

# EDUCATION REFORMS: EXPLORING THE VITAL ROLE OF CHARTER SCHOOLS

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## HEARING

BEFORE THE

SUBCOMMITTEE ON EARLY CHILDHOOD,  
ELEMENTARY AND SECONDARY EDUCATION

COMMITTEE ON EDUCATION  
AND THE WORKFORCE

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

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## **EDUCATION REFORMS: EXPLORING THE VITAL ROLE OF CHARTER SCHOOLS**

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**Wednesday, June 1, 2011  
U.S. House of Representatives  
Subcommittee on Early Childhood,  
Elementary and Secondary Education  
Committee on Education and the Workforce  
Washington, DC**

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The subcommittee met, pursuant to call, at 12:06 p.m., in room 2175, Rayburn House Office Building, Hon. Duncan Hunter [chairman of the subcommittee] presiding.

Present: Representatives Hunter, Kline, Petri, Biggert, Foxx, Roby, Kildee, Payne, Scott, Holt, Davis, Grijalva, Hirono, and Woolsey.

Also present: Representatives Miller and Polis.

Staff present: Katherine Bathgate, Press Assistant/New Media Coordinator; James Bergeron, Director of Education and Human Services Policy; Casey Buboltz, Coalitions and Member Services Coordinator; Heather Couri, Deputy Director of Education and Human Services Policy; Daniela Garcia, Professional Staff Member; Barrett Karr, Staff Director; Rosemary Lahasky, Professional Staff Member; Brian Melnyk, Legislative Assistant; Krisann Pearce, General Counsel; Mandy Schaumburg, Education and Human Services Oversight Counsel; Dan Shorts, Legislative Assistant; Alex Sollberger, Communications Director; Linda Stevens, Chief Clerk/Assistant to the General Counsel; Alissa Strawcutter, Deputy Clerk; Tylease Alli, Minority Clerk; Daniel Brown, Minority Junior Legislative Assistant; Jody Calemine, Minority Staff Director; Jamie Fasteau, Minority Deputy Director of Education Policy; Brian Levin, Minority New Media Press Assistant; Kara Marchione, Minority Senior Education Policy Advisor; Helen Pajcic, Minority Education Policy Advisor; Julie Peller, Minority Deputy Staff Director; Melissa Salmanowitz, Minority Communications Director for Education; and Laura Schifter, Minority Senior Education and Disability Policy Advisor.

Chairman HUNTER. A quorum being present, the subcommittee will come to order.

Good morning and welcome to our witnesses. Thank you for being here. We appreciate you taking the time to join us.

Today we will review the important role charter schools play in the nation's education system.

As you may know, charter schools are public schools created through a contract with state agencies or local school districts. The contract affords a school more flexibility to meet the unique education needs of students. And in exchange for this freedom, charter schools are held accountable for parents and communities for achieving the goals set out in their charter.

Republicans on this committee have been strong proponents of charter schools for many years as we recognize the opportunities they offer for parents and students.

Charter schools empower parents to play a more active role in their child's education and offer students a priceless opportunity to escape underperforming schools.

These innovative institutions also open doors for teachers to experiment with fresh teaching methods and curricula that they believe will have the greatest positive impact on students in their individual community.

Charter schools have a proven track record for success, encouraging higher academic achievement in even the most troubled school districts.

For example, a Louisiana charter school established in the wake of Hurricane Katrina enrolled many students who had fallen significantly behind other students their age after the disaster forced them to miss a full year of school. Despite these difficult circumstances, dedicated teachers tailored groundbreaking course work to meet the needs of those students.

As a result, student achievement levels soared and this charter school is now the third most successful high school in New Orleans.

Other areas of the U.S. could greatly benefit from the launch of similar high quality charter schools. Take Detroit which has closed 59 schools and cut 30 percent of the school system's workforce in the last 2 years due to enormous budget shortfalls.

Parents and students in Detroit are desperate for new education opportunities, and that is why the city is now exploring a plan to convert as many as 45 traditional public schools into charter schools.

As we work to improve the nation's education system, and raise student achievement levels, much can be gained from expanding access to high quality charter schools. Unfortunately barriers to charter school growth exist in the form of state caps, limited authorizers, and hostile state legislatures.

Efforts must be undertaken to streamline charter school funding and reduce unnecessary bureaucracy at the federal level. We must also explore ways to help states and authorizers support charter schools in meeting high quality standards and provide incentives for states that encourage the establishment of charter schools.

Today's witnesses—excuse me. Today's witness testimony will be very valuable as we develop proposals to support the development of high quality charter schools in communities across the country.

I look forward to gaining our witnesses' perspectives on the successes and challenges facing charter schools, and learning what must be done so that more families and students can benefit from these groundbreaking institutions.

I would now like to recognize the ranking member, Mr. Dale Kildee, for his opening remarks.

[The statement of Mr. Hunter follows:]

**Prepared Statement of Hon. Duncan Hunter, Chairman, Subcommittee on Early Childhood, Elementary and Secondary Education**

Today we will review the important role charter schools play in the nation's education system. As you may know, charter schools are public schools created through a contract with state agencies or local school districts. The contract affords the school more flexibility to meet the unique education needs of students, and in exchange for this freedom, charter schools are held accountable to parents and communities for achieving the goals set out in the charter.

Republicans on this committee have been strong proponents of charter schools for many years, as we recognize the opportunities they offer parents and students. Charter schools empower parents to play a more active role in their child's education, and offer students a priceless opportunity to escape underperforming schools. These innovative institutions also open doors for teachers to experiment with fresh teaching methods and curricula that they believe will have the greatest positive impact on students in their individual community.

Charter schools have a proven track record for success, encouraging higher academic achievement in even the most troubled school districts. For example, a Louisiana charter school established in the wake of Hurricane Katrina enrolled many students who had fallen significantly behind other students their age after the disaster forced them to miss a full year of school. Despite these difficult circumstances, dedicated teachers tailored ground-breaking coursework to meet the needs of these students. As a result, student achievement levels soared and this charter school is now the third most successful high school in New Orleans.

Other areas of the U.S. could greatly benefit from the launch of similar high quality charter schools. Take Detroit, which has closed 59 schools and cut 30 percent of the school system's workforce in the last two years due to enormous budget shortfalls. Parents and students in Detroit are desperate for new education opportunities, and that's why the city is now exploring a plan to convert as many as 45 traditional public schools into charter schools.

As we work to improve the nation's education system and raise student achievement levels, much can be gained from expanding access to high quality charter schools. Unfortunately, barriers to charter school growth exist in the form of state caps, limited authorizers, and hostile state legislatures. Efforts must be undertaken to streamline charter school funding and reduce unnecessary bureaucracy at the federal level. We must also explore ways to help states and authorizers support charter schools in meeting high quality standards, and provide incentives for states that encourage the establishment of charter schools.

Today's witness testimony will be very valuable as we develop proposals to support the development of high quality charter schools in communities across the country. I look forward to gaining our witnesses' perspectives on the successes and challenges facing charter schools, and learning what must be done so more families and students can benefit from these ground-breaking institutions.

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Mr. KILDEE. Thank you very much, Mr. Chairman.

I also want to thank our distinguished witness panel for their participation in today's hearing.

I believe we have a great deal to learn about the potential benefits and challenges of charter schools, and how they can be a part of education reform.

I hope your insights bring us closer to our goal of providing a high quality education for all students.

While the American education system is one of the best in the world, the status quo is no longer acceptable. We must prepare our students to compete in the global economy.

The top 10 percent of American students are competitive with our peers internationally. But we fall flat when it comes to educating our poor and minority students. The persistent achievement gap is a threat to our country's competitive fitness, our economy, and our national security.

Furthermore, there is a moral imperative to do better by our needier students. Higher standards and better assessments will help. But we must push the envelope with innovative strategies for reform.

Charter schools were originally intended to be a new form of public school that would develop and share innovative practices, and promote competition leading to improvements among the traditional public schools as well.

While the original goals of charter schools hold promise, they must be held accountable for their performance and work. And work collaboratively with other public schools to improve the high quality educational options available to all students.

And very often one rarely sees that collaboration between the charter schools in a community and a school three blocks away which is a traditional public school.

I watched too many bad—if I may use that word—charter schools divert resources from the traditional public school system only to finish the school year with students farther behind. Charter schools are public schools and must be held accountable as such.

Innovative cannot occur without proper oversight. And I will push for policies that hold these schools accountable for performance.

I am also concerned that charter schools all too often fail to serve a representative sample of the student population. Charter schools are not a real choice for most families around the country. They operate in only 40 states and are often located solely in urban school districts.

Where they do operate, their effectiveness is often unclear. The performance of charter schools varies tremendously with predominantly—showing in their studies that overall charter schools performed no better or worse than traditional public schools.

Even when charter schools are improving student outcomes, too often they do not provide services to those students most in need. As we explore strategies for comprehensive school reform, we should never lose sight of our commitment to equal access for all students.

I look forward to a productive discussion about these important issues during today's hearing so we can move forward with solutions acceptable to all.

And I want to thank the chairman for calling today's hearing, and look forward to the discussion.

I yield back the balance of my time.

[The statement of Mr. Kildee follows:]

**Prepared Statement of Hon. Dale E. Kildee, Ranking Member,  
Subcommittee on Early Childhood, Elementary and Secondary Education**

Thank you Mr. Chairman.

I also want to thank our distinguished witness panel for their participation in today's hearing. I believe we have a great deal to learn about the potential benefits and challenges of charter schools and how they can be a part of education reform. I hope your insights bring us closer to our goal of providing a high quality education for all students.

While the American education system is one of the best in the world, the status quo is no longer acceptable. We must prepare our students to compete in the global economy.



The top 10 percent of American students are competitive with our peers internationally, but we fall flat when it comes to educating our poor and minority students. The persisting achievement gap is a threat to our country's competitiveness, our economy, and our national security.

Furthermore, there is a moral imperative to do better by our neediest students. Higher standards and better assessments will help, but we must push the envelope with innovative strategies for reform.

Charter schools were originally intended to be a new form of public school that would develop and share innovative practices, and promote competition, leading to improvements among traditional public schools, as well.

While the original goals of Charter schools hold promise, they must be held accountable for their performance and work collaboratively with other public schools to improve the high-quality educational options available to all students.

I have watched too many bad charter schools divert resources from the traditional public school system only to finish the school year with students farther behind.

Charter schools are public schools and must be held accountable as such. Innovation cannot occur without proper oversight, and I will push for policies that hold these schools accountable for performance.

I am also concerned that charter schools all too often fail to serve a representative sample of the student population.

Charter schools are not real choice for most families around the country. They operate in only 40 states and are often located solely in urban school districts.

Where they do operate, their effectiveness is often unclear. The performance of charter schools varies tremendously, with predominating studies showing that, overall, charter schools perform no better or worse than traditional public schools.

Even when charter schools are improving student outcomes, too often they do not provide services to those students most in need. As we explore strategies for comprehensive school reform, we should never lose sight of our commitment to equal access for all students.

I look forward to a productive discussion about these important issues during today's hearing so we can move forward with solutions acceptable to all.

I want to thank the Chairman for calling today's hearing, and look forward to the discussion.

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Chairman HUNTER. I thank the ranking member.

I would also like to recognize Mr. Polis from Colorado who is here today. He is a big proponent of charter schools and interested in today's debate.

Now pursuant to committee Rule 7C, all subcommittee members will be permitted to submit written statements to be included in the permanent hearing record.

And without objection, the hearing record will remain open for 14 days to allow statements, questions for the record, and other extraneous material referenced during the hearing to be submitted in the official hearing record.

It is now my pleasure to introduce our distinguished panel of witnesses.

Ms. DeAnna Rowe first—was named executive director of the Arizona State Board for Charter Schools, an independent state agency with the statutory responsibility to authorize new charter schools and oversee existing charter schools in 2007.

Previously, she served as director of academic affairs for the Arizona State Board of Charter Schools.

Ms. Rowe began her career as an employment coordinator for Valley Temporary Services from 1986 to 1990. She went on to serve as manager at Franklin Printing and Office Supply from 1990 to 1992.

Her work in the public school system started as a high school teacher in the Peoria, Illinois Unified School District from 1992 to 1997. There, she focused on the design and implementation of an

integrated academics program which emphasized both workplace and academic skills.

In 1997, she co-founded Career Pathways Academy and served as co-director until 2001.

Thank you for joining us today.

And Ms. Debbie Beyer is next, and a friend of mine. One of the many schools that I visited was hers in San Diego.

Debbie, thanks for coming all the way out here.

She currently serves as executive director and principal of Literacy First Charter Schools which she founded in 2001. She began her career in education as a kindergarten teacher, was a high school Spanish teacher, and served as a director and developer of home education programs.

Ms. Beyer also started Del Rey Schools, a home schooling program that provides support services and accountability for families that choose to home school, serving as director and developer of the organization.

Next is Dr. Gary Miron. He is a principal research associate at Western Michigan University's Evaluation Center.

There, he works on a variety of school reform evaluations including the evaluations of charter schools in Michigan, Pennsylvania, Connecticut, Illinois, and Cleveland.

He has researched and written on topics such as educational evaluations, special needs education, educational planning and policy, multi-method research, charter schools, and school reform.

Dr. Miron worked at Stockholm University where he completed his graduate studies.

And last, Dr. Beth Purvis.

She began her career as a teacher of the blind and visually impaired in Montgomery County, Maryland Public School systems from 1988 to 1993. From 1995 to 1998, she was an early childhood special educator for Tennessee's Early Intervention System.

In 1998, she went on to serve as an assistant professor of special education and the associate director of the UIC Child and Family Development Center at the University of Illinois at Chicago.

She is the executive director of the Chicago International Charter School, and currently serves on the boards of the Illinois Network of Charter Schools, the Illinois State Advisory Council, the Illinois State Board of Education, and the Education Subcommittee of the Chicago Urban League.

She has served on the editorial review board of two peer review professional journals, has published and presented numerous papers, and has been awarded various grants in her field.

Thank you all for joining us.

Before I recognize each of you to provide your testimony, let me briefly explain the lighting system.

You will each have 5 minutes to present your testimony. When you begin the light in front of you will be green. When 1 minute is left it will turn yellow. And then when that minute is up, it would turn red at that point.

Please try to wrap up your point at that point in time.

After everyone has testified, members will each have 5 minutes to ask questions of the panel.

I would now like to recognize Ms. Rowe for 5 minutes.

**STATEMENT OF DEANNA ROWE, EXECUTIVE DIRECTOR,  
ARIZONA STATE BOARD FOR CHARTER SCHOOLS**

Ms. ROWE. Good afternoon Chairman Hunter, Ranking Member Kildee, and members of the subcommittee.

I am DeAnna Rowe, the executive director of the Arizona State Board for Charter Schools. And I am pleased to be here today to participate in your discussion.

I have been involved in charter schools in Arizona almost since their inception, first as a charter school operator, and for the last 10 years as a member of the Charter Board staff.

As an Arizona native, I have been witness to a great deal of progress in Arizona's public education system. And much of it can be attributed to both charter schools and the work of the Charter Board.

We now have over 500 charter schools serving over 123,000 students in—across our state. In Arizona, we have a charter school law that provides for autonomy in charter school operations and includes flexibility within their organizational structures.

With the variety of ownership and management structures, as well as variations in government, Arizona has a rich collection of operations that produce some of the strongest charter schools in the nation.

These programs offer a variety of instruction and—which are often not found in traditional public schools.

With a strong charter school law that establishes a solid foundation from which an authorizer can grant charters, it is incumbent upon the Charter Board as an authorizer to create a portfolio of quality charter schools from which families are able to make educational choices based on programs that are considered the best fit for their children.

In its most recent strategic planning process, the Board's strategic planning team focused on ensuring its policies moving forward: to continue to provide a fair and transparent means to measure each schools' academic performance, and to close schools that aren't making academic gains.

And it is the evaluation process that I will focus on for the rest of my time with you today because as you will see, it is this process that started with charter schools that will soon play a vital role in measuring the success of all Arizona public schools.

In evaluating school performance for 5-year interval reviews, in consideration of expansion, and in making renewal decisions, the Charter Board looks at a combination of individual student level data of the Arizona growth model and raw test score data.

Multiple years of data, when plotted over time, create a visual representation of each school showing on an annual basis the percent of students passing the state test and how fast its school is catching up its struggling students.

Examples of the graphs have been included in the appendix, and demonstrate how the Charter Board can utilize data to make high stakes decisions based on the school's academic performance.

The Arizona growth model is a replication of a Colorado growth model. And its implementation in Arizona must be credited to the Arizona Charter Schools Association.

The Charter Association explored, and the Charter Board's subsequent adoption of this model were made possible through a U.S. Department of Education grant titled, Building Charter School Quality.

The Charter Board pioneered the use of the growth model which now has gained general acceptance across the state as a means to measure student achievement. Administrators in both charter schools and district schools have access to growth model data and professional development regarding the use of the data through the Charter Association.

Recently, the State Board of Education explored the most appropriate means to calculate the state's new system for identifying school academic performance. And it too evaluated the growth model.

At its May meeting, the Arizona State Board of Education finalized the new Arizona Learns formula, incorporating the use of the growth model to measure the academic performance of all public schools in Arizona.

A change in the way public schools are evaluated is an explicit and notable example of how the inclusion of charter schools in Arizona's education system has contributed to improving public education in Arizona.

There are other examples as well. Charter schools, through their provision of varied and innovative quality academic programs, are having an impact on the decisions made at the local school district.

Districts, in their continuous efforts to provide educational opportunities for their families, have devoted resources to researching charter school operations and what makes charter schools the choice of parents.

The best practices and programs of instruction found to be effective in our charter schools are now being implemented at the district schools as well, further expanding quality opportunity for all of our students.

Charter schools provide a range of benefits for students and their families in Arizona. Not only do the schools provide an alternative for families seeking to find an environment that will allow each student to reach his or her full potential, but they have proven to be a tremendous source of innovation, providing all schools with the tools and methods of improving student achievement.

Because of strong, progressive charter school legislation, charter schools in Arizona are not a threat to the public education, but rather an integral part of the complex system that is rapidly adapting to meet the needs of the Arizona students.

Thank you for the opportunity today.

[The statement of Ms. Rowe follows:]

**Prepared Statement of DeAnna Rowe, Executive Director,  
Arizona State Board for Charter Schools**

Good afternoon, Chairman Hunter, Congressman Kildee, and members of the Subcommittee. I am DeAnna Rowe, Executive Director of the Arizona State Board for Charter Schools and I am pleased to be here today to contribute to your discussion of the vital role that charter schools play in education.

Charter schools provide options for families that want the benefits of a public education for their children but desire the ability to select an instructional model and educational environment where they believe their students will thrive. The presence of charter schools in the American education landscape provides a level of competi-

tion that works to increase school quality while at the same time increasing the accountability measures for all public schools. If the desired end in public school reform is improved educational results for all children, then charter schools play an important role in this common goal for quality public schools.

In my capacity as the executive director of the Arizona State Board for Charter Schools (“Charter Board”), I’d like to share my perspective of how an authorizer creates and monitors the performance of charter schools to ensure their quality which is vital to our pursuit to improve public education in Arizona.

As an authorizer in Arizona, I have the pleasure of working within a charter school law that:

1) Supports the creation of various educational opportunities without boundaries for operations; we have charter schools in 14 of our 15 counties

2) Does not restrict the number of charter schools that can operate or limit the enrollment at its schools; we have 385 charter holders in Arizona operating 512 charter schools serving 123,633 students. This translates to one in every 4 public schools in Arizona being a charter school serving 12% of the Arizona’s public education population.

3) Provides for autonomy in charter school operations and includes flexibility within their organizational structures. The law provides for authorizers to contract with a public body, private person, or private organization. This variety in ownership and management structures, as well as variations in governance, creates a rich collection of operations that produce some of the strongest charter schools in the nation. This flexibility of structures also allows charter holders to respond quickly to educational needs. The inclusion of the private sector provides opportunities for the active involvement of individuals outside the traditional educational arena and incorporates an additional skill set in the development of instructional programs and operations of the school.

4) Provides exemptions from many state laws and district regulations. Charter holders use these exemptions to implement instructional programs such as Montessori, Expeditionary Learning, back to basics and performing arts focused schools which are not often found in the traditional public schools. The law allows for charter schools to act as incubators for innovation, creating schools that are responsive to community needs and current educational research.

With a strong charter school law that establishes a solid foundation from which an authorizer can grant charters and hold schools accountable to quality performance standards, it is incumbent upon the Board, as an authorizer, to grant charters to applicants that demonstrate a quality educational program that is supported by a sound business plan which will be managed by individuals or entities that demonstrate the capacity to effectively utilize state resources. By doing so, it creates a vast array of choices for families from which educational decisions can then be made based upon program choices that are considered the best fit for the children, school locations, and other factors deemed important to the family.

