis. Nine percent did not permit any waivers to charter schools.

Charter schools frequently share their school-level authority with one or more other entities. Schools were most likely to report sharing control with their authorizers. Some school directors reported sharing authority with EMOs or CBOs. Authorizers determine which schools to charter, monitor progress and performance and decide whether or not to renew the charter at the end of its term. However, more than half of all authorizers reported difficulty in closing a school that is having problems. In addition, the charter contract, with its tailored outcomes, may have diminished importance in the current high-stakes accountability environment. The charter school accountability process involves three phases: the application process, the monitoring process, and the implementation of sanctions (if needed).

- During the application process, authorizing bodies screen applications, denying charters because of problems relating to, for example, proposed instructional strategies, governance procedures, accountability provisions, and business plans.
- The monitoring process occurs after authorizers have awarded charters to planning groups. Authorizers and states reserve legal authority to monitor charter schools, but other entities are also involved, resulting in a complex system of

accountability. Charter schools reported being monitored by their authorizers, governing boards, states and, in some cases, EMOs or CBOs. They reported that they are most accountable to their own governing boards.

Authorizers have developed monitoring procedures and determined criteria for applying interventions or sanctions with little specific guidance from state charter school legislation. Authorizers reported monitoring nearly all of their schools on: compliance with federal or state regulations; student achievement results; enrollment numbers; financial record keeping and viability; and special education services.

Finally, authorizing bodies have the authority to implement formal or informal sanctions against a school that fails to meet the terms of its charter. Results from the survey of authorizers show that few authorizers had implemented formal sanctions: only 4 percent of authorizers had not renewed a school's charter and 6 percent had revoked a charter as of 2001-02. (We are unable to compare these rates with the proportion of traditional public schools that have been sanctioned through closure or reconstitution.) Informal and less severe sanctions, such as written notification of concerns, were more common. Formal and informal sanctions were usually associated with problems relating to compliance with state and federal regulations and school finances.

Authorizers report facing a wide range of challenges in sponsoring and providing support to charter schools, including inadequate financial or human resources. More important, more than half of authorizers report difficulty closing a school that is having problems--a key responsibility of authorizers in this educational reform.

In the early years of the charter school movement's development, charter schools--at least theoretically--were more accountable for outcomes than other schools, by virtue of the terms of a charter contract. More recently, however, states have implemented reporting systems to track school inputs in addition to outcomes for all public schools. Little difference now exists between state reporting requirements for charter schools and those for traditional public schools.

Source: U.S. Department of Education, Office of the Under Secretary, Evaluation of the Public Charter Schools Program: Final Report, Washington, D.C., 2004.

Written testimony on Charter School Laws

HB #2652

To the Education Committee

Presented by: Scott Reaves
Patron of the CUSD 101 School District
February 10, 2006

I am a former student from Thayer High School. I started in Thayer elementary in the first grade and loved my school so much I believed I would be graduating from Thayer High School. As of this year my dreams were shattered. I would have been a junior at Thayer High School. Instead I am going to Altoona-Midway, 25 miles away and a 50 mile round trip. I am involved in sports and during football I would not be home until around 7p.m. and during basketball I would not be home until 8:30p.m. If there is an away game I do not get home until midnight.

While in Thayer school our Superintendent Randy Corns prohibited the local newspaper from our school, because it told the view of local patrons in editorials and from the perspective of the newscasters and were not allowed to discuss any part of our school closing or what we could do about it, the teachers could not talk about the school closing because the board president, Mr. Kelly Coover, had advised them their jobs were on the line and would be terminated. At one ball game in Thayer between Thayer and St. Paul, KOAM came to our school to interview the students about what this last game meant to each one of the students and interview some parents. The news crew were stopped outside and told they were not allowed to step inside Thayer school gym for any reason. That was under the orders of Superintendent Randy Corns.

One time the Chanute Tribune wanted to meet with several students at Thayer High School to interview them about what school we would attend next year and what we would remember most about Thayer High School. Superintendent Randy Corns found out about this interview and commanded that the students and Chanute Tribune were not allowed to meet at the school.

