

# Charter Schools, School Choice & Student Achievement

**March 2004**

*A discussion co-hosted by:*

*California State University Institute for  
Education Reform—California Education Policy Seminar*

*California Business Roundtable*

*University of California, Davis—School of Education*

*California County Superintendents  
Educational Services Association*

*California Business for Education Excellence*



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is a university-based policy center focusing on elementary and secondary school issues. Located on the California State University, Sacramento campus, the Institute is supported by the California State University Chancellor's Office.

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is comprised of the county superintendents of each of the 58 counties in California who serve as an intermediary between the state and local school districts within each county. County superintendents and their offices help with implementation of programs, provide fiscal oversight, monitor teacher credentialing, supply curriculum support and training.

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was founded to represent the business community in state education policy making and restore excellence to California education, helping to put in place rigorous academic standards for all students, a testing system that measures progress, and an accountability system that reports progress, rewards success, and provides clear consequences for failure.

### Special Thanks

**This forum was part of a national tour organized for The Brown Center on Education Policy by Lipman Hearne, a national marketing and communications firm. For more information, please visit [www.lipmanhearne.com](http://www.lipmanhearne.com).**

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**Report writer: Sandy Harrison**

*California began its experiment with charter schools in 1992, enacting legislation allowing the state's first charter schools to begin operating in the 1993-94 school year.*

The experiment was intended to see if some schools could do a better job of educating children if they were allowed freedom from the burdens and requirements imposed by state education laws. It allowed for new schools to start as charter schools and existing public schools to convert to charter schools. It also allowed for both classroom and non-classroom based instruction.

The number of charter schools in California has increased steadily in the decade since their inception. In 1993-94, California had 86 charter schools serving 48,000 students. By 2002-03, there were 409 charter schools in the state, serving 157,000 students. During the same time period, California school districts have also moved to increase parents' choices in determining which public schools their children may attend.

Supporters of choice and charter schools praise the freedom, innovation, and competitive environments they create. Skeptics continue to voice concerns over negative effects, such as segregation, improper oversight and diminishing resources for traditional public schools.

**On February 5, 2004** the California Business Roundtable, the University of California at Davis - Graduate School of Education, the California County Superintendents Educational Services Association, California State University Institute for Education Reform—California Education Policy Seminar, and California Business for Education Excellence sponsored a discussion on charter schools and choice.

The discussion brought together over 50 educators, policy makers, and other experts, and focused on the degree of success for charter schools and school choice, and the factors which can influence that success.

Seminar participants also reviewed research about homework, and whether students have too much, the right amount, or too little.

Participants included:

- Opening remarks from Bill Hauck, President, California Business Roundtable, and Glen Thomas, Executive Director, California County Superintendents Educational Services Association.
- Keynote speakers Tom Loveless, Director, the Brown Center on Education Policy; and Paul Hill, Chair of the National Working Commission on Choice in K-12 education.
- Respondents Gary Hart, Founder, California State University Institute for Education Reform; Marta Reyes, Director, Charter Schools Division, California Department of Education; Hanna Skandera, Assistant Secretary for Elementary and Secondary Education, California Office of the Secretary for Education; Christopher Cabaldon; Executive Director, EdVoice; Vicki Barber, Superintendent, El Dorado County Office of Education; and Robert Manwaring, Legislative Analyst's Office.
- Concluding speaker Harold Levine, Dean, University of California at Davis—School of Education.

This report documents the proceedings at the seminar. The presentations are summarized, along with highlights of the question and answer exchanges that followed the presentations.

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NOTE: Comments are summarized without quotation.

All text should be regarded as paraphrasing and/or synthesizing what was actually said.

**Tom Loveless, Director,  
Brown Center on Education Policy**

According to a study of 569 charter schools in ten states over three years, charter schools perform below average. Performance is based on “z-scores,” which compares charter schools to other schools in the same states, adjusted for similar composition. The state average is always zero, and the z-score shows how far above or below the state average each school ranks. A standard deviation above or below the average is a score of plus or minus one.

Charter schools had a z-score of -0.53 in 2000, or half a standard deviation below state averages. Scores had improved to -0.31 in 2002—still below average but a two-year gain of 0.22 which is significant progress.

**See Figure 1**

California is unique as it has more conversion starters—schools that were once public schools and converted to charters—than most other states. Conversions tend to be bigger and look more like regular public schools than startups, or “mom and pops.” They also have more children in poverty, a larger African-American population, and are more likely to be urban than traditional public schools.

**See Figure 2**

How do they perform? Conversion charters are making just as much progress as regular public schools in California, and as much as starter charters. When you break out the charters, conversions and startups, they both made solid gains. Charter schools are a couple of percentile points below regular public schools, but much of that is due to the selection effect. Charter schools tend to attract low-achieving

children—parents don’t withdraw their children from schools where they are doing well and transfer them to a charter.

**See Figure 3**

Many conversion charters are producing average test scores with populations of children historically associated with low test scores. These schools may be doing something that is worth identifying and disseminating to others. The phenomenon may also be related to how conventional public schools convert to charter status. Local school boards grant charters in California. They are probably reluctant to approve charter petitions coming from a district school unless the petitioners have a solid track record. Granting charter status to existing schools, in other words, has probably functioned more as a reward for demonstrating success than as a turn-around or intervention strategy for low performance. This is important for researchers to note. The selection factors that plague the evaluation of charter school achievement may play out differently with conversions, especially if a school has institutional prestige that precedes its charter status.

Some charter schools are run by Educational Management Organizations (EMOs). Most EMOs are for-profit organizations. EMO charters tend to be larger and look like big public schools. They have more children in poverty, a larger black population, and are more urban than public schools. However, “mom and pop” charters are even more urban than those run by EMOs.

