CHARTER SCHOOLS

written by Christopher J. Klicka, Esq.

It seems that everyone with school-aged children is talking about charter schools. Many are thinking, "This deal is too good to pass up: I can have my children educated outside of the public school system and have the government still pay the bill!" Charter schools along with educational vouchers appear to be harmless, since parents are only reclaiming their tax money.

Is it really that simple? Let's look at charter schools--especially virtual charter schools--and vouchers more closely, examining them from the perspective of freedom rather than asking, "What 'freebies' we can receive from the government?"

To accurately understand this issue, we must first define the terms.

What are charter schools?

Public schools establish a "charter" listing the school's mission, educational program, and methods of assessment. Charter schools answer to the state or local school board for assessing students and verifying academic progress. Charter schools are completely government funded.

Charter schools now exist in 37 states, the District of Columbia, and Puerto Rico. The Center for Education Reform estimates on its website that there are over 2,000 charter schools operating with more that 500,000 enrolled in these schools.1

Supporters of charter schools claim that creating competition in the education marketplace will result in more options and a higher quality education. The idea is that if public charter schools draw enough students away from regular public schools, the resulting lack of funds will force public schools to come up with creative alternatives to bring students (and the funding that comes with them) back into the system.

Additionally, proponents claim that charter schools provide an innovative alternative to traditional schooling, allowing creative approaches to teaching, free from the strict rules and regulations of the public school system. They point out that charter and virtual charter schools provide a protective environment, i.e., a smaller "private" school or home environment, where students can pursue their own styles of learning.

Charter schools operate on taxpayer dollars, so there is virtually no cost to students. Other often cited advantages are an accredited high school diploma, free computer, Internet access, software, and support by certified teachers.

So what's the problem?

With government vouchers and virtual charter schools and public schools offering all of these benefits, Home School Legal Defense Association often gets questions as to why we oppose such excellent educational options.

I believe the soul of the home schooling movement is at stake. How we respond to virtual charter schools and vouchers will determine the extent home schooling remains free from government controls in the future.

Freedom is the answer

For more than 18 years, HSLDA has been helping to win the right of families to home school with minimal regulations. Many of these battles took place in the courts and legislatures throughout the country. Many families faced fines, jail, and even the threat of the state's removing their children from the home. The families held onto their convictions and God honored them in an incredible way. It is now legal to home school in every state.

The battle to maintain this freedom continues as some school officials harass home schooling families with illegal requirements and teachers' unions and other professional education organizations have legislation introduced to restrict home school freedoms. A survey by the American School Board Journal, published in February 1997, of over 1000 public school executives found that 71% of superintendents whose state or district set standards for home schoolers did not believe home schoolers were regulated enough! Ninety-five percent of all the superintendents and principals in the survey believed anything else is better than home schooling.2

The National Education Association passes a resolution each year condemning home schooling and urging for legislation to be enacted in each state to require that home schooled children be taught by certified teachers and have their curriculum approved by the state.3 Prejudice against home schooling has not disappeared.

Despite these efforts, private home schooling, with no help from the government, is thriving. Research shows that home schoolers on average are academically above average from the elementary level all the way through college. All of this success has been achieved without government money. We have had many victories before Congress and the state legislatures because we are not asking for a handout, but simply to be left alone.

This liberty is at risk, however, if home schoolers begin drinking from the public trough. These are the same state governments that once heavily restricted or prohibited home schooling altogether. If home schooling families take government money or services through virtual charter schools, they will become dependent on government money and subject to increasing government regulation. Public schools and the state will once again acquire power to dictate home schoolers' curriculum, teacher qualifications, and methods.

This is not idle conjecture. It is already happening.

Government home schooling in Alaska

The old adage "There is no such thing as a free government service" is true. Government money always comes with strings. Governments will demand accountability for funding. States want to be assured that no fraud is involved and that the monies are not used for an improper purpose. The government has the responsibility to spend taxpayers' money frugally. For officials to give money to home schoolers to participate in charter schools without any conditions would be irresponsible.

Virtual charter schools must be accountable to the state or local school authorities. In addition to dictating the curriculum and teaching styles, virtual charter schools can impose requirements on the parents beyond that which is required by state home school laws, in order to assure that the parents are teaching the children "appropriately."

