



# Message on Public Education 2009 United Church of Christ Justice & Witness Ministries



resources to support stronger and more equitable public schools

## Leaving Behind Education of the Whole Child

### Why America's Test-and-Punish Philosophy of Education Must Be Changed

Jan Resseger, Minister for Public Education and Witness

Many of us, non-experts on public education, may wonder whether we are qualified to discern what is good in public schools. Now that the Adequate Yearly Progress rating system of the federal education law, the No Child Left Behind Act (NCLB), labels more schools "a failure" every year, we may even wonder whether it is possible to save public education in America.

I thought about the pervasive perception of school failure recently when I spent a morning at Chicago's Harold Washington Elementary School. Hallways display artist collections of prints and lithographs. Along the primary wing hallway, "Harold Washington Boulevard," the late Chicago mayor's polished black Cadillac sits parked against a wall mural of a police station, fire station, and city hall.

The Margaret Burroughs Performing Arts Theatre, the old-fashioned, two-story auditorium filled with the original 1915 black varnished wood seats screwed to the floor, is painted pink, with life-size panels of famous Black performers lining the walls. Principal Sandra Lewis announces, "Our school's band, orchestra, vocal group, and dance troupe perform here." At monthly assemblies in this same space all students posting perfect attendance enter a lottery for a new bicycle.

The old building, Dr. Lewis's canvas for painting high expectations, shouts affirmation. How can a child be prevented from dreaming? Harold Washington Elementary School's NCLB report card, however, posted on the web site of the Chicago Public Schools, reports that the school has not made Adequate Yearly Progress under NCLB for two years running, because its special education sub-group has not scored high enough in reading.

#### A Change in the Direction of Public Education

The federal education law, the No Child Left Behind Act (NCLB), culminates the growing dominance of an educational philosophy based on standards-assessments-accountability. While for forty years after the Supreme Court decision in *Brown v. Board of Education*, the thrust of federal education policy was to expand opportunity through broader access to quality services, the focus of policy began to shift during the 1990s toward outcomes, measured by performance on standardized tests.

The trend toward accountability and testing spread across the states before it became enshrined in federal policy, but today the crush of standardized testing accompanied very often by high stakes for children and adolescents is the result of federal and state policies working in synchronicity. The federal law, NCLB, requires a standardized exam for every child in every grade, 3-8, and one standardized test in high school. NCLB also requires that states disaggregate and report test score data by race, ethnicity, language learning status, special education status, and poverty. The consequences are catastrophic where states have swallowed whole a belief that attaching high stakes to testing improves schooling and where children are more frequently being retained in grade or being denied a high school diploma based on a standardized test score.



For more information consult our public education web pages at <http://www.ucc.org/justice/public-education/>. For additional copies of this resource, contact Jan Resseger (216-736-3711) <[ressegerj@ucc.org](mailto:ressegerj@ucc.org)>.

#### What is the Standards Movement?

While there is some variation in the way states have implemented standards-based reform, such accountability systems usually try to pressure schools with four levers. First an official set of academic standards is agreed upon to define what all children should know at every grade. Second often scripted classroom materials and texts are coordinated with the standards. Third standardized tests are administered to measure whether children have learned what the standards prescribe. Finally sanctions are imposed to pressure educators to bring every child to standard.<sup>1</sup>

In 1989, believing that progress in closing racial and economic achievement gaps had been too slow, President George H.W. Bush launched a movement based on standards-assessments-accountability by convening an education summit of the nation's governors, chaired by Bill Clinton of Arkansas, to agree on specific national education goals. The movement was further solidified in 1994, as Congress enacted Goals 2000, a document intended to promote standards-based school reform nationwide. Throughout the 1990s, many governors continued to implement standards-based reform in their own states. Then in 2001, Congress adopted this standards philosophy when it reauthorized the federal education law, the Elementary and Secondary Education Act, with a new name, "No Child Left Behind." The federal government set out to mandate its own form of standards and accountability, imposing federal rules sometimes on top of accountability rules already being tried in particular states. Historically the standards movement across the states and NCLB at the federal level arose when our society had developed the computerized capacity to measure, quantify, and collect data on a large scale.

If standards-assessments-accountability was the cure, we need to look backwards to explore what the first President Bush and the nation's governors must have diagnosed as the disease. The supposed "standards" cure did not address the social ills long correlated with low student achievement—poverty, lack of health and dental care, family mobility growing from the shortage of affordable housing, and lack of access to enriched early-childhood programs. Nor did it address school resource inequity across and within the states, inequity that had been the subject of more than forty school funding lawsuits since the 1970s. The supposed cure equalized neither facilities, nor program offerings, nor class size across wealthy suburban and poor rural and urban systems. By mandating higher test scores without addressing these injustices, policy makers seemed to blame educators themselves, passing the buck from the legislature to the school and demanding that teachers work harder and expect more of their students, thereby closing achievement gaps. In fact, Michael Petrilli, who worked in the U.S. Department of Education when NCLB was designed, wrote: "Its primary mechanisms are sunshine and shame."<sup>2</sup>

#### The Meaning of Equal Opportunity Has Changed

President Lyndon Johnson pushed Congress to pass the original Elementary and Secondary Education Act (ESEA) in 1965 as the cornerstone of the War on Poverty. ESEA embodied an entirely different philosophy than its newest 2001 version. The original ESEA sought to provide extra resources for schools and school districts serving concentrations of America's poorest children, schools ill-served by their own inequitable state funding plans. Title I of ESEA was designed to provide additional "compensatory" funding.

