Building an Equitable and Excellent System of Schools

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The Los Angeles Unified School District (LAUSD) provides families a wide range of school choices—nearly 300,000 students attend schools of choice, ranging from magnets, to charters, and pilot schools.[1] Charters are the largest sector of choice options—with 163,720 students in 300 schools—the largest charter enrollment in the country (see Figure 1 below). Charter proponents would like to double that number.[2] Others express concerns about quality control with additional charter schools.[3]

In this brief, we explore the experiences of other charter-dense districts to draw out lessons focused on: What challenges have they faced? How have they addressed those challenges? What might LAUSD learn from other districts' experiences? And, ultimately, how might LAUSD focus on making all schools worth choosing and having all children chosen by good schools?

Figure 1: Top 10 (and Select) Districts with Highest Number of Charter School Students, 2016-17

Rank	District	State	Charter Enrollment	District-Run Enrollment	Total Enrollment	Charter Enrollment Share
1	Los Angeles Unified	CA	163,720	476,260	939,980	26%
2	New York City	NY	102,960	946,170	1,049,130	10%
3	Philadelphia	PA	64,270	134,130	198,400	32%
4	Miami-Dade	FL	62,280	294,610	356,890	17%
5	Chicago	IL	59,270	319,400	378,660	16%
6	Detroit	MI	50,460	44,890	95,350	53%
7	Houston	TX	51,240	56,100	97,340	53%
8	Broward County	FL	46,750	225,380	272,130	17%
9	New Orleans	LA	44,380	3,520	47,900	93%
10	District of Columbia	DC	41,490	48,510	90,000	46%
16	Denver Public Schools	CO	18,170	72,430	90,590	20%
31	Boston	MA	13,250	53,160	66,420	20%
NA	Sacramento	CA	6,820	40,770	47,590	14%

Source: National Alliance for Public Charter Schools. 2017. A Growing Movement. America's Largest Charter Public School Communities. Twelfth Edition. Washington, DC: Author.

The table includes the top 10 districts in terms of number of charter students as well as Denver, Boston and Sacramento, which are discussed in this paper.

Our brief draws lessons from the experiences of other charter-dense urban districts that have grappled with the distinct challenges and governance issues that arise as an increased proportion of students enroll in charters.[4] We focus on educational equity in new schools; ensuring equal access to all schools of choice; maintaining diversity and inclusion; and ensuring that existing schools provide a high-quality education. For each, we outline effective strategies districts employed to meet those challenges, as well as the difficulties they faced. Lessons from these districts show that charters can provide greater choice; but charters can also limit access and provide low-quality educational options—especially when little attention is paid to scaling or systems. We further find that charters are not the only strategy for expanding choice; many districts have done so within district schools.

A Primer on Charters

Charters are publicly funded, privately operated schools. Like district schools, charters are funded primarily with taxpayer dollars and, in California, are meant to serve all students regardless of language, ethnicity, prior achievement, or learning challenge. However, charters often attract private funding beyond what they and district schools receive from public funds. Some are run by education management organizations that can be non-profit or for profit.

Charters offer no silver bullet for student success. There is no guarantee that students in charters will perform better than their peers. A consistent finding of research on charters is the great variation in their educational outcomes, with some charters outperforming other district schools; some doing worse, and others exhibiting similar outcomes.[5] However, in some charter school sectors—notably virtual schools and distance learning schools—students perform significantly worse than other in other charters and in district public schools.[6]

Quality learning opportunities, not governance structure, make high-quality schools. Students learn in safe, supportive, and challenging learning environments under the tutelage of well-prepared and caring adults.[7] Although operating under different governance structures, both charters and district schools can provide such high-quality learning environments.

There are many types of charter schools. Some charters are closely affiliated with the district system; others operate independently; while others are part of a network of schools that may span many districts. Some charters are brand new schools and some are conversions of existing schools.

Charters are only one way of offering families greater choice. Magnet schools, autonomous pilot schools, small learning communities, and schools for advanced studies are other options—as are high-quality neighborhood schools in districts that offer choice to all families.

Lesson 1: Make All Schools Worthy of Being Chosen

Charter status, on its own, says nothing about school quality. Simply creating charters does not guarantee that they will all provide high-quality education to all their students. Nationally, educators have a mixed track record of starting new schools or converting old ones—whether charters or regular district schools—in terms of student learning and other indicators of progress.[8]

The lesson from other urban districts is that managing the creation of many new schools is quite challenging—especially in the case of charters, which—by definition—operate autonomously. Research suggests two strategies for addressing the quality of new and existing charters: building a common accountability system and maintaining a strong authorization and renewal process.

