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A New Years Resolution – Look at Charter Schools

By John R. LaPlante

Though it's a week early, I'd like to suggest a new year's resolution for 2007. Let's make charter schools a useful addition to the public schooling system in Kansas.

Seeing the need to give families more options, over 40 states make some use of charter schools. (As public schools, charter schools do not charge tuition or give sectarian teaching.) The Flint Hills Center for Public Policy recently published a primer on charter schools, putting their use in Kansas into the national context.

As they are used in the most innovative states, a group of teachers, parents, or other community-minded people get together to form a school. These individuals draw up a plan that lays out expectations for student achievement and other factors, and specifies the curriculum or teaching emphasis of the school.

If that doesn't sound unusual consider something else that charter schools do. They carry a built-in plan for accountability. If after five years the school doesn't meet its objectives, it closes down, and students return to their regular district, or search out other schools.

The logic is simple but powerful. As long as the adults are educating the students, they get to keep their jobs. If not, they don't. There is no supplemental aid, no grand effort to pour more resources into a school that isn't keeping up its part of the bargain.

Like any idea that sounds good, the reality does not always live up to promise. The reality in Kansas is that the charter school idea has not been given enough room to work. There are some charter schools in the state, but the legal environment all but contradicts the essence of charter schools.

That's the assessment of two national groups. The Center for Education Reform, a group that favors charter schools, grades the legal environment for charter schools across the states. It gives Kansas a D, ranking it above only four states. The Thomas B. Fordham Institute, which assessed how well charter schools were managed, didn't even bother to include Kansas charter schools in its report. It decided that Kansas made charter schools indistinguishable from school districts, rendering their inclusion in the report worthless.

Reports aside, there is yet another sign that charter school law in Kansas is poorly designed:

very few children attend a charter school. In Kansas, the number is only one out of every 200 students.

Is the performance of Kansas schools so good that there is little demand for charters? You may argue that, but Minnesota, which routinely scores as well as Kansas on the test known as the Nation's Report Card, enrolls four times that many students in these innovative public schools. So performance is not the only thing to look at.

That brings us back to the legal and institutional climate. As any good student of the U.S. Constitution will tell you, institutional arrangements make a difference. That's why we divide political power among the executive, legislature, and judiciary, and have a Bill of Rights. In seeking certain goals, we arrange the institutions accordingly.

The charter school laws of Minnesota and other states that offer many more charter schools take this principle of institutions into account. To make sure that charter schools have enough room to play a role in public education, Minnesota gives them legal and financial independence, while still ensuring accountability.

The organization that enforces a charter school's contract is called the chartering agency. In Minnesota, that can be the local school district, a public college or university, or certain non-profit organizations. (Some states include other public organizations as well.)

In Kansas, the organization that grants and then enforces a charter school's contract is . . . the school district, which also decides how much money to pass along to the charter school. The charter school becomes simply another school operated by the district, not, as used in the states with best practices on the subject, a new organization.

This is not a good institutional arrangement for the development of charter schools, any more than consolidating power in one branch of our government is good for democracy.

Institutional arrangements matter. Right now, the arrangements in Kansas mean that the state is not taking full advantage of one of education's best innovations. As the New Year approaches, let's make a resolution to ensure viable charter school options are available to Kansas students.

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