Take, for example, an Alaska program that typifies many virtual charter school programs springing up throughout the country.

On June 4, 1997, Alaska enacted the best home school law in the nation. Alaska's law has no teaching qualifications for parents, no regulation at any level of government, no notice to anyone of the parents' decision to conduct the home education, no registration with the state, no reporting to anyone of any information about the home education program, no testing of the children, no required subjects, and no evaluation of the program by anyone.

In the same month, the Galena School District launched a statewide correspondence study program known as the Interior Distance Education of Alaska (IDEA). According to Galena, school officials want "to provide educational, emotional, intellectual, and financial support to those who would like to work in partnership with a public school district." Despite having more freedom than any other state, a majority of home schooling families are choosing to enroll their children in IDEA.

Carol Simpson, current Alaska Department of Education home school program coordinator, said IDEA was "wildly successful, going from 0 students in mid-June 1997 to 1157 students 10 weeks later."

Families who enroll their children in IDEA are provided curriculum materials, use of a computer with access to the Internet and assistance from a certified teacher, among other services. However, public funds may not be used to purchase curriculum materials for teaching core subjects if the materials are distinctively religious in content.5

The dangers of these types of government home school programs are apparent in a September 11, 2001, letter from Carol Simpson:

When IDEA started in summer of 1997, we began from the premise that homeschooling parents know their kids best and should be free to use any curricular materials that they deemed most appropriate. We bought nearly anything anyone wanted, including Bob Jones, Alpha Omega, A

Beka, etc. By November of that year, the Department of Education (DOE) made a new regulation prohibiting school districts from purchasing religious curricular materials. . . .

The Attorney General of the State of Alaska advised us that we could not purchase anything that is an advocacy of a sectarian or denominational doctrine. . . .

Simpson then proceeded to tell a home school speaker IDEA had invited to speak at their five government home school conferences that the speaker could not sell her books at the conferences. Simpson explained,

I realize that your books are not "Christian books" and that any religious expression in them is incidental, not the focus of the book. However, we must be strict in our obedience to the letter and spirit of the law, honoring our governmental authorities . . . we must be careful not to give the appearance of promoting sectarian materials. As such, we cannot allow you to sell or promote these books in workshops that we are paying for Also, we want to avoid the appearance of promoting sectarian materials through your workshops as well. Please do not include references to faith or an emphasis on the inclusion of Biblical teaching in your presentations.

Alaska is in the process of creating an approved list of secular home school books. Notice also from the letter how gradual the changes have been. At first, the government paid for Christian home school textbooks. When 75% of home schoolers in Alaska became dependent on the government funds, the rules changed.

Simpson's letter plainly explains the danger to home schoolers' freedom posed by these government home school programs.

Some parents have told me they circumvent this in various ways and still use the state government's money to buy Christian textbooks. Dependence on government money is encouraging people to be deceptive.

Refusal to reimburse for any religious curriculum is not the only problem. Additionally, students in grades 4, 5, 7, and 9 must take the standardized tests that Alaska uses for public school students at a test site designated by public school officials, and the tests must be administered by a certified teacher approved by the Galena School District. All IDEA students are required to take the Alaska Benchmark Examination in grades 3, 6, and 8.6 As further evaluation of the student, each parent must report to Galena School District the progress of all students each semester.7

In final analysis, the 'freebies' are not free after all. The price is too high--a gradual but steady loss of freedom, control, and independence.

Home schooling in name only

Despite all of the attractions for home schoolers, virtual charter schools are supporting home schooling in name only. Parents who enroll their children in these virtual charter schools are actually creating small public schools in their home.

Recently, a Christian teacher in a large "brick and mortar" charter school program in Colorado told me that many Christian families are using the program and enrolling their children in the school. I asked her if the teachers could teach the Bible. She said, "No, but we can teach virtues."

"Are you allowed to teach the children about salvation?" I inquired.

"We are not supposed to," she replied.