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## Charter Schools

### Quasi-Public Institutions and the Public Good

Jan Resseger, Minister for Public Education and Witness

If you live in an urban area, charter schools have likely come to your community. Children in your church may attend charter schools. Your pastor or a member of your congregation may serve on a charter school board. Perhaps your congregation has considered forming a charter school. Is there guidance about how, as Christian citizens, we can think about charter schools?

As quasi-public schools, charter schools are certainly institutions we are called to think about by General Synod 25's "Resolution for the Common Good," which calls the United Church of Christ, "to uphold the common good as a foundational ideal in the United States... and reaffirms the obligation of citizens to share through taxes the financial responsibility for public services that benefit all citizens, especially those who are vulnerable, to work for more equitable public institutions, and to support regulations that protect society and the environment."<sup>1</sup>

The resolution lifts up particular values: the need for *public services* paid for by taxes; the necessity that public services are *accessible* especially for the poorest people who may need them the most; the importance of embedding *equity* of services into public institutions; and the need for *regulation* to protect the public investment and those whose welfare depends on quality service. All this is needed to ensure collective well-being.

In the first essay of a 2008 collection of articles on charter schools, charter school founder Ted Sizer and public school principal, George Wood call us to evaluate charter schools according to virtually the same principles as General Synod 25: *equity, access, and public purpose/public ownership*. "The failure of so many systems of public education to live up to these principles helped give rise to the charter movement. Too many systems were clearly unequal.... In many urban areas, schools in low-income neighborhoods were the least engaging, with the poorest facilities and the least prepared teachers. Many progressive educators also found that the public purpose of these neglected schools was being given short shrift..."<sup>2</sup> Sizer and Wood caution, however, there is no guarantee that charter schools will provide a better alternative: "How charter schools emerge and function... is a feature of the political maneuvering that takes place around the authorizing and implementation process. Whether these processes are guided by a commitment to equity, access, public purpose and public ownership will make all the difference..."<sup>3</sup>

#### What are charter schools?

Charter schools are "publicly funded independent schools" that operate "semi-autonomously from their state's education code and regulatory strings for three to twenty years."<sup>4</sup> They receive state per-pupil assistance, though many operate with additional funds from foundations or from the non-profit network or educational management company of which they are a part. The state grants a charter to a sponsoring agency; each charter school is then responsible to its own board of directors, which has the power to hire and fire the principal and the teachers. In most places charter schools are required to be not-for-profit, although many states permit a charter school board to bring in a for-profit education management organization to operate the school. Historically charter schools marry two philosophies of education. One group of supporters looks to charters as an opportunity to fulfill the calling of inspired educators to experiment and innovate; the second group brings a belief in school choice

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ESEA was intended to work with the 1964 Civil Rights Act to improve enforcement of the 1954 Supreme Court decision in *Brown v. Board of Education*. *Brown* declared that, “in the field of public education, the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.” “Equality” was defined as “the same,” or “learning together.” It was naively assumed that equity would be accomplished when poor children of color, who had been segregated by law in poorly funded schools, were successfully integrated. ESEA provided modest additional funding to support this process.

When segregation proved impossible to eradicate, particularly in the big cities of the North, civil rights advocates challenged unequal opportunity through more than 40 school finance equity cases in the state courts, an effort that began in the 1970s and continues today. The court cases initially emphasized equalizing resources by requiring states to create broad pools of money that could be distributed to make up for disparities in local property tax revenues among poor and wealthy school districts. Later in the 1990s, the state funding lawsuits began to be called “adequacy” lawsuits and to tie increased funding to the outcomes standards of the “accountability” movement now popular across the states and enshrined in Goals 2000. Court remedies were designed to force states to appropriate enough resources to raise test scores and close achievement gaps. However, in most places state courts have been too weak to ensure that legislatures, always strapped by tight budgets and many needs, allocated the funding.

