New Orleans Charter Schools: What is the Problem?

The overarching question about charter schools is: Are they driven by mission or profit? If they are driven by mission, are they fundamentally grounded in equity and access, and do they add value to public education as a collective effort?

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The ongoing debate between proponents and opponents of charter schools is not unique to New Orleans -- it is happening across the country. More than often overlooked in the debate is the common thread between proponents and opponents -- a quality public education system. Given this common thread, it is important to clarify the fundamental issues that many opponents have with charter schools in New Orleans. Nonetheless, many charter school opponents, like me, don't have an issue with the charter school concept; instead, we have concerns with charter schools in New Orleans that do not follow best practices or sound research, and do not promote equity and excellence. In order to clarify these concerns, let's examine the intent of original charter schools.

The charter school movement, as we know it today, was actually first proposed by University of Minnesota professor Ray Budde in 1974. Contrary to the edicts of today's education reformers to bust teacher unions, it was Al Shanker, President of the American Federal of Teachers (AFT) who first embraced the idea of charter schools. Shanker floated the idea during a talk at the National Press Club in 1988, giving Budde's idea life and national attention. Shankar expanded Budde's idea by proposing that teachers start new schools within existing school buildings (Kolderie, 2005).

Charter schools were first envisioned as a way to enhance the fundamental values that underlie our public school systems, not compete with public schools. They were envisioned to be equitable, even in the face of system wide inequities. Many of the first charter schools were started by parents, teachers and community leaders who were interested in improving the educational environment of students failing in local school districts. The charter movement pioneers were progressives who believed—rightly—that bureaucracy and mandates were harming children. Most of the early small schools were intended to be laboratories that would create best practices and pressure all public schools to adopt the same (Knopp, 2008).

Charter schools also have the special obligation to lead in demonstrating innovations in instruction, organization, curriculum and design for improvement of schools. Much of the original intent of charter schools was articulated by Joe Nathan of Minnesota who launched the first modern-day charter option (Sizer and Wood, 2008). Nathan included the following principals in his criteria for charters:

- Charter is (sic) public schools, nonsectarian, free and open to all without admissions tests or criteria.
- The charter school will follow all civil rights laws and analogous democratic restraint.
- The Charter frees up the school from rules about curriculum, management, and teaching in return for transparent accountability.
- The school is a school of choice; no one, student or teacher, is force (sic) to attend.
- The school is a discrete entity, with its own board and site management.
- Employees have the right to organize and bargain collectively.
- The full per-pupil allocation of funds follows the students to the charter.
- Teachers who join the charter are given the flexibility to return to the regular system and participate in programs such as state teacher retirement systems.

New Orleans Charter Schools

Charter schools in New Orleans operate in contradiction to the original intent of charter schools by policy and practice. Instead of offering quality learning environments for students with the most needs, they have expanded the magnet school concept of sorting and selecting students by ability. Charter schools began nationwide as *inclusive* entities, but charter schools in New Orleans are *exclusive* entities that select students just like magnet schools or any private selective admission private schools. This hijacking of the charter model is evidenced by the following:

- Louisiana is the only state that allows it charter schools to have admissions requirements, according to the federal definition of charter schools; they must have equal access and open admission. This redefinition of charter schools by Louisiana makes its charter school different than every charter school in the country (Ferguson, 2009).

- As a result of this redefinition of charter schools in Louisiana, millions of federal dollars that were designated for disadvantaged students in open admissions charter schools have been distributed to charter schools that have academic admission requirements. Once again the funds that were suppose to help the students with the most need but instead went to the students with least need (Louisiana Department of Education 2008).

- Shortly after Katrina, then Governor Blanco issued an executive order to waive key portions of the state's charter school law to make conversion and creation of charter schools easier. This waiver eliminated a requirement that a conversion of a traditional school to a charter be conditioned on the approval of the school's faculty and parents. Thus many charter school boards, post Hurricane Katrina, are comprised of individuals who are not parents, teachers or community members. Several charter board members don't live in New Orleans. Parents and teachers in many charter schools are left out of decision making process and operation of the school. Additionally many charter board members serve on several charter schools boards (UTNO 2007).