In Milwaukee, Wisconsin, an educational voucher program that has been operating for several years has been touted as one of the best examples of a successful government educational program. What many do not realize is that any Christian school that enrolls students who are using the government vouchers must comply with over 300 additional regulations. Two requirements even prohibit the Christian school from mandating that these children with vouchers attend chapel or Bible class!8

Home school parents originally fought to be separate from the public schools in order to have the right to choose the curriculum that they believe would be best for their children. Many parents removed their children from the public school system because of the non-Christian curriculum. So why would they want to go back to the same humanistic material? But this is happening with home schoolers who enroll in charter schools or public school programs for home schooling.

With significant restrictions on curriculum choices, parents in charter schools also face limited ability to incorporate creative teaching methods. The specific curriculum requirements often demand parents to "stick to the schedule" dictated by the public school, rather than use creativity in complimenting their child's learning style.

HSLDA members who have participated in virtual charter schools complain of this very thing. As one California home schooler shared:

Having been in a car accident and having been limited in my physical capabilities, I found myself not as able of getting my kids out as much as I felt they needed. Home educating independently for 3 years, I was reluctant to try a charter school but I thought, "How bad could it be? I'd have access to educational materials and my children would have an opportunity to meet other home educated children." At first it was exciting, though enrolling was very institutional. Then it came time to meeting with a teacher. We sat and talked and I stated that I had been home educating independently for 3 years and was not interested in meeting weekly and that I would bring their work in monthly as they are required to turn in work at least monthly. That worked out great the first month. The next month, however, the teacher wanted to plan out what we'd be doing for the following month. After being independent, I was not interested in being told what my kids would be learning, so we agreed we'd do the work we wanted and would write up the plans retrospectively. This was not ideal, but do-able since the kids enjoyed the Monday co-op (classes) and fieldtrips.

The next time we met, I took the kids' work but left the children behind. I never read or signed anything stating that my children had to be present. To me, turning in the work was the requirement. It soon became apparent that the teachers were required to talk to the children at these visits and assess them not only on their academics, but also on their physical appearance . . looking for signs of abuse and/or neglect at their discretion. . . .

Make no doubt about it, a charter school is a public school . . . it's home schooling in technical terms only. Enrolling in a charter school will give you more freedom than the traditional public schools, but still strips you of the independent responsibility of educating our own children. It is still an institution, which believes we need interference from trained government agents, that we are incapable of educating our own children.

When this mother finally tried to remove her children from the charter school program, she was contacted repeatedly by child welfare services, demanding that she place her children in public school!

Is government money worth it? Aren't these the same types of controls home schoolers cast off with much sacrifice and risk in the 1980s? Are we willing forge new chains to limit our liberty?

Most home school parents want to be free to educate their children without this kind of government oversight.

Top education officials have warned against vouchers

Although we differ with the philosophy of many of the former federal secretaries of education, their statements are valuable since they evidence the intent behind government funding of private education. Lamar Alexander, Secretary of Education under former President George H.W. Bush explained the transformation of private education that was publicly funded when he said, "a public school would become any school that receives students who brought with them public monies . . . "9

Richard Riley, who served as former Secretary of Education under Bill Clinton, had strong reservations about vouchers and government funding of private education. No doubt, his reason for opposing government funding of private education was mainly to protect the current public school system, but he has some interesting warnings for private schools:

You have to be accountable with public tax dollars . . . when it comes to taking federal tax dollars and giving those to parents and then having the absence of accountability as far as their children's education . . . If you have accountability, then you lose the private and parochial nature of those schools . . . It's bad, we think, for private schools and parochial schools. It takes away from them the private and parochial strength, which is being totally free from any federal regulations . . . 10

[Vouchers] threaten the very nature of private and parochial schools. It makes them less private and less parochial.11

Chester Finn Jr., former Assistant Secretary of Education under Ronald Reagan, declared that government controls were inevitable: "There is no doubt in my mind that there will be some new regulations with voucher plans."12

If the highest public school bureaucrats in the nation recognize the loss of freedom government funding brings to private education, how can we deny it?

The experience of other nations

Other nations have experienced the effects of government funding. Private education has almost completely disappeared overseas.