The national study compared 90 EMO-run charter schools, 479 non-EMO charters, and 25,000 public schools. The conclusion is surprising. Management

**FIGURE  
1**

**Charter School Achievement**

(scores expressed as adjusted z-scores, N=569)

	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2000-2002 Z-score Gain</b>
<b>Z-score</b>	-0.53* (0.05)	-0.40* (0.05)	-0.31* (0.05)	+0.22* (0.04)

\* p < .05, two-tailed test of z-score = 0

NOTE: Z-scores adjusted for poverty and racial composition. Standard error in parentheses.

Source: The 2003 Brown Center Report on American Education: How Well are American Students Learning?

FIGURE  
**2**

### Characteristics of California Conversion Charter Schools (2002)

	Conversion Charters (N=66)	Start-up Charters (N=66)	California Regular Public Schools (N=6,623)
<b>Enrollment (median)</b>	633	234	669
<b>Poverty</b>	58%	42%	49%
<b>White</b>	33%	57%	38%
<b>Black</b>	19%	13%	8%
<b>Hispanic</b>	41%	23%	41%
<b>Asian</b>	6%	4%	11%
<b>Urban</b>	55%	40%	34%
<b>Suburban</b>	36%	38%	55%
<b>Rural</b>	8%	22%	12%

Source: The 2003 Brown Center Report on American Education: How Well are American Students Learning?

FIGURE  
**3**

### California Charter School Achievement

(scores expressed as adjusted z-scores)

	2000	2001	2002	2000-2002 Z-score Gain
<b>Regular Public Schools (N=6,623)</b>	0.00 (.01)	0.00 (.01)	0.00 (.01)	0.00 (.01)
<b>All Charters (N=132)</b>	-0.08 (.07)	-0.07 (.07)	-0.10 (.08)	-0.02 (.06)
<b>Conversion Charters (N=66)</b>	0.24* (.08)	0.24* (.07)	0.20* (.08)	-0.04 (.07)
<b>Start-up Charters (N=66)</b>	-0.39* (.11)	-0.39* (.12)	-0.40* (.12)	-0.01 (.08)

\*p<.05, two-tailed test of z-score = 0

NOTE: Conversion charter scores are statistically significantly different (p<.05) from start-up charter scores in all years. Z-scores adjusted for poverty and racial competition. Standard error in parentheses.

Source: The 2003 Brown Center Report on American Education: How Well are American Students Learning?

schemes can get different teachers in different places, and that has a very large effect. EMO charters showed a z-score gain of 0.4, a really significant gain over three years. This is in part because of where they started: in 2000 at -1.0, a full standard deviation below the state average. EMOs are being brought in to manage charters in desperate situations, dealing with clientele who are particularly low-achieving. However, they are gaining—cutting that full standard deviation almost in half from 2000 to 2002. This is really quite extraordinary.

**See Figure 4**

It's a testament to the value of expertise. The EMO conversion charters have something that "mom and pops" don't have—they usually keep their faculty, or at least the best members of their faculty, and they usually keep their principals, at least if they have good principals. There's an element of expertise in those conversion charters that a startup charter has difficulty getting. EMOs bring in people with management know-how. Starting a charter school is difficult. Very often a lack of expertise is the problem, getting the right people on board to put all the pieces together.

Conclusions: Expertise may contribute to a charter school's academic achievement. In California, academic progress of conversion charters is on par with startup charters and as well as regular public schools despite serving a greater proportion of urban poor and non-white children. Nationally, charters managed by EMOs have made significantly greater gains than non-EMO charter schools.

**Paul Hill, Chair, National Working Commission on Choice in K-12 Education**

The national debate on school choice has been stuck at the extremes: between people who said choice was going to revolutionize everything and make for a new day, and those who said choice would be the disastrous end to our dream of public education.

There's a lot more evidence about choice now than there was even ten years ago. There's a constant debate on whether children in voucher schools or charter schools are learning more, but beneath that debate is a lot of research that doesn't get reported very much—who chooses what, why, and under what circumstances.

**FIGURE 4**

**EMO Charter Achievement**  
(scores expressed as adjusted z-scores)

	2000	2001	2002	2000-2002 Z-score Gain
<b>Regular Public Schools (N=25,614)</b>	0.01 (.01)	0.01 (.01)	0.01 (.01)	0.00 (0.01)
<b>All Charters (N=569)</b>	-0.53* (.05)	-0.40* (.05)	-0.31* (.05)	+0.22* (0.04)
<b>EMO Charter (N=90)</b>	-1.00* (.10)	-0.69* (.09)	-0.58* (.08)	+0.41* (0.08)
<b>Non-EMO Charter (N=479)</b>	-0.44* (.06)	-0.35* (.06)	-0.26* (.05)	+0.18* (.05)

\*p<.05, two-tailed test of z-score = 0

NOTE: Z-scores adjusted for poverty and racial composition. Standard error in parentheses.

Source: The 2003 Brown Center Report on American Education: How Well are American Students Learning?

The laws and policies today are much more open to choice and ultimately provide children who are in consistently low-performing schools the opportunity to go somewhere else. For example, in the late 1960s, the Seattle Public School District served 109,000 students. Today it serves 46,000. Somebody's been doing some choosing. In Seattle, it's not possible to go to a public school without choosing. Seattle may be an extreme case, but increasingly, around the country, choice is a factor in where people go to school, even within the public school system.

Communities are at a crossroads. They can stick their heads under their wings about choice and say, "I'm not thinking about it and let it happen as it will," or they can say, "What does choice promise us and how do we best manage it?"

Let's define choice. Choice is any arrangement that allows parents to select among publicly funded schools. It has two parts. One, who can choose? Can everybody choose? Only the poor? Only the rich? Two, who can provide schools? Only the school district? Independent groups with charters? Anybody? Who can choose and who can provide? The choice is defined in part by the rules.