Each class has projects to earn money for their junior/senior prom at Thayer. Since Thayer was closed, this would not happen. Recently, parents and x-students decided to have a dinner/dance with all the money they had earned at Thayer High Gym. This was presented at the last CUSD 101 school board meeting and was approved with these requirements: Can not dress formal, no promenade, no dinner and no king and queen. This event is even planned for spring break so that it does not interfere with all other schools prom nights. I am only a student, but please open up the state charter laws.

Scott Reaves

Scott Reaves
8490 Elk Road
Thayer, Kansas 66776

House Education Committee

Date: 2-10-06

Attachment # 8

HB # 2652

February 10, 2006

I am Paul Westhoff, a current board member of CUSD#101 which includes Erie, Galesburg, Thayer, and originally, St. Paul. I live in Erie. I was elected on the April 5, 2005 ballot as a write in because I am for keeping the individual schools as is and helping Thayer to get their high school reopened.

Thayer has been discriminated against in that:

- was not given a chance to have a public hearing
- was not given a chance to voice their opinions at board meetings
- was not given any accurate reasons for their high school closure, such as financial reasons, curriculum

I was involved in court proceedings. The April 5th election showed that I lost. Residents from Thayer checked totals and declared that they knew the tallies were wrong. There was an official recount and I was declared the winner by Judge William "Buck" Lyle. What the bottom line turned out to be was the official counters at Erie had erred on the final tally, which was never checked into officially.

Next, Jack Simmons, the loser running against Michael Beachner, filed a lawsuit claiming harm to himself because Michael Beachner another winner in the election should not be allowed to serve on the board due to the fact he was in St. Paul area that was transferred out of the district to Chetopa district. The same went for Scott Smith. They both put up a fight in court, but finally had to resign their seats due the cost of the lawsuit. Our board had also hired additional legal council due to the fact that the boards attorney had conflicting issues.

At the present time, all of Thayer's high school students, approximtely 70 (except one which Erie picks up with a special bus route to and from Erie), are now traveling to and from schools around their area anywhere from 30 miles to 50 miles round trip to their homes. Not to mention there have been three accidents already on one of the worst highways (Highway 47), in southeast Kansas.

Therefore, I am in favor opening the State of Kansas Charter Laws.

Paul Westhoff, CUSD 101 Board Member
17725 180th Road, Erie, Kansas 66733



House Education Committee
Date: 2-10-06
Attachment # 9

Written testimony on Charter School Laws

HB #2652

To the Education Committee

Presented by: Ann John

Patron of the CUSD 101 School District

February 10, 2006

I am writing on behalf of all the CHILDREN that are EDUCATIONALLY OR ECONOMICALLY CHALLENGED.

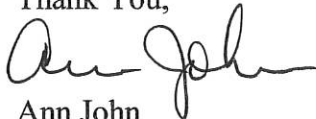
I know that we would all like to have a perfect child, that is NOT ACADEMICALLY CHALLENGED. In the real world we don't all have those kinds of children. I am the mother of a child that was held back in kindergarten. He attended a very small school that is very much aware of signs to look for when a child is struggling. They kept in close contact with me. Together we worked and decided to give him another try at kindergarten. He is now doing well thanks to the teacher and the small school atmosphere.

I am begging as a parent for you to open up the Charter school laws, we need to keep our schools small. With the additional funding charter schools can provide additional learning opportunities that many small rural communities children need.

My community is a small rural area, with 75% of the children qualifying as "AT RISK". The no child left behind law is great. Although, it is a lot TOUGHER for children of LOW INCOME FAMILIES to stay focused on learning when they are so challenged with many other obstacles in their way.

We need to find a way to make opportunities for the children who are AT RISK. Opening NUMBER 2625 TO OPEN THE CHARTER SCHOOL LAW.

Thank You,



Ann John
Thayer, Kansas

House Education Committee

Date: 2-10-06

Attachment # 10

Written testimony on Charter School Laws

HS #2652

To the Education Committee

Presented by : Robert John

Patron of the CUSD 101 School District

February 10, 2006

For the past two years I have been to almost every CUSD 101 school board meeting. For most of those meetings, the average attendance at these meetings was 300. I have witnessed an 80 year old lady being ejected from a meeting and the sheriff called for backup to escort her out for asking "Who is going to pay for that?" while promoting a bond issue for CUSD 101 when St. Paul and Thayer High Schools were threatening to be closed. I have seen a patron ejected from another meeting for asking "Could you please use your microphones?" for a crowd of over 300 present. I have also witnessed another lady being ejected from another meeting for asking "Where is the money coming from?" Law enforcement were asked to make their presence known at each of these meetings and several other meetings. In fact, there was never any trouble or outbursts at any meetings.

