

Q&A With...
*Senator
Gary K.
Hart*



Bringing Choice,
Accountability,
Innovation To
Public Education

Q What prompted your interest in charter schools?

A I have been interested in fundamental school restructuring and changing the "status quo" basis of K-12 education for a long time. As an example, in 1989, in collaboration with the California Business Roundtable, I authored Senate Bill 1274 to establish a process to encourage schools to shift from a process/rule oriented structure to a performance-based system focused on improving pupil learning. I see charter schools as the next logical step on the school improvement continuum.

Q What are the real differences between charters and the school voucher system?

A Charter schools are public schools and, as such, must operate under the basic democratic tenets and California's constitution for a public school. That is, they cannot discriminate against pupils or employees on the basis of ethnicity, gender, religion or disability. Charter schools cannot charge tuition and must operate on a nonsectarian basis. In addition, charter schools must define pupil outcomes, quantifiably measure those outcomes, and administer the California state assessment program. This will allow for an important comparison between pupil performance in a charter school and a traditional public school.

Conversely, the voucher initiative scheduled to be on the June, 1994 ballot contains virtually no accountability structure. Private schools which redeem vouchers will not be held accountable to the standards we require public schools, (including charter schools) to meet. This means that private schools which espouse specific religious beliefs or learning theories would receive taxpayer money, but operate without oversight. Finally, voucher-redeeming schools would be free to limit enrollment based on criteria they set. This creates the potential for discrimination against ethnic groups, disabled students or poor students.

Q How will charter schools differ from innovative restructuring measures now underway in some California schools?

A A key difference is that there is no state involvement in the establishment of charter schools. It is a process entirely controlled by the local school board, parents and teachers. In contrast, most restructured schools must seek State Board of Education waivers to operate outside of the traditional legislative/bureaucratic framework. Of course, we don't yet know what shape or form charter schools will take. The legislation, which becomes effective on January 1, 1993, was crafted to allow maximum flexibility in designing schools

which best meet local community needs. I hope the charter school designers will discard old paradigms about types of instruction and school operations and look for creative locations of schools; for example, at worksites, or in shopping malls, and creative educational approaches such as dramatically increased use of technology, intensive apprenticeships and internships.

Many restructured schools also employ these approaches, but they continue to operate within the structure of the public school regulatory system. Charter schools can operate completely outside that system thereby allowing maximum flexibility in designing educational programs focused on improving pupil learning.

Q How can charter schools meet California's pressing need for widespread education reform?

A I believe charter schools can create bold and exciting alternatives within the public school system which will invigorate teachers and engender strong parent and community support. I hope these existing alternatives within the system will serve as a catalyst to encourage traditional public schools to thoroughly examine their existing programs and implement new approaches which are responsive to pupils and their school community.

Q How will the charter concept help schools struggling to address the state's many economic and social needs?

A I believe our public school system holds the key to our state's societal needs, enhancement of our democratic form of government and the future of our economic system. To the extent that the charter concept provides maximum flexibility to schools to improve academic achievement and be responsive to community needs, I think charter schools can be a beacon for public schools to follow.

Q Now that the charter legislation has been enacted, what next? (i.e. timeline)

A As I mentioned earlier, the legislation becomes effective on January 1, 1993. I am advising anyone who is interested in establishing charter schools to use these next few months to work with teachers, parents, school board members and other interested parties to develop a thoughtful charter school petition to present to their local school board early next year. Judging from the response we've received thus far, I expect that the 100 charter school slots authorized by the bill will be filled up early in the year.

Q Will charter schools be less (or more?) costly than current public schools? In the long run, how would they be funded?

A Charter schools will be funded at the same level as existing traditional public schools. Public schools receive a per pupil allocation comprised of state and local funding. SB 1448 authorizes the same per pupil funding level for charter schools as the school district which authorizes the operation of the charter school. The key factor is that state funding flows directly to the charter school and not through a district office that diverts money for central office purposes.

Charter schools, of course, may want to contract for certain district office services (payroll, bus transportation, etc.) but the entire dynamic will change. The charter school will determine whether there are essential services and be able to negotiate an appropriate contract. The leverage shifts from the central office to the school site which is one of the most essential reforms we want to implement in California public schools.

"Charter schools can create bold and exciting alternatives within the public school system which will invigorate teachers and engender strong parent and community support."

Q If charter schools are so promising, why haven't more states sought to develop them? Why is California only testing 100 at this time?

A Actually, I think 100 charter schools in California is an ambitious start. Minnesota already has a statute on their books, which is limited to only 8 schools. In addition, many states, including Tennessee, New Jersey, Arizona, Connecticut and Massachusetts, are considering enacting legislation and authorizing charter schools. However, this is an innovative, some would say radical approach, that is frequently opposed by constituency groups within the public school system. Because the concept is brand new, I wanted to limit the number of charter schools to provide time to review this innovative approach and then decide if the law needs to be amended before throwing the process wide open.