From choice literature, you'd think either choice was wonderful or very scary. The research we reviewed doesn't support either of those positions. Choice is complex. It can be implemented well, but it takes thoughtful planning. Ultimately, choice can enhance public education; it can enhance our success in educating children in communities that will take it seriously and design it well.

We identified the biggest hopes and biggest fears about choice. Then we asked, "what would make those things come about?"

Families have to know they have choices. They have to learn about the alternatives well enough to be able to discriminate among them—between the ones that would be good for their child and those that would not. Families need to know how to apply to the school they've identified as desirable. The child has to get accepted. The child has to be able to physically get to the school. Once the child is accepted, the school has to keep its promises about its instruction and the child has to work.

People who are hopeful about choice hope it will improve student learning. They believe that choice will allow good new schools, like charters, to emerge and that choice brings about a competitiveness that could improve the quality of schools that exist in the public school district.

Opponents fear that choice will lead to greater segregation: advantaged families will cluster together and leave behind the poor; children remaining in public schools will become worse off; and as more diverse groups start operating schools, some may be more separatist in their orientation thereby hurting civic cohesion.

People are concerned that as children are less and less put into the same kind of environment as other kids, there may be some challenges to civic unity. And yet, this thinking goes against one consistent set of findings. If there is one kind of school in this country that consistently has better outcomes in children's expression of tolerance, of understanding democratic processes and the First Amendment, likelihood of voting as adults, and contributing to charity: it's Catholic schools and those are schools of choice. In some forms, choice does not lead to civic disunity.

Choice outcome depends on circumstances and design. Sometimes schools of choice work very well and sometimes they don't. It all depends on how they're run, who they serve, and the like. To say that choice surely leads to good outcomes or bad is wrong. It all depends.

It depends on whether new schools get enough funding to offer competent instruction and whether schools have interaction with the community. If those things aren't present, you won't get a better school.

Sometimes choice leads to leaving behind the poor and sometimes the opposite is true. Some states don't encourage charter schools to help disadvantaged students and, on the whole, they don't. In some states, getting a charter is contingent upon serving disadvantaged students and, in those states, charters serve the same proportion of disadvantaged students as do public schools.

Where choice exists, the question of children in public schools being worse off is a legitimate concern.

There are cases where, as more advantaged families have left, the schools got poorer. But, there are cases where the schools didn't get poorer, and it's based on something that happened there.

So what some studies tell us is not that school choice is working, rather the success of choice depends—choice isn't hardwired to any outcome. The link between choices and outcome depends on how it's done, where it's done and under what rules.

Communities control many factors that link choice to outcomes. Those factors are:

- **Funding:** Does the child take with him or her much or all public funding? If the child doesn't, it's much less likely that good outcomes will occur. Adequate funding attracts groups with experience to manage and understand schools. Funding also makes it more likely that schools that emerge under choice will be more distinct. If choice comes with substantial funds, then schools have less incentive to hand-pick easy-to-teach kids and are more willing to take challenging kids. Funding is connected to whether students learn, the range of options, and whether choice leads to segregation. Incomplete funding means not many people respond, limits choices, and promotes segregation.
- **Targeting:** Can anybody choose?
- **Parent information:** Can parents get the information they need about schools? Do poorer parents have the same access or are they left out?
- **Admissions:** Can schools hand pick the easiest to educate kids or are admissions done fairly?
- **Transportation:** Can students get to the schools their parents choose? Is getting to school going to be biased by poverty and other issues?
- **Provider Flexibility:** Can schools wanting to offer options actually do so? Can they hire staff, use time and money differently from normal public schools or are they limited? It really matters whether schools have the

freedom to innovate and to use resources in new ways. If providers have flexibility, it's much more likely that new groups will be attracted to starting schools and much more likely that schools that have ideas about more innovative uses of teachers and technology will emerge. Flexibility encourages providers to take on tough challenges because they can try something new. It is much more likely that both schools of choice and regular public schools will respond to competition instead of thinking that they're trapped and unable to respond. Provider inflexibility has the opposite effect; it drives out innovation.

If school choice is done in such a way that new schools have a lot of freedom with existing public schools operating as they have in the past, it's very likely that existing public schools will spiral downward. What happens now without choice in many localities is, as advantaged parents leave public schools, senior teachers say this isn't a fun place to teach anymore. They use their seniority preferences to get away from these schools. The schools then are only able to attract brand new teachers. These schools become places where half the people at any one time have never worked together. Professional development is wasted because it walks out the door at the end of the year. Choice can make the downward spiral in public school systems happen if the public school system doesn't provide provider flexibility for its schools that are being challenged.

Positive civic attitudes come via effective schools. The only sure attribute that brings positive attitudes is that the school does a good job. If the school teaches students to read, write, talk and think flexibly, it's much more likely students will value the First Amendment, ethnic, religious and other kinds of tolerance. We've never seen a way in which a school could fail at its basic instruction, and yet do a good job on civic attitudes.

#### See Figure 5

Communities face tradeoffs on regulation and funding. There are two dimensions—funding and regulation. The payoff zone is: high funding and light regulation. But the optimum is not the extreme. There is a reason to regulate admission, to make sure admissions are fair. There's reason to oversee schools on basic performance and for some testing. Further,

there should probably be regulations about hate-based teaching.

There's no free lunch. More regulating costs something.