I have witnessed all the underhanded tactics you could ever imagine.

We have had well known lawyers and accounting firms hired to show our district how much money we had and how long our district could run. These prominent people were laughed at by our board and basically blown off as if saying, you people are stupid.

I have witnessed several lawsuits regarding keeping our schools open, getting rid of board members that were voted in by the district because our board wanted complete control of the district and to make sure Erie receive everything that they feel like they should have had over the last 40 years, such as sports complex, new school for the Erie students and all the prestige so that they can host a sporting event in Erie and not feel inferior to other schools. Erie is so ashamed of their school and are very jealous of Thayer and St. Paul because both of these schools in the district were very proud of their schools and have the support and backing of the communities of both of these towns. Erie does not have that.

After all we have been through and everything else we are anticipating going through with our local school board I request that you open up the state charter laws.


Robert John

8490 EIK Road, Thayer, Kansas 66776

House Education Committee

Date: 2-10-06

Attachment # 11

Written testimony on Charter School Laws

HB #2652

To the Education Committee

Presented by: LaDonna M. Umbarger

Patron of the CUSD 101 School District

February 10, 2006

How can I begin to tell you all we have been through these past few years. The anxiety of the threats of closing our high school. According to the 101 school board we operated in the red, had a poor curriculum and received a poor education. All of this was proven to be **false**. The finances by an independent accounting firm and education by our state assessment scores. Unfortunately, none of that mattered, they refused to listen.

The emotional roller coaster was and has been more than a parent could take let along a high school student. We worked very hard to win the next school board election. Which we did! Only to end up in a court battle and still be closed. We tried to leave the district (St. Paul was allowed to) but we were not.

During the two years of will we be open next year or not, my fifth and sixth child graduated from Thayer High School. My son is in the marines now serving in Iraq and my daughter was valedictorian of her graduating class and is attending Wichita State University with a GPA of 4.0 majoring in accounting and a semester ahead of the program.

The sad part of this is my seventh and eighth child (twins) were freshman's the last year THS was opened and were forced to go elsewhere. One received additional help in math and English and I worried about her going to another school. I was right to worry the first high school she went to took her out of special help saying she didn't need it and didn't qualify. Jana has and is struggling to keep her grades up to passing. Jana also rode with a teacher 26 miles a day round trip. Due to several factors, we moved her to a second school. Jana rides with a friend 30 miles a day round trip and is still struggling to make the grade since she has already been taken out of special help. My son went in another direction with a lot of his friends. We have to get him to the bus drop which is 6 miles out of town to ride more than 50 miles round trip. If he has late ball practice he has to drive, the road he has to drive on (47 HWY) is very poor and has NO shoulder. The students on these roads have already had 3 wrecks this year luckily none has been badly hurt. Plus the expense of travel.

The worst part of this in NONE of this was necessary we could and should still be open. There is no reason for us to be closed. We have been discriminated against in the worst possible way. Please make things right for all of us and open up the state charter laws.

Thank you, LaDonna M. Umbarger

LaDonna M. Umbarger

*Hse Ed
2-10-06
Attch # 12*

February 9, 2006

To Whom it May Concern:

I live in Thayer, Kansas, a town where school and city pride run deep. I love my town, and have chosen to live here all of my 41 years because it is the kind of town I want my children to grow up in. For any small town, the school is at the heart of the community. For our town to live, we need our heart, our school.

The small school is the pinnacle of education. This school is a place where kids feel safe. It is a place where morals are still upheld. It is a place that feels like home to its students. And it is a place where students get a quality education. I graduated from Thayer Schools in 1983 and went on to get my Bachelor's and Master's Degrees from Pittsburg State University, where I maintained a 4.0 GPA. Many people put down small schools because of what they are unable to offer. I support small schools because of what they *do* offer, such as small class size, greater teacher-student time/relationship, less gang/violence problems, and many other benefits.