Over 15 years of authorizing, the Charter Board has experienced many iterations of the “new charter application,” each one considering lessons learned and improving on past versions in an effort to capture the key components that will ensure the establishment of an additional quality charter school option when approved. As in much of its work, the Charter Board has utilized the National Association of Charter School Authorizer’s Principles & Standards as a resource and a guide in improving its practices.

In its endeavor to provide quality choices, the Charter Board has also established replication criteria which, when met, provide a successful charter holder a streamlined process to open additional schools. Replication has been an efficient process for expanding the number of quality choices available to families.

With the receipt of Federal Charter School Program Funds in 2009, the Arizona Department of Education established the Arizona Charter Schools Incentive Program to support the start-up of new, high-quality charter schools in Arizona over the next five years. This program is focused on creating schools in urban and rural areas that will serve students at risk of not succeeding. Because these sub-grants encourage replication of quality schools, there has been an increase in the number of replication applications submitted to and approved by the Charter Board. After two years, early results are showing that the increased funding to support these schools in planning and implementation is yielding significant academic gains.

An authorizer’s role in conducting ongoing oversight to evaluate performance and monitor compliance is the means to the desired end result—a portfolio of quality schools. In its efforts to assure that all approved charter schools provide a learning environment that improves pupil achievement, in accordance with the law, the Charter Board has created a level of oversight that holds schools accountable to

quality standards while protecting their autonomy which ensures the flexibility and independence of their operational practices which is instrumental to their success.

In evaluating the charter school's efforts to maintain quality standards of operation, the Charter Board considers the following: First, the success of the academic program, including academic achievement; next, the viability of the organization, including fiscal management and compliance, and finally, the charter holder's adherence to the terms of the charter.

As with its new application, the Charter Board's oversight processes have continued to be refined. Keeping "fair and transparent" as well as "autonomy for performance" at the forefront of the development of all policy, the Charter Board recently revised its oversight processes placing academic performance at its core. The Charter Board established a Level of Adequate Academic Performance (LAAP) that provides a means to measure academic improvement from one year to the next, replacing its use of the State's academic accountability system which provided a means to monitor school performance by way of a performance label.

The LAAP is based on a combination of individual student level growth (Arizona Growth Model) and raw test score data to determine whether schools are teaching kids what they need to know and how fast the school is "catching up" its struggling students. The analysis of the data and development of the Arizona Growth Model must be credited to the Arizona Charter Schools Association ("Charter Association"). The Arizona growth model is a replication of the Colorado growth model, developed by Damian Betebenner of the National Center for Assessment, and used for statewide accountability. In addition to Colorado, Massachusetts has also adopted this growth model for its statewide system. The Charter Association's exploration and the Charter Board's adoption of this model were made possible through the US Department of Education's National Leadership Grant titled "Building Charter School Quality".

In evaluating school performance for five-year interval reviews, in consideration of requests for expansion, and in making renewal decisions, the Charter Board looks at graphs that contain multiple years of data over time instead of a single point in time. Examples of the graphs have been included in the Appendix. When viewed over multiple years, policy-makers and parents can identify schools that are consistently strong in growing their student's level of knowledge, or those that are consistently weak.

The Charter Board pioneered the use of the growth model which has now gained general acceptance across the state as a means to measure student achievement. The Charter Association has provided administrators in both charter schools and public school districts with access to data and professional development regarding the use of the Growth Model to evaluate student achievement. Administrators were trained to interpret the growth model data and make informed instructional decisions. Recently, as the State Board of Education explored the most appropriate means to calculate the State's new system for identifying school academic performance, it too evaluated the growth model. During its May meeting, the State Board of Education finalized the new AZ LEARNS formula incorporating the use of the Growth Model to measure academic performance of all public schools in Arizona.

A change in the way public schools are evaluated is an explicit and notable example of how the inclusion of charter schools in Arizona's education system has contributed to improving public education in Arizona. There are other examples as well. Charter schools, through their provision of varied and innovative quality academic programs are having an impact on the decisions made at the local school level. Districts, in their continuous effort to provide the best educational opportunities for their families, have devoted resources to researching charter school operations and what makes charter schools attractive to parents. The best practices and programs of instruction found to be effective in our charter schools are now being implemented in district schools as well, further expanding quality opportunities for all students.

Charter schools provide a range of benefits for students and their families in Arizona. Not only do the schools provide an alternative for families to find the environment that will allow each student to reach his or her full potential, but they have proven to be a tremendous source of innovation, providing all schools with new tools and methods of improving student achievements. Charter schools have also proven to be role models for districts around the state. They have presented alternative instructional and organizational models that districts can use to improve the education for all children.

Because of strong, progressive charter school legislation, charter schools in Arizona are not a threat to public education but rather an integral part of a complex system that is rapidly adapting to meet the needs of all children.

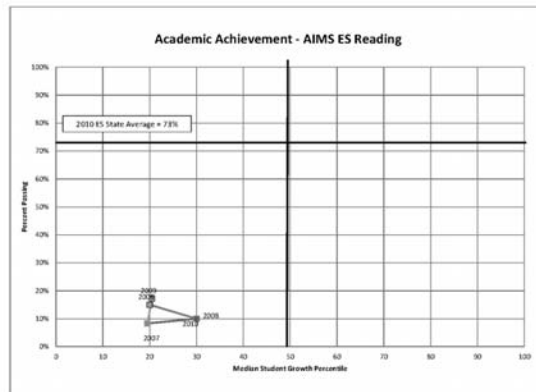
Thank you, again, for the opportunity to present this information to you today. I am happy to provide the Subcommittee with additional information that it may deem necessary or helpful, and to answer any questions from the members.

Appendix

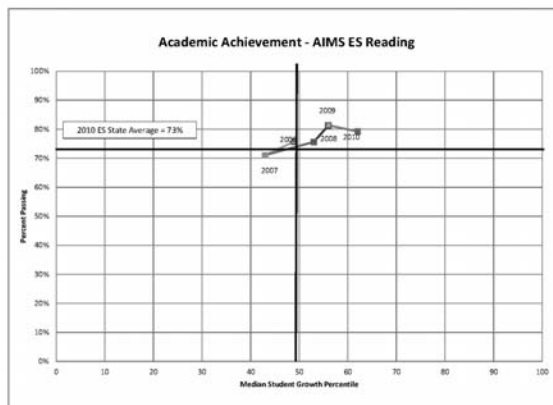
The Arizona Growth Model shines a spotlight on Arizona’s most effective schools—district and charter—that produce the highest sustained academic rates of growth in students. This helps parents, schools and policymakers to focus on quality schools moving students academically forward and those schools that may need intervention as students struggle to learn and understand state standards in math and reading. Most importantly, the collaboration directly benefits over 700,000 school children in Arizona.

The growth model uses scores from the Arizona norm-referenced state assessment for every student in the state. This volume of data allows for clear patterns in student level growth to be compared across individuals over time. The Arizona growth model is a replication of the Colorado growth model, developed by Damian Betebenner of the National Center for Assessment, and used for state-wide accountability. In addition to Colorado, Massachusetts has also adopted this growth model for its statewide system. The Charter Association’s exploration and the Charter Board’s adoption of this model were funded through the Federal Building Charter School Quality Grant.

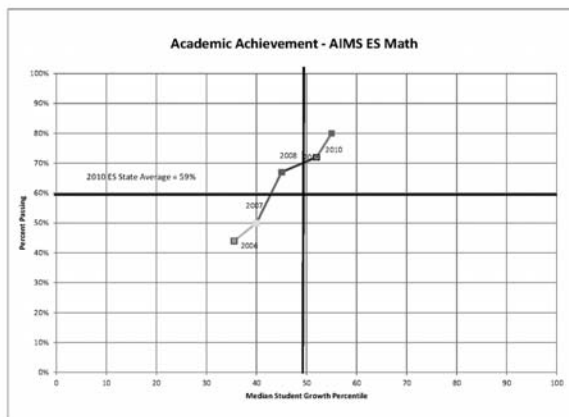
The LAAP is created by drawing two lines on a graph: one that identifies that state average percent of students proficient in a core content area, (reading and math) and a second line that represents the median student growth percentile (Arizona Growth Model) in the same content area. In its simplest explanation, this measure, when plotted over time, provides a graphic demonstration of a school’s success in improving the academic performance of its students. The graphs below depict the academic performance of three different schools.



Graph A: Low percent passing the state mandated test and low student level growth. This school would not be eligible for expansion and would be placed on a corrective action plan. If performance did not improve over time, the school would be closed.



Graph B: Average percent passing the state mandated test and improved student level growth. This school would be eligible for expansion and would not be placed on a corrective action plan. In response to strong academic performance, this school would maintain its flexibility and independence.



Graph C: Significant improvement in percent passing the state mandated test over time and improved student level growth. While not eligible for expansion in its early years, this school would be eligible for expansion based on improved performance over time and would no longer be on a corrective action plan. In response to improved academic performance, this school would regain its flexibility and independence.

Chairman HUNTER. Okay, thank you, Ms. Rowe. And thanks for being—just about right on time.

Now, I would like to recognize Ms. Beyer for 5 minutes.

**STATEMENT OF DEBBIE BEYER, EXECUTIVE DIRECTOR,  
LITERACY FIRST CHARTER SCHOOLS**

Ms. BEYER. Chairman Hunter, Mr. Kildee, and esteemed members, the controversy over how and what is the best way to educate



the future of our country has been a raging debate since back in the 1980s when Reagan's Nation at Risk Report came out.

While there are many factors that contribute to the success or failure of American students in school, the report of yesteryear was clear to indicate that parental involvement was the number one indicator for student success.

Now some 30 years later that fact remains a common denominator when looking at students that seem to achieve academic success and those that we continue to call at risk.

In 1992, California was the second state, after Minnesota in 1991, to pass charter school legislation. That was the genesis of the Charter Schools Act of 1995. To date, 39 states and the District of Columbia have charter legislation.

The goal of this movement would be to provide options for families that beforehand had none and poor underperforming schools.

A system that would provide parents choice regardless of geographical or district boundaries, provide teachers the opportunity to develop innovative and resourceful programs, provide for research proven methods and programs to be implemented, and develop communities that would embrace and own the learning of their children.

While there are many public schools doing great things for our children, the data is telling us that there are not enough of them. And for those seeking change, it is not happening fast enough. And our children deserve better.

To be realistic about what is necessary for students to be successfully educated and to be ready for a global marketplace, it would seem imperative that the paradigm shifts from the one size fits all to a buffet of opportunities. Charter schools have begun—have been the beginning of this change.

As for my own personal experience with charter schools, 10 years ago Literacy First began as a little start-up school in East San Diego County with 114 little boys and girls, kindergarten through third grade.

It was a giant dream and the most difficult endeavor I have ever encountered. Now 10 years down the road, with four school sites, 1,200 plus students, and more than the rusty old desk and tables that we began with, Literacy First has spun that dream of years past into an incredible place where the tenets upon which charters were enabled happen daily.

Parents do have choice. Teachers are developing innovative and resourceful programs. Research proven materials and methods are being used daily. And a community has developed that owns and embraces the learning of their children.

While we began with a team of just six, after 10 years, that team has grown to almost 130. You might also note that there is this myth that exists that charters don't do special populations.

At Literacy First, we have a very diverse student population which includes almost one-third of our students being English language learners. The majority of whom are from Iraq. And our special education population is about 13 percent, where the average in our area is—of a typical school is 10 percent.

Despite those numbers, we have some of the highest test scores in the entire county. Although we opened up a new school this past fall, we continue to have a waiting list of over 800.

“Waiting for Superman” is not an urban legend. We live it every day at Literacy First.

While not every charter school operates as we do, some of the distinctions that our school has that are important factors to note are our school calendar, our longer day, and longer school year.

We have tried to do what research says works and that is more time on task and more time in school. We know that schools in our area have changed their behavior in an effort to compete with what we are offering.

We think that is great. In every other area of our lives as Americans, we view competition as a good thing. Why not in education?

In addition, we do not have tenure at Literacy First. Our teachers understand that they are competing for their jobs every day by way of accountability. They hear me often say, we serve at the pleasure of the taxpayer.

We recognize that we cannot compete with the traditional union-owned public schools’ pay scale. So we have a merit pay system. This merit pay applies to everyone from the housekeeping staff to me, the executive director.

Additionally, we have what is called an above and beyond program. This pay incentive is an option for any staff that chooses to be entrepreneurial in developing a new program, heading a committee, or a variety of innovative options that could be endless.

Their regular salary is for an outstanding job, not a mediocre one. And the end of that, not only are our students served more effectively, but our staff is invested in the mission of what we are doing and intent on individual student success.

According to the Center for Education Reform, this fall there will be almost 5,500 charter schools nationwide serving 1.7 million students with the goal being to meet the needs of our children more effectively.

In my state of California, there are 912 charters, with 115 of those just opening this past fall. We serve 365,000 students.

These are public schools, publicly funded, making a huge impact on closing the achievement gap and giving hope to many that previously have felt abandoned by underperforming schools with no way out.

Like most movements that go against the status quo, developing the charter is not an easy task. However, despite challenges in growth and in funding and facilities, charters are proving themselves to be resilient.

Parents have recognized that choice is a great option. It gives back power to the people in very real, tangible, and powerful ways.

Charters are providing a much needed sense of relief to a system that has been unresponsive for decades.

As for Literacy First, there are so many good things going on at our school, it is hard to put it into 3 minutes or 30 minutes for that matter.

However as the founder—I am executive director for Literacy First. Let me say that this is a place where we recognize that what

we are doing is more than teaching content. It is about training the future of America.

It is about bringing families together in a process and partnering with them in these difficult times. It is a place where character counts, where parents matter, where teachers care. And because of that, children thrive.

Thanks so much for letting me come and share our experience with you and this movement today.

[The statement of Ms. Beyer follows:]

**Prepared Statement of Debbie Beyer, Executive Director,  
Literacy First Charter Schools**

CHAIRMAN HUNTER, MR. KILDEE AND ESTEEMED MEMBERS: Among the few subjects that can get a group in serious debate quickly, how we as Americans view education is one of them. The controversy over how and what is the best way to educate the future of our country has been a raging debate since back in the 80's when Reagan's first report came in the Nation at Risk Report. I recall as a young new idealistic teacher being concerned then at the "not so good" news regarding our American way of education. While there were many factors that contribute to the success or failure of American students in school, that report of yesteryear was clear to indicate that "parental involvement" was the number one indicator of student success. Now, some 30 years later, that fact remains a common denominator when looking at students that seem to achieve academic success and those that we continue to call "at risk".

In 1992 California was the second state after Minnesota in '91 to pass charter legislation. This movement was gaining steam all across the nation: an innovative idea that initiated the idea of allowing schools within the public sector to have a little more freedom, in exchange for more accountability. That was the genesis of the Charter Schools Act of 1995. It seemed the compromise between political parties that allowed for choice within the public school market. This began the journey of each state having the opportunity to enact its own charter legislation. This in itself is unique as there is no standard model. Therefore each state has determined its own way to fund, develop and regulate charter schools. To date, 39 states and the District of Columbia have charter legislation. The impetus of this movement was due to continued poor performance by many public schools and the continuing under-performance of a large population of our students, the goal was to provide opportunity where prior there had been none within the public education:

- 1) Parents would have choice about where their children attended school, regardless of geographical or district boundaries
- 2) Teachers would be provided the opportunity to develop innovative and resourceful programs
- 3) Research proven materials and programs would be developed and used,
- 4) Community would be developed that owned and embraced the learning of their children.

This grand experiment afforded parents the opportunity to seek a school that would meet their expectations and serve their children.

While there are many public schools doing great things for our children, the data is telling us that there are not enough of them, and for those seeking change, it is not happening fast enough. Our children deserve better. If we are serious about the training of our children and preparing them to be "21st Century Skills ready", able to compete in a global market as viable candidates in the job market, we've got to take seriously the data that is telling us that our young adults are not making the cut. If you've viewed the YouTube video "Did you know?" you'll find that as far as global competition China and India have more honors students than America has students! These are daunting statistics for those of us committed to the education of our children.

To be realistic about what is necessary for our students to be successfully educated in ways that will prepare them to be ready for a global market place, it would seem imperative that the paradigm of the "one size fits all" of our traditional American public education system must change. Charter Schools have been the beginning of that change.

Our culture has changed, our families have changed, and our world has changed. How can our education programs not change? How can we continue to debate whether this idea of choice is viable? There are large bodies of data as reported by the Center for Education Reform (see <http://www.edreform.com>) and others includ-

ing the latest report, “Portrait of a Movement”, by the California Charter Schools Association, that indicate comparing apples to apples, charters are doing a better job educating the underperforming and at risk student. As one involved in this movement daily, it is obvious that we must change our view of education to one of a buffet, rather than “the everybody eats the same meal concept”. Students today don’t want the same things as students of your age or your mom’s once wanted. Every young person does not want a 4 year high school with cheerleaders and football team.

Charter schools have arrived on the scene for precisely this purpose and precisely for this moment. Small schools, run by people of vision and mission for a particular program, invested completely in the mission of their program, totally in control of not only their finances, but their staffing, allow for the most incredible opportunity for our students across this country: the ability to “choose” a program that fits their own idea of preparation for their future.

Clearly, charters are not the panacea to all the ills of public education, and not all charters are doing a bang up job. But they are an incredible option for families that are becoming acute consumers of public education. Underperforming schools are not only a problem with charter schools, they are the very reason that charters exist, underperforming traditional public schools. The difference is that among charter schools, there is not an entitlement to exist forever, taking public dollars and continuing to do a poor job at educating children. The National Charter Schools Authorizers, along with many state charter school association, including the California Charter Schools Association, is committed to culling out the poor performing charters, so that indeed, we are doing exactly what we’ve been put into existence to do. Would it not be great if we were able to close any public school that consistently performed poorly?

As for my own personal experience with charter schools, as the founder, 10 years ago Literacy First began as a little start up school with 114 little boys and girls k—3rd grades in their new school clothes with their back packs on their backs. Eager eyes waited as proud nervous parents stood close by anxiously looking at a rag tag, maverick group of enthusiastic dream weavers to whom they were entrusting their children with the promise of and in the adventure of building a school that was going to prepare their children for the future.

The San Diego County Board of Education had the foresight to be our partner in this educational venture \* \* \* and now 10 years down the road with 4 school sites, 1200+ students and more than rusty old desks, Literacy First has spun that dream of years past into a incredible place where all the tenets upon which charters were enabled, happen daily:

- 1) Parents do have a choice
- 2) Teachers are developing innovative and resourceful programs
- 3) Research proven materials and programs are being used, and
- 4) A community has developed that owns and embraces the learning of their children.

They say that a picture is worth a thousand words, and while time is a constraint in this hearing, I would encourage you to visit our website at [www.lfcsinc.org](http://www.lfcsinc.org) for a picture of what a great set of schools are doing in San Diego. Actually, I’d like to invite you to visit at any time. We’re more than happy to share our story.

After ten years, this is the success story, while we began with a team of just 6, that team has now grown to almost 130 and of that 6/5 original team members are still standing. You might also note that while the myth exists that charters don’t do special populations, at LFCS we have a very diverse student population which includes almost one third of our students being English language learners, the majority of whom are from Iraq, and our special education population is about 13% where the average in a typical school is considered to be 10%; despite these numbers, we have some of the highest test scores in the county (note the color brochure). Additionally, although we opened up a new school last fall, we continue to have a waiting list of over 800. Waiting for Superman is not an urban legend; it speaks to our school experience as well. Our lottery for 2011-12 was just held last Tuesday. We have lived with this disappointment for the past 7 years. At this point we feel that if we “build it, they will come”, however again, facilities are such an ordeal, including over zealous building codes and anti—charter legislation in CA, that finding facilities is akin to a nightmare. Nonetheless with the understanding that “replicate-able models” should be reproduced we continue to look for new options for the families of East County.

While not every charter school operates as we do, some of the distinctives of our schools that are important factors to many charters is that of our longer school day and longer school year. We have a unique calendar in that generally speaking we have a week off each quarter rather than the three overextended months off in the

summer that originated with our country being an agrarian culture. This is no longer true. While we do have an extended summer break, we've tried to do what research says works and that is: more time on task, more time in school. We know that schools in our area have changed their behavior because of our existence. Calendars have changed, curriculum has changed and programs have changed in an effort to compete with what we are offering. Is that not great? In every other area of our lives as Americans, we view competition as a good thing \* \* \* why not in education? We know that in the end children are being served better because of the pressure that our schools have placed on other schools in our local area. I know that this same impact is felt in other areas where high performing charters exist. In addition, we do not have tenure at LFCS. Our teachers understand that they are competing for their jobs every day by way of accountability. We have strong grade level teams, strong internal leadership and mentoring, and we recognize that we are only as strong as our weakest link. For that reason, everyone is invested in building the entire "team" of LFCS. While we recognize that we may not be able to compete with the traditional union owned public schools pay scale, we do have a merit pay system which is based on a set of criteria established by our Board. This merit pay applies to everyone from the housekeeping staff to me, the Executive Director. We all recognize that the role that each plays, like Patton told his troops in Normandy, is vital to the success of the entire team. Additionally, we have what is called an "above and beyond" program. This pay incentive is an option for any staff that choose to be "entrepreneurial" in developing a new program, heading a committee, serving in leadership or a variety of innovative options that could be endless. This allows teachers that choose to be over the top to be rewarded for that extra effort. Their regular salary is for an outstanding job, not a mediocre one.