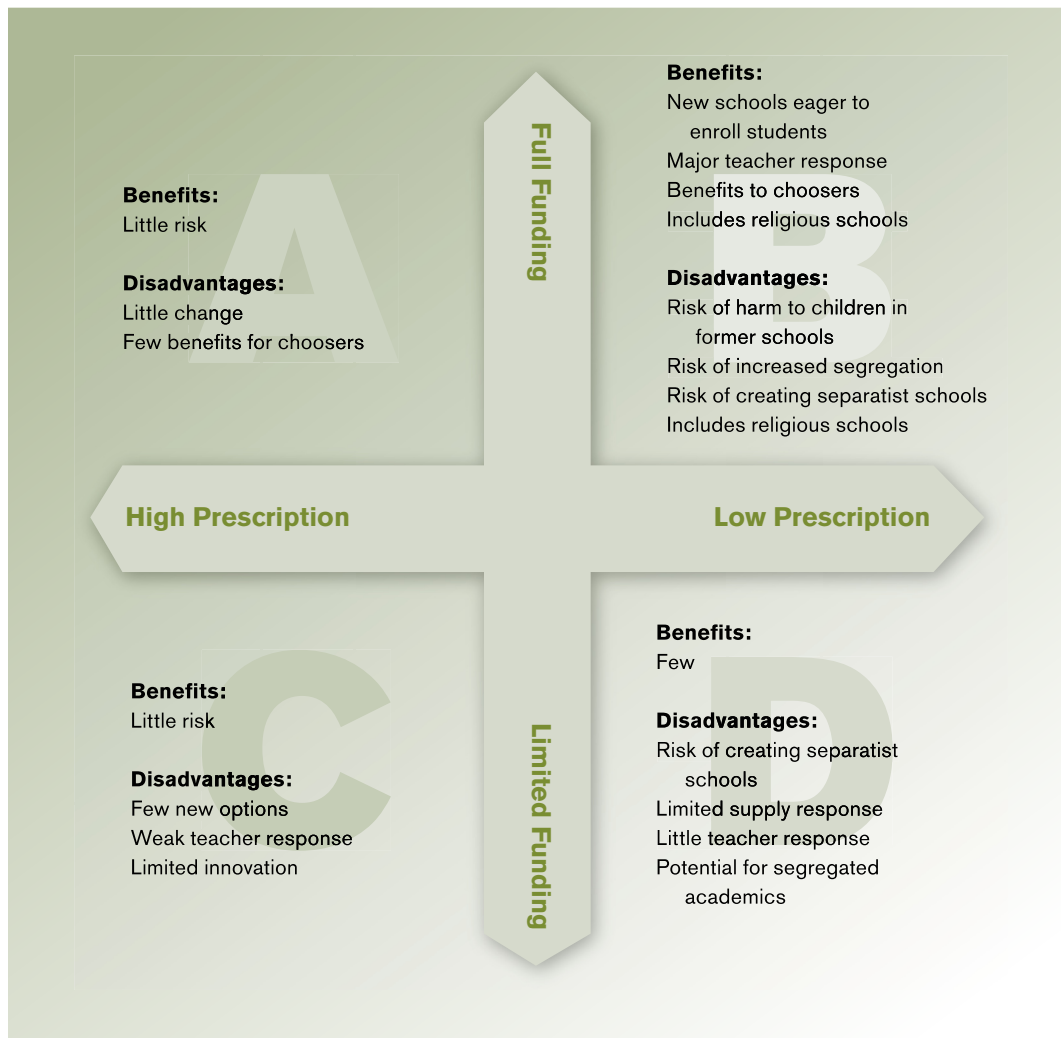
Foundations make major contributions to school choice. It's unlikely that public money can solve all the problems of building and capacity. There's a big role for foundations in funding and helping school leaders learn how to operate in a system where they control money, hire staff, and live or die on whether students select their school.

What you get out of school choice depends on what you put into it. It requires careful management, design and real investment.

The major finding of the report is: funding, targeting, and admissions are not mysterious. These are the basic public policy tools that govern any kind of public program. Choice is not unlike other public programs. Key factors can be managed and can be controlled. It isn't easy, but it's possible. It shouldn't be discussed ideologically; it should be discussed practically.

FIGURE  
5

### Benefits and Risks Related to Spending and Prescription



Source: School Choice: Doing it the right way makes a difference.

A report from the National Working Commission on Choice in K-12 Education.

**Gary Hart, Founder, California State University Institute for Education Reform, former state Senator and author of California's charter school law**

One of my prime motivations for carrying the original charter schools bill in California was the constant complaint by many school board members and administrators that too much legislation was preventing educators from doing their jobs and thereby improving schools.

The charter school law was in part a response to those concerns. You could say we called their bluff. We felt this was an opportunity for school officials to basically throw away much of the education code they claimed to be so terribly onerous—let's have some experimentation and see what happens.

Given all the complaints from the school boards, I assumed there would be quite a bit of movement on the part of school districts to establish charter schools. In fact that largely did not happen. Initially, there were schools that did convert to charter status, but it was a fairly modest response given the many criticisms about state over-regulation. Since then, a greater proportion of charter schools have been of the “start-up” variety rather than conversions. Start-ups have an opportunity for greater freedom and innovation, but have a much more difficult challenge in getting organized and off the ground.

In the public debate about charter schools, there's a tendency to lump them together, but I think the differences are often quite substantial between conversion and start-up schools. The research described today bears that out.

Regarding school choice, let me share some personal observations based upon my work these past two years at Kennedy High School, a large urban/suburban high school within the Sacramento City Unified School District (SCUSD). Choice is certainly an important consideration and opportunity for many parents and students in the Sacramento region. At Kennedy High School, we're trying to attract students into a program for their beginning year in high school, and there's a lot of competition out there. Sacramento has a strong tradition of parochial schools competing for capable students with public schools. There also exists some competition within

SCUSD for admissions and the district is moving to develop new high schools. So, there are a number of options for parents and high school students and I think that is a very healthy development.

One consequence of high school choice, we found, is the number of middle school teachers who were sick and tired of writing recommendations for all of their students applying to high schools. They are becoming like high school counselors writing recommendations for college admissions.