Three years ago, my husband and I adopted a special needs boy who began school in Thayer as a 6th grader. It has been a miracle what Thayer school has done for this boy. Thayer school has given him more support educationally than any school ever before. He was not lost in a crowd. He was not shoved aside. He was treated as an important individual, and they have found ways to help him become a successful student and a better person. In a bigger school, I know these things would not have happened to the extent they have here simply because of quantity of students. I'm a teacher and am sure in these statements.

Why so much personal history? I wanted you to know a little of why this issue is so important to me. In CUSD 101, we have undergone a tragic occurrence where our high school was shut down because of personal bias. This should not be able to happen in the United States of America, where the government is ruled *by the people and for the people*. I respectfully ask you to consider Thayer as a charter school, for the future of our town and most importantly . . . our children.

Thank you so much for your time and consideration.

Sincerely,



Janet M. Rehmert
320 S Julia
Thayer, Kansas 66776
620-839-5438

House Education Committee
Date: 2-10-06
Attachment # 13

February 8, 2006

Dear Members:

I write this letter asking you to consider opening Thayer Schools as a charter school. I've put down a few thoughts that I hope you will consider.

Much of the talk regarding education has been in support of small class size. My wife is a teacher and she can vouch for the higher results that are obtainable when class size is smaller and individual attention is more available for students. The teacher is able to "know" her students better, thus teaching them what they personally need, instead of teaching in a blanket-style. Smaller towns have the advantage of small class size, a proven benefit for the students. My wife and I recently adopted a 12-year old boy (now 14). He had many problems, one of which was in the area of education. According to past school records, we didn't think he would ever be able to do all he has done! Since he has attended a smaller school, namely Thayer Schools in Thayer, Kansas, his reading level has gone from a 2nd grade level to a 5th grade level. He is surpassing all expectations. A special child like this is often sat to the side in larger schools because they have so many needs to meet. I hope this serves as a testimony to the importance of keeping our small schools. I hope this testimony to the importance of opening Thayer High School.

Our son will be entering high school next year. We are afraid of what it will do to him psychologically, emotionally, and educationally if he has to once again change schools, and perhaps, once again, become an unknown face in a large crowd. Please help open Thayer Schools for our son and for the continuing of a quality education, a specialized education in a small school.

Thank you for listening and considering these thoughts with great depth. Again, thank you.

Sincerely,



Larry Wayne Rehmert
320 S Julia
Thayer, Kansas 66776
620-839-5438

House Education Committee
Date: 2-10-06
Attachment # 14

HB #2652

February 10, 2006

I am Sharon Hougardy from Thayer and are in favor of opening up the state charter laws. I am a life long resident of Thayer, a Thayer High School graduate, a parent of four children, two have attended and graduated from Thayer, one is a junior in high school, the other a seventh grader at Thayer.

Since CUSD#101 board of education closed our school, I am here to speak of my two children still in school. My junior is attending a school that is twenty-five miles away, which is a fifty mile round trip every day. Sometimes I do not have a chance to see him from the time he leaves for school at 7:15 a.m. until around 6 p.m. where we meet him at a school function. After that, he still has to drive home the twenty-five miles late at night on the worst highway, Highway 47, in Southeast Kansas. I am still awaiting the fate of the seventh grader, wandering where she will have to attend school or if there will even be junior high school next year. Our board has threatened to close our junior high if Erie's school keeps losing enrollment.

I am all for President Bush's law, "No Child Left Behind", but take a good look at our situation in Thayer, Kansas. Our hometown high school kids were abruptly kicked out of their school, which the big majority of them have attended all their lives, to seek another school to attend. The "No Child Left Behind" in CUSD 101 means, as one past school board member publicly stated at a public forum "we do not care or want your children". Our children have been blind sided by the school board who continuously say the kids in our district deserve the best. The best education, new sports complex and new school at Erie. I say the best for who, Erie students only? For sure not Thayer kids. If this is what "No Child Left Behind" means, try telling Thayer students shutting down their school was best for them. We at Thayer believe we had the best. It was not new, but we are proud of what we have and our faculty and students have taken very good care of it.

