

Proposed Charter School Legislation Analysis:

Alaska's charter school law is one of the most restrictive in the nation, and amending the legislation would allow Alaskans to take advantage of the improved outcomes that charter schools have demonstrated in many states (see below). Key components include:

- a. Autonomy from state and district operational rules and procedures—blanket waivers of days in school required, schedule, teacher policies, but adhering to academic outcomes standards, financial integrity, health, safety and civil rights
- b. Determine whether charter schools are their own LEAs and responsible for special education, or part of school district?—how much teacher freedom?
- c. Fiscal Equity: Funding for facilities and transportation at same level as other schools
- d. Multiple Authorizers—State, local district, university, non-profit organizations, statewide commission
- f. Accountability—required to meet state standards and reporting—set standards for closing charters if not meeting expectations

The Governor's Omnibus Education Bill, HB 278, addresses several of these important components.

- It explicitly provides equity for charter schools in both transportation and facilities construction and
- Allows for an appeal process if a charter application is denied.
- The bill could be more clear about allocating funds for facilities that are not under construction.
- It does not change the approval process by providing additional authorizers, or designating the State Board of Education as the authorizer, as is done in some states.

The Committee Substitute for HB 93 amends the charter school statute by:

- Providing for alternative authorizers, and
- Assuring that the budget for a charter school shall be equal to the amount generated by the students enrolled in the charter school less administrative costs, but does not clarify that transportation and facility costs are to be apportioned equally to charter and non-charter schools in the district.
- HB 93 also allows for charter schools to hire teachers outside a negotiated or collective bargaining agreement, and for the provisions of the negotiated or collective bargaining agreement not to apply to those teachers.

- The alternative authorizers in this legislation include a government entity, a private nonprofit entity with experience in education, finance or administration or an accredited postsecondary institution. The Model Charter Law suggest that the authorizers might be mayors, elected governing authorities of a municipality, the state board of education, a public charter school board created by statute (Washington D.C model), or the board of trustees of a two or four year public institution of higher learning (who have the authority to delegate that responsibility within the university system—New York and Michigan model). However, some states specifically exclude nonprofit organizations with religious affiliations.

Neither proposed legislation addresses whether a charter school is a Local Education Agency (LEA). Many states allow charter schools authorized by independent authorizers to be LEAs, and ones authorized by school districts or the state not to be their own agency. If considered an LEA, the charter school is responsible for its own compliance with federal and state regulations, eligible for its own grants and programs such as Title I or special education (Missouri, Minnesota and Washington, D.C. models). Arizona's charter school law, passed in 1994, gives its charter schools a blanket waiver from every regulation except civil rights. Arizona charter school teachers are not bound by collective bargaining agreements and participation in the retirement fund is voluntary.

A combination of the two proposals, with more explicit definitions of transportation and facilities equity would bring the Alaska charter school law closer to those of states with highly successful charter schools such as Michigan, Washington, D.C. and Arizona. This would include:

- Multiple authorizers (so that an appeals process would not be necessary), but recommend that the authorizer be the State Board of Education and the University of Alaska;
- Specified equity in transportation and facilities; and
- More blanket waivers of statutes and rules applicable to schools with the exception of:
 - student assessment and grading;
 - providing services to students with disabilities;
 - statutes pertaining to civil rights;
 - student health, safety and welfare; and
 - public meetings and records, public inspection and criminal and civil penalties.

Summary of national charter school experience:

Charter schools have demonstrated a turnaround between 2009 and 2012, with greatly increased results at the middle and high school levels, especially for minority children.

Looking at the national arena, charter schools as a whole enroll somewhat different students than non-charters. For example, charter schools in California are less likely than traditional public schools to serve Hispanic students, English learners, or students from low-income families. These demographic factors and several others are summarized in the state's school characteristics index (SCI). Among elementary schools, charters tend to serve students who are somewhat less disadvantaged according to SCI values. In contrast, charter middle schools serve somewhat more

disadvantaged students than traditional schools on average, and charter high schools tend to have students who are markedly more disadvantaged than traditional high schools.

