

# Public Education Justice—Where Do Charter Schools Fit In?

A Resource of the National Council of Churches Committee on Public Education and Literacy

Are children in your congregation or your community attending charter schools? Maybe you have been asked to serve on the board of a charter school. Perhaps your congregation is considering forming a charter school. What questions should people of faith be asking to explore whether these quasi-public schools serve the public good?

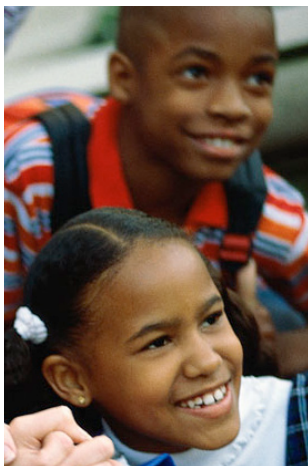
## What are charter schools?

Charter schools are publicly funded schools, but they are operated by separate, semi-autonomous, appointed governing boards. Some charter schools are founded by visionary local educators while others are part of local or national non-profit chains. Still others are part of huge for-profit enterprises like Edison Schools or the on-line schooling giant, K-12. Some are excellent, others deplorable, and many quite average. Overall, charter schools have not out-performed traditional public schools, although such generalizations are deceiving because they mask the disparity in quality among charter schools. Charter schools are established in state law and their licensing requirements and operations differ significantly from place to place. They are rarely subject to the same public oversight required for traditional public institutions.

## How can we evaluate charter schools?

Well-respected educators, public high school principal George Wood and charter school founder Ted Sizer, call us to evaluate charter schools according to principles of **access, equity, and public purpose-public ownership**.<sup>1</sup> These same principles have also historically been of concern when people of faith look for justice in traditional public education.

- Universal **access** means that all children—wherever they live, whoever their parents, and whatever their abilities or needs—can find a place at a high quality, nurturing, publicly funded school.
- **Equity** means that all publicly funded schools, no matter the school district or state, must have the resources to serve all children including those who are poor or disabled and those who speak a language other than English at home. Schools everywhere must be adequately funded to serve each child's needs.
- **Public purpose-public ownership** means that society provides schools not only for the formation of each child but also for the formation of an educated citizenry. And when society taxes itself to provide education, there must be the assurance of careful stewardship of those public dollars.



Charter schools embody the idea of school choice; each one is designed to serve a small group of children with the intention that a mix of schools will provide for all children. In a 1999 policy statement, without opposing choice altogether, the National Council of Churches General Assembly reminded people of faith that justice will require our attention to the traditional public schools that will continue to serve the majority of our nation's 50 million children:

“...all of us, Christians and non-Christians alike, have a moral responsibility to support, strengthen and reform the public schools....we call upon our members to direct their energies toward improving the schools that the majority of children will continue to attend. The long-range solution is to improve all schools so that families will not be forced to seek other educational alternatives.”

We must find a way to ensure that each charter school serves its students, for they are our children. We must also find enough attention, even if we are deeply involved with a charter school, to address the injustices that remain in the larger system of traditional public schools

<sup>1</sup> Leigh Dingerson, Barbara Miner, Bob Peterson and Stephanie Walters, ed., *Keeping the Promise? The Debate Over Charter Schools* (Milwaukee: Rethinking Schools in collaboration with The Center for Community Change), 2008, pp. 5-6.

## Using This Resource

The questions on the following pages will help you or a group in your congregation evaluate individual charter schools or the implications of charter school policy in your state according to the principles of **access, equity, and public purpose-public ownership**. Some of these questions will require you to research how your state's chartering and licensing laws work. Others are philosophical, open-ended questions. Use these questions to guide your own personal reflection or as a discussion guide in your justice committee or adult education class.