One interesting new development is that many middle school students are now spending time (shadowing) to get a firsthand look at various high school options. It gets complicated, but it's a positive trend—what better way to understand choices than for students to pay firsthand visits to the available schools? The parents and students that take best advantage of these opportunities tend to be from middle class backgrounds. However, there is now an innovative plan at some inner-city middle schools to take a day off from regular classes to send their students to various high schools. Then students go back to their middle school to talk about their impressions; counselors and administrators work with the students to see that they apply to at least one or more of the available choice opportunities.

The process of what high school students go through to try to get into college is beginning to move its way to middle schools. By and large, it helps keep high schools on their toes. This competition has made it easier for innovative programs to get off the ground and establish credibility with some of the senior faculty who are not necessarily open to reform but who realize that if they don't have programs that are more attractive, they're going to lose some of the students that they're most interested in attracting and keeping.

**Marta Reyes, Director, Charter Schools Division, California Department of Education**

The creation of this new division underscores the State Superintendent's support of the importance public charter schools have in the effort to reform and improve public education. Charters are public school options. They're created to provide the research

and development to the greater public school system that will result in improving achievement for all public school students. They target educationally disadvantaged and areas where more flexibility is necessary to meet local community needs. They offer choice to families.

The goal of the Charter Schools Division is to create a cohesive, mission-driven division, one that will be recognized within four years as being a premier state leader in supporting and promoting high quality charter schools.

**Hanna Skandera,**  
**Assistant Secretary for Elementary and**  
**Secondary Education, California Office**  
**of the Secretary for Education**

I was struck by the concept that no longer does one size fit all and implementation matters even more than having a good idea. Those are some of the things we have to look at regarding charter schools. The Secretary for Education and the new administration are clearly in support of charter schools and where they're headed. The tenuous balance between empowerment and accountability is always a big question. We'll hopefully find a good balance that really does serve students first.

**Christopher Cabaldon,**  
**Executive Director, EdVoice**

If we think the state knows how to achieve success in student outcomes, if we know that answer, why don't we just tell you how to do it in the first place? Why do we wait for you to fail, end the dreams for a generation of children and come in at the end and say, now we've got the answer, we've been keeping it in our pocket all along.

High regulation by the state is not a low-risk strategy because we don't have the answer. We know very well how to assure just-below-basic levels of student achievement. We do know how to make sure that students aren't absolutely failing. But, at the state level and in a centralized way, we don't know how to do much beyond that. We are good at treating the symptoms of failure through centralization but we don't know how to assure excellence. If we did we could wipe away the entire local governance structure and simply manage it directly under the state department.

The real reason charters exist is that they offer a solution to an accountability problem within the legislature. There is broad recognition in state government that the freedom of action and the capacity to make choices at the school level or the local level are important. These are important to success in both charter and traditional public schools. It is broadly recognized that choice is an important public policy objective to treasure, observe and expand.

The Legislature can agree conceptually that we ought to maintain as much flexibility for local schools as possible, but individual legislators have an incentive to "cheat" on that deal thinking as long as everyone else is preserving flexibility, my one single proposal won't ultimately affect the overall capacity of local communities to make decisions. This thinking doesn't work. It's a classic problem. For the Legislature, charter schools offer a solution by insulating a set of schools from state government.

The real keys are the capacity and freedom to act. Supporters and skeptics alike who visit charter schools all have the same reaction. They thought they were going to see something entirely different, something magical. Supporters thought they would see a new machine, a different kind of teacher that existed only in charter schools. Skeptics thought they were going to find a union busting, black magic cult artist trying to destroy public education.

What they found was a regular public school with a little more freedom to act in an important way. These schools are able to make a lot of easy choices that other schools couldn't make because the Legislature's already made them. The capacity of a community or a school to make the easy choices, allows for the culture and capacity to ultimately make the difficult ones.

We need a few good charter authorizers—not everyone in the world—but a few folks who can do the job well. The problem is you have a direct relationship between the quality of a district and its propensity to issue charters. Those districts that are best at being creative and innovative feel the least threatened by charters. Districts that are tough, reactionary, and not open to any kinds of innovation or creativity, are the most resistant to charters—not the desired outcome.

The same is true of accountability. A district that is solid, creative, innovative, and getting good results, is going to be more willing to demand of charters better results and outcomes than a district whose own schools are failing. It's politically embarrassing to demand that a charter school produce outcomes that your own schools cannot. So, the challenge with the purely local school district model of chartering is that it produces reverse outcomes in terms of the public policy than we want to see out of a charter system.

Funding for facilities for charter schools is abysmally low or absent and, in the current budget climate, it's even worse.

Since the state holds title to property purchased with public funds, those who provide education through the charter school model can't get private financing because they don't own the land or facilities. The advantage is that it provides versatility of policy choice. If we decide later that charter schools don't work or schools "go out of business," the public investment that's been made can be recaptured and redirected to the traditional public school model.

On the other hand, this limitation makes it very difficult if not impossible for the charter schools to get the private financing they need to supplement public funds. The tradeoffs between the two have not been explored sufficiently. We have nothing but ideology on either side to help guide us. I would encourage someone to take a look at that tradeoff between versatility and the ability of local charters to actually succeed in a private market.

### **Vicki Barber, Superintendent, El Dorado County Office of Education**

We are advocates for charter schools and believe in the innovation, flexibility and creativity that are possible within charters.

Creativity has two sides. Most charters do an exceptional job and clearly have a mission of providing quality services. There are a few charters who have a goal of personal financial gain and we take umbrage with those. Charters that appear to exist only for financial gain approach the smallest school

districts in the state and the County Office assists in analysis or review of petitions. El Dorado County Office has produced a handbook to help evaluate petitions and provides training for boards and districts to evaluate and develop policies.