In the end, not only are our students served more effectively, but our staff is invested in the mission of what we are doing and intent on individual students' success.

As a charter school organizer, I am always puzzled by those claims that charters hold an unfair advantage. Charters have been commissioned with one basic mission: make a difference in our education and the proof of that is higher graduation rates, higher test scores and more successful students. The trade off of our existence comes down to this: If charter schools don't perform, they cease to exist. Performance is the bottom line. It is a brilliant marriage between business and education. It forces competition and requires serious and deliberate attention to every daily detail to justify our existence. There is absolutely no sense of entitlement. My staff hears from me often, "We serve at the pleasure of the tax payer".

According to the Center for Education Reform, this fall there will be almost 5500 charter school nationwide, serving over 1.7M students with the goal being to meet the needs of our children more effectively. In my state of California there are 912 charters with 115 of those opening just last fall. We serve 365,000 students. These are public schools, publically funded schools, doing school a little bit differently, making a huge impact on closing the achievement gap and giving hope to many that previously have felt abandoned by underperforming schools with no way out.

An interesting factor to note regarding charter schools is that there are as many charter schools types as there are charter school operators. This is the unique nature of charters that allow for innovation to thrive. This was the grand experiment. Find replicate-able models, and replicate them. Like most movements that go against the status quo developing a charter is not an easy task. However, despite challenges in growth, funding and facilities, charters are proving themselves to be resilient. This in itself is a testament to the strength of the movement and the need for the reform. Parents have recognized that "choice" is a great option. Finding a school that meets their needs, fits their students' abilities or strengths is an American ideal. It gives power back to the people in very real, tangible and powerful ways. Charters are providing a much needed sense of relief to a system that has been unresponsive for decades.

As for Literacy First, there are so many good things going on at our school it's hard to put it into three minutes, or thirty minutes for that matter, however as the founder and Executive Director of LFCS, let me say that this is a place where we recognize that what we do is more than just teach content. It's about training the future of America; it's about raising students that get what it is to be American. It's about bringing families into the process and partnering with them in these difficult times. It's a place where character counts, parents matter, teachers care \* \* \* and because of that children thrive.

Thank you for the opportunity to bring my experience in charter education forward today as it pertains to their vital role to the face of American public education today.

Chairman HUNTER. Thank you, Debbie.  
I would now like to recognize Dr. Miron for 5 minutes.

**STATEMENT OF DR. GARY MIRON, COLLEGE OF EDUCATION,  
WESTERN MICHIGAN UNIVERSITY**

Mr. MIRON. Thank you, and thank you for the opportunity to participate in this hearing today.

My name is Gary Miron. I am a professor of education at Western Michigan University.

Over the last couple of decades, I have been evaluating school reforms and education policies both here in the states and in Europe.

Here in the states, I have been asked nine times by state education agencies to come and conduct comprehensive evaluations of charter schools with—I have on record now, some of them are more favorable results that favor—in favor of charter schools from Connecticut and Delaware.

We also have some of the results from our evaluations that showed that charter schools are not performing well, particularly in my home state of Michigan.

In more recent years, I am doing more research with my doctoral students on education management organizations. And we are tracking the growth of these organizations that now manage close to a third of all the charter schools in the nation.

I like the charter school idea, particularly as it was articulated in the 1990s in the legislation. And when we look back at the legislation, we still see many of these original goals of charter schools still intact.

Now I want to talk about those briefly. And then talk about some of the evidence that we see today relative to those goals and objectives.

One of the objects of those charter schools was to empower local actors in communities. And this was certainly the case in the 1990s. It created a lot of new opportunities for educators and others to start schools.

Today however, we are seeing increasingly charter schools being run and operated from across state or across the country in corporate offices, as more and more of the impetus for growing charter schools is going to private education management organizations.

Another thing is—an original goal was to enhance parental involvement. The research has been very consistent here.

Parents that choose charter schools and stay in charter schools consistently report high levels of satisfaction and opportunities for involvement.

When we look at open access for all, charter schools—our public schools are open to all. There is anecdotal information here and there that charter schools counsel out students.

In my evidence that I have seen from my state evaluations, I don't see that. We do see however that charter schools are a vehicle for accelerating segregation by race, by class, and ability. Not necessarily because the charter schools are doing anything, but parents help select.

So the next thing is professional—to create professional opportunities for teachers was one of the original objectives. And we haven't seen this so much.

Today we are seeing more and more scripted education. So—and the role of teachers being lessened in charter schools and eroded. So the high attrition rates that we see among teachers now between 20 and 30 percent annually, is part of that issue about working conditions for teachers.

Another—one of the objectives we talk most about is charter schools creating higher performing schools. And when we look at the evidence, when we look at local studies, we look at case studies or individual schools, we tend to see evidence to suggest that charter schools perform better.

But when we look at the evidence from state education agencies, when they contract evaluations, or from the federal government, we see that the evidence looks different. The larger the scale, the study on student achievement, we also see they tend to be more negative.

Just to mention three studies—in 2007 we did a Great Lakes study that covered six states. We found charter schools performing at a lower level, although they were gaining faster than traditional public schools.

What we noticed in the other charter schools states like Minnesota, Wisconsin, and Michigan, the performance tended to level off once the performance level neared or became closer to the traditional public schools.

Illinois was the only state where we saw that the performance surpassed the local district.

Another study was a Stanford study in 2009. They—it was the largest study to date. Sixteen states were included.

They found that in 17 out of 100 comparisons, charter schools did significantly better. Thirty-seven out of 100 comparisons, they found charter schools performed significantly worse. The rest were a mix.

One last study I want to emphasize is from the U.S. Department of Education, spent over \$5 million on a rigorous study that was published last year. It was done by Mathematica.

In there they found looking at over-subscribed charter schools, which are their popular high-performing charter schools that they have large waiting lists, they found that these schools performed—the students in these schools performed similar to those students that were on the waiting list.

I do have some concerns about the rapid growth and expansion of charter schools. And I know to some extent my concern about quality—rather over quality finds that many, I think, in the charter school establishment may find this antagonistic, but I think in the longer run, focusing on quality, revisiting the original goals and objectives of charter schools, will help to strengthen the charter schools in the longer run.

Thank you.

[The statement of Mr. Miron follows:]

**Prepared Statement of Dr. Gary Miron, Professor of Evaluation,  
Measurement, and Research, Western Michigan University**

I am a professor of evaluation, measurement, and research at Western Michigan University. Over the last 2 decades I have had extensive experience evaluating school reforms and education policies in the United States and Europe. I have conducted 9 comprehensive evaluations of charter school reforms commissioned by state

education agencies and have undertaken dozens of other studies related to charter schools and private education management organizations (EMOs) that have been funded by the US Department of Education, state agencies, private foundations, as well as advocates and critics of charter schools. In addition to my direct research or evaluation work related to charter schools, I have provided technical assistance to charter schools in Connecticut, Hawaii, Michigan, New York, Ohio, and Pennsylvania. This assistance has largely focused on developing accountability systems and helping schools to collect and report data.

In Europe, I have studied the national voucher reform in Sweden and conducted research on school restructuring in other four countries. For the Organisation for Economic Co-operation and Development (OECD), I have been serving as an external expert and over the past few years I have worked with a network of OECD countries to develop international indicators related to school choice, parent voice, and school accountability.

In recent years, my research has increasingly focused on education management organizations and efforts to create systemic change in urban schools in Michigan and rural schools in Louisiana. Prior to coming to Western Michigan University in 1997, I worked for 10 years at Stockholm University. Aside from a long list of technical reports, I have authored or edited eight books and has published more than 3 dozen articles or chapters in books.

#### *Original Goals of Charter Schools*

Charter schools were created as a new form of public school that—in exchange for autonomy—would be highly accountable. They would improve upon traditional public schools in two ways: by developing and sharing innovative practices, and by promoting competition. Charter schools have received considerable bipartisan support and have become one of the most prevalent and widely debated school reforms visible in the last several decades. Today there are around 5,000 charter schools in 40 states and the District of Columbia, enrolling close to 1.5 million students.

While I looked favorably upon the original intent of charter schools, I am increasingly concerned that after two decades and substantial growth, the charter school idea has strayed considerably from its original vision.

A growing body of research as well as state and federal evaluations conducted by independent researchers continue to find that charter schools are not achieving the goals that were once envisioned for them.

Charter schools are nonsectarian public schools of choice, free from many regulations that apply to traditional public schools. The specific goals for charter schools are typically found in legislative acts. Let me identify these goals and comment on the related research evidence:

- Empower local actors and communities. Involvement of local persons or groups in starting charter schools is shrinking, replaced instead by outsiders, particularly private education management organizations (EMOs), which steer these schools from distant corporate headquarters. Claims that EMOs can make charter schools more effective have not been substantiated by research.

- Enhance opportunities for parent involvement. Parents who choose schools can be expected to be more engaged, presumably leading to higher student achievement and other positive outcomes. Evidence suggests that parent satisfaction is one of the strengths of charter schools. Most of this evidence, however, is based on surveys of parents whose children remain in charter schools and excludes parents whose children have left these schools. Nevertheless, the fact that charter schools are growing in size and number is a strong indication of the demand that still exists for charter schools.

- Create new opportunities for school choice with open access for all. Charter schools are schools of choice. With few exceptions, they are open to students from any district or locale. Advocates argue that the very act of choice will spur students, parents, and teachers to work harder to support the schools they have chosen. Evidence, however, suggests that charters attract and enroll groups sorted by race, class, and ability. Increasingly, charter schools are using admissions or placement tests. Last year, research conducted by Western Michigan University found that only one-quarter of charter schools have students populations that are similar to local school districts in terms of ethnic composition and the proportion of low-income students. When it came to student composition based on students with disabilities or students classified as English language learners the findings were even more stark.

- Develop innovations in curriculum and instruction. Proponents argued that charter schools could function as public education's R&D sector, and their benefits would extend to traditional public schools that adopted and emulated their innova-



tions. Evidence to date, however, suggests that charter schools are not more likely than traditional public schools to innovate.

- Enhance professional autonomy and opportunities for professional development for teachers. Allowing teachers to choose schools closely matching their own beliefs and interests was to create school communities that spent less time managing stakeholder conflicts and more time implementing effective educational interventions. Although some charter schools have created and fostered professional opportunities for teachers, the overall evidence on this goal does not suggest that this has been realized. High levels of teacher attrition suggest teachers are not finding suitable professional learning communities in charter schools.

- Create high performing schools where children would learn more. Notwithstanding pressure for performance on state assessments, the growing body of evidence indicates charter schools perform similar to demographically matched traditional public schools on standardized tests. This is so despite the existence of some exceptional charter schools in every state.

- Create highly accountable schools. In exchange for enhanced autonomy over curriculum, instruction, and operations, charter schools agree to be held more accountable for results than other public schools. Schools that fail to meet performance objectives can have their charter revoked or not renewed (performance accountability); schools that don't satisfy parents may lose students and, in theory, go out of business (market accountability). Yet closure rates are relatively low, and most charter schools that close do so because of financial mismanagement, rather than performance or market accountability. The burden of producing evidence regarding charter school success has shifted to external evaluators or authorizers. Charter schools—on the whole—have not been proactive with regard to accountability; instead of being “evaluating” schools, they have become “evaluated” schools.

#### *Reasons Why Goals for Charter Schools Have Not Been Achieved*

Why this overall lackluster performance?

- Lack of effective oversight and insufficient accountability. Many authorizers lack funds for oversight and some of them are unprepared and—in some cases—unwilling to be sponsors of charter schools. A key factor that undermines effective oversight is that objectives in charter contracts are vague, incomplete, and unmeasurable. Between 2002 and 2008 more attention was given to the role and importance of authorizers, however, this seems to receive less attention today.

- Insufficient autonomy. Re-regulation and standardization driven by NCLB and state assessments are limiting autonomy. Requirements that charter schools administer the same standardized tests and have the same performance standards as traditional public schools means that they cannot risk developing and using new curricular materials.

- Insufficient funding. The financial viability of charter schools is dependent on the state, on how facilities are funded, and on the particular needs of the students served. Some charter schools maintain large year-end balances thanks to less costly-to-educate students or extensive private revenues; others are clearly underfunded for the types of students they serve or because they lack social capital to attract outside resources, or both. Funding formulae vary by state, but it is fair to say that if charter schools are expected to innovate, they need more funding, not just greater autonomy.

- Privatization and pursuit of profits. The increasing numbers of private operators may bring expertise or experience, but they also glean high management fees and tend to spend less on instruction—and reports continue to show that EMO-operated schools perform less well than non-EMO operated schools. There are some emerging nonprofit EMO models that may prove to be more effective.

- Strong and effective lobbying and advocacy groups for charter schools quickly reinterpret research and shape the message to fit their needs rather than the long-term interests of the movement. They attack evidence that questions the performance of charter schools and offer anecdotal evidence, rarely substantiated by technical reports, in rebuttal. Such lobbying has undermined reasoned discourse and made improving charter schools more difficult.

- High attrition of teachers and administrators, ranging from 15 to 30 percent, leads to greater instability and lost investment. Attrition from the removal of ineffective teachers—a potential plus of charters—explains only a small portion of the annual exodus.

- Rapid growth of reforms. In states that implemented and expanded their charter school reforms too quickly, charter schools have faced a backlash as shortcomings in oversight and other neglected aspects of the reform become apparent. The states that have grown their reforms more slowly have been able to learn from early mistakes and establish better oversight mechanisms.

*Questions Policy Makers Should be Asking*

Can we create better public schools through de-regulation and demands for greater accountability? How are charter schools using the opportunity provided them? The answers to these questions require comprehensive evaluations—resisting the dodge that every charter school is its own reform and should be looked at separately. More specific questions that policy makers should be asking include:

- How can charter school laws be revised to create more accountable schools?
- Can funding formulae be revised to ensure that charter schools serving the neediest students receive sufficient funding, motivating more charters to attract and retain more-costly-to-educate students, such as high school students, those with special needs, and those living in poverty?
- How can incentives and regulations be used to ensure poorly performing charter schools will be closed?
- Are there better uses for public resources than charter schools—smaller class size, increased teacher remuneration or incentives, increased oversight of public schools, support to restructure struggling or failing district schools, etc.?

*Who Stole My Charter School Reform?*

Even as the original goals for charter schools are largely ignored, charter schools fulfill other purposes.

- Promote privatization of public school system. Charter schools have provided an easy route for privatization; many states allow private schools to convert to public charter schools, and increasing the use of private education management organizations is increasingly being seen as the mode for expanding charter schools.

Today, one-third of the nation’s charter schools are being operated by private education management organizations (EMOs) and this proportion is growing rapidly each year. In states such as Michigan, close to 80% of charter schools are operated by private for-profit EMOs. Claims regarding privatization remain rhetorical and unsupported by evidence. The recent economic crisis has shown that our economy requires greater public oversight and regulations, a finding that can be reasonably extended to markets in education.

- Means of accelerating segregation of public schools while placing the “Private Good” ahead of the “Public Good.” State evaluations find that charter schools seem to accelerate the re-segregation of public schools by race, class, and ability, instead of creating homogeneous learning communities based on particular learning styles or pedagogical approaches.

If privatization and accelerated segregation are not outcomes that the federal government wishes to achieve with charter schools, then it would be wise to consider how federal funding can be used to persuade states to revise their charter school reforms.

Federal and state policy makers need to revisit the goals and intended purpose of charter schools, clearly articulating values and anticipated outcomes.

*Quality versus Quantity*

Once dedicated to educational quality, today’s charter school movement is increasingly dominated by powerful advocates of market-based reform and privatization in public education.

As the federal government considers how it wishes to steer and develop charter schools, it would be wise to articulate a new—or renewed—vision for chartering that focuses on quality over quantity. Then, as US Department of Education wields its influence, it can persuade states to make revisions in their charter school laws that reflect those goals and values. Most importantly, such guidance should reward states that create successful charter schools, rather than states that simply expand the charter school market.

Finally, authorities need to move more aggressively to close poorly performing charter schools. This will strengthen charter reforms in four ways: lifting the aggregate results for charters that remain; sending a strong message to other charter schools that the autonomy-for-accountability tradeoff is real; redirecting media attention from a few scandal-ridden schools to successful schools; and opening up space for new, carefully vetted charters.

Although these suggestions may be seen as antagonistic by the charter school establishment, we believe they will help improve and strengthen such schools in the longer run. The charter school idea was to create better schools for all children, not to divide limited public resources across parallel systems that perform at similar levels and suffer from similar breaches in accountability. Rapid proliferation in the charter sector appears to be interfering with the original vision for the schools: to serve as a lever of change, spurring public schools to improve both by example and replication.

The only way to ensure quality may be to get off the expansion express. Rapid proliferation in the charter sector appears to be interfering with the original vision for the schools: to serve as a lever of change, spurring public schools to improve both by example and replication.

Charter schools can be returned to their original vision: to serve as a lever of change, spurring public schools to improve both by example and through competition. But if they are to do so, they must be better than traditional public schools, and they must be held accountable for their performance.

Chairman HUNTER. Thank you, Doctor.  
Now I would like to recognize Dr. Purvis for 5 minutes.

**STATEMENT OF DR. BETH PURVIS, EXECUTIVE DIRECTOR,  
CHICAGO INTERNATIONAL CHARTER SCHOOL**

Ms. PURVIS. Good morning—or good afternoon, Chairman Hunter, Ranking Member Kildee, and esteemed members of the subcommittee.

My name is Beth Delaney Purvis. And I am proud and honored to be here today to speak with you about the role of charter schools and public education.

For the last 8 years, I have served as the executive director of the Chicago International Charter School. CICS is a network of 15 charter school campuses serving 8,800 students from kindergarten through 12th grade in Chicago and Rockford, Illinois.

The mission of CICS is to provide, through innovation and choice, an attractive and rigorous college preparatory education that meets the needs of today's students.

Eighty-six percent of CICS students qualify for free and reduced lunch, 94 percent are African-American or Latino, and six of the 14 CICS campuses are located in the 10 highest violent crime neighborhoods in Chicago.

Our 15th school is located in Rockville—Rockford, Illinois which was recently ranked as the ninth most violent city in America.

The highly dedicated teachers and staff across the CICS network are working diligently to achieve the mission of CICS. During the 2009-2010 school year, the average student at a CICS campus open for more than 3 years was performing at or above the national average in reading and math.

The 4-year graduation rate of CICS is 84 percent with over 90 percent of the graduates being accepted into college.

As you know, charter schools are public schools of choice. Although they are freed from much of the bureaucracy that prevails in the traditional schools, charter schools must employ certified or highly qualified teachers, meet state learning standards and assess students according to the state requirements, educate children with disabilities according to IDEA, if a Title 1 School, meet all federal eligibility criteria, and participate in a renewal process on a regular basis as determined by the local authorizer.

This review process requires an in-depth analysis of student performance, financial stability, and compliance with local state and federal regs.

According to Illinois State Law, initial enrollment in charter schools occurs by a blind lottery. In addition to the 8,800 students served by CICS this year, another 2,000 remained on the waiting list during the school year.

The families that CICS serves, much like most nationwide charter schools, have few resources to make other educational choices for their children.

In a city like Chicago, where according to the Consortium on Chicago School Research at the University of Chicago, an elementary-aged male student, who was African-American or Hispanic, has less than a 10 percent chance of graduating from college.

Having choice is critical.

In 2009, the Chicago Public Schools approached CICS and asked us to open a school in the Altgeld Gardens neighborhood of Chicago. Unfortunately, Altgeld Gardens gained infamy in September 2009 when Derrion Alpert was beaten to death by his peers in the aftermath of a fight that occurred earlier in that day.

Because Altgeld doesn't have a neighborhood high school, CICS opened the Larry Hawkins campus last September. The average reading level of the 10th, 11th, and 12th graders who enrolled at CICS Larry Hawkins is the fifth grade.

In addition, over 50 percent of those same students self-reported attending school for fewer than 30 days the previous school year. Our average attendance this year was over 87 percent daily.

As shocking as these facts are, we find that the students most—are mostly well-behaved, eager to learn and proud that a new school opened just for them.

I am extremely proud also to tell you that Derrion Alpert's father, Mr. Joseph Walker, joined the CICS Larry Hawkins launch committee and spoke on the school's behalf at the CPS school board.