Q What lessons, if any, can California learn from the few charter schools now underway in other parts of the U.S. — namely Minnesota?

A The law in Minnesota, which as noted previously authorizes 8 schools statewide, was enacted in June, 1991. To date 4 schools have been approved by the state board of education, but none have yet begun operating. It is probably premature, therefore, to glean any lessons from charter schools in Minnesota. Moreover, I want to emphasize that charter schools are intended to improve pupil learning based on local community needs. So, what works in St. Paul might not work in one of our urban, suburban, or rural schools.

Q Who/where in California will charter schools be established?

A Based on telephone inquiries to my office, charter schools will spring up all over the state. We received over 200 telephone calls the first weeks after the bill was signed from parents, teachers, superintendents, school board members and academics from all over the state requesting information about forming a charter school. I am hopeful that the 100 charter schools will be representative of the various diverse communities in California and will demonstrate a broad spectrum of educational programs.

For more information on forming a charter school:

- ☛ **Senate Education Committee**
916/445-2522
- ☛ **Regional Programs & Special Projects Division in the California Dept. of Education**
916/657-2516
- ☛ **California School Boards Assoc.**
916/371-4691
- ☛ **Operation Education**
800/222-0213

OPERATION EDUCATION NEWS

Special Edition

CALIFORNIA BUSINESS ROUNDTABLE
Fall 1992 *



GOVERNOR SIGNS LANDMARK EDUCATION BILL

On September 20, Gov. Pete Wilson approved legislation (Senate Bill 1448) that allows groups of teachers, parents, students, and community members to independently design and operate their own schools under a "charter" or contract with a school district.

Sponsored by Senator Gary Hart, the Charter Schools Act of 1992 establishes the procedure for individuals to petition local school boards to establish public schools which would be exempt from nearly all state and local regulations. Unlike traditional public schools, charter schools would have autonomy in budget, staffing, curriculum, and teaching methods. In return, charter schools must outline the goals they want students to achieve and indicate how they would measure pupil progress.

The few rules are simple: charter schools must be nonsectarian, cannot charge tuition, nor can they discriminate against any student based on ethnicity, national origin, gender, or disability.

In essence, SB 1448 is intended to: (a) increase learning opportunities for all students, with special emphasis on academically low achievers; (b) encourage use of innovative teaching methods; (c) create new professional opportunities for teachers, including responsibility for learning at the school site; (d) provide parents and students with expanded choices within the public school system; and (e) hold schools accountable for meeting measurable performance standards.

Once approved by local school boards the charters will be forwarded to the State Department of Education with the first 100 complete charters received after January 1, 1993 approved for operation on a first come first served basis. SB 1448 also spells out an appeal process if the local school board does not approve the charter, as well as the option of creating a "charter school district" in which a school district may convert all of its schools to charter schools.

An Open Letter on Charter Schools...

Dear Friends:

You'll be hearing a lot about charter schools in the coming months. In my view, charter schools represent an unprecedented opportunity to invigorate public education. Business leadership in particular is enthusiastic about the possibilities offered by charter schools. We encourage teachers, parents, businesspeople and communities to jointly explore the exciting options for advancing meaningful education reform offered by this legislation.

SB 1274 paved the way for strategic changes at the school site, now, the new charter school law further frees schools from bureaucratic constraints to concentrate exclusively on innovation, improved student learning, and accountability. These are important advances.

Senator Hart believes that the charter school approach is a superior alternative to the voucher system by providing school choice within public schools — and I agree. In effect, SB 1448 allows a community to invent the type of schooling to meet its unique needs. Charter schools may not work everywhere or for everyone, but they do represent a significant step forward in our common goal of assuring quality education for all California youngsters. This special edition of Operation Education News is designed to answer some of the more commonly asked questions about charter schools. I urge you to read these pages carefully.

Sincerely,

Sam Ginn

*Chairman
Education Task Force
California Business Roundtable*

Liberate the system

Free schools from excess regulation

by Sen. Gary K. Hart

Imagine a public high school which provides academic instruction at a traditional school site in the morning, intensive employment training at various work sites in the afternoon, and is completely administered by a group of teachers, in a flexible environment without complex and legalistic personnel practices. Or how about a public elementary school which serves children ages 4 through 9 in an upgraded program which provides developmentally appropriate curriculum, allows children to progress at individual rates, and is taught by teachers trained in the Montessori method.

Sound far fetched? These types of schools, along with an endless variety of other innovative possibilities, could be established under a legislative concept which has come to be known as "charter schools."