A recent report by the University of Minnesota Law School Institute on Race and Poverty states that the post- Katrina rebuilding of the public school system in New Orleans has produced a five "tiered" system of public schools where every student in the city does not receive the same quality education. Additionally, the report cites how the reforms have re-established a tiered system that existed pre- Katrina, further segregating students by race and class in the City of New Orleans (Institute on Race and Poverty, 2010):

- In the new system, public schools operate under five distinct governance structures that serve different student populations: Orleans Parish School Board (OPSB) traditional public schools (which educate 7 percent of the city's students); OPSB charter schools (20 percent); Recovery School District (RSD) traditional public schools (36 percent); RSD charter schools (34 percent); and Board of Elementary and Secondary Education (BESE) charter schools (2 percent).

- Public schools in this tiered system do not compete on a level playing field because schools in each sector operate under different rules and regulations.

- The "tiered" system of public schools in the city of New Orleans sorts white students and a relatively small share of students of color into selective schools in the OPSB and BESE sectors, while steering the majority of low-income students of color to high-poverty schools in the RSD sector.

- In contrast, 75 percent of black students attended an RSD school (charter or traditional public) in 2009, compared to only 11 percent of white students.

- Students of color were much more likely to attend a high-poverty school than white students in these two sectors. For instance, in 2009, students of color in OPSB charter schools were nearly 12 times more likely to attend a high-poverty OPSB school than white students.

- RSD charter schools still skim the most motivated public students in the RSD sector despite lacking the selective admission requirements OPSB and BESE charters have. They do so by using their enrollment practices, discipline and expulsion practices, transportation policies, location decisions, and marketing and recruitment efforts. These practices almost certainly work to increase pass rates in RSD charters compared to their traditional counterparts.

- As a result of rules that put RSD traditional schools at a competitive disadvantage, schools in this sector are reduced to 'schools of last resort.' This sector continues to educate the hardest-to educate students in racially segregated, high-poverty schools.

Considering the original charter school concept, we can conclude that the charter school movement has been hijacked. It has been transformed from a concept of designing schools to improve the educational environment of historically disadvantaged children to the creation of exclusive institutions that are based on race and class. Exacerbating this situation is the profit motive that has resulted in a proliferation of charter schools. Consequently, many charter schools in New Orleans are actually private schools using public money in public buildings.

Fixing Louisiana Charter Schools

The following recommendations are offered to fix the inequities in charter schools of the City of New Orleans:

- Re-write the Louisiana Charter Law to conform to the federal definition of charter schools as open access without academic admission requirements.

- Re-institute the Charter School policy of 1995 that requires parents and teachers in the decision making process. Charter school boards should represent the school community and be comprised of a majority of parents, teachers and neighborhood community members.

- Funds must follow the child to receiving schools. Presently, schools receiving students from charter schools after October 1st don't receive the funds allocated on a per-pupil basis to the child. .

- Place limits on administrative and Charter Management Organizations fees, excessive administrative fess take needed funds from the classroom.
- All charters must follow the same laws and policies mandated for local education agencies (e.g., open meetings, transparency, Sunshine Laws, etc.). Similarly, all charter school board members must comply with the ethics rules required by law. All charter authorizers must develop and implement an annual comprehensive evaluation plan for its schools. This evaluation must include embedded assessment through an ongoing monitoring process of all its charter schools. The evaluation must include the charters' academic and administrative operations and admissions processes, and student retention. Results of these evaluations must be open and transparent.

Conclusion

As we continually look for ways to improve our educational system, especially for poor and minority children, we cannot reinvent the systems that have failed our children over the years. The educational reforms in New Orleans post Katrina, which are developing into an all charter school system, have done more harm than good to the children who were to be helped. The market driven model imposed on the parents and children ignores the fundamental value of public education as a collective responsibility. Charter schools are one of several ways to create conducive learning environments for students if they operate as inclusive schools that add to the value of public education.

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