

Admission Requirements and Charter Schools

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The Center for Action Research on New Orleans School Reforms, Inc. (a/k/a Research on Reforms) is a nonprofit dedicated to improving New Orleans Schools through research and action.

There are many misconceptions about New Orleans charter schools and schools with admission requirements. Most recently, the Southern Education Foundation (SEF) issued a report that perpetuates some of these misconceptions. While we appreciate their work and that of other nonprofits, we feel the duty to attempt to bring clarity to the matter. (*See SEC Report: New Orleans Schools: Four Years After Katrina*)

Admission Requirements

We do not concur with the SEC that schools with admission requirements “should not be allowed to exist.” They should be allowed to exist as Magnet schools, as identified in No Child Left Behind (NCLB).

Most are familiar with Title I of NCLB, which focuses on “improving the academic achievement of the disadvantaged.” Of the other titles, Title V focuses on “Innovative Programs,” with a section on Magnet schools and a section on Charter schools.

According to NCLB, a Magnet school means a public school that offers a special curriculum and that can select students through “academic examination.” (*NCLB, Title V, Subpart C*)

Thus, schools with admission requirements can rightfully exist as Magnet schools.

Charter Schools: Open Enrollment

Charter schools are different from Magnet schools as they cannot have admission requirements. According to No Child Left Behind, and everywhere else in the nation, the following are the rules for Charter schools:

- Charter schools must give students an equal opportunity to attend,
- Charter schools must be open and accessible to all students, and
- Charter schools must admit students on the basis of a lottery if more students apply for admission than can be accommodated.

NCLB provides funding for Charter schools just as it does for Magnet schools. But, when Magnet schools are allowed to be called Charter schools, federal funds are misdirected to selective schools, rather than going to the schools that are open to all students.

Either a Charter School or a Magnet School

Under NCLB Title V, a school is either a Charter school or a Magnet school. The purpose of each is different: Magnet schools can have selective admission requirements and Charter schools must provide open enrollment for all students.

There is no such thing in NCLB as a combined Magnet and Charter school. The problem is that there are many Magnet schools that are allowed to be called Charter schools in New Orleans. Louisiana state law allows this combination, which might soon come to other Louisiana parishes.

Wrongfully Comparing Charter Schools

It is wrong to compare New Orleans unique Charter-Magnet schools, with their admission requirements, to the Charter schools that have open admissions policies. Obviously, schools that can select students have a distinguished advantage over schools that cannot.

When New Orleans Charter schools are compared to Charter schools nationally, rarely does the evaluator know that many of New Orleans Charter schools are selective. Thus, the findings on Charter schools are inaccurate, at the least.

How Did We Get into This Dilemma?

When the Louisiana legislature authorized Charter schools and authorized Charter schools to allow admission requirements, they must have thought that was the norm for all Charter schools. The State Department of Education, which normally advises the legislature on policies, obviously did not advise that Charter schools were to be “equal opportunity” schools.

Then, in its haste to take over all New Orleans schools and to turn all of the schools into Charter schools, the State Department of Education failed to consider that some of the schools were Magnet schools and not suitable for conversion. However, many Magnet schools were converted to Charter schools, and the Charter school funds, which are for open admission schools, wrongfully went to those Magnet schools.

An Equal Opportunity or a Conditioned Opportunity?

Charter schools are not to have admission requirements, according to NCLB, which emphasizes that each student must have an “equal opportunity” to attend.

An equal opportunity is distinguished from a conditioned opportunity. An equal opportunity means that there are no conditions that bar a student from attending. The conditions that bar most students from attending many New Orleans Charter schools are academic admission

requirements. If the student does not meet certain academic criteria, he/she is barred from attending.

But, there are other conditions that also negate equal opportunity. There is the condition of the parent signing a contract. The condition generally requires the parent to attend certain meetings, sign certain forms and agree to certain stipulations. Parent contracts invoke a conditioned opportunity, not an equal opportunity. Many disadvantaged students are disadvantaged because of parental problems. To negate the student's entrance into a school because his/her parent will not cooperate does not allow an equal opportunity for the child.

Then there are the conditions for continued admission. In such cases, there are certain academic and/or behavioral expectations that are established by the school, which the student must achieve in order to continue to attend. Continued attendance conditions are not in accordance with NCLB.

Admission requirements, parent contracts, and any other condition on enrollment (or on continued enrollment) are contrary to the NCLB vision of a Charter school. Charter schools are envisioned as helping all students, especially those who were failing in large bureaucratic systems, to have a new opportunity with a new governance system as provided by Charter schools.

Conclusion

According to NCLB, each student is to have an "equal opportunity" to attend Charter schools. When the opportunity is conditioned, the school is a Magnet school, not a Charter school. Only in New Orleans have Magnet schools wrongfully been converted into Charter schools.

Endnotes:

New Orleans Schools: Four Years After Katrina: A lingering Federal Responsibility: Southern Education Foundation. See report at WWW.southerneducation.org.

No Child Left Behind: 34 CFR Part 200, Title V, Part B: Public Charter Schools; Title V, Part C: Magnet Schools

Louisiana Revised Statutes: La.R.S. 17.5 *et seq.*

See also, Howard Fuller, founder of Black Alliance for Educational Options, Times-Picayune, September 12, 2009.