This kind of support is critical. With tight timelines, it's important that criteria be established and policies in place before receipt of the petitions. Oversight issues are critical, certainly in financial terms. Some charters have significant financial issues and have therefore caused authorizers financial issues.

Review performance of charters is important in providing that support. Facility issues, and special education are the biggest issues in dealing with charters.

When the Legislature passed the public schools accountability act, it recognized that alternative schools needed some different criteria. The model basically lays out for any schools serving an at-risk population a variance on how it looks at accountability. Flexibility is needed. An alternative schools' accountability model is critical and needed for several reasons.

An at-risk student has an incredible degree of mobility. In juvenile hall the average stay is 11 days. When we're talking about accountability and testing, we need to remember the population changes every eleven days.

At continuation high schools, placement is determined by probation and juvenile hall rather than where students live. They have very different goals. Some are looking at graduating students, so the graduation rate would be an appropriate measure. For others, the goal is to return the student to a comprehensive high school, so the graduation rate is clearly not appropriate criteria to measure success.

It's important to have flexibility in how we measure accountability. STAR testing in alternative schools tells a story, but those students will be very much below grade level, pre- and post-testing. So to measure what value did we add in alternative schools, allows us to tell the rest of the story.

## Robert Manwaring, Legislative Analyst's Office

The Legislative Analyst's Office main findings concentrate on different types of charter schools: classroom-based and non-classroom-based.

The non-classroom-based charter schools did not perform as well as classroom-based. Possible explanations: Are the students being served at those schools different in a way that is unrelated to socioeconomic or race factors? Where would these students have been? Would they have been dropouts? In that case, to what standard do you hold them? We're going to study this further.

There are inequities in funding between charter and non-charter schools. Our main conclusion: charters do as well as non-charter schools with less money. From an efficiency standpoint, that's a good outcome.

We feel that charters have been re-regulated through categorical funding. Over time, more and more programs required direct application, participation,

and specific rules and regulations in order to receive funding. Tying up large pools of money with all these strings effectively forces charter schools to look more and more like non-charter schools. There are several proposals under review which would reduce the number of strings attached to categorical funding.

We look at the linkage of oversight and accountability, and try to figure out how to do this—not necessarily through state regulation but through a more local presence. We don't think all school districts should be overseeing charter schools. School districts get asked to do a lot of things beyond teaching students in the classroom. To ask the district to be an oversight agency for charter schools, when they may have enough difficulty being an oversight agency for existing schools may be asking too much. To add on an extra entity, with very vague responsibilities between the two groups, is very difficult. Districts should be able to opt out from charter authorization and review. However, in doing so, there must be some alternative. The state needs to develop alternate authorizers than school districts and parents.

# Q & A

**Q:** There is evidence of selective admissions and a student turnover process that results in some charters ending up with very different populations in years one and two. To what extent could positive results be driven by that practice?

**LOVELESS:** It's possible. If the charters are sifting students, driving out low achievers and keeping high achieving students purposely, we would not be able to detect that practice with our data. The controls we employ are racial, ethnicity, and percentage in poverty, none of which get at the selection question. Regular public schools have the same capacity to do this as charter schools. When looking at our data, we have to assume people are playing fair, but we can't guarantee it.

**HILL:** To do so would require a level of research we've never done before.

**LOVELESS:** One way to get at that issue is by random sampling. When a school is oversubscribed and admission is granted randomly, we could compare those who are admitted and those who are not. Under basic laws of probability, they should look similar in terms of parental commitment to education and all kinds of unobserved areas. Random sampling could be done with charter schools, but it's never been done. It's expensive but necessary research. Then we could follow the students who don't get into charters as they go back to their neighborhood schools. We could follow their progress and compare it to charter students. Then we would be in a position to answer some of these questions about selection.

**Q:** One of the most troubling areas in California's charter law is the inability to serve special education issues. How do you accommodate choice for special education kids?

**HILL:** If an individual charter school, with a budget defined by the number of students that apply, suddenly finds it has one or more very expensive students, it could become unable to deliver its basic instructional program overnight. That's a problem. If you don't want charter schools running away from special needs students, there has to be some way to deliver services without bankrupting the school. It may

be possible to get insurance underwriters to insure charter schools against special education liabilities.

**LOVELESS:** In Florida, vouchers are available to high-cost, special needs students. These students can then go shop for services best suited to their needs.

**Q:** We've heard that some conversion charters are running the same program that they used to, and they've done it strictly for the cash difference. Should that be prevented, and if so, how?

**HILL:** There could be a low-income school that converted to charter, received the full per pupil expenditure, and ended up with a surplus for various reasons including that its pre-charter teachers were young, inexperienced and low paid. Basically, there's an arguable benefit in that the low-income students get to be the beneficiaries of the whole per pupil expenditure instead of something less. There's a strong argument there for that happening. The argument against it all bends on the way the money is used. If they start giving one another bonuses and a lot of time off, that's a way of grabbing public funds inappropriately. Bottom line, I don't think the fact that schools recruit more money is a bad thing providing the intent for using the funds is clear.

**CABALDON:** I don't think the issue should go to intent. Ultimately, the evaluation of the school and the renewal of its charter ought to be based on the outcomes it has achieved—however, we want to define that. Trying to get into mind-reading issues, which you can't effectively measure, is a slippery slope that's not helpful to go down. If you have districts and other authorizers doing a good job through the renewal process of effectively assessing the outcomes the school is producing, I don't think it's a matter of concern for the state as to the reason.

**LOVELESS:** That gets back to one of the original ideas of charter schools—trying to regulate based on outcomes. Those outcomes should be built into the charter and they need to be stated explicitly. They need to be measurable in such ways that it's clear as to whether the charter has met

its promised outcomes. If the charter has done that, who cares how they got there?