I am in favor of opening up the state charter laws.



Sharon Hougardy
1545 85th Road
Thayer, Kansas 66776

House Education Committee

Date: 2-10-06

Attachment # 15

Good Morning!

My name is Susan Shaw of Kansas City, Kansas. I am addressing you as a parent, a community advocate, and an employee of the public school system.

For three decades, I have witness first hand how the public schools in Wyandotte County failed to properly prepare my children, neighborhood children, youth in my local church, and students for college. I have seen students placed on the honor roll receiving A's and graduating from their schools either unable to read with a clear comprehension, write effectively, or accurately perform math problems.

On a personal note, my two sons graduated from our local public high school with the highest honors and received a scholarship to attend State Junior Colleges. After high school graduation they discovered that the public school failed to prepare them for college, therefore placing them on probation the first two years and making them ineligible to play ball. Becoming overwhelmed with college curriculum my sons felt the pressured to drop out of college. Ten years later, by the grace of God, my children have been able to turn their dilemmas to positive situations. My oldest son is a sergeant in the Army Forces, served in Iraqi, received honors, and presently taking classes at Kansas State. My second son is working for Fed-Ex full time and attends KCKCC as part of their management program. My daughter is determined to conquer algebra to complete the requirements for her to graduation from Johnson County Community College, even though, she received D's and F's all four year in math while on the honor roll in high school. Please explain this scenario?

In closing, I support a Public Charter School in the state of Kansas. I feel that every child should be provided with the best education to prepare them for college to full their dreams to be a professional. Therefore, I am asking each member of the House to please examine and accept the amendment present to day. Please demolish the social promotion system that exists now in our public schools and secure the future of Kansas social and economical status by distributing the proper funds in promoting Public Charter Schools to better educate our children for tomorrow!

House Education Committee
Date: 2-10-06
Attachment # 16

To the attn.: State of Kansas Representatives

Date: February 10, 2006

Subject: Support of providing alternatives to families with at risk children

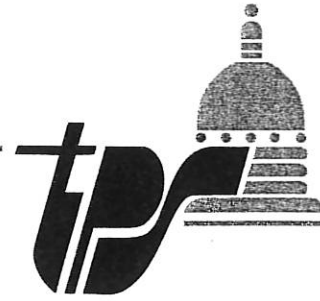
Hello, my name is Sparkle Sherrod. I have lived here in Topeka, KS all my life. I'm a married mother of three children. I have worked at a community center as an after school tutor for at risk kids for over three years. I'm here to speak in support of providing alternatives to families with at risk children. I'm in support of the liberalizing of charter school laws, of having the right to have a choice in my child's education.

My oldest child was in the 501 school district until two and a half years ago. I felt driven to seek other avenues to have my child taught because of my dissatisfaction with what I saw from the children in the after school program and then with my own child once he came into the school system. I was dissatisfied with the type of help being offered to my child with special needs. Despite my constant presence within the school office and classroom for whatever reasons, they did not have any appropriate alternatives to meet my child's needs. It was made to seem like their decision to hold him back was the only option for me to choose.

While the decision to withdraw my son was successful, this is not an option every parent has for their children. While my husband and I pay taxes that are supposed to be supporting my child's education, because the system failed my son, we must carry the full burden of his and my other two children's education expenses.

My point is the school system for whatever reason failed my son and continues to do so for many of the children I tutor as well. I implore you to look into the alternative for families of at risk children who really do want the best for their children. I believe a charter school would be a very beneficial option. Many parents' financial means are so limited, we feel bound to whatever the school system does or do not have to offer our children. Please give me and other families like mine an opportunity to see children persevere despite the circumstances before them. Please give us a hand in being a more physical and manipulative force in our children's education. Thank you for your time and God bless you all.