Charter schools are required to serve all students who apply through the lottery and are accepted. This means that charter schools have a legal and ethical responsibility to serve children in the least restrictive environment according to the IDEA.

Currently, 14 percent of the students at CICS have disabilities. Like traditional public schools, the majority of students served by charter schools have high incidence disability like ADHD, specific language impairments, and learning disabilities.

However, we also serve students who are blind and visually impaired, have traumatic brain injury, hearing impairments, and autism.

I have often been asked whether charter schools counsel out students with disabilities. As a person who spent the first 14 years of my career working as a special educator, I am passionate about the rights of students with disabilities.

The statistics that I quoted to you earlier about CICS academic performance include our students with disabilities. I believe that the disciplined environment and no excuses expectations of most charter schools are ideal for students with disabilities.

I also believe that the ability to veer quickly from the prescribed curricula when results aren't apparent is a strength of charter schools.

It is my experience that charter schools provide a strong vehicle for neighborhood change because they often establish the schools in the midst of a blighted neighborhood.

By opening schools from the ground up, they can structure the school day, school calendar and curriculum materials to address the needs and interests of families who live in the community.

Charter schools also make significant investments in buildings in which they reside, create new job opportunities, and seek partnerships with local businesses.

CICS owns five of its current 14 campuses and leases the nine others. All leased facilities are owned by the Archdiocese and we have invested over \$20 million in those buildings over the last 15 years.

In 2007, we issued \$49 million in tax-free municipal bonds, principally with \$16 million of that we built a high school in the Auburn-Gresham neighborhood. The site where the school currently stands had been empty for 12 years with neighbors reporting that the abandoned school was being used by drug users, drug dealers, and prostitutes.

I am proud to say that last year, 90 percent of the first graduating class of Ellison was accepted into college.

Charter schools are most effective when they respond to the needs of the community. In 2008, CICS was approached by Larry Morrissey about opening a charter school in the city.

I am proud to say after completing its first year of educating 240 children, the average growth of students at CICS Patriots was 1.2 years academic growth.

In closing, I urge you to support the work of charter schools in your district. As public schools of choice, charter schools are giving parents options regardless of the child's skills or the family's economic status.

I encourage you each to visit a charter school so that you can understand firsthand that charter schools are truly public schools that serve your constituents.

Thank you.

[The statement of Ms. Purvis follows:]

**Prepared Statement of Elizabeth Delaney Purvis, Executive Director,  
Chicago International Charter School**

Good morning, my name is Elizabeth Delaney Purvis. I am proud and honored to be here today to speak with you about the role of charter schools in public education. For the last 8 years, I have served as the executive director of the Chicago International Charter School. CICS is a network of 15 charter school campuses serving 8,800 students from kindergarten through 12th grade in Chicago and Rockford, Illinois.

Prior to joining CICS I was a special education teacher in Montgomery County, MD; an early interventionist in Nashville, TN; and after receiving my doctoral degree in special education at Vanderbilt University, I served for 5 years as an Assistant Professor of Education at the University of Illinois at Chicago.

The mission of Chicago International Charter School is, to provide, through innovation and choice, an attractive and rigorous college-preparatory education that meets the needs of today's students. 86% of CICS students qualify for free and reduced lunch, 95% are African American or Latino, and 6 of the 14 Chicago Campuses are located in the 10 highest violent crime neighborhoods in Chicago. Our 15th school is located in Rockford, IL which was recently ranked by the FBI as the 9th most violent city in America. CICS Patriots is in the midtown neighborhood, the area of Rockford with the most concentrated poverty and the highest rate of unemployment.

The teachers and staff across the CICS network are working diligently to achieve the mission of CICS. During the 2009-2010 school year, the average student at a CICS campus that was opened for three or more years was performing at or above the national average in reading and math according to the NWEA Measure of Aca-

demographic Progress. The 4-year graduation rate was 84% with over 90% of the graduates being accepted into college.

As you know, charter schools are public schools of choice. Although they are freed from much of the bureaucracy that prevails in traditional schools, charter schools must:

- Employ certified or highly qualified teachers
- Meet state learning standards and assess students according to state requirements
- Educate children with disabilities according to IDEA
- If a Title I School, meet all federal eligibility criteria
- Participate in a renewal process on a regular basis, as determined by the local authorizer. This review process requires an in-depth analysis of student performance, financial stability, and compliance with local, state, and federal regulations.

I strongly believe that because they are part of the public schools system, charter schools represent change within the public domain not change from “outsiders”. Charter schools are not the only answer to school reform, but represent one way that school districts and state agencies can efficiently and affordably improve and increase educational options for families.

According to Illinois State law, initial enrollment in charter schools occurs by “blind” lottery. In addition to the 8,800 served by Chicago International this school year, another 2000 remained on the waiting list during the 2010-2011 school year. The families that CICS serves, much like most charter schools nationwide, have few resources to make other educational choices for their children. In a city like Chicago, where—according to the Consortium on Chicago School Research at the University of Chicago—an elementary aged male student who is African-American or Hispanic has less than a 10% chance of graduating from college, having choices is critical. Parents know that although the quality of the selective public high schools in Chicago is exemplary, the traditional high schools offer little hope for students who strive to go to college.

For this reason, most charter schools are located in high-crime, high-poverty neighborhoods where the traditional schools are not meeting the needs of students and families.

In 2009, the Chicago Public Schools approached CICS and asked us to open a school in the Altgeld Garden neighborhood of Chicago. Unfortunately, Altgeld Gardens gained infamy in September 2009 when Derrion Alpert was beaten to death in by his peers in the aftermath of a fight that had occurred earlier in the day at Fenger High School. Because Altgeld doesn’t have a neighborhood high school, CICS opened the Larry Hawkins campus last September so that students would not have to travel the just under 6 miles across gang lines by public bus from Altgeld to the Roseland neighborhood. What we have learned since opening this school is that the neighborhood feels betrayed and forgotten by the City of Chicago. The average reading level of the 10th, 11th, & 12th graders who enrolled in CICS Larry Hawkins is 5th grade. In addition, over 50% of the students self-report attending school for fewer than 30 days during the previous school year. As shocking as these facts are, we find the students mostly well-behaved, eager to learn, and proud that a new school opened “just for them”.

I am extremely proud to tell you that Derrion Alpert’s grandfather, Mr. Joseph Walker, joined the CICS Larry Hawkins Launch Committee and spoke on the school’s behalf to the Chicago Public School Board. Included in his remarks was the point that opening the CICS Hawkins campus had helped to heal the Altgeld community. Mr. Walker and the CICS Community Liaison, Ms. Adrienne Leonard have founded another group—Pain to Power—which works to provide safe passage to and from school for children at 4 CICS and numerous traditional Chicago Public Schools.

Like most charter schools nationwide, the CICS Lloyd Bond and Larry Hawkins Campuses reflect the ethnic, racial, and socioeconomic makeup of the neighborhood.

Charter schools are required to serve all children who apply through the lottery and are accepted. This means that charter schools have a legal and ethical responsibility to serve children in the least restrictive environment according to the Individuals with Disabilities Education Act. Currently approximately 14% of the students served at Chicago International Charter School have disabilities. Like traditional public schools, the majority of students served by charter schools have high incidence disabilities such as ADHD, specific language impairments, and learning disabilities. It is important to note, however, that charter schools also serve students who have low incidence disabilities such as blindness and visual impairment, traumatic brain injury, hearing impairments, and autism.

I have often been asked if charter schools “counsel out” students with disabilities. As a person who spent the first 14 years of my career working as a special educator, I am a passionate advocate of the rights of children with disabilities. The statistics

that I quoted to you earlier about CICS academic performance include the performance of our students with disabilities. I believe that the disciplined environment and “no excuses” expectations of most charter schools are ideal for students with disabilities. I also believe that the ability to veer quickly from the prescribed curricula when results aren’t apparent is a strength of charter school curricula.

I think it is important to note that charter school employees also participate in statewide educational activities and are not always “outsiders to the system”. Since 2005, I have had the privilege of representing charter schools on the Illinois State Advisory Council to the Illinois State Board of Education in accordance with IDEA

It is my experience that charter schools provide a strong vehicle for neighborhood change because they often establish the school in the midst of a blighted neighborhood. Charter school operators are explicit about the communities in which they want to operate. By opening schools from the ground up, they can structure the school day, school-year calendar, and curricular materials to address the needs and interests of the families who live in the community. Charter school operators often make significant investments in buildings in which they reside, create new job opportunities, and seek partnerships with local businesses in a way that is difficult for traditional public schools.

Chicago International owns 5 of its current campuses and has 15-30 year leases in 9 of the others. All nine leased facilities are owned by the Archdiocese of Chicago. Over the 15 years of its existence, CICS has infused over \$20mm into these properties in terms of ADA accommodations, preventative maintenance and school readiness. The pastors of all nine parishes report that, if they were not receiving rent from CICS, their parishes would most likely close and the buildings would remain empty.

In 2007, CICS issues \$49,000,000 in municipal bonds. \$16,000,000 of these bonds were used to build the CICS Ralph Ellison high school in the heart of the Auburn-Gresham neighborhood of Chicago. The site where the school currently stands had been empty for 12 years, with neighbors reporting use of the abandoned schools by drug users, drug dealers and prostitutes. Over 90% of the first graduating class of Ralph Ellison was accepted into college last year.

Charter schools are most effective when they respond to the needs of the community as defined by the community. In 2008, Chicago International was approached by Rockford Mayor Larry Morissey about opening a charter school in his city. After a year of meetings with local business leaders, community based organizations, and school officials, the Chicago International Charter School partnered with Zion Development Corporation and the Patriots Gateway Center to open a new charter school in the midtown neighborhood of Rockford.

In August 2010, the CICS Patriots Campus opened with 240 kindergarten through fourth grade students inside the community center. The school principal, Charo Chaney, is a former RPSD205 teacher who enrolled her two sons in the school. The majority of the teachers reside in Rockford and see the charter school as a real choice for middle and low-income families in a city with few affordable private school options. By locating the school within an established community center with a long and storied history of community service, the charter school staff is inextricably linked to the local residents and community interests.

CICS Patriots is about to complete its first year of educating children. I am proud to announce that end-of-year testing in reading and math using a nationally normed assessment called the NWEA Measure of Academic Progress shows that the average student at CICS Patriots made over 1.2 years academic growth. There is a waiting list in every grade for next year. A charter high school is scheduled to open in 2013.

Please know that the federal dollars made available to new charter schools enabled CICS Patriots to open its doors with new furniture, interactive white boards in every classroom, and a full-time social worker. Without that support, I do not believe that our year would have been as successful as it has been.

In closing, I urge you to support the work of charter schools in your districts. As public schools of choice, charter schools give parents options regardless of the child’s skills or the family’s economic status. I believe that, nationally, charter schools have improved significantly the lives and broadened the opportunities for the children who have few quality choices.

I encourage you each to visit a charter school so that you can understand firsthand that charter schools are truly public schools that serve your constituents.

Thank you.

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Chairman HUNTER. Thank you, Dr. Purvis.

We are now going to have member questions starting with myself.

I yield myself 5 minutes.

The first question is this, Ms. Beyer, you know, I forgot to mention in San Diego we have the largest population of Iraqi refugees in the entire nation. And Detroit, I think, is number two now.

But we have the most in my district. And those are a lot of your students.

You went through a renewal of your charter recently in California. Would you mind sharing with us the process focusing on what you learned from the charter renewal process, and how the issue of quality specifically was addressed?

Ms. BEYER. I would be glad to.

This is our second time around. We actually have two charters, the K-8 charter and then a high school charter.

Literacy First was first approved in June of 2001 and then we—2006 we did a renewal. And we are actually in the process right now of the actual final vote will be next Wednesday.

We had our public hearing May 11th.

The process however is one we have been working on for about 3 months. As you know, when you write a charter there are 16 elements in California that you write your charter to. And over the 5 years that you have your charter, you know, statutory law has changed.

So in this process, we have had to update our charter to reflect all of the new statutes in education law as far as California law goes, any new programs, all the federal regs on specific ed, how we treat, you know, our students.

It has been a grueling process, more so than in any year past. And I think this whole concept of accountability, our authorizer has taken very seriously.

Even though we have, like I said, the highest test scores—one of the—actually probably the highest test scores in east county, they have put us through grueling rigor with regard to—you know, our test scores are 870. Because we have this high EL population, this year making AYP, we had one group that went down two points.

Now mind you, there is still over 850 which the typical kid in East County is not there. But our EL students, the—you know, our points went down two points.

And they wanted to know what we were doing to address that—you know, the two point drop right there.

So they have put us through—we started a committee. There is a huge committee. They reviewed our charter page by page.

We went through all the special ed parts—what has changed federally, our concepts on expulsion and suspension, you know, all those numbers. How we are addressing those.

It has been a very grueling process. And our authorizer has taken that very seriously, even though we are one of the highest performing schools in the county.

Chairman HUNTER. Okay, thank you, Ms. Beyer.

And I have got about 2 minutes, and I have just been informed we are going to have one vote. I think we will have enough time to recognize the ranking member.

And then we will break for a little bit and come back.



Dr. Purvis?

Your schools compare to the graduation rates around you. The graduation rates around you are pretty dismal.

You focus on college prep in your curricula, right?

Can you just kind of talk about that for a second and then explain why that—why you think that works?

Ms. PURVIS. Well, I think there are a number of reasons.

First, I think it is important that every child has choices at every breaking point in their life, be that eight grade, choice of different high schools, high school choice of college or the workforce.

And I believe once we veer away from a college preparatory curriculum, we are making decisions for students rather than allowing their parents and the students themselves to make decisions.

So to me, it is part of our ethical responsibility to have high quality college preparatory high school choices for kids.

In Chicago, we have a really high exemplary system of selective enrollment high schools. Unfortunately, the traditional high schools in Chicago do not do a great job of graduating students.

In fact, the 4-year graduation rate for the traditional high schools that are not elective enrollment at Chicago public schools is under 65 percent. And the college retention rate is also quite low.

So I think by having a curricula that gives parents choices, and allows all kids to know that if they so choose they can go to college, is very important simply for the landscape of our future.

Chairman HUNTER. Thank you, Doctor.

I would like to yield back the balance of my time and recognize Ranking Member Mr. Kildee for 5 minutes.

Mr. KILDEE. Thank you, Mr. Chairman.

Dr. Miron, some argue that charter schools present parents with choice. However, I think we need to do more to provide real high quality educational options for families around the country.

Eighty-nine percent of districts do not have charter schools. And those that do exist are often not high quality options.

Research shows that populations including students with disabilities and English language learners are not being enrolled at proportional rates. And the lack of student support services like school lunch and transportation exclude the low income students who need them.

Dr. Miron, how is this real choice? How do we address these concerns to make sure charters represent a meaningful part of educational reform and are part of the whole demography within a community?

Mr. MIRON. Thank you for the question.

It is important to keep in mind that parents choose. And—but I think that some of the incentives that you have suggested, one of the issues—and it is very difficult when we talk about charter school's generalizing because things differ so drastically from state to state.

But some states don't require transportation or don't require the charter schools, like in Michigan, receive funding for transportation but aren't required to provide it.

What we have done with the OECD, the Organization for Economic Cooperation and Development, we have been developing

these indicators on school choice and parent voice. And we see internationally circumstances or factors that aren't in place to have good market accountability.

And that requires things like information. We need independent broker of information, so parents—all parents get information and can take choices.

We need transportation systems so that parents can—all parents can choose. There are a number of things—supports that could be put in place to ensure that more parents can choose.

In the end, we know, not only in the states but in other countries as well, not all parents choose. The ones that choose typically have higher aspirations for their children especially in terms of educational attainment. So there is always going to be differences in that.

But coming to your point about how we might address some of those factors because when we look in charter schools, we do see only about a quarter of the charter schools has similar demographic composition as their local districts.

We did a study on this last year, the civil rights project in—at UCLA also did a study on this. When we look at issues like an ELL or special ed, it becomes much more dramatic.

But one of the things that could be done is using market incentives is funding, better funding formulas that would make it stronger incentive to include children with disabilities. Charter schools don't count them out necessarily, but they don't market towards them.

If—and we look across the nation about 40 to 48 charter schools in the country focus and market themselves as special ed charter schools. And they have—between 60 and 100 percent of the students have individualized education plans.

These are exceptional schools. Most of them—most of the charter schools have very few students with disabilities relative to the local district. And they tend to be of—with milder disabilities that are less costly to remediate.

But I think here the funding formulas that vary considerably from state to state can provide incentives or disincentives depending on how those are held.

Mr. KILDEE. Isn't that a type of cherry picking when—have the right to apply, enroll in a charter school. That charter school does not have school lunch.

Now in Flint, Michigan one of the reasons we were able to get children to school, which is a real problem, truancy, is the fact that the public go to get their most nourishing meal of the day at the school lunch program.

And then if you live in the one area of Flint, Michigan, where I used to teach school, and the charter school is at the other end, and there is no transportation provided, is that really open enrollment, in fact?

Mr. MIRON. The way the charter schools market themselves—and there has been some research on the way the messages they give in terms of uniforms or the demographic composition of the children in the pictures and so forth, charter schools by the services they provide and the way they market themselves, they do—they are part of this process.

I would point out Connecticut is an exemplary where they require each charter school, not to select based on race or class, but they require each charter school to recruit from all segments of the district.

And I think that is a very good approach to help ensure that charter schools are at least trying to market themselves to all groups. But in the end, it is parents who are choosing.

Mr. KILDEE. With education being a local function, a state responsibility, and a federal concern is there something we can do on a federal level—sorry, Mr. Chairman—to encourage that outreach to bring a broader demographic group into the charter schools?

Is something in federal law—could that assist in that?

Mr. MIRON. Not in federal law, there is—the guidance is that charter schools shouldn't—cannot select based on characteristics such as race or class.

Mr. KILDEE. Okay, thank you.

Thank you, Mr. Chairman.

Chairman HUNTER. All right. Thank you, Dale.

I would now like to recognize the chairman of the full committee, Mr. Kline for 5 minutes.

Mr. KLINE. Thank you, Mr. Chairman.

Thank you to the witnesses for being with us today and telling us your stories.

I find it interesting as I am travelling the country, I have done many round table discussions with school leaders, superintendents and principals and so forth. And I was at one of these round table discussions, I think in Pennsylvania. Maybe it was New York, but I think it was Pennsylvania, not long ago.

And one of the superintendents while applauding many of the steps that we are looking at in this House of Representatives to—in our efforts to—re-authorize and improve the Elementary and Secondary Education Act said, “Well, Mr. Chairman,” he said, “I am really excited about what you are doing. But,” he said, “I see you are a supporter of charter schools.”

And he said, “That is just not fair. Because—gosh, the money goes to the student and the charter schools get to operate under a different set of rules.”

And my response, I think, was something on the order of precisely. You get to operate under a different set of rules. And maybe we ought to be considering those different set of rules for other schools.

But one of the strengths it seems to me of the charter schools, and varies obviously somewhat by state, but charter schools have authorizers. And if the charter school is not performing, the authorizer can shut the school down.

You don't necessarily have that ability in the public school system.

So, Ms. Rowe, let me start with you.

As that authorizer, and I think you are the only authorizer at the table, it is your responsibility as that authorizer to identify a low performing school and shut it down.

So my question to you, as your first round of schools came up for renewal, how did you address the concerns about the performance?

How do you do—identify them? How did you monitor what sort of protocols did you use?

How did you decide, in short, how to shut down a school?

Can you address that for us?

Ms. ROWE. Mr. Kline, I would be happy to.

And I will try to keep it short. But it is in fact a lengthy process that—that when over a couple of year period, when the Charter Board determined the charter contracts in Arizona are 15-year contracts, and we have 5-year interval review processes.

And in establishing what was going to be the criteria for renewal, the Charter Board looked at what information we have about our schools.

And we were able to determine that we collect information on an annual basis regarding their financial operations and their compliance with the law. But one of the places where we were really lacking in consistent information over time was in their academic performance.

And so as we looked at the procedure for renewals, we in—that is when we embraced the growth model, because the growth model provided us an ability to look at not only how each school is performing with their students at a point in time, but also enabled us to look at how the schools are progressing over time.

And so then at renewal when we had the opportunity to look at that data, and it was the first time we actually had a series of data to look at, we were able to make determinations about the continuation of those charters both on what their past performance had been, but their story about what they have learned about their students, how they were going to move forward in making additional changes and improvements in their programs for their continuation.

It wasn't—closing a school or not renewing a charter is never an easy decision. It is the right decision. And it is appropriate that an authorizer makes those decisions when necessary.

Mr. KLINE. Well, thank you.

As I said, I think that is a kind of an important feature as we look at charter schools as we do have that ability—authorizers have that ability to evaluate the schools.

And I found it interesting that you talked about finances and other sort of administrative issues, and then got to the issue of academic performance.