For example, in Australia, over a period of 10 years, private school and Christian schools took more and more government funds. The regulations gradually increased until today the differences between public schools and private schools have become non-existent. Home schooling is the last bastion of educational freedom in Australia.

In South Africa, the 1996 National Education Act officially transformed all publicly funded private schools into public schools.13

In Alberta, Canada, home schoolers enjoyed more liberty than almost any of the other provinces. Then several years ago, legislation was passed giving home schoolers \$500 per child in government funds. The very next year, one of the most restrictive legislative bills was passed, implementing regulations for home schoolers. When asked why, the Minister of Education stated that if they were giving money to home schoolers, they had to know who they are and have certain standards. These regulations apply to all home schoolers--not only those who receive the government funding.

Many European countries have experienced similar scenarios with government-funded private schools.

Charter schools increase government spending

Charter school proponents claim that the resulting competition between educational providers will drive education costs down, while increasing the quality of education offered.

Charter schools do not charge tuition, but are funded according to their enrollment. Charter school students may be eligible for both state and federal funding. There are over 8 million children who do not attend public schools in this country. If these children suddenly began using money from the state's treasury for their schooling, taxes would have to be raised to generate the additional revenue. It is highly unlikely that public schools would reduce their budgets in order

to provide funds for private schools. Today, non-public school parents are being double taxed-they pay tuition for both public school children and their own children. With virtual charter schools, these parents would be triple taxed. In addition to footing the bill for their own children's tuition, they would pay for the public school students and the students participating in charter schools.

According to Eddy Jeans, Finance Director at the Alaska Department of Education, Galena School District received \$15,020,053 in state funds for fiscal year 2000. Of this amount, \$14,093,136, or \$4,104 per pupil, was received for the 3,434 students in IDEA. The balance of the funds in the amount of \$926,917 was intended for the 226 students who receive classroom instruction as regular on-site students.14

Each student enrolled in IDEA receives an allotment averaging \$1,600 per year to cover curriculum and related expenses. Considering the \$4,104 per pupil received from the state, Galena School District enjoys a gross profit of over \$2,500 per pupil in IDEA for a total of \$8,585,000 for fiscal year 2000. What amount of this profit is reduced by IDEA administrative expenses is unknown, but there is no question that this is a moneymaking enterprise for Galena School District.15

In Texas, a two-year pilot virtual charter school is being established. Texas Virtual Charter School would receive the tax dollars as a subcontractor to Houston Gateway Academy, a charter school. This home school component of Gateway Academy will serve students in kindergarten, first and second grades. By September 26, 2001, the virtual charter school had so far enrolled about 300 in central and southeast Texas, including Houston and Austin. The virtual charter school could receive \$5,000 for each home schooled student.16

Yet research has found the median cost for a home school program is only about \$400.17 This sounds like a major waste of our tax dollars.

Let's choose freedom

Government schools are failing in many places. They are not providing students with the moral training necessary in any society, and students continue to fall short of academic standards. Why would home school parents wish to support this system by accepting funding to participate in it?

In spite of the enticements offered by charter schools, parents should realize that charter school programs are simply creating little public schools in our homes. The teaching may take place in a private home, but the government is pulling the strings.

The soul of home schooling has its foundation built on the incredible sacrifices of many parents who risked all in order to win the right to be free from suffocating government control and to be free to teach their children according to God's ways and in obedience to His commands. God honors those who honor Him and who trust in His sovereign love and power.

We do not need the government's "free" money. The price is too high.



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Our Mission

Alaska Native Cultural Charter School builds student excellence through traditional cultural learning.

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What are Charter Schools?

schools. They exercise increased autonomy in Charter schools are public schools of choice that operate with freedom from many of the regulations that apply to traditional public return for increased responsibility.

Who Funds a Charter School?

The Alaska Native Cultural Charter School with state funds, grants, and endowments. will open the fall of 2007. It will be funded

Why should I choose Alaska Native Cultural Charter School (ANCCS)?

