

**New Insights and Directions:
Considering the Impact of Charter School Attributes on Communities of Color**

Julian Vasquez Heilig
California State University, Sacramento

Brent Clark Jr.
California State University, Sacramento

Journal of Transformative Leadership and Policy Studies, 7(1), (2018), pp. 3-9

This research was supported by a grant from the Institute of Educational Sciences,
Pathways to the Educational Sciences program, grant #R305B160016

Abstract

Charter schools have seen a nearly tripling in students, with approximately 3.1 million students enrolled in 2016-2017. As of 2017, 1 in 8 African American students attended a charter school in the United States. This article provides a conceptual introduction to a special issue on equity issues within the charter school movement, with a particular focus on market-based choice. The evidence shows that while some students of color have benefitted from attending charter schools throughout the course of the last few decades, this reality does not negate the need to ensure that charter schools as an institution aren't serving to further perpetuate inequalities throughout society. Considering the research, market-based school choice approaches are a vehicle for the further segregation of schools based on racial and socioeconomic lines, less parental involvement in governance, and problematic environments for educators. In summary, the predominance of data and peer-reviewed literature demonstrates that the vast majority of charters have not produced the equity and access benefits that proponents put forward in the political space and public conversation.

CONCEPTUAL INTRODUCTION FROM THE SPECIAL VOLUME EDITORS

New Insights and Directions: Considering the Impact of Charter School Attributes on Communities of Color

Julian Vasquez Heilig, PhD and Brent Clark Jr., MA
California State University, Sacramento

Charter schools, which are typically organizations that receive public money and are privately operated, have grown rapidly since the enactment of the first charter school law in Minnesota in 1991 (Toma & Zimmer, 2012). A report by the National Alliance for Public Charter Schools (NAPCS) relayed that there are more than 6,800 charter schools enrolling an estimated 2.9 million students in the United States (National Alliance for Public Charter Schools, 2015). According to NAPCS, “There are now 27 states with at least 50 operating charter public schools and nearly 20 states with 100 or more charter schools” (National Alliance for Public Charter Schools, p. 3). Furthermore, a report released by the National Association for the Advancement of Colored People (NAACP, 2017) found that during the past decade the number of students in charter schools has nearly tripled, with approximately 3.1 million students enrolled in 2016-17. In fact, 1 in 8 African American students now attends a charter in the United States (NAACP, 2017).

The growth of charter schools has been spurred by hundreds of millions of dollars in financial incentives from public grant programs and foundations (Berliner & Glass, 2014; Nathan, 1998; Persson, 2015). The Obama administration continued the approach of the Bush administration, but spent even more than the prior administration on market-based school choice (Persson, 2015). In fact, Persson related that the federal government alone has spent \$3.3 billion on charter schools over the past ten years. Ravitch (2016) attributed the rapid growth of charters to the fact that many states have been prodded by industry lobbyists and billionaire-funded foundations. These groups have spent hundreds of millions to lift numeric caps and promote education policy that increases the number of charter schools.

Ravitch noted that the most prominent neoliberal-leaning philanthropic supporters and proponents of the school “choice” cause are the Koch brothers, American Legislative Exchange Council (ALEC), Walton Family Foundation, Eli and Edythe Broad Foundation, Heritage Foundation and the Foundation for Educational Excellence. Their commitment to charter schools is very public in most cases. For example, Eli Broad’s Great Schools organization has suggested that at least half of all the schools in Los Angeles should be turned into charter schools (Blume, 2015).

Mike Petrilli recently argued in *USA Today* that education reform—specifically charter schools and school choice—have become a “mainstream” movement over the past 20 years (Toppo, 2017). During the Senate confirmation hearing for U.S. Secretary of Education Betsy DeVos, Senator Lamar Alexander essentially made the same argument on behalf of charters (Russell, 2017). Given the increased attention and focus on charter schools by President Donald Trump and Secretary of Education Betsy DeVos as an alternative to neighborhood public schools, it is crucial for Americans to analyze whether or not charter schools are efficacious public policy in a democratic system. While the popularity of charters is growing in some quarters (National Alliance for Public Charter Schools, 2015), there are important critiques in the research literature (Frankenberg, Siegel-Hawley, & Wang, 2011, Vasquez Heilig et al., 2016), media (Rotberg, 2014) and public discourse about charter schools. Criticism of charter schools has also increased in the civil rights community (NAACP, 2016) and amongst grassroots educators (Ravitch, 2013).