At the federal level, NCLB exemplifies the same process: the law has made enormous demands on states, local schools, and teachers, but Congress has failed to provide the necessary resources. The National Education Association estimates that NCLB has been cumulatively underfunded below what Congress authorized by \$71 billion over its six year life.<sup>3</sup> The Forum for Education and Democracy, a group of prominent academic researchers, has lifted up this injustice: “With a 3 to 1 ratio between high- and low-spending schools in most states, multiplied further by large inequalities across states, international studies repeatedly find that the U.S. has one of the most inequitable education systems in the industrialized world. Moreover, the gaps along racial and class lines have been growing rather than shrinking, as inequality in funding has also grown since the 1980s... Current federal policy tackles the equity issue by demanding equal outcomes from schools without equalizing the resources...”<sup>4</sup>



Gloria Ladson-Billings, 2006 president of the American Educational Research Association, challenges us once again to rethink the definition of inequity. Ladson-Billings believes that by defining our problem as closing test-score achievement gaps, we blind ourselves to the magnitude of our own moral responsibility. She challenges America not to define the goal as closing the achievement gap but instead as addressing an education debt that has grown over time: a historical debt that dates back to substandard schools provided for slave children, schools segregated under Jim Crow, and the boarding schools provided for Native American children; an economic debt that has allowed white and privileged graduates of the best public schools to earn more and that has accumulated over centuries; a sociopolitical debt that has excluded communities of color from the civic process; and finally a moral debt, that “reflects the disparity between what we know is right and what we actually do. Saint Thomas Aquinas saw the moral debt as what human beings owe to each other in the giving of, or failure to give, honor to another when honor is due.”<sup>5</sup> Even as we have put the spotlight on disparities in outcomes, our society has not been willing to equalize opportunity.

### Plummeting Graduation Rates

The idea that tough graduation exit exams protect society from the under prepared has become accepted wisdom. Promoters of the standards-assessments-accountability movement proclaim the goal of guaranteeing to businesses, colleges and universities a graduate who can perform at a standardized level of accomplishment. However, it is now well documented that when states require passage of a high school exam for graduation, the test-and-punish philosophy contributes to a rapidly accelerating dropout rate.

According to the Center on Education Policy, by 2007, 22 states required passage of a test for high school graduation, even if the student had attended school regularly and passed all required classes. Eighteen of these states had attached high stakes to the standardized test required once in high school by NCLB.<sup>6</sup> Here we see the nexus of federal and state policy, as the states, not the federal government, are attaching high stakes to the exam required by the federal law.<sup>7</sup>

While states have historically under-reported the rates by which students drop out of high school by assuming that students are simply moving to another school, research now documents that many primarily urban high schools graduate less than 60 percent of those who enter four years earlier in ninth grade. The number of these schools, said to have “weak promoting power,” has nearly doubled since 1995.<sup>8</sup>

Daniel Losen of the Civil Rights Project worries that rising dropout rates not only challenge the students who disappear prior to graduation, but also undermine the well-being of society: “At an absolute minimum, adults need a high school diploma if they are to have any reasonable opportunity to earn a living wage. Students who earn a GED have a much higher rate of unemployment than diploma recipients and are much more likely to need welfare or other forms of government assistance... Yet the United States is allowing a dangerously high percentage of students to disappear from the educational pipeline...”<sup>9</sup> Fifty-nine percent of federal prison inmates and 75 percent of state prison inmates lack a high school diploma.<sup>10</sup>

The Center on Education Policy documents that students with disabilities have the lowest pass rate on exit exams. In Arizona, while 71 percent of all students passed, only 8 percent of those with disabilities passed. In Massachusetts the ratio was 79 percent to 16 percent.<sup>11</sup> Other groups most seriously affected are students of color, students in poverty, and English language learners.<sup>12</sup>

Rice University researcher Linda McNeil concludes that requiring passage of the Texas Assessment of Knowledge and Skills (TAKS) for high school graduation has rapidly accelerated the high school drop-out rate in that state. McNeil describes rigid annual performance contracts by which high school principals in Texas have been required to sign away their tenure and to guarantee rapid test score increases for all the subgroups whose scores are disaggregated under NCLB. Under pressure from school leaders, the state created a waiver that permits schools to divert the students likely to fail the TAKS by refusing to promote to tenth grade any students who have failed even one semester of a required ninth grade course. Waivers permit schools to hold students in ninth grade sometimes indefinitely to protect the school itself from the students’ failure on the tenth grade exam.<sup>13</sup> McNeil theorizes that retention in eighth grade or high school is an even greater predictor for dropping out than retention in the earlier grades, and she concludes that retaining students year after year in ninth grade virtually guarantees that discouraged students will disappear before graduation.<sup>14</sup>

“We have ... found that the disaggregation of test scores by ethnic subgroups does not lead to greater equity under a standardized accountability system, as claimed by its advocates. Instead it marks those students as potential liabilities to the system and to each school’s successful ratings.... The higher the stakes and the longer such a system governs our schools, the more school personnel may come to view students not as children to educate but as potential liabilities or assets for their school’s performance... The triaging of minority youth

out of our schools becomes not a side effect of standardized accountability, but an avoidable loss to make the system look successful.”<sup>15</sup>