Build a common accountability system. The first step toward monitoring and incentivizing quality is transparency—districts need to create common and accessible accountability systems. Such a consistent approach allows families, as well as district and charter school educators, to track performance of all schools (regardless of their governance structure), enabling fairer comparisons among schools.

In addition to increasing transparency around student outcomes, opportunities, and the distribution of resources, common accountability systems can also be a tool to inform district decision-making and to support continuous improvement. Creating a system of high-quality schools requires districts to use data for improvement, not punishment. As New Orleans has demonstrated, when the central strategy for improvement is school closure, the result can be an insufficient supply of high-quality schools and a disruptive shifting of students from one poor-performing school to another.[9] Denver provides a promising approach—there the district uses its School Performance Framework to identify high-quality schools and strategically replicate them, while also identifying schools in need of intervention, support, or closure. Chicago's School Quality Rating Policy, similarly, provides a robust snapshot of both academic outcomes and school climate inputs to better differentiate between challenged schools.[10]

Maintain a strong charter authorizing and renewal process. Maintaining quality control in the authorization process is an especially important tool for districts to employ as they consider charters. Failure to do so can have dire consequences. For example, in Philadelphia, where the rapid expansion of charters took place with little oversight, many charters misused funds. [11] Detroit, which has expanded charters rapidly to serve over 50 percent of its student body, also struggles with quality. (Detroit has the lowest National Assessment of Educational Progress scores in the nation.)[12] In three states with relatively lax oversight laws—Arizona, Ohio, and Texas—charter school students consistently underperform district school comparison students in both reading and mathematics.[13]

In contrast, Massachusetts has taken a much more deliberate approach to the authorizing and renewal process. The state, which is among the highest scoring in the nation, has created a multi-step rigorous application and review process—that involves local educators as well as state department officials—with final decisions going to the state board. Its closely-regulated charters outperform regular district schools.[14]

LAUSD strives to promote authorization and renewal of high-quality charters. It does this by focusing on performance-based accountability, as well as collaborative professional development opportunities between the district and its charter schools. However, LAUSD is not the sole authorizer of charters in the district boundaries. Charter schools not approved by LAUSD can turn to the L.A. County Office of Education for authorization, and if denied by LACOE, can apply to the state board of education. LAUSD then has limited authority over those charters authorized by other bodies. Moreover, if the number of charters expands rapidly, the challenge of maintaining quality control grows as well. Lessons from other districts suggest that a deliberate and well-structured process for considering new schools is necessary. New Orleans, for example, found that maintaining quality control, or any control for that matter, decreased with rapid expansion.[15]

A strong regulatory process also allows districts to strategically use their charter authorizing and renewal role to assess the supply of schools across the district to target specific neighborhoods for new schools. For example, Denver considers neighborhood need in the chartering process.

Lesson 2: Ensure Access to High-Quality Schools for All

Charter schools are meant to offer additional choices to families; however, if charters are not subject to well-implemented rules regarding quality, open access, and retention of students, certain families may be excluded from full and equal participation—and thus "choice" may actually exacerbate racial, ethnic and economic disparities. For example, when New Orleans rapidly expanded its charters in the wake of Hurricane Katrina, poor and minority students ended up far underrepresented in the best schools.[16] Philadelphia's expansion of charters led to greater economic and racial segregation.[17] In fact, nationally, charters are more racially and economically segregated than public schools.[18] Across the country and in LAUSD, special education students, especially those with the most severe disabilities, are less likely to be enrolled in charters.[19] In LAUSD, students with special needs constitute 11 percent of all students enrolled in district schools and just 7 percent of students enrolled in charter schools.[20]

The reasons for the uneven participation of different groups of students in charters are many. In some cases, not all parents have access to the necessary information to make an informed decision in a timely manner. In others, the charter application and admission process is too complex and daunting for many families. Transportation can also be an issue—as families may

simply not be able to get to the schools they want to choose. Regardless, no family should be consigned to a low-quality option.

At the same time, schools may communicate to parents that the school does not have the capacity to meet the needs of certain students. Because of accountability and financial pressures, all schools—district and charter—have incentives to attract and keep the highest achieving, lowest-cost students, a practice referred to as "creaming." But because of their separate admission processes and/or criteria, charters in many districts can cream more easily than traditional public schools.[21] Research on New Orleans' charter school system found that while some schools provided legally-required services to special needs students, other schools dissuaded parents from enrolling their students.[22] In California, 20 percent of charters were found to restrict access for high-need students.[23] Research has described a taxonomy of approaches that charter schools use to structure their student enrollment, including the location of the school, branding and marketing, and application processes.[24]

Three district practices have been found to be particularly effective at promoting equal access to high-quality options. These include standardizing the enrollment process to level the playing field, expanding and customizing the dissemination of school choice information, and creating support and incentives for all schools to accept and educate special needs students.