House Education Committee
Date: 2-10-06
Attachment # 17



February 10, 2006

MEMORANDUM

TO: Ms. Kathe Decker, Chairperson
House K-12 Education Committee

FROM: Mr. W. L. Sawyer, Superintendent *WLS.*
Topeka Public Schools – USD 501

SUBJECT: HB 2652

This memorandum is submitted in support of my testimony today against House Bill 2652, which proposes to remedy a problem that, in my opinion, does not exist. The bill proposes to add an option for a charter school applicant to appeal to the State Board of Education, a decision by the local Board of Education to reject a charter school application. You have been advised that there are no fiscal implications for this proposal, but I believe there may be. Let me use USD 501's experience as an example.

Before I was appointed as Superintendent, our Board of Education received two charter school applications in the fall of 2000. One was from a community group and the other was presented by the District's administration. The community group application proposed converting two existing neighborhood schools into charter schools specifically dedicated to serving African American children and other children of color. After a hearing, our Board of Education found the application to be lacking in detail and potentially requiring an increase in busing (which would have cost the State of Kansas more money – see K.S.A. 72-1908) or the construction of more school buildings (for which the State contributes funds).

Instead, the second application was approved resulting in the creation of our Hope Street Academy, which has become an exemplary program both here in Kansas and the nation. Had an appeal to the State Board been available as is now being proposed, it is possible that the statutory deadline (April 1st) could have been missed, thereby delaying the opening of this very successful charter school.

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House Education Committee
Date: 2-10-06
Attachment # 18

Had the State Board ordered the establishment of the first charter application, USD 501 would not have had the resources to do both and would certainly have looked to the State for financial aid. It seems only fair that the power to overrule the local elected Board's determination of what to do with it's students, staff, equipment, buildings and funds ought to carry with it the obligation to pay for it.

I am told that there is a limit on the number of charter schools any one school district may have, as well as a total limit for the whole State. The proposed appeal process would allow the State Board of Education to fill those slots with schools that have been rejected by local Boards of Education. It seems to me that such decisions should not count against either the individual school district or the statewide limits. Should such a school fail to achieve adequate yearly progress, it also seems to me that the State should take ownership of the data.

A review of the bill raises several questions:

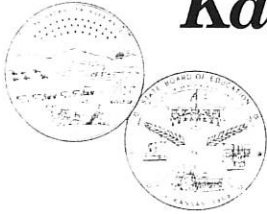
1. What will be the legal criteria for an appeal?
2. Will the State Board conduct independent hearings or merely review the record created by the local school board?
3. Will the local school board be a party to the appeal? Will community persons (for or against the rejected charter application) be able to participate in the appeal?
4. Who will pay the expenses of the appeal?
5. If the appeal is sustained, will the State reimburse the local school board for any additional fiscal impact of the State-approved charter?

Should these issues fail to dissuade this Committee from approving this bill, I suggest that the appeal be limited to a subjective review of the local school board's records to ensure adherence to the criteria set out in K.S.A. 72-1906 with a remedy limited to a remand back to the local school board for reconsideration of the essential criteria that were missed.

For the above and forgoing reasons, I would urge this Committee to reject this bill.

WLS/keb

c: Board of Education



Kansas State Board of Education

Kansas State Education Building
120 S.E. 10th Ave.
Topeka, Kansas 66612-1182

(785) 296-3203
FAX (785) 291-3791
www.ksde.org

Bill Wagnon
4036 NE Kimball Road
Topeka, KS 66617-1567

Home phone: (785) 286-3254
FAX: (785) 231-1084
wagnon@washburn.edu

Testimony of Bill Wagnon, Member, Kansas State Board of Education, against HB 2652, An Act relating to charter schools, before the House Education Committee, February 10, 2006.

Madame Chairperson, Members of the Committee, conferees, and fellow Kansans.

Like members of this committee, I am an elected public official, responsible to my constituency throughout District 4. I appear before you as an individual representing them, and not as a spokesman of the State Board.

I have asked for some of your time to explain why this proposal is a misguided. Kansas has a first class public school system. Overwhelmingly graduates of Kansas high schools enter the work force or postsecondary educational programs with success. For those who do not, our schools are working day and night to adjust their instructional programs to meet the particular needs of those students. We have charter, magnet and alternative schools and programs designed for those particular needs and more are in the offing. Anyone who has been out of school over the past 15 years would be amazed at how they have change were they to spend some quality time in them today.