Alaska Native Cultural Charter School is an option for parents seeking a different school program and environment for their children. The school incorporates active engagement

Guiding Native Values

Respect for elders

Honor the ancestors

Respect for family, self and others

Preserve and pass on traditional ways of knowing

work, and endurance Responsibility, hard

Compassion, dignity and humility Humor, cooperation and caring

respect for nature Knowledge of and

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school offers students a curriculum focused with today's Alaska Native community. The academic program that develops academic on Alaska Native culture and a rigorous achievement. Family members and elders are an important part of every aspect of the program.

Knowledge of language

Wisdom

Self-sufficiency



Award sends local teachers to White House ceremony

Anchorage Daily News

(01/08/10 08:30:02)

WASHINGTON, D.C. -- Two Alaska teachers were honored this week at the White House for their innovative math and science instruction.

They are Laura Ann Hulsebus, who has taught fourth- through sixth-grade math at Eagle River's Alpenglow Elementary School since 2006, and **Cheryl Silcox**, who teaches at Anchorage's Winterberry Charter Waldorf School.

Hulsebus and Silcox were among 87 teachers invited to Washington after winning the Presidential Award for Excellence in Mathematics and Science Teaching last summer. The award came with a \$10,000 prize from the National Science Foundation.

President Barack Obama used the event on Wednesday to announce five new public-private partnerships as part of the "Educate to Innovate" program that will prepare 10,000 new math and science teachers over the next five years as well as support professional development for 100,000 current teachers. The program also encourages the federal government's 200,000 scientists and engineers, including those at NASA, to volunteer.

The president praised the award winners for their role in training the next generation of inventors, scientists and mathematicians. Everyone remembers the teacher or mentor who showed them something about the world that made a difference in their lives, Obama said.

"It could be a word of encouragement, a helping hand, a lesson that sparked a question, that ignited a passion, and ultimately may have propelled a career," he said.

City charter schools aren't just better - they cost less

BY Marcus Winters

Monday, March 1st 2010, 4:00 AM

Once again, facts are getting in the way of those who would question the success of charter schools. Critics often claim that charter schools are more effective than district-run public schools only because they are better funded. In fact, according to a new report, New York City's charter schools are thriving despite receiving fewer public dollars than other public schools get.

The New York City Independent Budget Office, a nonpartisan agency, compared public funding of traditional public schools and charters. The analysis accounted for not only direct school funds but also for in-kind resources provided to charters by the city Education Department - for example, about two-thirds of Gotham's charter schools are located in public facilities and pay little to no rent.

According to the budget office, charter schools receive fewer public dollars, directly or indirectly, than do public schools. The funding difference is negligible for charters that receive public space, about \$305 a pupil. Charters that pay for their own facilities, however, receive about \$3,017 less per student than traditional public schools.

That charter schools receive fewer public dollars only makes their success more notable. The findings in a recent study by Stanford University economist

Caroline Hoxby remain unchallenged: Children attending New York City charter schools make dramatic academic improvements. Now, the Independent Budget Office report shows that these educational gains come at a lower public price tag.

Predictably, teachers union President Michael Mulgrew has already started griping. Though he rightly points out that charter schools typically use private grants to supplement the public funds they receive (the budget office report looked only at public funding), the influence of philanthropic giving on charter school budgets is exaggerated. A recent analysis of publicly reported documents by Kim Gittleson found that the average charter school in the city received about \$1,656 per pupil in philanthropic funds in 2009.

NYDailyNews.com

DAILY NEWS

differences found by Hoxby. (Full disclosure: Gittleson is a research assistant for Ken Hirsh, a donor to the Manhattan Institute.)

Someday, critics must be forced to admit that New York's charter schools outperform the traditional public schools not because they bring in more money and not because they "cream" the best students - that myth has also been disproved - but because they do more with the resources they have. Freedom from the often preposterous restrictions imposed by state law and collective bargaining agreements allows charters to focus on student learning.

Charter school principals can fire teachers, while the legally mandated tenure system ensures that just about everyone who teaches in a public school is guaranteed a job for life. Charter schools can push teachers to work longer hours and attend frequent staff meetings. By contrast, the United Federation of Teachers contract with the city details everything that a public school teacher can't be required to do. Charter schools are free to utilize data to



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That amount doesn't make up the funding disparity for charters that pay for their own facilities - and it's not nearly enough money to account for the dramatic achievement



Dr. Caroline Hoxby



WBHM **Birmingham** -- There are nearly 5,000 charter schools across the country. They educate more than 1.5 million students. And President Obama wants more. But do they work? There are a handful of charter schools in wealthy communities and, perhaps not surprisingly, they tend to have high test scores. But most

charter schools are in low-income, often minority neighborhoods. How do they fare? WBHM's Tanya Ott has our report.