Standardize the enrollment process. A number of districts, including Denver, New Orleans, Oakland, and Camden, NJ, have instituted a unified and open enrollment system that includes both charter and regular district schools. The goal is to allow families to go through one district-created portal and process to apply to any school of choice. Families submit an application for each student and rank their students' top preferences. The district then matches students to schools based on students' preferences and available space, in some cases giving priority to students who live nearby or have a sibling currently enrolled in the school.

Such systems are meant to provide all parents equal access to all schools and to prohibit selectivity and favoritism. They can be difficult to implement well, however, in part because some charter operators argue that common application systems undermine their autonomy. For example, while Denver has succeeded in getting all charters and district schools to participate in its common enrollment system, New Orleans has not. There, charters in what is known as the Recovery School District are required by law to participate. Orleans Parish School Board-operated schools, new or conversion charter schools, and schools accepting vouchers for eligible students participate voluntarily. After a number of years of uneven participation, as of the 2015-16 application cycle, 89 percent of New Orleans' public schools participate in the centralized enrollment process.[25] For such systems to be effective, all schools must participate.

Expand and strengthen the information flow to parents. Effective systems of choice require consistent and clear information for families. To meet this need, some districts have proactively built robust, accessible information systems for families to use when choosing schools. In Denver, for example, the district provides parents and students with a number of resources to

help them research their choice options, including a SchoolMatch tool that helps parents find schools with particular characteristics they are seeking such as language services, before- or after-school programs, special subject emphasis, and college and career readiness programs and a SchoolFinder tool that helps families locate their neighborhood schools and understand the overall system of choice.[26]

In Boston, each family receives a customized list of school choices based on the family's home address. The list includes every school within a one-mile radius of the family's home and nearby schools that have the highest levels of performance and growth. Students pick their top choices from their customized lists, and then the district uses an algorithm, similar to a lottery, to assign students. English learner students and students with special needs have access to schools on their home-based list, as well as program options in a wider cluster. Data show that the plan, which the district began implementing in fall 2013, is beginning to reduce disparities between charter and district schools in the number of English learner and special education students.[27]

However, like common enrollment systems, creating effective information and communication efforts is challenging. In the second year of New Orleans' efforts to create a clear and common process for applying, about half of the students attending failing schools did not apply at all in the first round, which meant that they were defaulted into the less desirable schools that had availability in the later rounds.[28] The implication is that districts cannot have a fair system of choice if some families do not have the information to make a choice. In New York, with a district-wide system of choice that includes charter, specialized and other district schools, the district is working with researchers and community-based organizations to study more effective ways to support and even personalize guidance to parents to help their children find the right match.[29] The leadership recognizes that simply "making information available" at school and websites is not sufficient.

Create support and incentives for all schools to enroll and educate special needs students. There are myriad reasons why charters tend to have a smaller proportion of special education students than other district schools. Parents of students with special needs are less likely than other parents to choose a charter when their child first enters school. Research in Denver and New York City found that parents often perceived that their children were ineligible for enrollment in charter schools.[30] Research in New Orleans found that some schools dissuaded parents from enrolling their students.[31] In cases where schools did enroll special needs students, parents reported that teachers did not have sufficient training or credentials to provide appropriate instructional support for students with special needs.[32] Ensuring that all children have access to all schools (charter or not) and reaching out to families when they first choose a school may be especially promising strategies.[33]

New Orleans has sought to shift the incentives for schools to serve special needs students through a flexible special needs funding formula, coordinating cost-sharing across the district through a citywide exceptional needs fund, and creating financial incentives for schools to expand their special education offerings.[34] New Orleans' new funding formula allows the

district to distribute dollars to schools based on the level of service a student needs, differentiating funding where a student's disability diagnosis requires additional support. Schools can also tap New Orleans' citywide $1.4 million exceptional-needs fund for students whose special education costs exceed $22,000 a year. "New Schools for New Orleans" provides grants to high-performing charters to support their ability to serve students with special needs and also provides professional development support to charter school leaders to help them prepare their teachers to serve students with special needs.

LAUSD has committed itself to serving all students with disabilities, including students in charter schools.[35] But a significant gap remains between district and charter schools. The lessons from other charter-dense districts strongly suggest the need for proactive steps. Boston's open enrollment system accords preference to special education students to give them a nearby choice. New Orleans restructured its funding formula to address disincentives to serving all students. Leaving the market to work on its own is not sufficient and will not resolve the problem of under-enrollment of special education students in charter schools.