And one of the things as we are looking at accountability going forward, it is clear, I think, to both sides of the aisle that we need that information. Authorizers need—and parents need that information so that they can make informed choices about whether or not to get in the line of 800—I think that Ms. Beyer—one of you said you had 800 people waiting to get into a school.

Well, they need that information to make a determination if that is a line they want to get into. And you, as an authorizer, need that kind of information to make a determination if the school is simply not performing.

I see my time is up. And we have been called to vote.

So I yield back.

Chairman HUNTER. I thank the chairman for the yield.

I think we can get one more question in.

Ms. Hirono is recognized for 5 minutes.

Ms. HIRONO. Thank you very much, Mr. Chairman.

I have some questions for Mr. Miron.

I know that you visited charter schools and other schools in Hawaii. And you probably had an opportunity to compare the student achievements in both these schools.

But Hawaii is unique in that while we don't have a huge number of charter schools, yet a number of the schools are Hawaiian-based, culturally-based schools to specifically help native Hawaiian children achieve.

So in your visits to the—to Hawaii schools, did you see any difference in educational attainment and the mainly Hawaiian-based charter schools versus the regular schools?

Mr. MIRON. One of the original goals of charter schools was innovation. And I often say charter schools to truly be innovative organizations, they probably don't have enough money to become those types of organizations.

We see innovations in a number of states. And one I often bring up when I am talking about charter schools is—are the native Hawaiian charter schools. They use play space and site-based management—or play-based and site-based instruction.

And they truly are innovative in terms of bringing about new curricular material, and working with a population of students that is performing very poorly in a traditional public school system.

So therein one thing that I have worked with and is to assist some of them with funding through the community schools is to ensure that they are able to demonstrate accountability.

And many charter schools and coming back to that notion about old notion of charter schools, charter schools were supposed to be evaluating schools, not evaluated schools.

They were supposed to demonstrate accountability based on the unique missions and so forth.

So what I have been doing with technical assistance with charter schools over the years, it is often—I am helping them to find those measures to capture what they are doing that is unique and demonstrate accountability to their authorizer based on that.

So we are not only looking at student achievement results. And the results for this—the schools in Hawaii are—that they are very difficult to capture because the population is rather mobile, and some other factors. But they really are accountable to their unique missions.

Ms. HIRONO. I visited a number of those charter schools in Hawaii. And I think that we really are—these schools are very unique and meeting some very unique needs.

Now, one part of your testimony that really interested me was your concern about these education management organizations that more and more are coming into play in basically running the charter schools throughout our country.

So can you talk a little bit more—I think in Hawaii these entities are not the—

Mr. MIRON. No.

Ms. HIRONO [continuing]. The ones—

Mr. MIRON. They are not there yet—

Ms. HIRONO. They truly are community-based, parent-based charter schools in Hawaii.

But in the rest of the country, I—what are your concerns regarding what sounds like privatizing of charter schools.

Mr. MIRON. It is—and I am—sometimes I am a little bit resentful because I am old-fashioned. I like the old charter school idea.

But I almost think we need a new name for these schools that we are talking about today, whether we call them franchise schools or corporate schools.

Let us talk about charter schools—is that idea from the 1990s that we are going to be locally run schools. That we are going to be innovative like the Hawaiian charter schools.

But what we see today, and I will give you an example from Detroit. Detroit is looking to bring in charter management organizations to help convert these traditional public schools to become charter schools.

And they are bringing in only successful and proven operators, management companies with charter schools.

But when we look at the list of companies involved, they have terrible records. And many of them have no evidence that they have ever managed a school in the past.

And so we are pushing—much of the growth today is being pushed by the use of these education management organizations. And yet, it is a different reform that we are talking about today.

And this is an unproven reform today. The only large operator that I have seen was convincing evidence of student achievement results. It is our KIPP schools.

And they have several studies that have confirmed that students that attend and persist in KIPP do better. And that has been confirmed independently.

The concerns we have with KIPP, based on an earlier study this year, is selective entry, highly selective exit of students. And then they receive considerably more money per pupil. So we are not certain that model is scalable.

But for many of these other operators, especially those that are making a pitch in Detroit, I am very concerned because they are not proven yet. We have to depend on them and what they are reporting as their record of evidence.

Ms. HIRONO. Before I go on to my next question, I would like to acknowledge the presence of two public school teachers from Hawaii. They have come a long way to sit in this hearing—it is Greg Lerner and Megan Staring.

Aloha.

I do have a question for Ms. Purvis.

Is Chicago International an education management organization?

Ms. PURVIS. No. CICS—thank you for the question.

CICS actually is the portfolio manager. And we hire—we have contracts with educational management organizations to run the day-to-day operations of our schools.

We currently have four educational management organizations with whom we work. Two are for-profit, two are not-for-profit.

But we regulate—we have very strict contracts with them that regulate the outcomes, and they are 1-year renewable contracts. So

if we believe they are not hitting our sort of focused outcomes, we can replace those under our existing charter.

Ms. HIRONO. Thank you.

I think my time is up. I yield back.

Chairman HUNTER. I thank the gentlelady.

The House is currently voting. The members need to be on the House floor.

As such, the committee shall stand in recess until immediately following the vote.

I urge my colleagues to return quickly to the hearing. And I appreciate the patience of our witnesses and the audience.

[Recess.]

Chairman HUNTER. The committee will reconvene and come to order following our recess.

I would like to recognize Mrs. Biggert from Illinois for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman, and my question is directed at Ms. Rowe.

It seems like—could you explain a little bit, you are the authorizer. And it seems like many of the states only allow state education agencies or the local education agencies to authorize charter schools.

Do you think that we should permit more independent authorizers to be involved in the process?

And do you think that the state-wide authorizers are something that should be considered?

And also, should there be—should the authorizers' activities be included in funding from the Federal Charter School Program to make sure that they have got quality, innovation, and improvement in the charter?

Ms. ROWE. Sure.

Mrs. Biggert, I am—because I work for an independent chartering board that has statewide authority, it would be inappropriate for me to answer that in any other way than yes, absolutely.

I think it is appropriate for statewide authorizers. But I believe that for—not just because of my employment, but for a lot of really valid reasons.

First of all, with the Charter Board, the Arizona State Board for Charter Schools is an independent chartering board. And so our sole purpose is to authorize charter schools and then provide oversight.

And because that is all we do, we have been able to develop fair, transparent, and consistent policies that allow us to provide oversight of the charter schools across the state.

There is no question about what action the board might take, because we have consistent policies that are implemented in all situations.

I believe that local education agencies and other authorizers have that same capacity. But the success of the board, and especially in its recent development of its renewal policies, and the improvements in its 5-year interval review processes has been based on the guidance of the—the NACSA, the National Authorizer—National Association of Charter School Authorizers' principles and standards.

We have used that as a guide in developing all of our procedures from our application process as we make revisions to that, in our oversight and in our renewal processes.

So I think that while a statewide authorizer has its benefits, it is certainly appropriate that regardless of the size of the authorizer, the boundaries of their authorizing practices, that they have policies and procedures that can be consistently implemented.

Mrs. BIGGERT. And then how about the funding. Do you think that the authorizers like today should be included in the Federal Charter School Program?

Ms. ROWE. The State Board for Charter Schools has recently benefited from access to the National Association for Charter Schools Authorizers evaluation practices. And it makes sense to me that while we have to remember that every state is a little bit different in their chartering laws, that we—it is appropriate that we have some common standards, some professional standards.

Almost every industry has professional standards. It is appropriate for authorizers to have professional standards as well. And so to the extent that there can be funding made available for that purpose I believe it is appropriate.

Mrs. BIGGERT. Okay. Thank you.

And then you talked about the Arizona growth model and LAAP.

How—and in determining the quality of the schools, how much do—in the charter schools, how much do student test scores count? And how does that factor into teacher evaluations?

Ms. ROWE. Mrs. Biggert, there is a new evaluation formula that is being—a framework that has been adopted by the State Board of Education.

I know in the discussions there was some debate about the percentage. And I don't remember where they landed.

But there is a percentage of the teachers' evaluation that is a result of their students' academic performance. And I would be happy to get that for you—

Mrs. BIGGERT. Yes, that would be great. And what else is included in the teacher evaluations and the charter schools observations, peer review, what else is in that?

Ms. ROWE. The—I am sorry. I didn't prepare for evaluation framework questions today. So I apologize for that. And I will get that to you.

But I will share with you that in the requirement that an evaluation framework be developed, it was determined that charter schools would be included in that same framework that district schools are included in.

So that is one situation here recently where a new law in Arizona included charter schools in it.

Mrs. BIGGERT. Thank you very much. I yield back.

Chairman HUNTER. I thank the gentlelady.

I would now like to recognize Ms. Woolsey for 5 minutes.

Ms. WOOLSEY. Thank you very much, Mr. Chairman.

It was my understanding in the 1990s—in the olden days when we first started talking charter schools that charter schools were going to be examples because of freedoms in innovation of what would be the best practices to apply to the public school system.



I am sure that we didn't—I know I didn't intend that we have a private school system which we have.

And then we have a private charter for-profit school entity. And then everybody else gets to go to a struggling public school.

So Dr. Miron, what exactly are the exemptions to state laws and district regulations that make it so much easier for a charter school to—the ones that are good—because they aren't all exemplary. We know that. We have heard that.

The 30—35 percent that are being successful, why?

Mr. MIRON. That is a very good question. I think a lot of us would like to know exactly what those factors are.

Just let me comment a little bit. You are correct. In the 1990s, we talked about the account—higher levels of accountability in exchange for that autonomy given to charter schools.

This autonomy notion is a little bit confusing also because today charter schools don't receive the autonomy that was envisioned for them in the 1990s. Part of it is because of reregulation, but also because of the use of standardized tests in No Child Left Behind which has brought the charter schools in forcing them to teach to the same tests which has limited their ability or interest to go outside and try different things.

Ms. WOOLSEY. Well, because they get federal funds.

Mr. MIRON. Right, right—

Ms. WOOLSEY. I mean, they are receiving—

Mr. MIRON. Right, but that is one of the reasons why they don't look that different.

But in terms of the waivers, this is really fascinating and for example in Pennsylvania, there is a book this thick of rules and regulations for traditional public schools.

And, you know, only about an inch of—five inches of text is actually what—is not waived. So charter schools get lots of rules waived.

But in reality, they are not significant. They are like two shade trees must be in front of each public school—a whole bunch of silly things.

But they do receive the most significant waiver they have is regarding employment of teachers that essentially they can hire and fire teachers at will.

That is the biggest waiver or piece of autonomy that they have today. Because today they still have to—now they are being held accountable by the same mechanisms as traditional public schools.

Ms. WOOLSEY. Well, where in the system of—you three charter school experts, where is the public school system coming in and learning from your successful example?

And why aren't we just using what works for you in the public school system?

I mean, most kids have—are going to be educated in the public school system. And don't tell me it is because you are public schools, because you are public-financed, but you are also for-profit schools.

I mean I just want to know how you are good—tell me about you are good examples, and how we can get them into the public school system.

Ms. BEYER. Could I could speak to that.

Ms. WOOLSEY. All right.

Ms. BEYER. Like I stated in my testimony, I know for a fact that in our area, we have our public schools in the—Valley that have changed significantly their calendars. They have changed—they have made longer school days. They have made their calendar change. They are using different curriculum.

And it is because—even the private schools in our area actually have changed the way they are doing things because we have pulled a lot of the private school population to our school because it is free.

And we have a huge technology program. And that is something that a lot of public schools don't have access to.

And the biggest difference is that I see in our case is we are in charge of our money. The money comes to us and we are in charge of it.

One small school that is growing bigger, but we are in charge of how we spend our money. And I know where every dollar goes.

I pick the books. I work with the team when we choose technology.

We are close to every dollar that gets spent. And that, I know, from my friends who are principals in other public schools, they don't have that kind of autonomy.

They have very little control over what goes on in their local public school, whereas with our four schools, I know where every dollar is going. I know what every—you know, what is happening. And we are in charge of not only hiring our staff, but we are in charge of how we spend our money and how we—what kind of curriculum we use.

And I know for a fact that in East County area, many of the private schools and the public schools have changed their calendar and are using different curriculum because of that.

Ms. WOOLSEY. And, Dr. Miron, can you see any reason why a public school can it adopt a longer school day.

Mr. MIRON. Some of them are doing that already. We are seeing increasingly—one of the first reactions from traditional public schools is when a charter school comes in and offers a full day kindergarten. We will see the traditional public school offering that.

And so we do see some of the examples of that as some pressures for change.

Ms. WOOLSEY. Okay.

Chairman HUNTER. I would like to recognize Ms. Roby from Alabama for 5 minutes.

Ms. ROBY. Thank you, Mr. Chairman.

To each of our witnesses thank you so much for being here today and taking the time to answer our questions.

Of course, I am from Alabama. And we are one of 10 states that do not have charter schools. And part of the reason for that is that the Alabama Education Association has come out very much in opposition to charter schools.

And one of their main arguments is that they believe—and the reason they oppose charter schools is that they believe that they will take funding away from local traditional schools.

And so, you know, based on your successes which we have heard about today and even meeting some bright young students from

Democracy Prep while we were voting. And I am encouraged by their personal testimony.

But Ms. Rowe and Ms. Beyer and Dr. Purvis, if you could weigh-in—if I could take anything back to my state legislature, the people who represent me in the state, as well as our State Board of Education, if I could take back some really strong arguments that would dispel the Alabama Education Association's belief that charter schools would take away funding from local traditional schools, what—how can you weigh-in on that?

Ms. BEYER. Well, I think there has to be a paradigm shift, because part of that whole attitude of—they are going to take money away. I mean, you hear that over and over again.

The money follows the child. And so if we are talking about what is good for students and what is good for our kids and education, if the student has a choice and they choose to go someplace else, that money is going with the child.

It is not an entitlement. And I think that is really kind of the difference in thought with regard to charters as opposed to just traditional public schools is, we recognize that we are commissioned with one thing and one thing alone. And that is success.

And if our kids aren't doing better, we have the prospect of being shut down. And so there is this brilliant marriage between business and education where we know that if we are not making the most of every single dollar that comes our way, and we are not showing results with it, that we are no longer going to stay in existence.

The regular public school doesn't have that sort of accountability over them. They for years have been putting out a—you know, having the same thing, collecting federal money. And doing the same program and putting out the same bad product in many cases. But they continue to want the money.

And so the paradigms got to shift to say, the money follows the student. And if the student is not there, you don't deserve to have the money because the money is not there to build your district. It is to support the student.

So if the student goes someplace where they can get an education, then your program needs to reflect that. And you need to develop a program that is sustainable.

For my program, I know that we have made a commitment that we do not start programs that are not sustainable. And as, you know, having to be really accountable for our dollars, we know that if we get a pocket of money, we can it build some big old huge programs, because we know that money is not going to be there next year.

And I think that is one of the issues that have come in public education is they get these pockets of money and start programs, and then act as if they are an entitlement to have that program for the rest of—you know, forever.

And we recognize in charter education that, you know, that money is precious. And we have got to use every dollar because we don't get the same funding. And we have got to make it count for every dollar that we can.

So money has to follow the child. It is not an entitlement to that school district.

Ms. ROBY. Right, thank you.

Dr. Purvis?

Ms. PURVIS. I always think this is a curious argument both for what Ms. Beyer said, but if you look at a city like Chicago, and I think this is similar across school systems across the country, the disparity in spending per child within the districts is far greater than the disparity in funding per child between the charter schools and traditional schools in the same neighborhood.

So what is interesting to me when I think about this argument about funding disparity and the money leaving the public school system, my first reaction is—we are public schools.

The second thing is this is parents exercising their choice. You go to a public school of choice that may have a mission or a vision that better is aligned with that family's values.

And the third is that there is quite a lot of disparity across Illinois. There is huge disparity in funding from one district to another.

So the argument about funding between charter schools and traditional schools, I think is a little bit of a spurious one if we are not addressing inequity in funding across the state as a whole.

Ms. ROBY. Sure. Thank you so much.

Did you want to—Ms. Rowe?

Okay.

Ms. ROWE. Thank you. I guess a question that I would take back to your friends in your state would be to ask them if they truly believe that the needs of every child are being met.

And asking those teachers too, do they believe that they have the flexibility in their classrooms to make the decisions that they need to make to truly educate the students in the way that they need to, and be able to provide them each with a quality academic education.

Ms. ROBY. Thanks so much.

Mr. Chairman, I yield back.

Chairman HUNTER. Mrs. Davis is recognized.

Mrs. Davis is not here, so we are going to move to Mr. Grijalva who is recognized for 5 minutes.

Mr. GRIJALVA. Thank you, Mr. Chairman, appreciate that.

Mr. Miron, one of the concerns that I have and I think has been mentioned to some extent or another by all of you is the issue of underrepresentation in student population in charter schools. Special populations, I am concerned that they are not receiving the attention and the services.

And could you talk a little bit about any concerns you may have that—which the—for the special populations in charter schools briefly. And also, do these concerns or the underrepresentation increase when a charter school is a for-profit institution?

Mr. MIRON. Last year, we conducted a study. It is called, Schools without Diversity. And it was a look at nation's charter schools.

And we looked at using the federal data set, the—of data. We looked at the demographics in charter schools and compared them to local districts.

And we found that only about a quarter of the charter schools had similar demographic compositions in terms of race and class in terms of free and reduced lunch count as the local districts.

The other schools were what we would call segregate of white or segregate of minority. Many people have expressed concerns that charter schools are going to lead to white flight. White families will leave urban schools and create their own white schools.

What we have found in our study was that is happening. But what is more pronounced is actually black flight or minority flight. Where minorities are fleeing somewhat diverse schools and going to schools with much higher concentrations of the similar population demographically.

So this is happening across the country. And of course in every state there are exemplary schools that have made great efforts to recruit and ensure that there is similar composition of students.

But now when we get to issues about English language learners and children of special needs, it becomes much more pronounced. A very small proportion of the schools have similar populations of their local district.

When we get to charter schools, in terms of special needs, we see that there is usually about 3 to 6 percent less students with disabilities. But when we look more closely at that in state level data, we can see that the nature of the children with disabilities tends to be more mild disabilities, less costly to remediate.

And I think an important thing when we look at finance—we have done a lot of work on charter school finance, when we look at spending on special ed, say even at KIPP schools, we find that they have half the number of students with special needs at the local district. But they spend one-tenth per pupil what a local district would spend.

And so we can see those as very big disparities. And they do have an impact on traditional public schools, especially when—depending in the state, but many times the funding formulas are such that it—the charter schools don't benefit from serving children with special needs because they are not fully funded—

Mr. GRIJALVA. Got it—

Mr. MIRON [continuing]. By state and federal funds. And so by serving these kids, they in a sense have to sometimes divert some of the students' resources for traditional public school students.

Mr. GRIJALVA. Those concerns more pronounced in a for-profit or not-for-profit—

Mr. MIRON. Yes, we did see that. It is somewhat more pronounced with the for-profit schools that they had smaller numbers of children with disabilities.

That is correct.

Mr. GRIJALVA. Thank you.

Mrs. Beyer, you mentioned that in one of the schools, that up to a third of the students are English learners, although the California Department of Ed says 15 percent. But why quibble?

The—and 27 percent of the district around it is a—is primarily English learners.

Because of your—because of that population in your experience, what have you learned about your successes and failures with English language learners?

What do you—that you think could inform and help us get those kinds of achievements at a national level—that significant population that you are dealing with?

Ms. BEYER. Well, what we found, we actually located our school specifically in the corridor where we did because it is in the lowest socioeconomic area of San Diego County. And there is kind of a two-mile wide swath that it is in a very well income—

Mr. GRIJALVA. What is the primary language other than English that you deal with?

Ms. BEYER. Arabic. Arabic.

So in this neighborhood, about—you know, we have all these, you know, walking students within the two miles. And we do have about 25 percent of our students are Iraqi students that speak Arabic or Caldean.

And then about 12 percent that are Hispanic students. But our Hispanic students come more ready with English than our Iraqi students because generally they come as refugees from Iraq.

What we found when we started our school, we knew that we would have this EL population. And so from the very beginning, our program started as one that would cater to English learners.

We developed an English language master plan. And in that we decided that our English language learners, we started with them in kindergarten. And they come to school earlier.

The—we have two kindergarten sessions. They come to school earlier or stay later for a 30-minute block where they are just learning English language when they start with kindergarten.

And then during the school day, we have specific times where students—in California we have a test called, The California English Language Development Test. And every English learner is tested with this test. And they are ranked on a scale of one to five of what their skills are in English.

Depending on where they fall on that ranking, we develop a program specifically for those students.

And our program basically does two things. First, it teaches them English. And we know that when kids come in a lot of them speak English, but it is not academic language.

I mean they are social. Their parents say, well, they don't need English because they speak English at the—

Mr. GRIJALVA. My time is up Ms.—but—

Ms. BEYER. Okay.

Mr. GRIJALVA. And thank you, Mr. Chairman, for the indulgence of letting the witness talk longer.