**“God created humankind in his image, in the image of God he created them...” —Genesis 1: 27**

As people of faith we have not traditionally been proponents of standardization in education. Our creation story in *Genesis* celebrates each child, created in the image of God, each child a special and sacred person. The Apostle Paul explicitly celebrates diversity: “Now there are varieties of gifts, but the same spirit... to each is given the manifestation of the Spirit for the common good.” (*1 Corinthians* 12: 4-7) While most of us would agree that there should surely be basic educational standards, we would feel more comfortable with a philosophy of education that eschews standardization and that honors the unique expression of God of each child. Our United Church of Christ General Synod 18 declared: “As Christians we believe that God desires for children the life abundant which comes from the fullest development of their gifts—physical, intellectual, social and spiritual.”<sup>16</sup>



Prominent educators have agreed that the goal of education should be to form the whole child. School superintendent, Dr. Rudy Crew writes that public schools should develop four qualities of a mature and conscious contributor to society—personal integrity, workplace literacy, civic awareness, and academic proficiency.<sup>17</sup> Yale University child psychiatrist and school reformer, James Comer has insisted that schools form children and adolescents along all of the six normal developmental pathways: physical, social-interactive, psychological-emotional, ethical, linguistic, and cognitive-intellectual.<sup>18</sup> Standardized tests measure only a portion of the last two categories—linguistic and cognitive-intellectual.

In a new introduction for a reprint of her famous book, *Other People’s Children*, educator and author Lisa Delpit summarizes the clash between “standards-based” and “whole-child” philosophies of education:

“Since the publication of *Other People’s Children*, the country’s educational system has become caught in the vise of the No Child Left Behind Act, which mandates more standardized testing of children than the country has ever seen.... We in education have allowed politicians to push us to act as if the most important goal of our work is to raise test scores. Never mind the development of the human beings in our charge—the integrity, the artistic expressiveness, the ingenuity, the persistence, or the kindness of those who will inherit the earth—the conversation in education has been reduced to a conversation about one number... Nowhere is the result more glaring than in urban classrooms serving low-income children of color, where low test scores meet programmed, scripted teaching.”<sup>19</sup>

In the church we are called to care deeply about public education, the only institution large enough to accommodate the 50 million children currently being served. We are called to work in alliance with groups advocating for reform that will expand the opportunity to learn.

We are called to recognize with the National Education Association that, “NCLB does not account for the extraordinary range of personal experiences that make up the daily lives of students in public schools, from those blessed with family income and stability, to those with

Looking for a great discussion in your adult education class or congregational reading group? The National Council of Churches Committee on Public Education has prepared a faith-based study guide to help you consider *TESTED*, Linda Perlstein’s acclaimed book on NCLB. Perlstein spends a school year in third grade classrooms that epitomize the test-and-punish tragedy of NCLB. <http://www.nccusa.org/elmce/TESTED.html>.



disabilities, to students living in neighborhoods of poverty, to the sons and daughters of immigrant families who need to learn a new language when they arrive at school. NCLB prescribes a one-size-fits-all system to the most changeable and diverse of any population: growing children.”<sup>20</sup>

With a prominent group of sixty leaders from the fields of economics, civil rights, pediatrics, sociology, religion and education who have proclaimed “A Broader, BOLDER Approach to Education,” we are called to insist that society must also increase investment in developmentally appropriate, high-quality early childhood education; increase investment in health services, and pay more attention to the activities in which students can engage outside of the school day.<sup>21</sup> Public school reform alone cannot enable students to triumph over poverty and racial injustice.

With the Forum for Education and Democracy we are called to demand that the education debt be addressed in federal policy. When the federal education law is reauthorized, Title I and the Individuals for Disabilities Education Act should be fully funded at the authorized level, and the federal government should use its power to leverage school funding equity in the states. “One central tool for this task is linking state eligibility for federal funds to state progress toward equitable school funding.”<sup>22</sup>

Finally with educational psychologist Michelle Fine we are called to remember that schools should “buffer poor and working-class youth from stressors they experience outside of school.”<sup>23</sup> Many of the children at Chicago’s Harold Washington Elementary School come to school with great needs. This neighborhood school serves all children in its attendance area, all African American and Hispanic, 93 percent poor, with a family mobility rate of 30 percent. When children walk through the school’s front door, however, they enter a special world of bright color, music, friendly adults, order, calm and high expectations. Harold Washington Elementary School gives them a chance, despite its rating as “a failing school” by the federal education law.

### Why Consider the Standards-Assessment-Accountability Movement Now?

The federal education law, the Elementary and Secondary Education Act whose most recent version is NCLB, was scheduled for its five-year reauthorization in 2007, but that reauthorization has been delayed. Despite hard work by their staffs, Committee Chairs Senator Ted Kennedy and Representative George Miller have been unable to forge a compromise bill acceptable to Democrats and Republicans. The reauthorization has now been pushed into 2009.