**Q:** William Ouchi, at the Anderson School of Management at UCLA, has written a book called “Making Schools Work.” Have you read it and what do you think of it?

**EDITORS NOTE:** “Making Schools Work” advocates decentralized management systems in which autonomous principals—not central office personnel—control budgets and personnel hiring practices and are held accountable for student performance.

**LOVELESS:** I haven’t read it, but I’ve heard Ouchi speak. Generally, I’m skeptical of that kind of management scheme having a huge impact. I’ve heard it all before. Anyone who’s been in education for a while has heard similar promises. In terms of whether that model works, we don’t have much evidence. I’d like to see more people try it, and see a better assessment of the outcomes and data before I say this is what we’re going to do.

**HILL:** For choice to work well, money has to follow children in substantial amounts. Ouchi’s ideas about the weighted student formula are at least logically consistent with that idea. Obviously, a weighted student formula is a potentially valuable part of a much larger reform. But, if a lot of things don’t happen along with it, not much happens. For example, Seattle uses a weighted student formula, but more than half the money stays in the central office rather than being allocated to schools. They’ve tried a pricing scheme so that a school that can only hire cheap teachers because its in a low neighborhood, they are allowed to pay as much for less experienced teachers as a school that gets all senior teachers. You need to ask how much money is actually allocated to school sites and how much freedom is there about the use of it and is pricing consistent or is it discriminatory? Those are issues that I don’t think have been resolved yet.

**Q:** Ouchi advocates providing a great deal more flexibility to a principal. I thought that would be something you might find attractive.

**HILL:** I see it as something attractive. People who are generally favorable to choice and charter schools are still concerned about bringing on this kind of reform instantly. There are lots of regulatory and oversight issues and even

educational capacity questions. The truth is, no matter how desperate you are to introduce choice, it probably needs to be done incrementally over time.

**Q:** One concern for those of us nervous about charter schools is the privatization model. Some of us are worried that as EMOs succeed and get more funding, and then, at some point, start losing money, we will have destroyed the infrastructure of a public school system. That’s why there’s less opposition to the non-profit version than the for-profits. Do you want to comment on that?

**HILL:** There’s no question there is less opposition to the non-profit side of charters. Whether that thinking is well-founded, I don’t know. Non-profits are just as likely to go broke and suffer from mismanagement. This can happen in any sector. Lousy management is lousy management. It isn’t clear to me that it occurs more often under one set of hands than another. I do think it’s better in the long run to have multiple providers and multiple competitors.

**LOVELESS:** I would question the assumption that EMOs somehow gut the public schools’ infrastructure. I just don’t know what it is about the infrastructure that disappears when an EMO runs a school. In fact, if you look at EMOs, most of the schools they manage are regular public schools. School boards are bringing them in to manage their schools and I don’t know of anyone complaining that some part of the educational infrastructure is disappearing. Usually when I hear privatization condemned in education, I hear it as an ideological argument. People simply are against privatization and think it’s evil. I don’t know that that’s always the case.

**Q:** Are there any further performance distinctions that can be made between profit and not-for-profit EMOs? Also, schools run by EMOs that close after three years, would they be included in your studies?

**LOVELESS:** We really wanted to include those schools, but we don’t have enough schools run by any particular EMO. Consequently, it is unfair to do that now, but at some point we may get a threshold of schools run by companies where we could actually do a comparison. It would be interesting to look at EMOs and their performance at the charters they manage, and compare that to the public schools that they manage. I don’t know what the answer to that would be. But the whole area of what EMOs do, I still think is a black box. I think there’s a lot there to be looked at but I think we need a larger sample.

## Tom Loveless

Homework is linked to the whole accountability issue. There have been a number of popular press accounts claiming that students in the United States are overwhelmed with homework. Most of the accounts blame the accountability systems currently in place. This is an erroneous view from the popular press.

Our study was triggered by cover stories such as Newsweek, which had a headline, “Homework doesn’t help” with a picture of a stressed child. People magazine ran “Overbooked,” with a fourth grader with four hours homework a night crying at the kitchen table. From Time magazine, “The homework ate my family.” All arguing the point: there’s too much homework. [See Figure 6](#)

**FIGURE 6**

**Students Were Asked: How much time did you spend on homework yesterday?** (percentage of students)

Age 9	1984	1988	1992	1996	1999
None Assigned	36	29	32	26	26
Did Not Do It	4	4	4	4	4
< 1 hr.	41	47	47	53	53
1-2 hrs.	13	13	12	13	12
>2 hrs.	6	7	5	4	5

Age 13	1980	1984	1988	1992	1996	1999
None Assigned	30	23	17	21	22	24
Did Not Do It	6	4	4	4	5	5
< 1 hr.	32	36	37	36	37	37
1-2 hrs.	24	29	30	29	27	26
>2 hrs.	7	9	11	10	8	8

Age 17	1980	1984	1988	1992	1996	1999
None Assigned	32	22	21	22	23	26
Did Not Do It	12	11	13	12	13	13
< 1 hr.	24	26	28	29	28	26
1-2 hrs.	23	27	26	25	24	23
>2 hrs.	10	13	12	11	11	12

NOTE: Age 9 students were not surveyed on homework until 1984.

Source: NAEP 1999 Long-term Trend Reading Summary Data Tables for ages 9, 13, and 17.

Source: The 2003 Brown Center Report on American Education: How Well are American Students Learning?

The National Assessment of Educational Progress (NAEP) shows that only five percent of nine-year-old students have more than two hours of homework a night; more than 50 percent have less than an hour. The five percent are probably overworked, but the point is they're not typical. They're atypical—a distinct minority.