Considering the enrollment growth and rapidly evolving public discourse about charter schools, this special issue of the *Journal of Transformative*

Leadership and Policy Studies presents a timely exploration of charter schools within the decades-long era of school choice. The articles in this volume consider market-based school choice within the present discourse in the education policy and leadership landscape. More specifically, the authors examine the policy contexts, actors, challenges, and possibilities associated with school choice at a time when urban school populations are increasingly “majority–minority” and racialized gaps in inequality and student achievement are on the rise. Together, the articles in this volume revisit long-held notions of school choice and charter schools alongside critical and empirically-based perspectives.

Charter Schools and Choice

The most prominent argument heard from market-based education proponents is that school choice means that families can choose high-quality schools. Charters and their lobbying organizations often put forward test score data, student attrition, graduation rates, and college attendance rates as evidence that charter schools are superior to neighborhood public schools (Berliner & Glass, 2014). However, we must consider the validity of these data with caution. Since the inception of the charter school movement, concerns have been raised about the creaming and cropping—limiting access and fomenting pushout—high-needs students (Paquet, Holyoke, Moser, & Henig, 2002).

These concerns are linked directly to the incentives embedded in markets—under conditions of competition, organizations (such as charters) may seek to maximize their market position by targeting relatively easier-to-serve clientele (Lacireno-Paquet, Holyoke, Moser & Henig, 2002). Consistent with this theory, charters have been accused of strategically recruiting relatively advantaged, “easier to serve” students from nearby public schools (Strauss, 2012). Welner (2013) identified 12 ways, a dirty dozen, that charters avoid high needs students. National Education Policy Center (2013) noted that,

Charter schools may be public, but they can shape their student enrollment in surprising ways. This is done through a dozen different practices that often decrease the likelihood of students enrolling with a disfavored set of characteristics, such as students with special needs, those with low test scores, English learners, or students in poverty.

Charter proponents respond that competition, instead of leading to stratification, reduces market barriers by delinking residence from schooling opportunity (Nathan, 1998). Charter advocates, in support of this theory, point to national data showing that, in the aggregate, charter schools serve higher percentages of low-income students, and higher proportions of Black and Latino students, than traditional public schools (National Alliance for Public Charter Schools, 2014). The National Alliance for Public Charter Schools argued “public charter schools across the nation enroll, on average, a greater percentage of low-income students (46 percent versus 41 percent), Black and Latino students (27 percent versus 15 percent and 26 percent versus 22 percent, respectively).” (p. 1) However, researchers analyzing data at the local district and school level, have found that aggregate diversity in state-level and national-level data tends to disappear when charters are compared to their home districts and nearby schools (Miron, Urschel, Mathis, & Tornquist, 2010; Vasquez Heilig et al., 2016).

Charter Schools, Civil Rights and Inclusion

School choice ideology came to prominence when White academics sought to influence the national conversation about desegregation and public education after *Brown v. Board of Education* (Friedman, 1960). First writing in the 1950s, the White libertarian economist Milton Friedman, followed by John Chubb and Terry Moe (1988), argued for a profit-based education system where resources are controlled by private entities rather than by democratically elected governments.

The justification for market-based choice has evolved over the years. As noted above, the initial push for school choice was not necessarily to improve the success of minority students in the United States—which is the common sloganeering heard today. In fact, the academics that recommended school choice envisioned a public education system built around parent-student choice, school competition, and school autonomy as a solution to what they saw as the problem of governmental intervention in public schools (Ravitch, 2013). In fact, in the South, school choice was utilized for “all deliberate slowness” after *Brown v. Board* to ensure that Black children would not go to school with White children (Clotfelter, 1976, 2004). During the intervening years, market-based school choice ideology, which was originally utilized for these discriminatory purposes, evolved and was retread by its proponents with the civil right themes that are prominent in the public discourse today.