We call on you and your congregation to remind Congress and our new President that although society has now developed the quantitative capacity to process and disaggregate data, education remains primarily qualitative. Ask your elected officials to reduce high stakes testing; expand federal funding to pay for federal education requirements; use federal power to press states to fund public schools more equitably; uphold high expectations for all children but honor every child’s accomplishments; and shift the focus from blaming educators to providing public schools that nurture the human spirit.

#### Endnotes

1. Deborah Meier, *Will Standards Save Public Education?* (Boston: Beacon Press, 2000), pp. 5-6.
2. Michael J. Petrilli, “School Reform Moves to the Suburbs,” *NY Times*, July 11, 2005.
3. National Education Association, “Great Public Schools for Every Student by 2020: Achieving a New Balance in the Federal Role to Transform America’s Public Schools,” July 2008, p. 8. <http://www.nea.org/la/images/GPS2020.pdf>.
4. The Forum for Education and Democracy, “Democracy at Risk: The Need for a New Federal Policy in Education,” April 2008, p. 17. [http://www.forumforeducation.org/upload\\_files/FED\\_ReportRevised415.pdf](http://www.forumforeducation.org/upload_files/FED_ReportRevised415.pdf).
5. Gloria Ladson-Billings, “From the Achievement Gap to the Education Debt: Understanding Achievement in U.S. Schools,” 2008. Presidential Address, 2005–2006 President of American Educational Research Association. [http://www.aera.net/uploadedFiles/Publications/Journals/Educational\\_Researcher/350702ERV35n7\\_Ladson-Billings.pdf](http://www.aera.net/uploadedFiles/Publications/Journals/Educational_Researcher/350702ERV35n7_Ladson-Billings.pdf).
6. Four states have now shifted to requiring standardized end-of-course exams rather than one standardized test.
7. Center on Education Policy, “State High School Exit Exams: A Move Toward End-of-Course Exams,” January 2008.
8. Robert Ballanz and Nettie Legters, “Closing ‘Dropout Factories’: The Graduation-Rate Crisis We Know, and What Can Be Done About It,” *Education Week*, 7/12/06, p. 42.
9. Daniel J. Losen, “Graduation Rate Accountability under the No Child Left Behind Act and the Disparate Impact on Students of Color,” in Gary Orfield, ed. *Droptouts in America: Confronting the Graduation Rate Crisis* (Cambridge: Harvard Education Press, 2004), p. 41.
10. Michelle Fine, “Circuits of Disposition: The Racialized and Classed Realignment of the Public Sphere for U.S. Youth,” *Transforming Anthropology*, 2008, p. 34.
11. Center on Education Policy, “State High School Exit Exams: Students with Disabilities,” March 2006.
12. Fine, M., L. Pappas, S. Karp, A. Sadovnick and M. Bennett, *The Special Review Assessment: Critical Reflections on Graduation Policy in New Jersey*, (Newark, New Jersey: The Education Law Center, City University of New York Graduate Center and Rutgers University Institute for Public Policy, “New Jersey’s Special Review Assessment: Loophole or Lifeline?” A Policy Brief, (June/July 2007), pp. 43-44.
13. Linda McNeil, et al., “Avoidable Losses: High-Stakes Accountability and the Dropout Crisis,” *Education Policy Analysis Archives*, January 31, 2008, pp.5-6. <http://epaa.asu.edu/epaa/v16n3/v16n3p5.html>.
14. Linda McNeil, et al., p. 8.
15. Linda McNeil, et al., pp. 36-37.
16. UCC General Synod 18, “1991 Pronouncement: Support of Quality, Integrated Education for All Children in Public Schools.”

Charter Schools, from p. 1 and substitutes the marketplace for government. The marriage of these two sets of values remains rocky.

During the 2006-2007 school year there were 4,000 charter schools operating in 40 states and the District of Columbia, and serving approximately one million students.<sup>3</sup> Charter schools are primarily urban; they rarely operate in rural areas or small towns, except for the on-line academies, which are frequently used by home-schooling families.

### What are parents looking for in charter schools?

Parents seek alternatives for a variety of reasons. Probably the most urgent motivators for leaving urban schools are squalid and oppressive conditions. Parents realize the power of what is often called *the hidden curriculum*—the things children learn at school but nobody actually teaches. These include lessons about the worth of each student and judgments based on race, ethnicity or poverty.

