

Colorado Education Association Briefing Paper on Charter Schools

Education Restructuring

The Colorado Education Association supports education restructuring measures within the public schools which promote rigorous learning standards, decentralized and shared decisionmaking, diverse education programs, and the removal of restrictive administrative requirements. We believe that these measures have the greatest possibility of success if they are initiated and nurtured at the local level.

We believe that school employees, particularly teachers and educational support personnel, consider these ideas to be the most important for the restructuring and revitalizing of our K-12 schools:

- Early childhood education including preschool for at-risk children, required kindergarten, and smaller class sizes in grades K-3;
- Incentives for school-based restructuring to reward changes such as curricula which will provide all students with higher level basic skills, thinking skills, and performance skills needed in a highly technical, information based society; parent involvement in children's schooling; adequate time and support for teachers to plan and share resources; and mentor programs to assist in the improvement of instruction;
- Student assessment which includes supplementing standardized testing of students with tests based on locally developed, researched based criteria, as well as multiple, varied assessment tools;
- High standards for teacher preparation and licensure including multiple routes to licensure and a professional standards board comprised of a majority of teachers;
- Adequate, equitable financial resources for all districts to provide exceptional education opportunities for all students and increased compensation for school employees to attain the skills necessary to work effectively in restructured school environments.

Charter Schools

We view charter schools as a vehicle for promoting restructuring, change, and innovation within the public school system. Charter schools can be one of the change agents which chart new, creative ways of teaching and learning for all students. Yet many proponents of charter schools overlook the tremendous innovation which is already taking place in our public schools.

The variety of charter proposals under debate around the country makes it difficult to render a simple definition of a charter school. A charter school is different from a magnet school or other alternatives currently existing in K-12 districts in Colorado as they are governed by those with the most direct stake in the education process — teachers and school support staff, students, and parents — not by centralized administration. These stakeholders, working together, make decisions about goals, resources, curricula, instructional materials, scheduling, and personnel at the school level. Their decisions are made in the context of broad standards developed on a district, state, or even national level.

From our perspective, the following are the essential components of charter schools:

1. Charter schools must be created and housed within the public school system.
2. Charter schools can be initiated by petition by a teacher(s) or parent(s); 75 percent of the teachers who work in the designated charter school must sign the charter school petition.
3. The charter petition must describe fully the education outcomes which the children in the charter school must achieve. A charter school must meet the criteria and standards set by the Colorado Achievement Commission, State Board of Education, and General Assembly for the education of all K-12 students in Colorado.
4. Petitioners must present a charter school petition to the local school board which has the power to approve or deny it. If denied, the school board must provide in writing reasons for denial and a process for appeal.
5. If a charter school petition is approved, the local school board and the charter school will enter into a contract for a period not longer than three years.
6. A charter school must meet federal, state, and local health and safety standards and be insured in the same manner as other public schools.
7. A charter school may not discriminate on any basis in either admission requirements or employment standards. A charter school must be nonsectarian and nonreligious.

8. Funding for a charter school is determined on a per-pupil basis by the district using local and state funds in the same manner as for all other schools in the district. A charter school may not assess tuition.
Funding for a charter school may not detract from the school district's fiscal responsibility to the entire school system. Funding of students in a charter school will include 90 percent of the per-pupil funding received from the School Finance Act by the local school district. The district will retain 10 percent of funding from the state for administrative costs.
9. The administrators and teachers who work in a charter school must be licensed under Colorado statute.
10. The governance board of a charter school must include at least 50 percent teachers and education support personnel.
11. All current statutes and school board policies addressing employee rights apply to a charter school including employment and due process, employee performance evaluation, and retirement (both PERA and Denver retirement).
12. Employees who work in a charter school are entitled to the same salary and fringe benefits as all other employees in the district.
13. If a collective bargaining agreement covers the employees in the district, the rights and responsibilities of this agreement extend to the employees in the charter school. Only the recognized employee representative may alter such coverage.
14. A teacher or education support employee who does not wish to work in the charter school will be placed in a vacant position in another school before the district hires additional staff to fill vacancies.
15. The district will ensure the right for employees and students in the charter school to return to other district schools without penalty.
16. If a student in the attendance area of a charter school does not wish to attend this school, he/she will be placed in another district school. The district will provide transportation for this student.
17. The district will provide payroll, insurance, and utility services for the charter school as for all schools in the district.
18. The district will have a provision for the termination of a charter for just cause; the charter petition will include a provision for the charter's termination.
19. Legislation must limit the number of charter schools in the state to no more than five new charter schools per year. *Why?*
20. Legislation must provide a process for the evaluation of the charter school concept once every three years.
21. Charter school legislation should be pilot legislation with provisions for sunsetting it after three years unless it can be demonstrated clearly that charter schools are performing better than noncharter schools.

Charter School Laws

Two states, Minnesota and California, have charter school laws. In Minnesota, where the law was passed in 1991, three schools have been approved by the state board of education and one of these is functioning. The California law went into effect in September 1992; the application process began January 1, 1993.