Public District Schools + Public Chartered Schools

By Ted Kolderie - March 23, 2016

We need to understand that public education now has two sectors . . .

*. . . a **district sector** and a **chartered sector**. Many systems have two sectors. Finance has banks and credit unions. Fire protection has employee departments and volunteer departments. For electric power we have investor-owned utilities and municipals and REA co-ops. Some Catholic churches belong to the hierarchy, others to the orders. On and on. So, now, you can send your child to a **district public school** or a **chartered public school**.*

It is good to have two sectors. There are tensions between the two. But change usually moves faster between organizations than within them, and the chartered sector seems better at developing new approaches to learning. So its success is important—to the state and to the public—and to Minnesota's district sector itself.

Unfortunately, it has been difficult for policymakers and the public to 'see' the chartered sector. Individual schools have been visible when they made news. But the larger picture goes unreported. So a serious effort has begun in Minnesota in 2016 to bring to the attention of policymakers, the media and the public what is developing out of the Legislature's decision 25 years ago to create this second sector in public education.

- *The Minnesota Association of Charter Schools (MACS) will survey the schools to identify innovation; the ways in which the new schools depart from the givens of traditional school. MACS will organize a competition to encourage innovation.*

- *Education Evolving is setting up continuing coverage of the local chartered sector; of developments in its schools, among the authorizers, in its legislative & institutional setting and in the policy discussion about its role in public education. Follow this coverage at **www.educationevolving.org/blog***

Hopefully what follows will serve as the foundation for the reporting of developments within Minnesota's chartered sector.

Public District Schools + Public Chartered Schools

Chartering . . . the ‘charter schools’ legislation . . . hits an important anniversary this year. At this benchmark it is time to ask, as to ask any 25-year-old: “What have you become? Where are you going next?”

That can be a useful discussion—if chartering is well and clearly understood. Unfortunately, it probably isn’t. A few points might clarify:

1. Outside school, learning is evolving rapidly. There has to be a way for public education to keep pace; to evolve. Chartering needs to be thought-of as a strategy for change. Given flexibility, the chartered sector can generate the needed innovation.

Our national discussion about education has difficulty with change. It remains locked in the givens that have defined “real school”: the time of day, week and year; rooms in which teachers ‘deliver education’, whole-group instruction; in age-grading, students progressing ‘a grade’ a year.

The givens carry forward, too, the notion of learning as children mastering English and math; their achievement measured by their scores on state assessments. This one-dimensional notion of achievement impedes innovation; blocks educators convinced the world into which these children graduate will demand they be able to apply knowledge, have skills in critical and creative thinking and be able to work collaboratively.

This country is not going to repeal “real school”; not going to “blow up the present system and start over”. Most of the policy effort will continue to be to improve conventional school. But it makes no basic sense to confine our strategy to pushing traditional school to do-better. Education, learning, school must evolve. Chartering provides a sector in which that evolution can begin.

2. ‘Chartering’ cannot be understood as a strategy if it is seen and discussed simply in terms of the schools so far created.

Today, chartering is seen as the schools created. People—and the media—talk about “charter *schools*”, not about a charter *sector.* And try to compare student performance in ‘charter schools’ with student performance in ‘district schools’—

failing to see that the schools differ markedly one from another and failing to understand that a chartered school is not (pedagogically) a kind of school.

The resulting discussion is about what we'd have had in 1928 if we were evaluating aviation in terms of the aircraft flying at the time. We'd see some good planes and some not so good; some successes and a good many crashes. Would flying seem the best way to get across the country quickly and safely? No. Are planes better than trains? Maybe not. But—a year after Lindbergh flew the Atlantic—it would clearly have made sense to focus on aviation's potential; to be asking what was yet to be realized.

So if we approach its 25th anniversary by looking at the charter sector and focusing on its potential, we see it as a platform for innovation and as a state strategy for change and improvement. It appears, in a sense, as the 'R&D' sector of public education.

- **Chartering was an institutional innovation . . . the states breaking dramatically away from the regulated-public-utility arrangement with legislation withdrawing the 'exclusive franchise' that had previously allowed the districts to take their customers, and the state, for granted.**

  Today close to three million students attend more than 6,800 charter schools nationwide. In some cities the district and chartered sectors are now almost equal in size. Minnesota's 165 charter schools now educate more than 50,000 students.

  The success of the legislation was astonishing for what it revealed about the desire of legislators and governors for a system more responsive to their need for change and improvement. Almost 30 laws were enacted quickly during the 1990s; in some cases by first-term legislators, with remarkably bipartisan support and—defying conventional political wisdom—over the opposition of the major associations in established K-12.

  What followed was astonishing, too, for what it revealed about the desire in the American public for schools that might be different and better. The laws did not create schools. People—parents and teachers and community groups—created the schools, in a remarkable outpouring of interest and commitment, initially largely with sweat equity.

The appearance of this second sector created remarkable new opportunities for state leadership, for families and their children and for teachers.

- **The chartered sector is organized on principles different than those on which the district sector is organized.**

  The district sector is set up on the public-bureau model, its organizations structured more or less along the lines of the fire department. Legally schools do not exist; *districts* exist. Schools do not have boards. Schools belong to the district, which usually decides centrally what they are, and what they teach and how. District schools have a continuing existence. Their accountability is administrative; political. Traditionally, students attended where they lived; or were assigned to the school they attended.

  The chartered sector is built on the contract principle. The schools were to be established as independent entities, able to make their own decisions about what and how to teach. These schools have boards. They exist outside the bureaucracy. They are schools of choice. The 'charter management organization' idea has somewhat altered the original conception. But even with the CMOs, the sector is, truly, an institutional innovation.