The meaning of the hidden curriculum was made explicit in the court testimony in California’s *Williams* case, a school funding and school facilities disparities case eventually settled for the plaintiffs in 2004. California journalist, Peter Schrag named the first chapter in his well known history of school finance litigation for one of the high school student witnesses in the *Williams* trial: “What Alondra Learned.” Schrag enumerates the insulting conditions the students described: dirt, peeling paint, falling ceiling tiles, leaking roofs and lack of toilet paper; overcrowding with huge classes, closets used as offices, and several classes held simultaneously in sections of an auditorium; double shifts when some students attend school from 7:00 AM to noon and the next shift comes in from noon to 5:00 PM; administrative turnover and ensuing chaos; shortages of books; unqualified math teachers and strings of substitute teachers; elimination of extra-curricular activities; and impossible case loads for art teachers, gym teachers, counselors and social workers.<sup>6</sup> Alondra Jones, a student at San Francisco’s Balboa High School, told the court: “It makes you feel less about yourself, you know, like you... have to stand up because there’s not enough chairs, and you see rats in the buildings, the bathrooms is nasty.... I visited Marin Academy, and these students, if they want to sit on the floor, that’s because they choose to. And that just makes me feel less about myself because it’s like the state don’t care about public schools.... It makes me feel bad about myself.”<sup>7</sup>

Michelle Fine, an educational psychologist who conducted focus groups for the plaintiffs in the *Williams* case, describes how oppression is internalized by children who experience such conditions day after day: “Students... typically asserted a very punitive perspective on their own biographies.... These youths have committed what psychologists would call a ‘characterological personal attribution’ or ‘fundamental attribution error’ for past mistakes. When people attribute bad outcomes to a moral flaw in themselves, it tends to be difficult to... believe yourself entitled to future positive outcomes. They have internalized the broader societal message about poor youth: that they deserve bad outcomes from the time of their ‘mistakes’ forward.”<sup>8</sup>

In the context of such conditions, the norm in the schools of many of America’s big cities, parents look to charter schools for safe, orderly, and cheerful educational settings with up-to-date books and plenty of technology. Parents want schools to help their children develop a strong sense of self, goal orientation, high school graduation, and a trajectory toward college. Although the best charter schools may offer a good alternative, the overall record of charter schools is mixed.

### How should charter schools be evaluated?

In general, charter schools have not outperformed traditional public schools, although such generalizations mask the disparity in quality among charter schools.<sup>9</sup> Some are excellent, others deplorable, and many quite average. Some charter schools are founded by local visionaries, while others are part of local or national non-profit chains, and still others are part of the huge for-profit enterprises like Edison Schools or the on-line education giant, K-12. Laws that regulate charter school operations also differ from one state to another.

Clearly, because charter schools are primarily funded with tax dollars, the public needs to be paying closer attention. An analysis according to the three principles—*access, equity, and public purpose*—illuminates important concerns in charter schools in a variety of locations. Examples here are from Chicago, where charter schools are a centerpiece of “Renaissance 2010” school reform; the state of Ohio, where legislative oversight of charter schools has failed; and New Orleans, where a massive, post-Katrina experiment has turned more than 60 percent of the district’s schools into charters.

#### Access

Charter schools embody the assumption that it is possible to offer universal access through a range of choices. According to school reformer Leigh Dingerson, “A concern is whether it is possible to offer good choices to all children and families. What happens to the children who are, for whatever reason, unable to choose or be chosen?”<sup>10</sup>

Some states and school districts explicitly permit charter schools to select students through screens like entrance examinations, while many require charter schools to remain non-selective. Yet even when universal open admission is statutorily required, charter schools manage to select their students. Ostensibly non-selective charter schools may:

- Appeal to parents who are able to locate and read publicity, fill out complex applications, and play the system as active choosers.
- Require children and parents to interview, at which time some parents are told: “This school may not be a good fit for your child.”
- Establish enrollment caps, and thereby appeal to parents aggressive enough to apply early.
- Require students and/or parents to sign a contract and then push back into traditional public schools the students or families who don’t meet the school’s expectations.
- Establish rigid behavioral and academic codes and then push out students who don’t fit. At the charter school that replaced Chicago’s DuSable High School, students were charged a \$100 penalty each time they were suspended.<sup>11</sup> Such a discipline procedure will drive away students the school considers undesirable.
- Neglect to provide transportation, which excludes the children whose parents cannot drive them to distant locations.
- Fail to provide services tailored to students with special needs such as disabled students or English language learners.

Chicago education activist, Valencia Riaz describes neighborhoods where traditional schools were replaced by charter schools, but because neighborhood children were not granted a right to return, they had to look for a school in a different neighborhood.<sup>12</sup> According to *Catalyst Chicago*, when Chicago’s Renaissance 2010 Reform plan had nearly reached its 100-new-school goal at the end of 2007, ten high priority, high poverty neighborhoods had not yet attracted even one of the new charter schools.<sup>13</sup> Lorraine Forte, *Catalyst*

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17. Dr. Rudy Crew, *Only Connect: The Way to Save Our Schools* (Farrar, Straus, and Giroux, 2007), p. 33.
18. James Comer, M.D. *Leave No Child Behind: Preparing Today’s Youth for Tomorrow’s World* (New Haven: Yale University Press, 2004), p. 74.
19. Lisa Delpit, *Other People’s Children, 2005 Edition* (New York: The New Press, 2005), pp. 1-3.
20. National Education Association, “Great Public Schools for Every Student by 2020: Achieving a New Balance in the Federal Role to Transform America’s Public Schools,” July 2008, p. 11. <http://www.nea.org/la/images/GPS2020.pdf>.