Not surprisingly, the White academics writing in the 1960s were not particularly concerned or convinced that neoliberal market-based mechanisms and de facto segregation perpetuated the inequities in American public schools today (Ravitch, 2013). A growing body of research literature has identified the ways that market-based approaches are problematic for historically underserved students. Along with discriminatory public policies, such as redlining, market forces in housing markets have enhanced racial and economic segregation (Orfield & Frankenberg, 2014). Instead of making this situation better, school choice has made this societal problem worse as documented in the research literature (Frankenberg et al., 2011; Garcia, 2008a; Garcia, 2008b).

Researchers, using district and school demographics as the point of reference, have shown that charters are in fact quite segregated, enrolling either disproportionately more white students, or disproportionately high concentrations of students of color (Cobb & Glass, 1999). Studies examining individual student transfer data between traditional public schools and charters have similarly found that students tend to transfer into charter schools in which students from their own background are more represented (Booker, Zimmer, & Buddin, 2005). In summary, the predominance of data and peer-reviewed literature demonstrates that the vast majority of charters have not produced the equity and access benefits that proponents put forward in the political space and public conversation (Ravitch, 2013).

During the past seven years, the NAACP has taken notice of the research literature and decried the rise of privately-managed charter schools by passing three national resolutions at its national conventions (NAACP, 2016). At the 2010 convention, the NAACP convention delegates and national board supported a resolution concluding that state charter schools create separate and unequal conditions. In 2014, a NAACP national resolution connected school choice with the private control of public education. More recently, a 2016 resolution garnered national attention because it called for a charter moratorium until a set of civil rights concerns are addressed (NAACP, 2016). At the 2017 NAACP national convention in Baltimore, the organization's Task Force on Quality Education went a step further when they released a report that contained a set of transparency and accountability recommendations for charter schools based on public hearings held in cities across the United States (NAACP, 2017).

Richardson (2017) discussed that the NAACP is not alone in the civil rights community in taking a more critical posture towards charter schools. Other civil rights organizations such as the Journey for Justice Alliance, an alliance of charter parents and non-charter parents, and the Movement for Black Lives, which is a conglomeration of the nation's youngest national civil rights organizations, lead the moratorium movement and have taken a critical posture in the public discourse rethinking the education of Black children in charter schools.

With all of this in mind, "Are California Charter Schools Creating a System That is Worse Than Plessy," by Oluwole and Green examines the effects of the growing charter school population within the state of California on the future of education for minority students. This paper considers the growing trend of judicial deference in the realm of education, positioning this as a continuing trend, which has emerged since *Brown*. The authors also examine the role the notion of school choice has played in the delay of the desegregation of public schools historically post-*Brown*. Through an examination of California's history with issues of neo-*Plessy* school segregation and charter school access along with the consideration of the role which the judicial system has historically played in the desegregation of American schools, the authors position the present issue of charter schools within the larger narrative of unequal access to the American education system.

Charter Schools and Educators

Grassroots educators in teachers' unions were harkened by national civil rights organizations' call for a charter school moratorium. The moratorium movement led the way for a shift in the national conversation about market-based school choice in teachers' unions and has empowered grassroots educators to more pointedly raise concerns about civil rights issues in charter schools. During the summer of 2016, the leadership of the National Education Association (NEA), the nation's largest professional interest group, faced an uprising of sorts from grassroots educators (Vasquez Heilig, 2017). At the 2016 Representative Assembly (RA), the primary democratic policymaking and legislative body of educators in the organization, educators from across the United States proposed business items asking for more critical questions be asked about transparency and accountability for charter schools.

In response to these concerns, the leadership of the NEA relayed at the RA that charter schools would be taken up by a twenty-one member task force on

Charter Schools. The group of educators was charged with proposing a new NEA policy on charter schools (National Education Association, 2017). Since the union hadn't released a position on charter schools since 2001, the task force was asked to fundamentally rethink what NEA policy should be on charter schools (National Education Association, 2017). After months of meetings and deliberations, the task force agreed upon a proposed NEA policy statement on charter schools. At the 2017 RA in Boston, the policy statement was brought to the floor for deliberation and was overwhelmingly voted into policy by educators from across the United States.