Charter high schools also tend to be much smaller than traditional neighborhood counterparts. The difference in size between charters and non-charters is less but still substantial among middle and elementary schools.

Certain patterns in performance have emerged based on these categories. For example, EdSource reports in 2007 through 2009 showed that, **after controlling for differences in student background and school size, charter elementary schools do not perform as well as traditional elementary schools, while charter middle and high schools have outscored their traditional counterparts.** Similarly, conversions from traditional schools tend to outscore start-ups, but not always by statistically significant margins. Further, classroom-based charters have consistently outperformed non-classroom-based charters. (EdSource)

Charter schools and their feeder schools are educating more disadvantaged students than in 2009. Across the 27 states in a 2012 study conducted by Stanford's Center for Research on Education Outcomes, more than half of the charter students live in poverty as indicated by their eligibility for free and reduced price lunch programs (54 percent), a greater share than the US as a whole and an increase for charter schools from 2009. To address concerns about differences in school populations, the Stanford study sought to compare the improvement in academic achievement of similar students, matching each pupil at a charter with a "virtual twin" at a regular school with similar state test scores while controlling for demographics. Since 2009, the proportion of Hispanic students in charters has begun to approach the proportion of black students.

Compared to their feeders, charter schools enroll a lower percentage of white and Hispanic students and a higher percentage of black students. These shifts reflect growth in the proportion of disadvantaged parents that is aware, is informed and is comfortable exercising their options for school choice. **The typical charter student arrives at a charter school with lower levels of educational performance than was the case in 2009.** However, charter schools display wide variation in their students' starting levels; this reflects both differences in education quality across states and differences in state charter policies that detail the communities and students charter schools may serve.

On average, charter school students are making larger gains in reading than their peers in traditional classrooms while performing on par in math, according to a study of 1.5 million U.S. children. Notably, elementary and middle schools made more gains than multi-level charters.

The average student at a charter learned **eight more days of reading** a year than a pupil in a regular school, according to the Stanford University study. In both subjects, poor students, black children and those who speak English as a second language fared better in charters.

- **In the study, 25 percent of charter schools showed significantly stronger learning gains in reading than traditional schools, while 56 percent showed no real difference and 19 percent of charters lagged. In math, 29 percent of charter schools outperformed, while 40 percent were about the same and 31 percent were weaker.**
- **The study found wide varieties among charters schools in different states: Rhode Island's charter schools showed among the biggest gains relative to regular public schools -- equivalent to 85 days in reading and 111 in math. D.C., Illinois, Indiana, Louisiana, Massachusetts, Michigan, Missouri, New Jersey, Upstate New York, Rhode Island and Tennessee charter schools outpaced traditional schools in both reading and math. Nevada charter students fared much worse than traditional school counterparts in both—equal to 139 fewer days of learning.**
- **In the District of Columbia and New York City, whose data was broken out separately, charters also outperformed by a wide margin. New York City charter school children learned an additional 92 days of math in a year.**
- **A 2012 study of New York City charter schools by Education Innovation Laboratory of Harvard University compared students who won the lottery to students who lost the lottery. In that particular study, the researchers used multiple assessments to measure the efficacy of charter schools in New York. They found that highly effective charter schools had 5 things in common: frequent teacher feedback, data to guide instruction, high dosage tutoring, increased instruction time and high expectations.** These criteria reinforced previous research about what creates student success. Increased resources and higher teacher preparation do not correlate with student success unless those resources are dedicated to the above activities.
- **Charters now serve about 4 percent of the nation's public school pupils, with more than 2.3 million students in over 6,000 schools in 41 states, according to the study. Enrollment has surged 80 percent since 2009.**

However, as many as one in five charter schools should be closed because of poor academic performance, according to a November 2012 report from the National Association of Charter School Authorizers, which represents states, districts and universities that grant them permission to operate. There are still 1,000 schools that are worse than their neighborhood counterparts.