But, Mr. Chairman, if I may, I think this is a very, very important question. We have struggled with it across the nation.

And, you know, an in-depth look at what appears to be a unique and singular success story in this one school, I think, with Arabic mind you, not Spanish or Vietnamese. I think it would merit a much closer look.

Thank you.

Ms. BEYER. Thank you.

Chairman HUNTER. I agree with the gentleman. And it happens to be in my district.

I was just talking to Mr. Kildee. We have the highest population now of Arabic refugees—of Iraqi refugees that speak Arabic in my district.

But I recognize Mr. Scott for 5 minutes.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. Miron, who gets—you have some private, some public. Who gets to attend a charter school?

Is this the lottery or, you know, you have to kind of be in the know, or you have to pay or how do you get in?

Mr. MIRON. Parents choose. And parents—we see this around the world. Parents who have higher aspirations for the students will choose. Parents with a higher educational background, they will choose—they are more likely to choose.

But also where there are supports and mechanisms to encourage choice more families will choose.

Mr. SCOTT. Well, is there enough room for everybody that wants to go?

Mr. MIRON. Pardon?

Mr. SCOTT. Is there enough room for everyone who wants to go?

Mr. MIRON. In many cases there is. There is—we don't have—audit the data that is often reported about waiting lists.

So sometimes we are hearing very large numbers. But this is not an accountability mechanism. But what we understand is that there is waiting list.

Mr. SCOTT. Now, does experience show that some are better than private—than public schools and some are worse?

Mr. MIRON. Yes, I am—there is in every state that we have evaluated. And when I look at the broader body of research, there is some schools have performed better.

And the most comprehensive study being the Stanford study where they found 17 out of 100 comparisons they made were demographically matched students, the charter schools were significantly better.

However in 37 out of 100 comparisons, the charter school students were doing significantly worse. The rest of the comparisons, there was no significant difference.

Mr. SCOTT. How would a parent know which one to choose?

Mr. MIRON. This is an—I mean, parents know because the ones who are—have higher aspirations, more wherewithal perhaps, two parent families where they can get out and make—and collect that data and information. They will go out and find that information and take decision—again, not all parents choose.

There was a recent study in Arizona actually by David Garcia and his colleagues at Arizona State University where they looked at parents' decision-making. And when parents were informed about—that they had a low performing school and what their options were, so the state agency was informing parents. And yet, very few parents choose to leave.

Even among those charter school parents who were informed that their charter school was performing very poorly, the parent didn't necessarily use that information to choose and leave.

Mr. SCOTT. One of the things—one of the issues we have in the voucher debate is that a lot of people who would get a voucher would have ended up in a private school anyway.

When you have charter schools that the number of—and if you talk about following—the money following the student, if you have a number—increase the number of charter schools does the number of students in public schools go down by the same number?

Mr. MIRON. Generally, it does. I mean, we see in some states and in some urban municipalities that—especially some of the Christian schools are hit pretty hard by charter schools.

And even some—

Mr. SCOTT. No, I mean the public schools, because you are trying to save money.

Mr. MIRON. Pardon?

Mr. SCOTT. If you—in the public school does the number of public school students go down when you increase the number of charter schools?

Mr. MIRON. It often does. And as well—

Mr. SCOTT. Often does some—

Mr. MIRON [continuing]. Private schools as well.

Mr. SCOTT. And sometimes it doesn't?

Mr. MIRON. And sometimes—I mean, it is—and sometimes it doesn't. Especially with the virtual schools, the virtual charter schools are largely—draw from the home school community.

Mr. SCOTT. Well, if the number of public school students doesn't go down when you fund charter schools, then you really are taking money away from the public school system.

Mr. MIRON. Yes. In terms of the funding issue, there is a number of ways that charter school funding hurts traditional public schools.

One is it is true that the money follows the student. But it is also true that charter schools can set a cutoff. We want—we have two teachers, we are going to take 30 students per class. We will take 60 students.

Traditional public schools don't have that luxury. So they can't do the economic planning.

So when they loose a student, a lot of times they are operating with half classes because they can't do that economic planning that a charter school can.

But another important factor on that finance thing is that charter schools—they should be open to all. But it doesn't mean that they have to receive students during the school year.

Traditional public schools often have a burden of taking students throughout the school year, and many of them coming from charter schools. And in some states, depending on the funding formula, in most states, it means that the students will be returning to the traditional public school without the funding attached, with the funding staying at the charter school.

Mr. SCOTT. Thank you—

Mr. MIRON. And that hurts.

Mr. SCOTT. Now, you mentioned segregation a little bit. Any jurisdictions where the existence of charter schools did not increase segregation?

You showed a—many jurisdictions segregation was—

Mr. MIRON. The one example I would say from my state evaluations and the look at the larger data, it is—Connecticut would stand out.

They have segregated schools. But they are similar populations—characteristics are similar in the charter schools as the local districts.

Mr. SCOTT. So it didn't make it worse. But usually the segregation is increased when you have charter schools?



Mr. MIRON. In other context it has accelerated the re-segregation. Yes.

Mr. SCOTT. Thank you, Mr. Chairman.

Chairman HUNTER. The former chairman and ranking member of the full committee is now recognized for 5 minutes.

Mr. Miller?

Mr. MILLER. Thank you very much for your testimony and the questions and answers have been helpful.

My concern is—some of my concerns, I have been a strong proponent of charter schools. But I am really starting to think about whether we are really getting value-added here.

And I recognize that there is not a formula—parents choose the charter school. They may choose it for safety. And they may choose it for convenience.

They may choose it because their friends' kids go there. However, they do that.

Hopefully, they are seeking a better education result for their children.

But the idea of choice alone doesn't really tell us anything about quality. I mean you have large urban districts where you have district-wide choice.

So that in itself doesn't tell you. If that was the case we would have a lot of high-performing schools in a number of urban areas if that was an indicator of it.

So the question is what happens when you choose these schools?

And, Mr. Miron, you are suggesting that the study suggests a small percentage are doing better than the schools they left or the schools in the district—similar schools in the district about a third are doing the same and about a third are not doing so well—are doing not better then.

So what is it we are getting here? In terms of again, a number of my colleagues have mentioned the initial idea that these were our laboratories for experimentation. We were to learn from them.

They were to help pull the rest of the schools in the direction of good practices and good outcomes.

That is not exactly working. And again, I can—like everybody, I can run and show you a number of charter schools where it is working. I mean in terms of the outcomes.

So—

Mr. MIRON. The anecdotes and the—you know, the case studies that successful charter schools are important because they help to show us that charter schools can work and help us to inform us on how they are working.

Again when we look at the larger scale studies and those—especially those commissioned by state agencies or the federal government, the results show that they are not working and the—on the whole.

And so what we are getting in this reform, today we largely see the two outcomes are accelerating segregation by race, class, and ability. And we see a mechanism for accelerating the privatization or private involvement, and in this—in the public school system.

Mr. MILLER. The other concern I have is that—and the woman sitting next to you said we are a public school.

Well, sort of.

Because you are not taking—or not required—you mentioned there is some schools where they don't take kids who show up in the middle of the year or any time in the school year.

They have their set universe and that is it. If it shrinks, it shrinks. But that they don't have to do it.

And yet in most urban schools or rural schools with migrant populations, you have kids coming and going all of the time.

There is a big difference in those classroom studies than in a school that is very stable for a given period of time.

The question of re-segregation or ELL learners, how that takes place, so, you know, I am desperate to have them continue to be the laboratories for experimentation and the path finders here.

But to not operate in fairly similar situations, then that is not going to be the case because you don't get to deny children access to a neighborhood school if they move into the neighborhood or somewhere close by.

So again, I want to know what the rules are here. And I say this is as—is a battle for the charter schools. But I am really concerned now. That and the questions of whether authorizers really have oversight—exercise oversight and the tough decisions that have to be made.

Ms. BEYER. Mr. Miller?

Could I—

Mr. MILLER. Yes.

Ms. BEYER [continuing]. Speak to that?

I think part of the concern, like you, as one who has been involved in this movement for years, is the grand experiment was what we said in the 1990s. That these would be laboratories where we would define best practices and replicatable models and replicate them.

However what I found in California is because there was, you know, this kind of gaining steam about this movement that would have some exchange of red tape for more accountability, legislation came in and every time, you know, a new legislative session happens, I have—I am in fear because they put more regulations on me that pull me back in to being the same as the school in the box.

So for me to try to be innovative and resourceful, I have to not only climb over the same box that the rest of the public schools are doing, but then I have to do the other things on top of it, and not one because I chose to do this.

But it is a difficult task because that experiment to allow us to kind of go out there and do the innovative thing has been taken away in many regards because we have been pulled into No Child Left Behind, having to do the same sort of testing, having to do come up with the same sort of results.

The fact that I have 30—you know, 25 percent of my students are English language learners. And that they don't speak English at all. They came to this country, you know, 6 months ago with no English doesn't change the fact that in May, they have got to take the state test. And they have got to perform the same way.

And so—and there is no, you know, no allowance for that.

So those kinds of things have taken some of the entrepreneurial ability for us to be innovative and resourceful out of the equation and forced us back into the box.

So it is not so much that the people in the charter movement would not want to stay that way, it is that a lot of regulation continues to be forced on to us that causes us to have to get back in the box. Which really is not what we had originally intended I think in the 1990s.

Mr. MILLER. Thank you.

Mr. SCOTT. Chairman, you know, consent to enter into the record several reports—

Chairman HUNTER. Yes—

Mr. SCOTT [continuing]. One is from the Center for Research and Education outcomes, one from the Civil Rights Project at UCLA, and another Education and Public Interest Center at University of Colorado?

[The following report, “Multiple Choice: Charter School Performance in 16 States,” may be accessed at the following Internet address:]

*[http://credo.stanford.edu/reports/multiple\\_choice\\_cred.pdf](http://credo.stanford.edu/reports/multiple_choice_cred.pdf)*

[The following report, “Choice Without Equity: Charter School Segregation and the Need for Civil Rights Standards,” may be accessed at the following Internet address:]

*<http://civilrightsproject.ucla.edu/news/research/k-12-education/integration-and-diversity/choice-without-equity-2009-report>*

[The following report, “Schools Without Diversity: Education Management Organizations, Charter Schools, and the Demographic Stratification of the American School System,” may be accessed at the following Internet address:]

*<http://epicpolicy.org/publication/schools-without-diversity>*

Chairman HUNTER. Without objection.

Mr. SCOTT. Thank you.

Chairman HUNTER. Now recognize Mr. Payne for 5 minutes.

Mr. PAYNE. Thank you very much and thank you all for coming down.

As you know, that whole question of charter schools is a tremendous issue that we have been grappling with in my state of New Jersey. There is a strong movement.

Of course I think it is already been raised. But as we may recall 1896 had separate but equal decision by the Supreme Court saying it is separate but equal was constitutional. Of course they were never equal.

However as you know in the 1954 Brown Versus Topeka Board of Education it was overturned unanimously.

However, what I am finding out is that we are sort of back to where we were, at least at my state of New Jersey, Governor Christie’s state. We had the most segregated schools in the nation—New Jersey.

Now I am not proud of it. You would think it might be down in the deep south or where these five cases came up for the NAACP to take the case to the Supreme Court.

But in my state of New Jersey, which was not one of those states, we have the highest segregated school system in the nation. Now, charter schools is just exacerbating it.

And in that 1954 Supreme Court decision—now part of it was not the fact knowing that they were unequal but there was a false feeling of superiority on the part of white children who were all in all white schools.

And conversely a false feeling of inferiority on the part of blacks students who were in substandard segregated schools.

Now the charter movement is—and we had it already before the charter movement came in—but I have never seen an attempt to have a diverse charter school in my neck of the woods in New Jersey.

Up until recently, we saw very few handicapped kids. There is supposed to be a lottery too, so there must have been some very skillful pickers out of the lottery pot.

The other thing was that the siblings of a child who was fortunate enough to get in the charter school automatically could then go to the charter school. Once again the same family, highly motivated, could drive across town with their kids every morning, pick them up.

And there is nothing wrong with highly motivated parents, you know, providing for their kids. I mean I am the last to say that that is wrong. That is not wrong.

However, what is left and what is being left in the public schools are public school teachers dealing with the rest. We had a governor just—I guess we had about 20 new charter schools.

Things that we found out, they are saying charters are doing better in New Jersey. Well, they started to look at the demographics and don't you know, anyway in New Jersey. I don't know about your district.

But there are more girls in elementary school, charter schools, just happen to be, not like the normal balance.

You know, little girls tend to do better in school. I taught school. I mean, it is—you know, I am an ERA person. You know, the girls do better. They just achieve better.

I taught in elementary. I have taught in secondary. I taught in post-secondary—3 years in each.

And so I did it on purpose to find out what was wrong. I started with high school, believe it or not. And then went down to junior high and then went to elementary.

And was clear to find all three categories. So I had spent a lot of time in education, in my early career.

But what the re-segregation, with the fact that there are more girls, the fact that there are not handicapped kids, with the fact that there were very few special eds, the charter schools got high ratings.

Ms. BEYER. I understand that—

Mr. PAYNE. Also in our state, we have \$900 million voucher program—probably the only state in the north that has started to have vouchers.

So we are going to see under our new leadership in the state of New Jersey a really—destroying of the public school system. And there is no way that charter schools can fill the gap.

You know, my time is about up. I didn't even get to my question. But this is really something that is of concern. And if we go to simply continue to re-segregate schools, those psychological issues might return.

There is very little way to monitor what is going on. I talked to some kids. They were going to a high school. They haven't gotten a building yet. And they don't even know where they are going to do it.

Actually the Board of Ed had to try to—you know, they are giving public schools to charter schools. And so they are trying to find—converting one school into two schools, and using that school for the new charter school.

And a lot of experimentation is going on. And a lot of children are really going to lose a lot of valuable time in very young years. That I think that is good for those who are attending it. And I do commend those that are doing well.

I question the for-profit because I think that that is the goal of public education—the last big public pot. And industry needs a way to make money.

And I think it is going to be the privatization of public schools is what the goal is. And I don't think that is good for our nation.

Chairman HUNTER. Thank the gentleman.

The gentleman's time has expired.

Mr. HOLT is recognized for 5 minutes.

Mr. HOLT. Thank you, Mr. Chairman.

I am going to follow a line of questioning that others have followed today.

Ms. Rowe, you mentioned that as has often been said, that charter schools are incubators for innovation. And you went on to say that, "Best practices and programs of instruction to be found in the charter schools are now being implemented in traditional public schools."

What are the mechanisms for transferring best practices and the innovation that is demonstrated?

And give us—I would like a couple of for instances. And I would like to ask each of the witnesses of that. So if you could keep it very brief, I would appreciate it.

Ms. ROWE. Chair—thank you, Mr. Holt.

I am—what we have seen in Arizona as the primary authorizer, we are—we receive requests from districts on a regular basis to look at the charter school files, to evaluate their programs of instruction, to look at the details of their program to decide—to determine what it is that is attracting parents to those schools.

A very specific example that we have seen most recently is one of our homegrown charter management organizations, Great Hearts, has implemented a liberal arts program at the junior high and high school level, and most recently in elementary schools, but in looking at providing a college prep curriculum for all students.

And the result of that has been as they have moved into a number of areas across the Phoenix area, the district schools that are finding that their students, their parents are attracted to that population are—they are creating their own little college prep school as well.

Mr. HOLT. And they needed a charter school to learn to do that?

Well, let me skip to Dr. Purvis then please.

Ms. PURVIS. Thank you for the question.

Mr. HOLT. Sorry there isn't more time.

Ms. PURVIS. I have four instances that I think will get to the idea of sharing best practices across charter and traditional schools.

The first is that our teachers actually participate in shared professional development opportunities with—the Chicago public school has system area development offices so there are times that there are charter schools and charter school teachers and traditional Chicago public school teachers in professional development areas together.

Second is that we look to share information through public sources, through some of our funders, the Gates Foundation, New Schools Venture Fund, and the MacArthur Foundation. And then we put those practices that we found effective on those websites and are shared at those programs, and conferences that are attended by traditional and charter school teachers.

We have had the privilege of being in a Teacher Incentive Fund Grant in Chicago that actually the—only two charter schools were part of. The rest were traditional Chicago public schools.

And lastly this year, we are actually replicating a more traditional public school in—that is—was developed in New York called, Quest to Learn. And the MacArthur Foundation has given us a grant to replicate that as a charter school in Chicago.

And part of the grant's requirement is that we use it as a lab that is opened to—primarily to traditional Chicago public school teachers, not just charter school teachers in our use of digital media in instruction.

Mr. MIRON. My experience looking at a number of states is that there is not often a lot of sharing, in part because there is competition. And, you know, the notion that competitors are going to share isn't always so easy.

But also there is a lot of—sometimes I have gone to schools where they—you know, they are very concerned if somebody is visiting one of the other schools from the other side. They, you know, don't even park on the street because they don't want to be seen by one of their colleagues.

So if there is communication, sometimes it is a little bit under the radar if there is cooperation and so forth.

But when I look at the evidence that there isn't necessarily a lot of innovation in the charter schools that could be shared, what we see is a threshold often for innovation that is something being unique.

And so if a school is bringing in—a charter school may call something—Montessori education, you know, innovative. In fact there is lots of sources around the world. We can find out about Montessori education.

But it is seen as innovative because it isn't already in the community, so some of the things that they are bringing in and introducing as innovative aren't necessarily new ideas, but just things new—that may be new to the community.

But one issue that we have about this with increasing growth with education management organizations now operating close to a third of the nation's charter schools, when we look at the contracts

for these private companies, they often state that the work that the teachers do and the work of the charter schools is proprietary in nature.

Even anything—the lesson plans that the teachers develop are proprietary in nature. So even if the public charter school board says, we want to share what teachers are developing, it may not be the case that the private company is going to allow that sharing because information, as the contract states, is proprietary.

So that is a concern that we have with sharing of course when we have that private involvement.

Mr. HOLT. Thank you.

And for Ms. Beyer, the time is expired. But you did have a chance to address this general question with Ms. Woolsey.

Thank you.

Chairman HUNTER. Thank the gentleman.

It is my understanding that Mr. Miller has one additional question for the witnesses.

I—in order to get him to the airport, instead of having a second round, we are just going to have this last question and then closing comments.

So, Mr. Miller is recognized—

Mr. MILLER. Thank you very much, Mr. Chairman. I appreciate you doing this.

I—my question is and Dr. Miron, I—you can respond to this. But you just touched upon it.

We can all argue back and forth about what state and federal regulations are doing to charter schools. But what is happening in terms of accountability and quality with the EMOs, the administrators of these programs that are controlling or supporting or providing services to an additional number—I mean, an increasing number of charter schools?

Mr. MIRON. The process of accountability is worse then now with the private management. In part because the definition of what is proprietary or not.

I would just give you an example. We have sent out a sample—to a sample of EMO operator charter schools in the nation, 424. We have sent out requests last September for a copy of the contract between the public charter school board and the EMO, the private management company.

And then in the spring after we got only a 2 percent response rate, we got—sent out formal 4-year request. And now we are getting up to about 20 to 20 percent response.

But the—it is really fascinating the responses from many of the schools that they don't need to share this information because they are private.

Or we get responses—

Mr. MILLER. I thought these were—these are managing public charters.

Mr. MIRON. They are legally public schools. But these are the range of responses we get—

Mr. MILLER. So how does the school board or maybe Ms. Rowe you want to comment.

How does the school board or an authorizer give away that kind of authority?

Ms. ROWE. Thank you, Mr. Miller. I would have liked the opportunity to address that question. And I think that speaks to the quality of the authorizer.

Because certainly charter—

Mr. MILLER. That speaks for the quality of the—

Ms. ROWE. But not—

Mr. MILLER [continuing]. Public—the right of the public to know if—you know, you would get this information—a theory if you went down and looked at the contract between a local school and a school board or the district.

Ms. ROWE. That is correct. And I believe it is the responsibility of the authorizer to ensure that the schools that it sponsors are following the law.

Mr. MILLER. Mr. Miron, your testimony is that that—well, you don't know yet. Because you haven't—you—

Mr. MIRON. Well, one of the things—I mean—and not only is it convoluted now, especially with many times the facilities, the teaching force, other components of the school are privately owned and operated.

So you still have a public board, but when we—like in Michigan, most of the facilities and equipment, many of it—most of it belongs to the private companies—

Mr. MILLER. So you sort of contract it out.

Mr. MIRON. They contract it out. The board contracts it out.

But one of the problems coming to your question on accountability, not only is it difficult because it is gone behind a private veil, but also because now the public—even if the public charter school board that is contracted with the management company is dependent on EMO to share information, to provide information.

So it is not like—it is kind of like, you know, we are going to ask Coca Cola how their product is doing. And they are going to tell us it is great.