21. “A Broader, BOLDER Approach to Education,” June 2008. <http://www.bolderapproach.org/>.
22. The Forum for Education and Democracy, “Democracy at Risk: The Need for a New Federal Policy in Education,” April 2008, p. 22. [http://www.forumforeducation.org/upload\\_files/FED\\_ReportRevised415.pdf](http://www.forumforeducation.org/upload_files/FED_ReportRevised415.pdf).
23. Fine, M., Burns, A., Torre, M.E. and Payne, Y. “How Class Matters: The Geography of Educational Desire and Despair in Schools and Courts.” In Weis, L. (Ed) *The Way Class Works: Matters: Readings on School, Family and the Economy* (New York: Routledge, 2007), Chapter 16, p. 14.

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deputy editor, reports that many Chicago charter school operators choose the neighborhoods where new schools will be situated by catering to particular niche markets.<sup>14</sup> She notes, "Some neighborhoods are also better placed politically to have a louder voice in attracting a charter school."<sup>15</sup>

Reflecting on the principle of access, Wood and Sizer warn: "...any public school system that uses charter schools would have to involve structural changes in order to guarantee access. First, the system must provide... good choices so that no child is 'dumped' into a school of last resort."<sup>16</sup> Rarely has such intentionality infused charter school reform. Writing about New Orleans, sociologist Charles Payne and educator Lisa Delpit express skepticism about access in actual practice: "In a decentralized system who is responsible for the neediest students? The answer is likely to be no one. It is an invitation to re-create a system deeply segregated....where enforced segregation according to class, special needs and test scores is as likely as segregation by race."<sup>17</sup>

### Equity

Equity and access are closely linked, because lack of access for any student or group of students constitutes a primary inequity. Three additional serious inequities emerge in relation to charter schools: inequity of programming, inequity of funding, and inequity in teacher quality.

Public schools are expected to provide appropriate programs no matter what skill level or special need each student presents. "Any charter or system of charters that does not provide for accommodation for students' learning challenges is no longer working within the spirit and intent of public education," write Sizer and Wood.<sup>18</sup> Through system-wide programming and economies of scale, public school districts hire psychologists and special needs experts to design federally required Individualized Education Plans and to shape district-wide services for blind, deaf, learning disabled or autistic children. School districts also design curricula and hire specialists for immigrant children who need to learn English.

Charter schools, which design their programs one school at a time, are often unprepared to provide a full range of services. Early in January 2008, a member of the board of New Orleans' McDonogh No. 42 Charter School was quoted by the *Times-Picayune* asking, "How does one plan a program in advance for a child you did not know existed? Should we have classrooms reserved with teachers and aides hired for the visually impaired in case a child enrolls with those exceptionalities?"<sup>19</sup> In New Orleans, where charter schools are now over 60 percent of all schools, most children with special needs find themselves acceptable only to the traditional public system known as the Recovery School District, whose schools are reputed to have become a dumping ground for the vulnerable.

Charter schools do not embody the potential to bring equity to scale. Here is the assessment of Miami-Dade Superintendent and former New York City Chancellor, Dr. Rudy Crew: "The bottom line is that charter schools can help but they're not the answer. One model high school in the Bronx that costs tens of millions of dollars... may offer a lifeboat to 1,500 students. But there are more than 1.1 million students in the New York City school system... The cost benefit of what the public and the private sectors will put in is debatable against what could have been achieved with that money if it had been applied in a broader fashion."<sup>20</sup>

There are many kinds of funding inequity at the intersection of charter and traditional schools. *Catalyst Chicago* has identified inequity in funding for building repairs. In May 2007, 19 percent of renovations underway in Chicago Public Schools were in Renaissance and charter schools housing 4 percent of the district's students. Sixty-two percent of repairs were promptly completed in Renaissance and charter schools, compared to only 45 percent in traditional neighborhood schools.<sup>21</sup>

The mobility of students between charter schools and traditional schools creates funding problems. If a charter school pushes out behavior problems or families whose parents fail to comply with a school's parental contract after the autumn day on which the state makes its head-count for per-pupil funding distribution, the public schools to which those students return will not receive their per-pupil dollars, which will remain at the charter school. Likewise, when a charter school suddenly closes after the state's autumn "head-count" day, all the children in that school will need to find seats in traditional public schools, though no money will follow those children back to the public school district during that school year. However, the public schools are expected to welcome the

children with teachers and programs ready.