- **Chartering is fundamentally an opportunity for innovation. Frustrated with what they were getting (or not getting) from the districts, the states wanted to see what 'someone else' could do. So they left it open as to the kind of school to be created.**

  Schools in the chartered sector are not *required* to be different and many are in fact traditional. But some do differ from the default model of school. And they differ in a variety of ways. Size is perhaps most conspicuous: District schools had been growing ever larger, some three-year high schools with 3,000 students. Most chartered schools are small; often small enough that every adult knows every student. Some personalize learning. Some are project-based. Some insist on a definition of achievement broader than test scores. Some give teachers larger professional roles.

  It is a problem that education research has not studied closely what the schools in the chartered sector are as schools. If we knew what the different

schools have their students reading, seeing, hearing and doing we *could* relate student performance to what matters for learning. Lacking this knowledge, people relate student performance only to the status of a school as chartered or district—rather than to what truly determines learning—the common confusion that makes the conventional discussion about 'charter schools' largely nonsense.

- **Chartering, the institutional innovation, has been evolving; is still evolving.**

  Laws are still being added: Only a few states (mainly in the Great Plains, rural New England and the South) now lack some form of chartering. The new laws are in some respects different from the early laws, especially with respects authorizing—the designation of entities, surrogates of the state, able to approve and assigned to oversee new schools.

  Like the district sector, the chartered sector was affected, about 10 years along, by the arrival of the 'accountability model'—standards, measurement and consequences. The state assessments, focused fairly narrowly on English and math, inevitably constrained a school's curriculum and pedagogy; limiting an effort to assert the importance of other objectives for students.

  There has also been a predictable regulatory creep. Part of it is a reasonable response to misbehavior, scandals and failures in some schools. Part of it is the result of districts' resistance to the growth and spread of chartering; their tendency still to think of students as properly 'ours'. Part of it stems from the oversight that left the sector regulated, like the district sector, by the state agency—impelled like all bureaucracy "to maintain the state of affairs entrusted to it", increasingly regulatory in nature and hardly inclined to see itself encouraging and enabling innovation.

  Some of the changes in chartering evolved as new leadership appeared in the sector after about 2004. Those now influential began pressing to 'scale up' the number of schools by encouraging the development of (and the federal financing of) the CMOs—charter management organizations—a kind of private-sector district. And came to believe that the way to grow the sector is to show that the chartered sector could do what the district sector could not: that is, to open schools that get inner-city elementary students scoring well on

state assessments and to close schools that do not.

Nationally, the question of basic-purpose remains in dispute within chartering. Some see the sector as the place to try and test the new-and-different; supplementing the district sector. Some see it replacing the district sector. The disagreements indicate the schism within chartering.

3. Innovation, gradually improving and gradually spreading, is the way successful systems change. It is time to be practical about the process of change in public education; time to arrange for K-12 to become, like successful systems, *a self-improving system*.

It is remarkable how much progress chartering has made; how significant a constituency it has developed—in some states, especially among families of low income and of color; those too often not well served by traditional school.

Inside the chartered sector, too—along with the many schools organized on the traditional model—there is real innovation. There are educators trying to get to new concepts of learning and broader concepts of achievement. Some schools are personalizing learning; have all their students on individualized education plans.

If the question broadly is “What do we want learning to be?” the answer might be: “personalized”. That will mean personalizing standards, as well. It would be absurd to set a single standard for ‘an airplane’; to insist that small propeller-driven general-aviation craft, airline passenger craft and military fighter jets should be designed to a single standard. Similarly, it is appropriate to set different—though high—expectations for students in different fields of study: different for those going into the arts, for example, from those for students aiming for STEM careers.

4. Defenders of traditional public education hopefully will appreciate that the success of the chartered sector remains critical for their effort to bring major change into the district sector.

Existing organizations do not change easily. The dominant ‘theory of action’ in the district sector is to have a continuous incremental improvement of conventional school, on the theory that it will be possible to get the better learning we need without changing the schools we have.

There is a growing sense, though, of the need *and of the opportunity* now for school to be better by becoming different, especially with the digital learning tools that seem to improve every year. Important foundations are working to develop new designs for school and learning: ‘deeper learning’, ‘next-generation learning’ and ’21st-century learning’.

But it will not be easy to get these new models into the district sector. Existing schools resist their districts creating new schools. Unfortunately, as the New American Schools Development Corporation in the 1990s found to its sorrow, existing schools also resist efforts to convert them to a new and different model.

This forms the basic case for seeing the chartered sector as a platform for innovation; as the R&D sector for public education.

5. A successful national strategy will start new models in the chartered sector; let them develop and prove themselves there and gradually move into the district sector. This is the ‘split screen’ strategy.

The strategy can be seen operating currently with the innovation—the invention, really—that introduces the partnership arrangement common in most white-collar vocational areas; in which the professionals carry the responsibility . . . in which teachers lead the learning activity of a school, a department in a school or a program in a school or district-wide.

Schools arranged as essentially partnerships of teachers appeared in Minnesota soon after chartering appeared. The model is now moving into the district sector. In November 2015 more than 200 teachers from 23 states—equally from chartered schools and from district schools—paid their way to Minneapolis to spend the weekend discussing how to create this ‘teacher-powered’ arrangement and how to operate these schools, in which teachers “call the shots” for learning. The idea is moving laterally from sector to sector; facilitated significantly by the teacher unions, which understand how significantly the future of teaching depends on teachers achieving professional status.

All those concerned about the need to improve—and broaden—the knowledge and skills of America’s people, need to help-along this common-sense process of system change.