Lesson 3: Promote Diversity and Inclusion

Once a school has enrolled it students, attrition can become a problem. As the number of charter schools has expanded around the country, districts now must grapple with the problem of large numbers of students being suspended from or counseled out of charters. These are often students who are perceived as having disciplinary problems or other issues that make it difficult for them to succeed in a particular charter school's environment. For example, in Washington, DC, 2011-12 data showed that charters suspended 50 percent more students than did district schools (14 percent versus 9 percent).[36] An equitable system requires that students be treated fairly, regardless of their school. No public school should be able to jettison students simply because they are perceived as challenging to educate.

To promote diversity and inclusion, other charter-dense districts have created clear and transparent structures and guidelines that all schools—regardless of governance arrangements—must follow. Two particularly promising practices are requiring all schools backfill slots when students leave and creating common disciplinary guidelines across all schools.

Require "backfilling." If traditionally disadvantaged students are counseled out or families choose to leave a school, that school's student body can change appreciably, particularly in schools that do not "backfill," or replace exiting students. For example, in one study of charter schools in the San Francisco Bay Area, 60 percent of the students entering charter middle schools had left by 8th grade—and those who left tended to be lower achieving and come from lower-income households than their peers who remained.[37] To address this issue, many districts –including LAUSD—require that schools backfill when a student leaves. That is, charters—like other district schools—are required to replace students who leave with other students from their waitlists (or students just entering the neighborhood or district). Denver manages the

process of backfilling by maintaining centralized waiting lists. While this strategy does not ensure the maintenance of diversity, it is a step toward fairer enrollment practices.

Create transparent and standardized disciplinary guidelines and continue to meet students' ongoing learning needs. In response to the data showing relatively high rates of suspensions and expulsions in many charter schools, Washington, DC created a transparent reporting system that includes "School Equity Reports" for every school—charter and other district schools—which show suspension, expulsion, and mobility rates. When data reveal that a school has especially high rates of suspensions and/or expulsions, the DC Public Charter School Board holds a "board-to-board" meeting with the school's board chair, members of the school's board, and the school principal to discuss steps the school might take to address the problem. Schools that do not make progress are at risk of non-renewal. Early research shows marked declines in suspensions and expulsions.[38] For example, while expulsion rates vary across DC charter schools, the overall expulsion rate among charters has dropped from 14.5 percent in 2011 to 9.1 percent in 2015, comparable to the DC district school expulsion rate of 10 percent in 2015.[39]

New Orleans—again in response to disparities in expulsion and suspension rates between charters and other schools—also created a common district-managed process. Any school that seeks to expel a student must bring the case to a centralized administrative body that uses a common set of guidelines to make the final decision; this practice has moved the needle on equity and transparency for students and families regarding discipline practices.[40] New Orleans' centralized process also includes an expulsion hearing in which the hearing officer, in collaboration with the student's family and school, create a plan to address the student's behavior and work to ensure the student receives appropriate educational placement in an alternative school, a new school, the expelling school on probation status, or homeschool.

Systems that ensure fairness, however, are easier to design than to implement. Early on in New Orleans' charter expansion process, not all schools participated in the common disciplinary system. The Sacramento Unified School District, likewise, designed a system of "student study teams." The plan was that whenever a student was being expelled from a charter, a district staff person would meet with the charter school staff and family to discuss the reasons for the expulsion and identify other options. This process was meant to ensure the student was placed in a school that matched his/her needs. It also placed greater transparency and accountability on the charter to publicly justify its disciplinary practices. However, not all schools wanted to participate, and with a change in district leadership, the plan was never implemented.

Lesson 4: Leave No School Behind

In some charter-dense districts, neighborhood schools are "left behind." Charters often have access to more resources than neighborhood schools, thanks to philanthropic dollars, special facilities financing mechanisms, and start-up grants. These schools, some with new facilities and external resources, can become more attractive to parents. Moreover, as a greater proportion of schools go charter, there are fewer resources to support the district's central office—

increasing the "tax" on the remaining district schools. As a result, neighborhood schools become less attractive to teachers and families alike and, in the worse cases, turn into "dumping grounds" for students the charter schools do not want.

To ensure that regular district schools are not left behind as charters are established, other charter-dense districts have promoted strategies for improving all district schools. These include creating a portfolio approach that treats all types of schools equally, focusing on stable and high-quality staff for all schools and expanding choice to a broad spectrum or all schools in the district.

