

United States Senate

DAVE DURENBERGER

MEMORANDUM

TO: Senator Ember Reichgott
FROM: Jon Schroeder
DATE: April 29, 1992
RE: Charter schools/DLC Conference

Your trip to New Orleans couldn't be coming at a better time! Congressman McCurdy is interested in offering a charter schools amendment (our suggested draft is attached), but needs encouragement from a fellow Democrat.

My conversations with his staff indicate he* needs to be assured or reminded/convincing that:

** Charter schools are public schools -- non-sectarian, non-discriminating, non-elitist, etc.

** Charter schools are a natural evolution of public school choice.

** Charter schools and public school choice are very different from what the Bush Administration is proposing through its private school choice and New American Schools initiatives that could include sectarian or even for-profit schools.

** Charter schools and public school choice have emerged in Minnesota with bi-partisan support, but at the initiative of Democratic legislators and a Democratic governor.

** School improvement must go beyond putting more money through usual channels into existing schools.

** The federal government should acknowledge and encourage states that want to use the dynamics of public school choice to help stimulate reform and improvement.

** Charter schools are a way to broaden and better tailor school choices and empower teachers and parents while still retaining the underlying values in public education. The best of all worlds!!

Please let me know how it goes.

* The same applies, of course, to Rep. Gephardt, Tim Penny, and anyone else you can get to listen.

DRAFT AMENDMENT TO HR 4323

On page 14, Sect.8007.STATE USES OF FUNDS

Following line 20, add new subsections (6) and (7) as follows:

(6) Establishment of New American Schools, charter schools, and other new public schools which reflect the best available knowledge regarding teaching and learning for all students in public schools, which use the highest quality instructional materials and technologies, and which are designed to meet national, State, and local education goals as well as the particular needs of their students and communities;

(7) other state-level initiatives which are consistent with the State plan, are designed to achieve national, State and local education goals, and are developed in conjunction with local education agencies.

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On page 24, Sec.8009. LOCAL USES OF FUNDS

Following line 8, substitute the following for subsection (2) as follows:

(2) Establishment of New American Schools, charter schools, and other new public schools which reflect the best available knowledge regarding teaching and learning for all students in public schools, which use the highest quality instructional materials and technologies, and which are designed to meet national, State, and local education goals as well as the particular needs of their students and communities;

On page 26, following line 9, add a new subsection (c) as follows:

(c) SPECIAL RULE -- Any new public school established under this title shall operate under the authority of a state or local education agency and shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations and shall not be affiliated with a non-public sectarian school or religious institution.

EXPLANATION OF THE PROPOSED AMENDMENT

The proposed amendment has three purposes:

- 1) To allow states to use a portion of the money they may spend on state-level initiatives to help start new public schools including New American Schools, charter schools, and other types of innovative public schools.

Presumably, each state would set up a process for determining how such schools would be selected and would determine what start-up expenses the funds could be used for.

A special rule included in the amendment also requires that any new schools funded would operate under the authority of a state or local education agency; that they be non-sectarian in their programs, admissions policies, employment practices, and all other operations; and that they be prohibited from being affiliated with a non-public sectarian school or religious institution. This is language drawn from S.2 and from the Minnesota charter schools law intended to ensure that these new schools be public and non-sectarian.

- 2) To allow states to use a portion of the money they may spend on state-level initiatives to finance programs other than those specifically identified, but that are consistent with the State plan, are designed to achieve national, State and local education goals, and are developed in conjunction with local education agencies.

Presumably, these activities would include initiatives needed to implement the state plan that are best done at the state level such as broader teacher training initiatives, student and parent information programs, etc.

- 3) To allow local school districts to use a portion of the money they may spend on local initiatives to help start new public schools including charter schools and other types of innovative public schools.

This language is added to authority already in the bill to local school districts to spend a portion of their grants on New American Schools. It is intended to explicitly authorize those funds to be spent on charter schools, as well as other new innovative public schools that may not come under the definition of New American Schools.

Again, the special rule included in the amendment requires that any new schools funded would operate under the authority of a state or local education agency; that they be non-sectarian in their programs, admissions policies, employment practices, and all other operations; and that they be prohibited from being affiliated with a non-public sectarian school or religious institution.