Vasquez Heilig (2017) noted that the new NEA statement doesn't call for closure of all charter schools. It instead lays out three criteria charter schools must meet to provide students with the support and learning environments they deserve. The first is that charter schools should only be authorized locally by a democratically accountable authorizing entity— i.e. a local school district. The NEA argued that local authorizers can more closely monitor charter performance and spread any potential innovations to local public schools. The statement also called for empirical assessment of the initial location of a charter in a community and a justification specifically explaining how the school will serve to improve the local public system.

Adeeko and Beard's article aligns with the NEA call for more community-based accountability for charter schools. Their article considers the debate surrounding transparency via government regulation of charter school authorizers in "Charter School Authorization: A Gateway to Excellence and Equity." While comparing the charter environment in California and Ohio, Adeeko and Beard deconstruct issues surrounding the different types of school authorizers that currently exist and the economic incentives presently associated with the charter school authorization system. The authors go on to stress issues of regulation and accountability with regard to both charter school authorizers and the relationships between charter school authorizers and local communities.

The NEA task force statement also calls for charter schools to comply with the same safeguard and standards that apply to neighborhood public schools, such as "open meetings and public records laws, prohibitions against for-profit operations or profiteering, and the same civil rights, employment, labor, health and safety laws and staff qualification and certification requirements" (National Education Association, 2016 p. 6) These three criteria became even more significant because the policy statement

was amended by grassroots educators at the RA to include a call for state and local moratoriums if charter schools do not meet these basic standards. Other amendments included stronger language calling for protections for special education students and limiting the state role in the approval of charter schools (Vasquez Heilig, 2017).

Considering the employment, labor, health, safety, staff qualification and certification concerns noted by the NEA task force, White's article tackles issues of culture, expectations, and commitment for educators in different types of charter schools in "Teachers of Color and Urban Charter Schools: Race, School Culture, and Teacher Turnover in the Charter Sector." Her research includes interviews and observations of 28 racially diverse teachers in three different types of New York City charter schools in an effort to interrogate issues of teacher turnover and working conditions in charter schools that primarily serve communities of color. This piece explores the similarities and differences between factors that motivate White charter school teachers to relocate and the factors which motivate teachers of color to move on. White considers factors such as resources and rigidity while deconstructing both the differences in culture and approach between different types of charter schools and the varying reasons why teachers in these urban charter schools relocate. Notably, teachers of color in charter schools explained that they had left charter schools because of not "fitting" the culture. As a result, she suggests the field must consider whether and how charters complicate retention efforts, particularly as large-scale management organizations often seek to scale-up, replicate and franchise their schools.

Conclusion

As charter schools have expanded, national polls are showing that they have actually become less popular (EducationNext, 2017). Therefore, it is vital that attention be paid to the quality and type of education that charter schools provide to all students— especially students of color. While there is no doubt that some students of color have benefitted from attending charter schools throughout the course of the last few decades, this reality does not negate the need to ensure that charter schools as an institution aren't serving to further perpetuate inequalities throughout society. Considering the research in this issue, market-based school choice approaches are a vehicle for the further segregation of schools based on racial and socioeconomic lines, less parental involvement in governance, and problematic

environments for educators. As a result, the issues represented in these articles make it clear why organizations such as the NAACP, Movement for Black Lives, Journey for Justice and the NEA have expressed concern about the current rapid expansion of charter schools throughout the country.