Focus on the improvement of all schools. As charters expand, districts around the nation have found that they need to focus on both ensuring that the new charters are high-quality options for families, as well as strengthening other district schools. Denver's portfolio strategy includes charter schools, neighborhood schools, and innovation schools—district-run school that have more autonomy than other district schools. The district's "Collaboration Compact" drives equitable funding and access for all schools, and strives to replicate the most effective schools of all kinds.

Promote high-quality, stable staffing and reduce teacher attrition. Research has found high teacher attrition rates at charter schools, which in some cases are twice the rate in district schools. For example, in Florida where the number of charter schools has doubled in recent years, charter school teachers have more than twice the attrition rate of traditional school teachers.[41] Some districts have found ways to leverage the professional capacity of teachers in some schools for the betterment of all schools. Boston, for example, has conducted joint professional development trainings for teachers in all its schools to improve instruction for underserved students, including English language learners, special education students, and black and Latino males.[42]

Broaden choice in school districts. As districts expand their charter sector, they often find it effective to broaden the choices families have among all district schools. LAUSD already does this with its magnet, pilot, and autonomous schools, which have a strong track record of success. New York City has long had a tradition of small school options throughout the district, many not charters, with strong and long-lasting impacts.[43] Denver has its innovations schools. Boston has its Pilot Schools. In each case, the district is seeking to broaden the variety of educational opportunities offered to families and to do so through a range of governance agreements. Such a portfolio approach can provide school leaders greater flexibility, provide parents greater choice, and keep the focus off governance structures and on school quality, where it belongs. As districts consider the expansion of choice, they should consider the full range of options, not just the charter option.

Conduct a clear and detailed analysis of the fiscal impact of charter expansion. When students move from regular district schools to charter schools, dollars follow them. However, the actual costs of running a district does not decrease by the same amount, due to a number of fixed

costs, including the salaries of central and regional administrators, safety, maintenance, and building costs.[44] Particularly in light of LAUSD's current budget deficit, the district should consider conducting a fiscal impact analysis to estimate the potential negative fiscal impacts of additional costs associated with charters. Without appropriate fiscal management, the remaining district schools will see fewer dollars per pupil reaching the classroom. Data from MGT of America's LAUSD fiscal impact study showed an estimated $591 million annual cost and revenue loss to the district, mostly from declining enrollment lost to charter schools.[45] LAUSD should inform any further consideration of charter expansion with rigorous modeling of the direct and indirect costs of expansion at any scale.

Summary

Since the inception of charter schools over a quarter of a century ago, we have seen many changes, both positive and negative. At their best, charters can provide more families access to high-quality school options. But the potential for high-quality educational options is not a guarantee. Lessons from other districts show that charters can limit students' access and provide educational options that are low-quality and lack sufficient oversight and support. District experiences also provide evidence of multiple roads that increase access to high-quality options for parents within the regular district system—as LAUSD has already shown with its magnets and New York City has shown with its small schools of choice.

Focus on educational equity for children, not governance structures for adults. The key question should be how to create high-quality learning environments for all children. And, the answer cannot be a simplistic one that addresses governance structure instead of quality public education for all students. For example, are there certain subgroups of students who are underperforming? Are there certain neighborhoods where families do not have high-quality choices? Subsequent questions should then ask how might we best meet those needs? Answers to these questions surface strategies that improve educational opportunities, such as the need for more bilingual services or greater training and recruitment of special education teachers. Narrowly-framed questions that ask how many charters we should have are focused on adults and their preferences for school governance—and should never take precedence over substantive questions addressed at meeting student needs for a quality education.

Charter expansion can provide greater opportunities, or it can restrict access, typically for the neediest students. We have learned from other districts that creating systems and communication methods that truly provide equal access to all students is extremely challenging. Simply opening up the "market" to parental choice tends to favor those families with the most social capital, rather than those whose children lack quality choices. The focus has to be on ensuring that all students have high-quality schools—not simply creating options with the hope that the free market will improve education for all students.

Create transparency at every stage so that outcomes, opportunities and resource allocation can inform decision making for all families. Across the country, we have learned that for

districts to maintain a healthy portfolio of school options, parents, community members, and policymakers need ready, consistent, comparable, and easily accessible information on all schools. Such information should include admission processes, enrollment patterns, finances, student outcomes, and disciplinary practices and results.

Build a system of public schools that meets all students' needs. For a system to work effectively, all students need high-quality schools; and all schools must be of high-quality. No neighborhood should lack an effective school for parents to choose. Creating such a system requires a razor-sharp focus on understanding student and school needs and then investing in teachers and leaders to build their capacities to create great public schools and serve all students.

In the end, Los Angeles needs all of its schools to be worth choosing and all of its children chosen by good schools.

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