Caroline Hoxby graduated from Harvard, Oxford and MIT, so she knows a bit about good education. As an economist at Stanford University she also studies education outcomes, and for the past few years she's had her eye on Charter Schools.

But before we get to **Hoxby's research**, a reminder about what a charter is. It's a public school that operates free from many of the constraints of traditional public schools. Charter schools can hire and fire teachers and administrators at will. Those teachers and administrators have a lot more flexibility. They can choose what textbooks they want to use and how they teach the material. At some charter schools students attend class 9 hours a day, 6 days a week. At others they may offer non-traditional hours to accommodate the work schedules of high schoolers. The point is no two charter schools are alike. And that can make studying them kind of difficult.

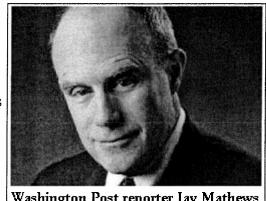
But back Caroline Hoxby, the Stanford economist. She compared the test scores of New York City students who applied for and got into charter schools with those of their peers who applied for, but didn't get into charter schools. And she found that charter school students improved significantly more in math and reading than their counterparts. To be precise, they closed the achievement gap by 87% in math and 67% in reading.

"Those are really big numbers, but it isn't a silver bullet. It's not that you send a student for one year to a charter school and all of the sudden they're performing at the same level as students from an affluent background."

In fact, Hoxby tracked students from kindergarten through 8th grade. She says at the high school level, attending a charter school raised the probability of graduating by an average of 7% a year per year. Meaning student who attended a charter high school for four years were 28% more likely to graduate than their peers at a traditional public high school.

"In many big cities, like the one we're sitting in Washington DC, the public charter schools are the best schools. Same with Boston, New York, Denver, Houston."

Jay Mathews is an education reporter for the Washington Post. He's written a book called Work Hard, Be Nice - about a specific charter school program called Knowledge is Power or KIPP. There are more than 60 KIPP charter schools across the country. Mathews talked about KIPP with Michelle Martin of the NPR program Tell Me More.



Washington Post reporter Jay Mathews

"I look at schools in one parameter which schools are doing the best job in raising the achievement of

kids. Which schools have kids coming in, as the KIPP schools do, at about the 30 percentile in the 5th grade and they leave in the 8th grade in the 70th or 80th percentile in math or reading. That rarely happens, but in some of these charter groups, particularly KIPP they've made that happen. And it's really unleashing the power of great teachers."

But, Mathews warns, that's when charter schools are done right. Another group of Stanford researchers - a group called CREDO - or the Center for Research on Education Outcomes -- examined the standardized test scores of more than a half million kids attending charter schools in 16 states. They compared their results to kids from traditional public schools like the ones the charter school kids would have attended. Ken Surratt is CREDO's assistant director.

"Charter school students lagged compared to their traditional public school peers in both math and reading."

CREDO's study found that 17% of charter schools outperformed the traditional public schools. But 46% performed about the same at the traditional public schools, and 37% performed worse. Some of them much worse. In the south, Florida and Texas charter schools showed significantly lower learning gains.



CREDO also studied New York City school in-depth, and like Caroline Hoxby, they found that charter school students in New York perform better than their peers at traditional public schools. Surratt says that's because of the way the charters are managed.

"They are assessing performance. They have clear performance criteria that they use. There's a Charter School Support Center. And it's been embraced by the mayor, by the head of the schools so it has that buy-in."

Buy-in is not something that comes easy in Alabama. Last month the legislature killed a proposal to legalize charter schools. Governor Bob Riley says that was a major reason the state didn't get any of the recently announced Race to the Top federal education money. Tomorrow on our program we examine the politics behind the fight over charter schools in Alabama.

~ Tanya Ott, March 10, 2010.