Well, when the charter school board asks the management company how are we doing? How do we know—I mean there—we have a private interest there that has a contract to operate the school. But they are the ones because they are operating the school, that are also going to provide that information.

So it complicates the notion of accountability when we are dependent on these private groups to report on the performance of these—of the school—

Mr. MILLER. How do you break through that, Ms. Rowe?

Ms. ROWE. When we look at the charter school and their operations and their subject to open meeting law, we also in our contracts have recently added language and a paragraph that says our charter board members are officers, directors, or members, or partners of that corporation have a duty of care in the oversight of those schools.

They need to take the ownership and the decision-making that they have the ability and the responsibility very seriously.

Mr. MILLER. What are you telling me? I don't understand what you are telling me.

Ms. ROWE. In looking at who the charter holder is, the state or in our case the State Board for Charter Schools has a contract with an entity.



And that entity has a responsibility to meet the requirements of the law and their charter contract in providing a quality academic program for its schools.

Part of that is disclosure of public records and sharing information. And I am surprised that the level of the challenge in receiving the information. We don't generally find that in Arizona.

Mr. MILLER. So they don't have your—your testimony would be, they don't have the right to withhold the information that Mr. Miron is attesting to.

And they can't have a contract that is inconsistent with the language that you just suggested?

Ms. ROWE. I wouldn't believe so, no.

Mr. MILLER. Okay.

Mr. Miron, any final comments before the light. You better be fast.

Mr. MIRON. I am—I mean obviously I have concerns about accountability part and its—and the dependency on these private managers.

Because as many of the school boards act in good faith, but again when we have executive authority by a private group operating a whole school including selection of, you know, recruitment of students, hiring of staff, and so forth, it is very difficult for that public board to have access to that information.

Because it has to be collected and reported by the management company itself.

Mr. MILLER. Thank you. Thank you very much.

Thank you, Mr. Chairman.

Chairman HUNTER. Absolutely.

I would like to thank again the witnesses for taking time to testify before our subcommittee today.

And recognize Mr. Kildee for any closing remarks.

Mr. KILDEE. I am—this has been a very good hearing.

I really appreciate it very much.

One thing I think we might want to explore in the future is the—that propriety property element which towards the end began to emerge more and more that it is hiding behind the corporate veil.

And maybe that is an area where the federal government in its involvement in the development of the schools might want to take an interest and see why we allow completely this proprietary property element to proceed or take precedence over anything else.

And the private veil which I think gives me great concern.

I appreciate, Dr. Miron, your bringing that up.

Thank you.

Thank you, Mr. Chairman.

Chairman HUNTER. Thank the gentleman.

In closing, it seems like two things have come out of this.

One, like anything there is no silver bullet. Some charter schools work great, some don't work great, right? And I guess the key for us is to try to find out or for the states to try to find out what works and what doesn't. And try to copycat those.

Number two like in California, I think it is interesting the reason we had that charter schools—so the reason we have charter schools in the first place in California is because there is—the regular school system is broken.

So instead of fixing it at the root core, we had to—we were kind of treating the symptoms, which is fine, because charter schools work in those cases. But in the end, I guess you have got to let parents choose where to go, what to do, and what works for their kids.

And that is how education works. And that is how pretty much life works.

If you can choose and you have a vested interest, you are going to do better than those that don't have a choice and don't have a—parents that don't have a vested interest.

So with that, there being no further business, the subcommittee is adjourned.

[Additional submissions of Mr. Kildee follow:]

[The following report, “Equal or Fair? A Study of Revenues and Expenditures in American Charter Schools,” may be accessed at the following Internet address:]

*<http://epicpolicy.org/publication/charter-school-finance>*

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[The following report, “Profiles of For-Profit Education Management Organizations, Twelfth Annual Report—2009–2010,” may be accessed at the following Internet address:]

*<http://www.wmich.edu/leadership/emo/docs/EMO-FP-09-10.pdf>*

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[The following report, “What Makes KIPP Work? A Study of Student Characteristics, Attrition, and School Finance,” may be accessed at the following Internet address:]

*[http://www.wmich.edu/leadership/emo/docs/KIPP\\_study.pdf](http://www.wmich.edu/leadership/emo/docs/KIPP_study.pdf)*

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[The following report, “Profiles of Nonprofit Education Management Organizations,” may be accessed at the following Internet address:]

*<http://www.wmich.edu/leadership/emo/docs/EMO-NP-09-10.pdf>*

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[The statement of Ms. Hirono follows:]

**Prepared Statement of Hon. Mazie K. Hirono, a Representative in Congress  
From the State of Hawaii**

Thank you Mr. Chairman. I want to acknowledge the presence at this hearing of two of my constituents from Hawaii Island here in D.C. They are Megan Dehning, a teacher at Innovations Public Charter School, and Greg Learned, a teacher at Kona Pacific Charter School.

Hawaii has 31 charter schools, including 24 in my district in rural Oahu and the Neighbor Islands. Last week the Honolulu Star-Advertiser ran a 3-part series on charter schools, and I'd like to enter these 8 articles and the paper's editorial into the record.

In Hawaii, charter schools serve nearly 9,000 students statewide. While this is nearly a 50 percent increase in 3 years, charter schools serve only 5% of public school students.

Charter school students on average perform about the same as the state average in reading, but worse in math. A smaller percentage of charter schools made AYP in 2010 than district public schools.

Charter schools face challenges accessing facilities and federal and state funding streams. Nationally, charter schools receive only 78% of traditional public schools' average per-pupil funding from federal, state, and local sources. I recently signed a letter to the House Appropriations Committee requesting \$330 million in funding for the Charter Schools Program in Fiscal Year 2012, an increase over President Obama's budget request.

It is clear that many charter schools provide innovative approaches to learning, including the 17 Native Hawaiian-focused charter schools. The Native Hawaiian Charter School Alliance (Na Lei Na'au'ao) serves over 1,500 students using traditional Hawaiian language and cultural instruction.

A 2004 study by Kamehameha Schools found that at Native Hawaiian-focused charter schools, Native Hawaiians are 74 percent less likely to be chronically absent, and have higher grade 10 reading and SAT scores.

While many charter schools are doing well, the state and federal government have a civil rights obligation to hold all schools accountable for closing achievement gaps and helping students learn.

Charter school oversight and governance is spread thinly across 31 separate local charter school boards, the Charter School Review Panel, and the Charter School Administrative Office. The first two of these are staffed by part-time volunteers who may not have the needed expertise, training, or resources. State Auditor Marion Higa's audit of the entire charter school system due this summer should shed light on the challenges facing charter schools and how we can move forward to ensure that they are performing well.

The state legislature recently passed S.B. 1174 by State Senate Education Committee Chair Jill Tokuda. The bill would:

- Strengthen the Charter School Review Panel's oversight and ability to revoke existing charters' authorizations, subject to an appeals process;
- Require the 31 local charter school boards to post member contact information, agendas, and minutes online; and
- Create a legislative task force on charter school accountability to clarify responsibilities of the existing state Charter School Administrative Office; state Charter School Review Panel; and 31 local charter school boards. The new task force could recommend allowing additional chartering authority such as UH or Kamehameha Schools. A report is due before the 2012 legislative session.

At the federal level, we can take similar steps to ensure accountability so that all charter schools are educating our students effectively.

Thank you to today's witnesses for coming here from around the country to share their expertise operating, authorizing, and evaluating charter schools. I appreciate the opportunity to hear your testimony and ask questions.

[Additional submissions of Ms. Hirono follow:]

#### **Experiments in education reap widely varying results**

By SUSAN ESSOYAN, *Star Advertiser*, May 22, 2011

As the number of students in Hawaii's charter schools grows, so has concern about oversight of these diverse campuses that rely on public money but are exempt from many state regulations.

Designed as laboratories for innovation in public education, charter schools now educate 9,000 children across the state, a nearly 50 percent jump in the past three years. Many of the state's 31 charter schools are in rural areas, tucked largely out of sight and out of mind. Other than their devotees, few people know much about them. But that might soon change.

The spotlight is shifting to these "schools of choice" that now educate about 5 percent of Hawaii's public school children under "charters," or contracts with the state. Sixteen years after Waialae Elementary became Hawaii's first charter school, the state auditor is conducting a performance audit of the charter school system, due out this summer.

"Given the kinds of problems we're starting to see, and the questions that were coming up, now that the schools have been in operation for a while, how accountable are they for their own performance and for their students' performance?" asked state Auditor Marion Higa. "With the increase in their enrollment, and the increasing pressure the schools were exerting for facilities money, I thought this might be a good time to take that up."

Charters were created as a means of reform in public education, with high hopes of developing new techniques to lift academic performance where regular schools had failed. While some charters have done so, charter schools as a whole appear to be doing no better than traditional public schools with similar populations, and by some measures are faring worse.

Legislators and members of the Charter School Review Panel are sharpening their oversight. Rather than simply getting their charter, starting this fall charter schools must go through reauthorization every six years to ensure they are on track academically and financially. And for the first time, each charter school was required to submit an independent financial audit this year.

“Expectations for charter schools have changed over the past decade,” said Ruth Tschumy, chairwoman of the review panel, which was formed in 2007 to take on oversight of charters from the Board of Education. “In the early years, charter schools were used to operating in somewhat of a vacuum as they struggled to survive.

“Many charter schools are now 10 years old, and it’s time for them to shine as quality schools with innovative educational programs and practices,” she said. “If there are a few schools where that isn’t happening, then it’s up to all of us in the community to help them achieve their potential.”

Trying to assess the overall performance of charter schools is tricky. It’s tough to generalize about campuses that vary so dramatically—from a tiny Kauai schoolhouse that educates 37 students in the Niihau dialect of Hawaiian to Waipahu-based Hawaii Technology Academy, the largest, whose 1,000 students do much of their work online.

Still, as public schools they are subject to state and federal testing and reporting requirements, which allow for a snapshot of their academic performance and their student profile. According to the most recent data, charter school students perform on par or slightly better in reading than other public schools in Hawaii but do notably worse on math. Overall, charters serve fewer pupils with language barriers and other hurdles to learning.

On the 2010 Hawaii State Assessment, 68 percent of charter school students and 67 percent of all public school students scored proficient in reading, a virtual tie. In math, however, public school students as a whole did better, with 49 percent proficient compared with 40 percent of charter students.

A higher ratio of regular public schools also made “adequate yearly progress,” the federal benchmark for success. The figures were 51 percent for all public schools, compared with just 39 percent for charters last year. Graduation rates were the same for both sets of schools, with 79 percent graduating on time.

Some charter schools have succeeded in rescuing students who had stalled in regular public schools and were ready to give up. But as a group, charters appear to have an easier population to educate. There are more than twice as many children learning English in the overall public school population, at 10 percent of the student body, than in charter schools, where they make up just 4 percent. Regular public schools also serve more special-education students than do charters, as well as slightly more low-income students, according to state data.

A national assessment by the Center for Research on Education Outcomes at Stanford University found that 17 percent of charter schools reported academic gains significantly better than traditional public schools over time, while 37 percent of charter schools did worse than their traditional school counterparts. The rest showed no significant difference. The study, released in 2009, covered more than 70 percent of the nation’s students in charter schools, with controls for student demographics, economic background and special education.

Charter school advocates say their performance is remarkable considering the hurdles their campuses face, including a lack of money for facilities, shrinking funding on a per-pupil basis, and difficulty recruiting teachers reluctant to lose their seniority in the Department of Education. As charter enrollment has shot up and the economy contracted, state funding per pupil has slipped from a high of \$8,596 in the 2007-08 school year to just \$5,560 this school year.

“Charter schools do operate at a significant disadvantage because we don’t get support for facilities, in a place where leases, rents and mortgages are the large part of your budget,” said Lynn Finnegan, executive director of the Hawaii Charter School Network. “It could be upwards of 30 percent of operating costs for a charter school to operate. They are doing much more with a lot less.”

While average test scores and student demographics offer a big-picture image of charter schools, they obscure the individual portraits of each school, which vary widely.

“We are 31 unique schools,” said Mark Christiano, executive director of Kihei Charter School, the only charter on Maui. “It wasn’t supposed to be a system. It

was supposed to be independent local school boards, doing the best they can to innovate. Sometimes it's working really well and sometimes it's not."

His campus, with 529 students in kindergarten through 12th grade, has dramatically improved performance in math. Reading scores are high, at 77 percent proficient, while math scores have jumped steadily each year, reaching 50 percent proficient last year, up from 24 percent in 2007.

"We still have quite a way to go," Christiano said. "We really have focused on STEM education—science, technology, engineering and math. It's sort of a math-all-day-long approach. We try hard to integrate math into the science activities, having students use math in a way that's hopefully motivating and exciting for them."

Meanwhile, at Halau Ku Mana, a Hawaiian-focused charter school in Makiki Valley with 66 students in grades 6 through 12, math scores remained stuck near the bottom of the heap for the past few years. Just 9 percent of students were proficient in 2010, the same as three years earlier. Its reading scores are much better, at 60 percent proficient. Many of its students face challenges: It has the highest percentage of special-education students of all the charters, and two-thirds of its students are economically disadvantaged.

Executive Director Patti Cronin, who was hired last July, said the school realized its math scores were "unacceptably low" and has moved aggressively to boost performance this year. The staff began working intensively with students one on one, offering math camps outside of school. It uses a supplemental software program and emphasizes homework and a positive attitude.

Two weeks ago the campus erupted in jubilation when results from the latest round of online testing showed a huge jump, to 40 percent of students proficient in math.

"It was a total effort from top to bottom," Cronin said, "and we just have to keep that momentum going."

Over the past decade, charter schools in Hawaii have given parents more choice in public schooling, and have developed some attractive new approaches to education. The goal of the movement, advocates say, is to nurture the successful models and help spread their techniques to the broader population.

"We want great schools for every kid in Hawaii," said Christiano, Kihei Charter School's executive director. "The question is how do we push these great models and get them to work for all kids? We need our good ones to happen more often."

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### **Institution founded on choice produces strong test scores**

By SUSAN ESSOYAN, *Star Advertiser*, May 22, 2011

KAILUA-KONA—Teenagers sit at a picnic table as their math teacher sketches out a navigation problem on a whiteboard propped near a plumeria tree, with the rumble of surf as his soundtrack.

The spartan campus of West Hawaii Explorations Academy, a public charter school next to Kona Airport, lives up to its motto, "No Child Left Indoors." The most substantial structure is a hollow-tile concrete pavilion workshop. Students work mostly in open-air structures with fabric roofs.

Small sharks swim in a reef pool, and clown fish, opihi and other marine creatures inhabit various bubbling tanks scattered here and there. A couple of sixth-grade girls bend and twist the blades of their miniature windmill to see whether they can make it whirl faster, crouching by a garden of herbs and bananas coaxed from the barren lava.

About 200 students in grades 6 through 12 trek to this campus daily for the chance to take charge of their education, working on projects they dream up themselves, learning as they pursue their own passions. They travel from as far as South Point and Honokaa.

"They come from a 100-mile radius," said Curtis Muraoka, co-director of the school, which began as an off-campus program of Konawaena High School before becoming a charter in 2000. "Obviously, the demand for programs like this is there."

The school is founded on bringing choice and control to young people, he said. And it seems to be working. Test scores are among the best of the state's high schools, with 84 percent proficient in reading and 48 percent proficient in math. But now WHEA, as it is known, has to pick up and move because of noise expected from a new runway and more military flights at Kona Airport.

To stay alive, the school is launching a \$10 million capital campaign to build new facilities on a quieter site, also on the grounds of the Natural Energy Laboratory of Hawaii. It has already signed a new lease.

“It is a tremendous undertaking,” said Muraoka, his sunglasses pushed into his thick salt-and-pepper hair. “We are hoping we can get a little state support, federal support and philanthropy. We’re frugal—we’re a good deal.”

He sees the \$10 million price tag as a bargain compared with the upward of \$100 million that could be spent on a traditional high school. The state has been reluctant to provide facilities funding for charter schools, arguing that it doesn’t have the money to duplicate infrastructure. But legislators just approved a \$1.5 million grant in aid for the project.

“It was a win-win because we’re improving state facilities,” said a grateful Muraoka. “My view is they should build schools like ours because it’s a different way to build public education. Ultimately it does save money if you look at making smaller, more frugal campuses with less comprehensive infrastructure.”

Virtually everything on WHEA’s campus was donated or built by volunteers. Even the slabs of concrete in its gravel landscape are not uniform, because they were built in bits and pieces with leftovers donated by cement trucks finishing other jobs.

The state’s first charter high school doesn’t have the trappings of most public high schools. There is no football team or marching band or even a cafeteria or gym. Because the ground water is close to the surface, students and staff rely on portable toilets. Along with upgraded restrooms, plans for the new campus include a play court and a food service area that can also serve as a teaching classroom for food science and culinary arts.

Students say they are drawn by the small-school setting and the hands-on learning at the school, where they immerse themselves in subjects they care about. The academic standards they must meet are worked into that framework.

“The thing I like about WHEA is it grows with its students. It’s not just a tunnel; it’s something that moves and changes with you,” said Kyra Boyl, 18. “And I really like the fact that the teachers know me as a person, not just one of 150 students that they see for 45 minutes every day.”

Shellese Guieb, the school’s office manager, said WHEA has worked beautifully for her son but would not fit her daughter, who thrives in her large public school four miles away, where she is active in student government, service clubs and various sports. “I think if I brought her here, she would just shrivel up,” she said.

“My son, he is now motivated, interested and taking responsibility for his learning, whereas before he was just kind of trudging through, totally not interested in his schoolwork,” Guieb said. “He has done a complete turnaround.”

Muraoka said the campus is meant to offer something different, and attracts a large portion of students for whom traditional school hasn’t worked out, as well as bright kids who want the challenge of more independent study. He sees WHEA’s approach, which has attracted national interest, as a model that could be broadly applied.

“Every district should have programs like this,” Muraoka said. “It shouldn’t just be in science. It should be in performing arts. It should be in fine arts, in vocational technology. Every district should have these programs, like a wagon wheel of spokes with different emphases.”

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### Once-struggling campus makes educational U-turn

By SUSAN ESSOYAN, *Star Advertiser*, May 22, 2011

KUALAPUU, Molokai—A Molokai native with a magnetic smile and a bold spirit, Principal Lydia Trinidad hasn’t been afraid to lead her alma mater, Kualapuu School, onto new terrain, with dramatic results.

“Lydia doesn’t let the unexplored scare her—she’s smart about being daring,” said parent Kalae Tangonan, an orange hibiscus tucked in her hair. “She’s definitely innovative, always open to new ideas.”

The first big leap for this elementary school in the heart of Molokai was to switch to charter status in the summer of 2004, an effort to marshal the resources and flexibility needed to lift the performance of its economically disadvantaged population. Since then it has managed to steadily boost test scores, lengthen the school day by an hour and enrich the curriculum with an array of electives including daily PE. It even added a preschool.

“I love this school,” said Tangonan, who has three children at Kualapuu, her youngest in the preschool class. “They give us the ability to send our kids to Hawaiian immersion or English. That in itself is a gift. I like the fact that we are a conversion charter so we can chart our own course.”

Tanganon made her comments as she headed toward the cafeteria for a recent after-school performance featuring hula, taiko, Chinese dance and tinikling, the Filipino national dance. Performing arts as well as Hawaiian studies are now a regular

part of the school day at Kualapuu School, where 90 percent of students are part-Hawaiian and 76 percent qualify for subsidized lunch because of low incomes.

“Ho, you gotta come early for this,” commented one beefy father, queuing up behind the overflow crowd peering through the cafeteria windows.

When it became a charter, Kualapuu was facing “restructuring,” the toughest federal sanction for falling short of academic targets.

Heavy focus on math and reading pushed up test scores to the point where the campus managed to get back in “good standing,” the top tier, three years after becoming a charter. Reading proficiency has continued to rise since then, to 58 percent proficient last year, up from 41 percent in 2007, while math proficiency nearly doubled to 60 percent. But “good standing” wasn’t good enough for Trinidad and the leadership team she has assembled, many of them strong women with local roots.

Afraid that a fixation on math and reading were pushing out other worthy subjects, she took a team to Boston in 2009 to explore the idea of “expanded learning time” with the nonprofit organization MASS 20/20. The Kualapuu community ultimately bought into it, despite some initial reluctance from teachers and even parents, who worried it might be too much for their kids.

“Even if you didn’t want to do it—work longer hours—you knew it was the right thing to do,” said teacher Ryan Link, who went to Boston to check it out. “It was obvious. The data showed that it really worked.”

The school day now runs from 7:45 a.m. to 2:45 p.m., an hour longer than last year. Kualapuu’s teachers are putting in 10 percent more time on the job this year and receiving 10 percent more pay. They also get more time to work together and plan.

Lunch was compressed to 30 minutes. The extra time goes toward more science and social studies, dedicated writing time and 30 minutes of PE daily, plus Hawaiian studies and performing arts. Electives are taught by certified teachers to ensure there is content along with the fun.