### Access

1. Are charter schools in your community open admissions schools or do they select students with entrance exams? What does your state law say about selection procedures in traditional public and charter schools?
2. Even if open-admissions are required for charter schools, are charter schools using any other ways to screen children? Is the application procedure so complex that only savvy parents can negotiate it? Are admission interviews required? Are application or admissions fees charged? Do your area's charter schools have enrollment caps? Are parental or student contracts required (to make it easier later for the school to shed unwanted children or families)? Does the charter school provide transportation or must parents make their own transportation arrangements?
3. Do the traditional public schools in your community embody open admissions or do they use screens as described in the questions above? What are the different challenges for schools that accept all children and those that, in obvious and subtle ways, select their students?
4. How do charter schools in your community market themselves to attract students? Do they publicize their school in all neighborhoods? Are promotional materials available in multiple languages? Do the schools offer bonus payments or other incentives for enrollment? What are the implications when schools compete for students?
5. Are charter schools in your community providing comprehensive services for students with special needs in accord with the federal Individuals with Disabilities Education Act? If not, where and how are these students being served?
6. If your district is using school choice, does it provide a range of high quality options (which may include charter schools) or have some schools become schools of last resort? What happens to the children who are unable to choose or be chosen?
7. Do you think it is possible to offer good choices for all children?
8. Does your school district recognize the need to protect racial and economic diversity as it plans charter schools?
9. As charters are opened and neighborhood schools perhaps closed or restructured, what has been the impact on school assignments? What are the implications if children are not given right of return to their former neighborhood school?
10. Think about the politics connected to the distribution of charter schools in your community. Are some neighborhoods better placed politically to attract charter schools? What role does politics or the charter school manager's philosophy play in the placement of the school? Are any schools targeting a particular niche market?



## Equity

1. Charter schools, each one operating autonomously, are rarely able to realize economies of scale. Should school districts be empowered to impose at least some unified planning for equitable provision of programs across traditional public and charter schools for children with learning, visual, hearing, or developmental disabilities and English language learners?
2. If a charter school closes mid-year or pushes students back into the traditional public schools mid-year, should the public money for those children follow the children back into the public schools expected to serve those students? How does your state's law address such funding issues?
3. When school districts create new experiments and models (whether they be charters or traditional public schools) should these schools have access to more public money than other schools? Why or why not?
4. In neighborhoods that are gentrifying, what is the impact of allowing some schools (whether charter or traditional public) access to additional resources in order to attract more affluent students? What message is sent to students and their families?
5. Charter schools often depend on private grants as well as public funds. Should some schools (whether they be charters or traditional public schools) have more access to private money than other schools? What are the implications over time as schools (traditional public or charter) compete for foundation funding?
6. When several small schools (traditional and charter) are housed in one building, what challenges are raised if one of the schools has access to greater resources than the other(s)? What message is sent to students?
7. Should charter schools be required to provide the same salaries and benefits as other publicly funded schools in the area? Should charters be required to allow their staffs to bargain collectively, if the traditional public district in which they operate does?



### Additional Resources

Leigh Dingerson, Barbara Miner, Bob Peterson and Stephanie Walters, ed., *Keeping the Promise? The Debate Over Charter Schools* (Milwaukee: Rethinking Schools in collaboration with The Center for Community Change), 2008.

Jan Resseger, "Charter Schools: Quasi-Public Institutions and the Public Good," *Message on Public Education 2009*, United Church of Christ Justice & Witness Ministries, <http://www.ucc.org/justice/public-education/pdfs/Message-09.pdf>.

## Public Purpose and Public Ownership

1. When public and private monies are commingled in a charter school, what bodies should establish the oversight rules, and who should enforce them?
2. When schools are funded with tax dollars, should their operators be permitted to make a profit? Are some charter school operators in your state making a profit?
3. What policies should be in place to protect the public from waste or theft of public funds by charter operators? Are charter schools in your area currently being held accountable for fiscal management?
4. Should charter schools, as schools funded primarily with tax money, and their boards be subject to sunshine laws and should their records be required to be made available to the public? Does your state require rigorous transparency for charter school financial records?
5. If a charter school or a chain of charter schools (accepting public funding) is being operated by a privately held corporation, should that business be required to report publicly on its expenditures and its hiring practices? What accountability rules and public transparency are in place in your state for charter school authorizers and charter school management companies?
6. State laws require charter schools to adhere to the same academic standards and to administer the same standardized tests as traditional schools. Are charter school regulations being enforced in your area to hold these schools accountable academically? What policies should be in place to protect children in charter schools from poor academic programs?
7. Why is public access to records and democratic oversight important? Whose rights most need to be protected—children and parents—taxpayers concerned about public stewardship—school district administrators considering unity of vision and coherence of programming across a district?
8. Can parochial schools be chartered in your state? If a religious school becomes a publicly funded charter school, does your state require that the curriculum be secularized to comply with the First Amendment? Does your state enforce this federal requirement that public funds not be used to establish religion?
9. How can responsible citizens work to make the successes we have observed in the best charter schools become systemic in all public schools?



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