HB 2652 presupposes that Kansas schools are inflexible, mired in the past and require an electric shock treatment that abridges local operational responsibilities required by the state constitution.

As proposed HB 2652 would amend the existing charter school law by allowing the state board of education to substitute its wisdom regarding any charter school petition for that of the local board, and if approved by the state board of education, dictate state funding to operate the school.

Section 5, Article 6 of the Kansas Constitution determines that locally elected boards of education operate schools. In that sense, no public school can operate locally without the sanction of the locally elected board of education.

The authors of Article 6 were wise to establish this local responsibility for educating Kansas children. We've all come to understand that children learn when there is a consensus of expectations between parents, teachers, school leaders, and community sentiment. Changes proposed in HB 2652 would fracture that cohesion, by substituting the wisdom of the state board of education for that of locally elected officials.

House Education Committee
Date: 2-10-06
Attachment # 19

Should HB 2652 become law as written, a group, which proposed a charter school, met all the requirements set forth in the law in its petition, and was rejected by the locally elected board, would have the authority to seek approval directly from the state board of education, which could "enter an order approving the school." State funding for that school would be determined by the state school finance formula, rather than actual costs. If the locally elected board had rejected this charter, it obviously determined its design was flawed. Moreover, who would be accountable for the stewardship of public funds? This rogue endeavor is fraught with mischief and creates an accountability nightmare.

Besides in Kansas it is not necessary. Despite what you have heard in support of the proposal, Kansas local districts have been innovative, and would be a lot more so were suitable funding at their disposal. All across the state there are traditional schools and programs, doing an excellent job of educating our children, and their many alternative and special needs programs are offering flexible learning environments for individual needs. They are effectively accountable to locally elected officials, whether offered within districts or by area service centers. Now that the Supreme Court has directed the legislature to fund actual cost of educating all children, we can expect even more innovation with continuing school improvement.

A couple of examples I'm familiar with demonstrate the point. Within USD 501, the Topeka Public Schools operate a charter school, Hope Street Academy. Its record of student proficiency is outstanding. The program operates under the sanction and supervision of the district and board, rather than outside its authority. It serves the special learning needs of Topeka students, complementing the programs of other schools, rather than in competition with them. On a state wide basis, a consortium of districts have adopted a program of high school reform, Breaking Ranks, that promotes innovation in meeting the learning needs of all students. Breaking Ranks high schools operate within the system rather than outside it.

I think that HB 2652 is uncalled for. It is unconstitutional. It invites mischief in accountability. It diverts focus on school reform currently coursing throughout the schools and districts in Kansas. Rather than supporting HB 2652, fund schools suitably in order to continue innovation already underway.

Thank you.

Bill Wagnon, Member, District 4
Kansas State Board of Education

Jim Menze
Executive Director
jmenze@usa-ks.org

M. Katharine Weickert
Associate Executive
Director
kweickert@usa-ks.org

**Written Testimony
Given to
The Education Committee of the Kansas House of
Representatives**

By
Jim Menze, Executive Director
United School Administrators of Kansas

Chairperson Decker and members of the Education Committee: It is my pleasure to share with you the United School Administrators of Kansas' (USA) position on HB 2652.

USA opposes HB 2652 which would create an appeal process to the Kansas State Board of Education any denial of local board of education approval of an application for a charter school. We have two reasons for our opposition: 1) It is contrary to local control, which we believe is the most effective and efficient way to govern our local school districts and 2) it will place those who are operating the school (administrators) in a precarious position with the local school board who has indicated it does not want the school to exist.

Thank you for this opportunity to relate our thoughts to you.



Kansas Association of
Elementary
School Principals
(KAESP)

Kansas Association of
Middle School
Administrators
(KAMSA)

Kansas Association of
School Administrators
(KASA)

Kansas Association of
School Business
Officials
(KASBO)

Kansas Association for
Supervision and
Curriculum Development
(KASCD)

Kansas Association of
Special Education
Administrators
(KASEA)

Kansas Association of
School Personnel
Administrators
(KASPA)

Kansas Association of
Secondary School
Principals
(KASSP)

Kansas Council of
Career and Technical
Education Administrators
(KCCTEA)

Kansas School
Public Relations
Association
(KanSPRA)