The aim of this special issue of *Journal of Transformative Leadership and Policy Studies* is to provide new insight and directions for research on charter schools. The authors poignantly address many important issues including regulation, authorization, and organizational culture. Each of these topics are critical in ensuring that young people from communities of color receive an education which both enlightens and empowers. Communities must be the leading voice in the education of their children. Otherwise charter schools are prolonging the national disservice to students of color in their name. W.E.B Du Bois once said, "Education and work are the levers to uplift a people." If education truly does serve as the

REFERENCES

- Berliner, D. C., & Glass, G. V. (Eds.). (2014). *50 myths and lies that threaten America's public schools: The real crisis in education*. New York: Teachers College Press.
- Bifulco, R., & Ladd, H. F. (2006). School choice, racial segregation, and test-score gaps: Evidence from North Carolina's charter school program*. *Journal of Policy Analysis and Management*, 26(1), 31-56. doi:10.1002/pam.20226
- Blume, H. (2015, September 21). Backers want half of LAUSD students in charter schools in eight years, report says. *Los Angeles Times* Retrieved from <http://www.latimes.com/local/lanow/la-me-ln-broad-draft-charter-expansion-plan-20150921-story.html>
- Booker, K., Zimmer, R., & Buddin, R. (2005). The effects of charter schools on school peer composition. Retrieved July 28, 2017, from http://www.rand.org/pubs/working_papers/WR306.html
- California Charter Schools Association. (n.d.). FAQs: Frequently Asked Questions about charter schools. Retrieved from <http://www.calcharters.org/understanding/faqs/myths.html>.
- Chubb, J. E., & Moe, T. M. (1988). Politics, markets, and the organization of schools. *American Political Science Review*, 82(4), 1065-1087
- Clotfelter C. (1976). School desegregation, 'Tipping,' and private school enrollment. *Journal of Human Resources*. 11, 28–50.
- Clotfelter Charles (2004). *After Brown: The rise and retreat of school desegregation*. Princeton, N.J Princeton University Press;
- Cobb, C., & Glass, G. (1999). Ethnic segregation in Arizona charter schools. *education policy analysis archives*, 7, 1. doi:<http://dx.doi.org/10.14507/epaa.v7n1.1999>
- Du Bois, W.E.B. (1953). Negroes and the crisis of Capitalism, *Monthly Review*, 4, 478-485.
- EducationNext. (2017). The 2017 EdNext poll on school reform. Retrieved from http://educationnext.org/2017-ednext-poll-school-reform-public-opinion-school-choice-common-core-higher-ed/#_schoolchoice
- Frankenberg, E., Siegel-Hawley, G., & Wang, J. (2011). Choice without equity: Charter school segregation. *Education Policy Analysis Archives*, 19(1). <https://doi.org/10.14507/epaa.v19n1.2011>
- Friedman, M. (1962). The role of government in education. In *Capitalism and Freedom*, Chicago: University of Chicago Press..
- Garcia, D. R. (2008a). Academic and racial segregation in charter schools. *Education and Urban Society*, 40(5), 590-612. doi:10.1177/0013124508316044
- Garcia, D. R. (2008b). The impact of school choice on racial segregation in charter schools. *Educational Policy* 22, 805–829. <https://doi.org/10.1177/0895904807310043>
- Lacireno-Paquet, N., Holyoke, T. T., Moser, M., & Henig, J. R. (2002). Creaming versus cropping: Charter school enrollment practices in response to market incentives. *Educational Evaluation and Policy Analysis*, 24(2), 145-158. doi:10.3102/01623737024002145
- Miron, G., Urschel, J. L., Mathis, W, J., & Tornquist, E. (2010). *Schools without Diversity: Education, management organizations, charter schools and the demographic stratification of the American school system*. Boulder and Tempe: Education and the Public Interest Center & Education Policy Research Unit.
- Nathan, J. (1998). Heat and light in the charter school movement. *Phi Delta Kappan*, 79(7). Retrieved July 28, 2017, from <https://www.questia.com/library/journal/1G1-20521083/heat-and-light-in-the-charter-school-movement>
- National Alliance for Public Charter Schools. (2014). *Details from the Dashboard: Charter school Race/Ethnicity demographics (Rep.)*. Washington, DC: Author Retrieved from http://www.publiccharters.org/wp-content/uploads/2014/01/NAPCS-2010-2011-Race_Ethnicity-Details-from-the-Dashboard_20120516T152831.pdf
- National Alliance for Public Charter Schools. (2015). *A closer look at the charter school movement* Washington, DC: Author. Retrieved from <http://www.publiccharters.org/wp-content/uploads/2016/02/New-Closed-2016.pdf>