Among 13-year-olds, in middle school, only eight percent have more than two hours. The bottom line is, those students doing an hour or less of homework are: 83 percent of nine-year-olds; two-thirds of 13-year-old students; and 65 percent of 17-year-olds. Homework appears to peak at the end of middle school; we see a slight decline or a plateau at best, for high school students.

Children with part-time jobs did less homework than those without jobs. Part-time employment is uniquely American. Around the world, most high school students don't work—parents say: "My child has a job and it's going to school and learning." In the United States, 70 percent of kids have a part-time job at some time during their high school career. Over half spend

16 hours working and their time spent on homework was very, very low.

**See Figure 7**

UCLA did a study of its college freshmen. These are some of America's best students. During their senior year in high school, two-thirds indicated they spent five hours or less per week on homework. Most college professors would likely tell you they don't think this is adequate preparation for college.

In a survey of parents about their children's homework, 65 percent felt it was about right; 24 percent said it was too little; and ten percent said their child had too much homework. Based on this survey data, there doesn't appear to be a homework rebellion on the part of parents.

The typical student does not spend more than an hour per day on homework. The homework load hasn't changed much and continues to be very light. Students experiencing an increase in homework in the last decade are those who previously had no homework, and now have a small amount.

**FIGURE**  
**7**

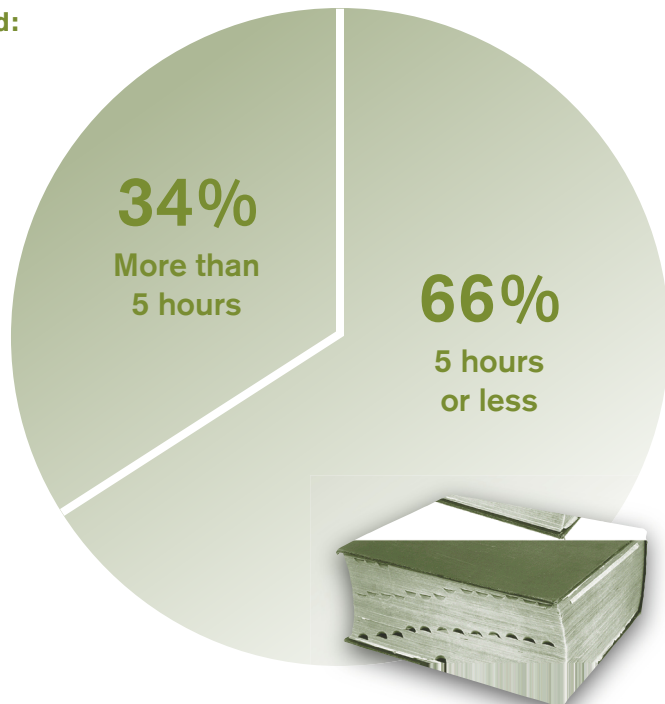
**Two-thirds of college-bound seniors do five hours or less of homework per week.**

**College freshmen were asked:**

During your last year in high school, how many hours did you spend in a typical week studying or doing homework?

Source: Linda Sax, L.A. Lindholm, A.W. Astin, W.S. Korn, and K.M. Mahoney, *The American Freshman*; National Norms for Fall 2002 (Higher Education Research Institute, UCLA, 2002).

Source: The 2003 Brown Center Report on American Education: How Well are American Students Learning?



## Gary Hart

When preparing a new program at Sacramento's Kennedy High School, of all the things we wanted to do, the issue that raised the most concern by the principal and faculty was the desire to assign one hour of homework per class period. This seemed to me to be appropriate for a challenging academic program. The principal and the teachers said it wouldn't work.

They were right. We had a mini-revolt on our hands because asking students to do an hour of homework for each classroom period is just not part of the culture and tradition of most public schools. We had to lower our expectations, settling somewhere between 30-45 minutes per period, and even that amount still rankles many of students.

Recently, I asked my students to write an essay on the amount of homework at Kennedy. Very few said there

wasn't enough homework; it was about evenly divided between those who thought there was too much and those who felt it was about right.

The interesting thing to me was that some students argued the reason they felt there was too much homework was that they wanted to get into a competitive college. They felt the key to getting into a competitive college is extracurricular activities and that homework assignments too often get in the way of the various extracurricular activities students felt were necessary to complete their resume!

There's definitely a feeling among many high school students of getting pulled in too many directions and the homework burden is too much. From my perspective, I believe there needs to be more focus on academics and less on extracurricular activities.

**Harold Levine**, Dean, University of  
California at Davis, School of Education

**Homework**

What I want to know in the next study is: what is the relationship between the amount of homework and achievement? How does the amount of homework influence stress and burnout?

**Charters and Choice**

We really don't know what makes students succeed and what makes schools successful. We try different things and hopefully, we learn some things. I love this notion of "it depends."

Legislators in Sacramento tend to be I/O (input-output) types. If we legislate, people will do it and we'll have this outcome. But if you're going to study a child's achievement, you have to understand the school, whether or not the principal is a good

instructional leader, the qualities and qualifications of the teachers, how the school is financed, the overall district management, and on and on and on.

For some of us that's discouraging; for others, that's very intriguing.

Because there are so many local factors, understanding a child's learning really depends upon what happens in the local context. That means that as a state, we ought to have other ways of organizing schools, of creating the educational context for a child to learn. It also means the state needs to better understand the consequences of more charter schools. If we fail to do this, legislative policy to expand or restrict charter schools will miss the mark.

*So, there's an important form of  
experimentation going on. Charter schools  
are the reality. The question is:  
what are we going to learn from them?*

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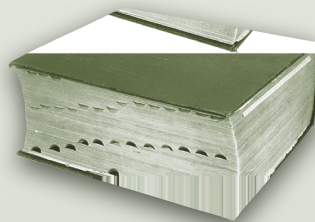
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