Senate Bill 1448, which I have introduced, would allow a group of public school teachers to petition the local school board to operate a charter school. The specific goals and operating procedures for the school would be spelled out in the agreement between the board and the organizers, but in exchange for committing to the principles outlined in the charter, the school could be freed from many state statutes and regulations.

We currently have 11 volumes, more than 6,000 pages, of laws governing education in California. These statutes cover items ranging from how many square feet are allowed for each classroom to teaching children to be kind to animals. All of these provisions were enacted to respond to a specific problem or anticipate some contingency. In isolation they seem reasonable and justified, but taken as a whole, they can create a stifling, bureaucratic atmosphere. I think charter schools can invigorate and may liberate our existing system, produce creative new approaches to educating children, and stimulate other schools to evaluate their programs.

Why create charter schools? Quite simply, too many of our schools are failing. The purpose of charter schools is to provide parents and students with expanded educational opportunities within the public school system without the constraints of traditional, oftentimes cumbersome, public school bureaucratic rules and structure. Based on the work of some of the

best people in education, we know what ingredients are needed to have effective schools. These include innovative and involved teachers and pupils who are enthusiastic and interested in what's being taught.

I hasten to add that there are areas which are absolutely fundamental to the basic democratic tenets of the public school system and I believe must be followed in charter schools. To address these, SB 1448 requires charter schools to maintain a pupil enrollment which is reflective of the existing school district's racial and ethnic composition and certify that the school will be nonsectarian in its programs, admission policies, employment practices and all other operations. Charter schools cannot charge tuition and cannot discriminate against pupils based on ethnicity, national origin, gender or disability. In addition, the charter school petition to the local school board must outline the educational objectives for the pupils of the school and specify how pupil progress will be measured.

Recently there has been considerable discussion both nationally and at the state level about private school vouchers. I believe the charter school approach is a superior alternative by providing school choice within the public schools. Private schools which participate in a voucher system would be funded with taxpayer dollars, but not held accountable to any public school standards. This means that private schools which espouse specific religious beliefs or political ideologies would receive taxpayer money, but operate without any oversight. In addition, private schools can limit enrollment based on admission standards they set.

In contrast, charter schools would be public schools operated in a nontraditional manner, but accountable to specified standards.

I believe many public schools do an outstanding job of educating students. However, too large a percentage of our students are failing miserably and are disillusioned by school. Their plight cries out for bold departures and alternate ways of providing educational services. The charter-school approach represents a major education reform which will stimulate and encourage such alternatives, while maintaining our traditional democratic commitment to public schools. Charter schools will send an important message to parents, teachers and the education community that there are new ways of operating schools that must be considered and that traditional public schools can no longer be viewed as an exclusive franchise. ■

Gary K. Hart, D-Santa Barbara, is chair of the Senate Education Committee.

The Basics:

How To Form And Approve A Charter School

Forming a charter school begins with a community partnership. The new law is designed to allow local groups of teachers, parents, and others to create their dream school unencumbered by bureaucratic constraints, a school that would best assure the educational success of students in that particular community. Creating a charter school is a complex process. Many questions are likely to arise. But because there can be no single ideal charter school, there will be few uniform answers. Petitioners therefore, will need to address and negotiate their concerns at the local level with their school governing board. The following outlines the key steps in creating a charter school.

✓ Step 1: Develop the School Charter

SB 1448 requires a charter petition to contain specified educational as well as procedural elements before it can be approved by local school board. These elements include, among other things, clearly defined goals and measurable pupil outcomes, and the governance structure of the school.

✓ Step 2: Circulate the Charter School Petition

A petition for establishing a charter school may be circulated by anyone. It must be signed by not less than 10% of the teachers currently employed in the school district, or by not less than 50% of teachers employed at one school in the district. Private schools may not convert to a charter school.

✓ Step 3: Submit Petition to Local Governing Board

After securing the required signatures, the petition may be submitted to local school board for review. Within 30 days of receiving the petition the governing board must hold a public hearing on the provisions of the charter.

✓ Step 4: Local Governing Board Approval

Within 60 days of receiving the petition the school board must review the petition, determine that the charter contains all of the elements specified by SB 1448, consider the level of employee and parental support for the petition, and either approve or deny the petition. The governing board is required to give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to students identified by the petitioner as academically low achieving. A charter may be granted for up to 5 years, with provisions for subsequent 5-year renewals.

✓ Step 5: Provide Notice to State Board of Education

Once the charter petition has been approved by the local school board, the petitioners must provide written notice of the approval, including a copy of the petition, to the State Board of Education.

✓ Step 6: State Board of Education Assigns Numbers

The State Board of Education has the responsibility of making sure that the submitted charter petition has the appropriate signatures, has been approved by the local governing board, and contains all the provisions specified by SB 1448. The State Board will assign a number to complete charter petitions on a first come, first serve basis. SB 1448 specifies that no more than 100 charter school operate in the state at one time.

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