- National Association for the Advancement of Colored People (2016). Statement regarding the NAACP's resolution on a moratorium on charter schools Baltimore, MD: Author. Retrieved from <http://www.naacp.org/latest/statement-regarding-naacps-resolution-moratorium-charter-schools/>
- National Association for the Advancement of Colored People (2017). NAACP Task Force on Quality Education Hearing Report Baltimore, MD: Author. Retrieved from http://www.naacp.org/wp-content/uploads/2017/07/Task_ForceReport_final2.pdf
- National Education Association. (2017). The findings of the NEA charter task force in support of the proposed charter policy statement Washington, DC: Author. Retrieved from <http://www.eiaonline.com/NEACharterTaskforceReport2017.pdf>
- National Education Policy Center, School of Education. (2013, May 6). New article describes the "Dirty Dozen" ways charter schools influence student enrollment [Press release]. Retrieved from <http://nepc.colorado.edu/newsletter/2013/05/tcr-dirty-dozen>
- Orfield, G., & Frankenberg, E. (2014). Increasingly segregated and unequal schools as courts reverse policy. *Educational Administration Quarterly* 50(6), 718–734. <https://doi.org/10.1177/0013161X14548942>
- Persson, J. (2015, June 11). Feds spent \$3.3 billion on charter schools, with few controls (Part 1). Retrieved from <http://www.prwatch.org/news/2015/05/12830/federal-billions-fuel-charter-school-industry>
- Ravitch, D. (2013). *Reign of error: The hoax of the privatization movement and the danger to America's public schools*. New York: Vintage.
- Ravitch, D. (2016, January 17). LA Times outdoes its Broad worship. Retrieved July 28, 2017, from <http://dianeravitch.net/2016/01/17/la-times-outdoes-its-broad-worship/>
- Richardson, J. (2017, February). Charter schools don't serve black children well. *Phi Delta Kappan* 98 (5), 41-44. Retrieved from <http://www.kappanonline.org/charter-schools-dont-serve-black-children-well/>
- Rotberg, Iris C. (2014, March 27). Charter schools and the risk of increased segregation. *Education Week*.
- Russell, J. (2017, January 17). Senator: DeVos critics are outside the mainstream of public opinion on education Retrieved from <http://www.washingtonexaminer.com/senator-devos-critics-are-outside-the-mainstream-of-public-opinion-on-education/article/2612121>
- Strauss, V. (2012, February 13). Ravitch: Why states should say 'no thanks' to charter schools. Retrieved July 28, 2017, from https://www.washingtonpost.com/blogs/answer-sheet/post/ravitch-why-states-should-say-no-thanks-to-charter-schools/2012/02/12/gIQAdA3b9Q_blog.html?utm_term=.79da3b598f70
- Toma, E. & Zimmer, R. (2012). Two decades of charter schools: Expectations, reality, and the future. *Economics of Education Review*, 31(2), 209-212.
- Toppo, G. (2017, July 5). Teachers' union considers hard line on charter schools. *USAToday* Retrieved from <https://www.usatoday.com/story/news/2017/07/04/teachers-union-considers-hard-line-charter-schools/448774001/>
- Vasquez Heilig, J. (2017, July 7). An insider's view of charter schools: Who is working together to improve them?. *The Progressive* Retrieved from <http://progressive.org/public-school-shakedown/an-insider-s-view-of-charter-schools-who-is-working-together/>
- Vasquez Heilig, J., Holme, J., LeClair, A. V., Redd, L., & Ward, D. (2016). Separate and unequal?: The problematic segregation of special populations in charter schools relative to traditional public schools. *Stanford Law & Policy Review*, 27(2), 251-293.
- Vasquez Heilig, J., Williams, A., McNeil, L. M., & Lee, C. (2011, June 12). Is choice a panacea? An analysis of Black secondary student attrition from KIPP, other private charters, and urban districts. Retrieved July 28, 2017, from <http://escholarship.org/uc/item/0vs9d4fr>
- Welner, K. G. (2013). The Dirty Dozen: How charter schools influence student enrollment. *Teachers College Record*. Retrieved July 28, 2017