“PE is a core subject,” said Trinidad, who has to break her stride on campus as small children reach out to hug her. “The statistics are very strong about health and wellness.”

Because the kids are engaged, the extra hour at the end of the day goes by quickly. “I think it’s better with more minutes in that we can learn more things,” said sixth-grader Pono Kalipi. “In performing arts I like being stage manager. PE every day lets me lose some calories.”

Staff members even make home visits to encourage parental participation. The school expects parents to follow up on homework assignments, send children to school on time and communicate with teachers. For a few parents that’s too much to ask, said counselor Geneva Castro Lichtenstein, and they pull out. But others come from all over the island to attend Kualapuu.

Trinidad, at 47 about the same age as the school itself, said she and her staff appreciate the freedom they have as a charter school to try new things. “The benefit is a change in mentality, to let’s try this, let’s stretch the system to see if we can do this,” she said.

She estimates the school spends about \$10,000 to educate each child each year, including bus service and utilities. Its state facility is rent free. Financial support comes from the state and federal governments, Kamehameha Schools and the Office of Hawaiian Affairs, among others.

“Whatever funds we get from these large important organizations, they are the difference, they are the tipping point,” Trinidad said. “We’re only set to do the extended learning time for about three years. I think it’s important that we use these three years to build expectations and to say this is the standard. This is the expectation. This is what real education is.”

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### **Former private school finds some success in transition to public Waldorf education**

By SUSAN ESSOYAN, *Star Advertiser*, May 23, 2011

KEALAKEKUA, Hawaii—Nine-year-old Joshua Barreras-Float reaches up to show off his latest creation, a colorful crocheted cap that fits snugly on his head.

“I was the first one to know how to crochet,” he announced proudly. “You only had to do a special stitch and, going down, do a regular stitch. It’s fun, and it gives exercise on your fingers.”

For students at Kona Pacific Public Charter School, such handiwork is a key part of the curriculum. It is the first public school in the state to offer a Waldorf education, known for “embracing the whole child, heart, hands and mind.”

The trappings of modern, high-tech society are largely absent from this elementary school, on a secluded hillside above Kealahou in South Kona. Instead, it has a fairy-tale feel to it, with brightly painted wooden cottages scattered over the grassy knoll.

Once a private Waldorf school, it shut down in 2006 because not enough students could afford to attend. It was resuscitated in 2008 with tax dollars as a public charter school, open to all, with no tuition charge. Enrollment shot up from 79 students in its first year to 157 this year, in kindergarten through sixth grade.

"The biggest difference in becoming a public school is the number of children we can serve," said Ipo Cain, a coffee farmer who is president of Kona Pacific's local school board. "We've doubled the number of families. It was too hard to sustain a private school in a small agricultural community."

The charter school's financials are solid enough that it just received approval for a loan from the U.S. Department of Agriculture's Rural Development Program to expand its campus.

Based on the ideas of an Austrian philosopher, Waldorf education is designed to match children's developmental stages, stoke imagination and curiosity, and help them explore all their talents, even ones they didn't know they had, like crocheting.

"One of the primary things I hope our children come away with is the joy of learning so the rest of their life, they will be really inspired and curious to seek out knowledge," said Usha Kotner, who left a career as a lawyer to direct the charter school. "The capacity to learn is always there. It is just whether they want to or not."

There are no textbooks in the classrooms. Instead, the children make their own, with guidance from their teachers. The younger ones work with beeswax crayons, rather than the usual petroleum-based ones, in keeping with the school's commitment to using natural products as much as possible. The third-graders are the school's bakers, learning math with recipes that call for them to convert ingredients like "18 teaspoons" to tablespoons and bake at 350 degrees for "1,500 seconds."

Kona Pacific is considered a high-poverty school, with 41 percent of students receiving subsidized lunch. Meals feature plenty of locally grown produce. The garden and composting operation are so effective that 150 students and 25 staff members generate just one can of garbage a day.

"There's a lot of similarities with Hawaiian traditional culture and Waldorf: teaching through stories, through doing, through respect," said teacher Katie Franssen. "That's why it's a really natural blend."

Still, the shift to public school standards has not been totally smooth. Waldorf schools don't start formal academics until first grade, and their students might lag on state tests in the early years. Kona Pacific's scores have been below average. And Waldorf traditionally doesn't introduce typing until middle school, which posed a problem this spring when the school had to administer the Hawaii State Assessment, now entirely online. It had to borrow computers, and some students had never used a mouse before.

"We knew that testing was part of the bargain in becoming a public school, but not online testing," Kotner said. "The kids get so stressed out. It's antithetical to what we're trying to do, which is set up a really nurturing environment."

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### **State's fastest-growing charter maintains individual attention for each of its students**

By SUSAN ESSOYAN, *Star Advertiser*, May 23, 2011

The line began forming before dawn at a drab, mixed-use building overlooking Farrington Highway in Waipahu as parents vied for a chance to sign up their children for a slot at Hawaii Technology Academy.

Just a small white sign tips off passers-by to the location of the fastest-growing charter school in the state, on the second floor above a kayak store and a shredded-foam operation.

"One family came at midnight, and by 5 a.m. we had 51 people waiting outside," said Jeff Piontek, an energetic New Yorker who heads the school, Hawaii's largest charter.

Launched in 2008, the public charter school has quadrupled its enrollment over two years, with 1,000 students at last count. On March 1 it opened up 250 more slots for this fall, triggering that line of parents. The school can grow so quickly despite its limited space—10,000 square feet—because its students work mostly at home. They come to the learning center on average twice a week for face-to-face classes, with additional time for electives.



"It's one size fits one; it's not one size fits all," said Piontek, formerly the state science specialist for Hawaii's public schools. "If you're a fourth-grader and don't know fractions, we can teach you. If you don't know how to conjugate a verb, we teach you. Every child has a customized learning plan."

Students undergo a base-line assessment before they start school. Teachers review their performance every Monday and adjust each student's agenda for the coming week. The school uses a standardized online curriculum purchased from K12 Inc. Success depends on two factors: an engaged parent and a motivated child.

"Your parent or guardian is actually a teacher; they're responsible," said middle school teacher Tiffany Wynn. "It's not sitting your child in front of a computer and saying, 'Here you go, good luck!'"

Hawaii Tech's students score well, with 85 percent proficient in reading and 45 percent in math last year. But the school's close connection with K12 Inc. has raised a red flag with the state auditor's office, which is examining Hawaii's charter school system. The for-profit firm gets 41 percent of the school's allotment of funds from the state. Under its contract, it also pays the principal. That means Piontek is a private employee, not a state employee like other public school principals.

"That is a huge issue with a lot of people," said Piontek, who makes \$115,000 a year. "They are afraid the curriculum company is running a public school. I would much rather be a school employee, and so would the local school board."

The board has been trying to renegotiate its K12 contract, which was signed before Piontek was hired and runs until 2014.

HTA enrolls students from South Point on the Big Island to the North Shore of Kauai, some of them competitive surfers or performing artists who need a flexible schedule. The school's individualized approach has struck a chord, especially with military families and home-schoolers. Piontek pulls up some profile data with a few quick strokes on his laptop: 47 percent of students come from public schools; 31 percent are military dependents; 20 percent were home-schooled; 12 percent came from private schools; 2 percent from other charter schools.

"I could fill the whole school with military, but we want it to be a local school," Piontek said. "Our plan caps it at a third."

Despite the building's bleak exterior, cheerful posters hand-lettered by students decorate the central hallway, inviting them to join the environmental club or attend a PTSA meeting. An art teacher enlightens her pupils on the concept of proportion at one end of the hall, while biology students dissect rats in its science lab.

"I really like this school because it's challenging," said Joelle Lee, a soft-spoken seventh-grader with a flair for drawing. "You can work at your own pace. If you get it down in most schools, you have to wait for everyone else. This one, you learn it once and you get ahead and go on to the next thing."

### Close ties color boards' decisions

By SUSAN ESSOYAN, *Star Advertiser*, May 24, 2011

Some of Hawaii's charter school boards are so closely entwined with their school's leadership that the relationships could limit their ability to exercise independent oversight, a critical component to ensuring success.

Each volunteer board is responsible for governing the school, hiring the principal, setting policy and ensuring financial and academic viability, but a few might simply let the principal call the shots.

Some recent cases that have raised concern:

Official returns to job after serving jail term—Board members of Kula Aupuni Niihau a Kahalelani Aloha, a tiny bilingual school in Kekaha, Kauai, are related to the school's administrator and defer to her in fiscal matters, according to a recent independent financial audit.

"During our audit, we noted very minimal fiscal oversight by the Board of Directors and no Finance Committee," auditors concluded. "The fiscal operations and control are left to the Principal and the Accountant. The Local School Board currently does not have a member well versed in fiscal controls or financial statements."

Administrator Hedy Sullivan said that she and the board work closely together, and "we're all related because we're all from Niihau," but she has no close relatives on the board. In response to the auditor's concerns, the board is seeking a new member who has an accounting background to help exert fiscal oversight.

In 2005 the board made headlines when it kept Sullivan on the job as head of the school even after she had pleaded guilty to two counts of second-degree assault for tying up her 11-year-old son and beating him with a bat. Police found the boy with his hands tied behind his back, a black eye, bruises all over his body and rope marks around his neck.

Sullivan lost custody of the child, whom she had adopted. She was later sentenced to a year in prison for the crime, and her husband filled in for her as administrator. Upon her release in 2006, she went back to her position at the school, and completed five years of probation last June.

Sullivan said she makes sure any family enrolling a child is aware of her criminal background. She added that the board consulted with the school community before unanimously voting to retain her. "I'm not making any excuses for what I did," Sullivan said.

State education officials said they were powerless to intervene at the time because the local board was the "autonomous governing body" of the school. But the head of the Charter School Review Panel said she thinks it might be handled differently today.

"In this particular case, the Charter School Review Panel was not in existence, but had it been, I believe it might have seen the board's action as a possible safety issue for the school's children and taken some action," said Ruth Tschumy, panel chairwoman.

Hoe family has teaching, board roles at Hakipuu—Hakipuu Learning Center in Kaneohe is a public school, but it is also a family venture, founded by Charlene and Calvin Hoe and their three sons in 2001. Today, Kala Hoe is chairman of the local school board, while his mother, Charlene, is a key administrator.

Kala and his brother Kawai teach at Hakipuu along with a niece who is an educational assistant. Another brother, Liko, serves on the board, and Calvin is a full-time volunteer on the campus, which has 67 students.

A bill to prohibit a relative of the head of a charter school or an employee of that school from serving as chairman of its local school board was unanimously approved by the Senate Education Committee earlier this year, with support from Kamehameha Schools, Hookakoo Corp., the Charter School Administrative Office and the Charter School Review Panel. But it did not get a hearing in the Judiciary and Labor Committee, chaired by Sen. Clayton Hee, (D, Kahuku-Kaneohe) and died.

Ipo Cain, head of the local school board at a Hawaii island charter school, said having relatives oversee each other's use of state school funds is inappropriate. "They would have to recuse themselves too often to be effective leaders," Cain said. "It has potential for conflict, and so you have to be careful. Why not just avoid it?"

But Charlene Hoe, who at one time was director of the office of strategic planning for Kamehameha Schools, said fostering a sense of ohana is part of the school's mission. Her family members are qualified for their positions, and it is not a question of nepotism, she said.

"To me that's not the issue; the issue is getting good people on your board," Hoe said. "We have one of the most active boards. They stay at the policy level."

Hawaii has no law specifically addressing nepotism, but the fair-treatment law prohibits state employees from giving themselves or anyone else unwarranted benefits or preferential treatment. The conflict-of-interest law says state employees cannot take discretionary state action that affects their own financial interests or those of their spouse or dependent child.

Thompson investigated on nepotism, fund use—Myron B. Thompson Academy, an online school in Kakaako, has been under scrutiny since December after former staff members complained publicly about nepotism and favoritism at that school. The principal's sister runs the elementary school while holding down a full-time job as a flight attendant.

The principal's three nephews are also on the payroll. One was the athletic director until it became public that the school has had no sports teams for two years. His title was recently changed to "student support assistant." Critics claimed family members were held to different standards as far as attendance and teaching qualifications.

An independent financial audit also raised questions about a "donation" of \$175,000 of the school's state funds to an affiliated nonprofit, noting there was no indication that the board had discussed or approved the unusual transaction. Until December the principal took minutes for the board's quarterly meetings, some conducted via conference call. Her notes were brief and often failed to indicate who attended or details of discussions and decisions.

The Charter School Review Panel began investigating the situation, concerned that the school might not have followed fair hiring practices or rules that forbid state employees for working for private entities on state time. Last month it referred the matter to the Ethics Commission and the attorney general, saying it lacked adequate investigative tools such as subpoena power.

### Legislation seeks to shed light on operations and spending

By SUSAN ESSOYAN, *Star Advertiser*, May 24, 2011

The state Legislature took small steps this session to enhance oversight and public disclosure for charter schools, and lawmakers plan to work with the charter community on big-picture changes for the system.

"There's been so much flexibility given to our charter schools, we had to take a half-step back," said Sen. Jill Tokuda, majority whip and chairwoman of the Education Committee. "Yes, charter schools were meant to have the freedom to explore different ways of teaching and learning, but at the same time we have to make sure they are using public funds properly."

"We have great things going on in our charter schools, but like any other system we can always improve," she added.

Charter schools are public schools that offer a free education but report to their own local school boards rather than the state Board of Education. The main piece of legislation that passed this session, SB 1174, would help shed light on who is serving on those 31 boards and what they are doing by requiring online disclosure.

Legislators—not to mention the public—have sometimes had trouble getting such data from the Charter School Administrative Office because the schools didn't keep it up to date.

"That is a major concern," Tokuda said. "That's like saying we're really not sure who's on the Board of Education."

The bill requires agendas, minutes of meetings, names and contacts for local school board members to all be posted on a timely basis on the website of the charter school office.

In response to concern that a few charter schools have made a habit of "hiring the entire family," Tokuda said, the bill also requires local school boards to develop policies "consistent with ethical standards of conduct."

Looking ahead, the bill creates a governance and accountability task force, something that the charter officials sought. The task force will identify oversight and monitoring responsibilities for the panel, the charter school administrative office and the local school boards, and develop a process for enforcement. Governance for charter schools had been developed piecemeal, and the law is ambiguous as to the roles of the various entities.

Charter schools were created to do things differently, to try new ways to educate students, free of regulations that can hamper creativity. They are supposed to offer a nimble approach, rather than the bureaucracy that can bog down a regular public school. Some charters object to what they see as "micromanaging" by the review panel.

"The local school board by law is the 'autonomous governing body' for the charter schools," said John Thatcher, principal of Connections Public Charter School in Hilo. "If you've got another body that's trying to impose their rules and regulations, that makes life difficult and really goes against the spirit of why charter schools were formed."

The charter school office has churned through five executive directors since it was formed in 2004, and a search is under way for a new one. Part of the problem is its sometimes conflicting roles: advocating for and supporting charter schools while also doling out funds and holding them to reporting and other requirements.

The Charter School Review Panel, too, has struggled to keep up with its workload. It is made up of 12 volunteers, who attend frequent meetings that can interfere with paying jobs. They must monitor 31 charters, conduct special evaluations, review regular reports from each school and assess all new applicants for charters.

"Most panel members have full-time jobs," said Ruth Tschumy, panel chairwoman. "The work of the panel is unsustainable as we get more schools. I don't think the panel members can keep functioning the way we have been."

Although it isn't mentioned in the bill, the task force on governance could consider whether it makes sense to establish another chartering authority, such as the University of Hawaii, to lighten the load.

Ironically, charter schools are in some ways victims of their own success. As more charters open, they compete with each other for scarce state dollars. Alvin Parker, who headed the Charter School Review Panel when it approved Hawaii's three newest startup schools in 2008, said some charter leaders objected because it meant less money for their campuses.

"I got a lot of flak for that," said Parker, a principal whose own charter school stood to lose money because of the vote. "It would have been real easy for me to deny the expansion of charter schools, but that wouldn't have been ethical."

Other would-be charters are waiting in the wings, vying for more than 40 open slots for conversions and startups. The panel has been wary of approving any appli-

cation without a solid financial plan and a high-quality curriculum that offers something different from what's already available. One new applicant was turned down this month, and two others are scheduled for a vote on Thursday.

The Legislature just approved \$5,867 in per-pupil funds for the coming school year, with \$228 per child for facilities. The forecast for the following year calls for a smaller per-pupil amount as enrollment is expected to grow.

Charter schools had hoped to get needs-based facility funding, but instead the legislation calls for the charter office to develop a formula for such requests. The state has said it cannot afford to pay for two parallel sets of school infrastructure, one for regular schools and one for charters, especially since some are quite close to existing campuses.

"When the charter school law was first passed, part of the deal was they would not get facilities," said Rep. Roy Takumi, House Education chairman. "They realized that would be the deal breaker. At the time, the charter community thought there would be private-public partnerships, philanthropists. It didn't take very long for the charter schools to come and say, 'We need facilities, and it's not fair that the regular schools have it and we don't.'"

Takumi noted that the charter system is evolving and so are its needs, and there is a growing recognition that some schools need help with facilities infrastructure.

"I don't think it's anybody's intention to shortchange charter school kids," said Curtis Muraoka, co-director of West Hawaii Explorations Academy in Kona. "It does take an act of will to examine things and say, 'Now we're going to be fair.'"

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### **With stable teaching staff and financial aid, Waianae school is model for student success**

By SUSAN ESSOYAN, *Star Advertiser*, May 24, 2011

Moana Medeiros was taken aback when she and other eager teachers went to check out the site of a new charter school in Waianae and discovered it was to be housed in a former chicken coop.

"It had a dilapidated corrugated roof with no walls, just a bare cement foundation," Medeiros recalled. "We looked at each other and said, what did we get ourselves into? Just as we were about to leave, along comes Mr. Parker, saying, 'Don't leave, let me tell you all about it!'"

Alvin Parker, principal of Ka Waihona o ka Naauao, proved persuasive. Today Medeiros is elementary vice principal for the school, which quickly outgrew its humble origins and is now quartered at a meticulously kept traditional public school campus in Nanakuli.

Its student body has mushroomed from 68 in 2002 when it opened to 571 in kindergarten through eighth grade. The vast majority of its students are of Hawaiian descent and so are their teachers, largely recruited from the local community.

Teacher turnover has long been an issue at public schools on the Waianae Coast, but not at Ka Waihona. All but two of its 41 teachers have been on staff for more than five years, and most have master's degrees.

"The big reason people said the quality of education was not being met on the Waianae Coast is that novice teachers would come, put in a couple years and leave," said Parker, whose master's degree project was on how to build a sustainable school in the area. "We've been able to overcome that."

The school consciously chooses teachers from the region because they are more likely to stay and the students readily relate to them. Ka Waihona also gives its teachers and students a rare level of support: every classroom has an educational assistant as well as a teacher, and class size averages just 22 students.

"A lot of those factors are essential to helping these students who come from these socioeconomic backgrounds have a fighting chance to compete," said sixth-grade teacher Richard "Kado" Nahoopii, who grew up in Waianae and says he went to college only because a devoted high school teacher put up the money for his first semester.

Ka Waihona's staffing level is possible because of funding the charter school receives from Kamehameha Schools. The educational trust also provides a steady supply of staff. Twenty members of Ka Waihona's faculty are Kamehameha Schools graduates, including Parker and his daughter, Keolani Alejado. A licensed teacher with a master's in education, Alejado teaches reading to struggling students and also runs the free afterschool tutoring program, where mentors from Nanakuli High work with 175 Ka Waihona students.

The school is on firm financial footing, having recently signed a long-term lease with the Department of Hawaiian Home Lands for the oceanfront property, previously home to Nanaikapono Elementary. Parker's wife, Renette, is the business

manager and registrar, hired with approval of the local school board after private sector jobs in accounting and human resources. A recent independent financial audit found no deficiencies in internal control.

The newest member of the faculty is math resource teacher Dan Kitashima, a veteran educator recruited from Pearl Highlands Intermediate School in 2008. With his encouragement, the school adopted Singapore Math in the fall of 2009, and math proficiency jumped from 27 percent of students to 37 percent over the course of that school year, helping the school make “adequate yearly progress.” Fifty-eight percent of students are proficient in reading. More than half the children are economically disadvantaged.

Singapore Math, based on the curriculum that has helped propel students in that island nation to the top of international tests, shows students the concrete and pictorial before going abstract, and teaches number “bonding” techniques that last a lifetime.

“It not only teaches how the math works but why it works,” said Kitashima, who says he was ready to retire but coming to Ka Waihona has revitalized him. “And because it’s so visual, it’s great for all different kinds of students. The joy, the change in attitude that the kids have experienced, is the greatest.”

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[Whereupon, at 2:17 p.m., the subcommittee was adjourned.]