Much of the big money behind charter school reform has been ideologically driven in a school finance climate where public schools lack funds even for basics. In 2006, Chicago Public Schools received a five year charter grant from the U.S. Department of Education for \$24.5 million. That year Chicago secured a \$21 million charter grant from the Gates Foundation in addition to school-specific grants to support the Renaissance and charter reform.<sup>22</sup> In New Orleans, in December of 2007, the Gates, Broad, and Fisher foundations announced a three-year grant of \$10 million to a charter school not-for-profit, New Schools for New Orleans.<sup>23</sup> And of course, the original charterization of New Orleans was funded by the U.S. Department of Education: "The dismantling of the New Orleans Public Schools began before the floodwaters receded. Within two weeks of the hurricane, Secretary Spellings sent a letter to state superintendents across the country announcing that charter schools were 'uniquely equipped' to serve students displaced by Katrina and that she would waive federal restrictions on charter schools in order to help New Orleans. Two weeks later, she announced the first of two charter school grants of more than \$20 each to Louisiana."<sup>24</sup>



Depending on local collective bargaining laws, charter schools also sometimes exacerbate inequities in teacher qualifications. In New Orleans, where charter schools are not required to adhere to a union contract, these schools are free to set their own salaries and fringe benefits. Members of the community worry about the ongoing churning of a succession of inexpensive and therefore young and inexperienced teachers through the city's charter schools where there is a strong incentive to reduce costs. Education professor Linda Darling-Hammond warns, "There are substantial equity and access implications of governmental approaches to charter school funding, linked in particular to whether states view charter schools as a strategy for competition and cost-cutting, or, alternatively, as a means for democratic engagement that develops higher quality and greater innovation."<sup>25</sup>

### Public Purpose

Even though they are publicly funded, charter schools are independent, and their boards are frequently not subject to sunshine laws or public reporting. The five largest charter school management organizations—National Heritage Academies, the Leona Group, Edison Schools, White Hat, and Mosaic—are all privately held and therefore not required to report publicly on financial or other information.<sup>26</sup> In Ohio, more than half of the state's charter school dollars go to for-profit charter school operators,<sup>27</sup> the most prominent being White Hat Management. In 2004-2005, White Hat reported all but \$169,745 of the \$122.6 million it collected from the state of Ohio in a vague category, "administrative spending," a budget line Ohio accepts without demanding any breakdown of services provided.<sup>28</sup> Ohio's original 2003 charter school enabling legislation was so lax that, according to *Catalyst Cleveland*, "No official state oversight of the majority of Ohio charter school sponsors means... that parents and others interested in schools run by these sponsors have no official public process for obtaining information about sponsor performance."<sup>29</sup>

An important question is whether it is possible for profit to be compatible with public purpose. The UCC's "Resolution for the Common Good" defines the primary purpose of public institutions as serving the vulnerable and the greater good.<sup>30</sup> We are therefore called to question the transformation of public resources into private profits. Who is to decide which child's needs should be ignored or that class size will increase to yield a larger profit for the school's operator?

Ralph Adamo, a New Orleans writer and teacher, believes that public purpose will be served only through the kind of public democratic process that has been eliminated in New Orleans' radical charter school experiment. Adamo does not oppose charter schools per-se, but he grieves for the loss of democracy, access, equity and public

purpose he has observed:

"The people who gave us the free-enterprise version of public education, especially the ones who don't live here and can watch the experiment from the comfort and safety of elsewhere, will not give up easily... Years will pass before the boosters begin to shy away from their work, pretending that they meant something different all along, or just deciding that the population of this old whore of a city is simply too backward to be able to know what is good for her and her children... Is the old model of public education preferable? Certainly not as it was being practiced pre-Katrina... Unfortunately, given the large and widening class differential in this city... there are simply too many people convinced that poverty is a stigma that marks the poor as deserving their distress, rather than an effect of an economic system that denies, derides, and deprives... For reform that embraces community-centeredness, and not the privileged individualism implicit in the national charter movement, New Orleans would have to be the location of a genuine debate about community goals and options."<sup>31</sup>

**"Whatever affects one directly, affects all indirectly."**

While we should admire the innovation and commitment in the best charter schools, New Orleans is teaching us that a fragmented mass of charter schools cannot replace a public school system and at the same time meet the goals of access and equity. Nor can public school systems be sufficiently improved by adding a few charter schools around the edges. We must surely find a way to ensure that each charter school serves its students, for they are our children. We must also find enough attention, even if we are deeply involved with a charter school, to address the injustices that remain in the larger system of traditional public schools. While we may feel called to create a charter school alternative for Alondra Jones, we must at the same time find the will to ensure that her classmates are not left behind in schools of last resort.

According to Dr. Crew: "...no matter who you are—retiree, businessman, bodega owner, single mother, Mayflower descendant, salesman—you pay taxes not just to finance your child's access to public education, but so you can enjoy the benefits of living among an educated populace... An educated populace benefits you as creators, consumers, innovators, investors, and voters, and the success of others increases opportunities for yourself and your children."<sup>32</sup> In the words of Dr. Martin Luther King, "We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. This is the interrelated structure of all reality. You can never be what you ought to be until I become what I ought to be."<sup>33</sup>

### Endnotes

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