



### Focus: Keeping the Public in Public Education

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# Texas Must Scrutinize Potential Charter Schools Before Issuing Approvals for Growth

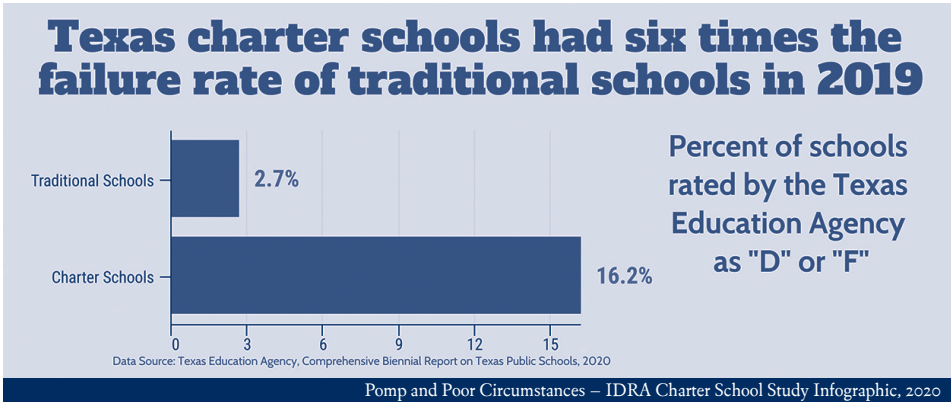
by *Chloe Latham Sikes, Ph.D.*

For the past 25 years, charter schools have represented the wild west of experiments for public school reform. Originally envisioned as incubators for ideas to be used in traditional public schools, charters have grown significantly in ways that harm public schools instead. This growth impacts student achievement and the ability of public schools to keep students, families and other resources in their communities.

Starting with 20 schools and just 2,400 students in 1995, charter school enrollment has ballooned to nearly 337,000 students in 2019-20, or about 6.1% of the Texas school population (TEA, 2020). However, because charter schools are state-funded with no local tax base, they account for a whopping 14% of state school funding – over \$3.5 billion in this year (TEA, 2020a).

Most charter schools are privately-operated schools that receive public funding. Data show that, overall, charter schools do not outperform public schools in measures based on standardized testing, district accountability scores or student attrition rates (Burriss, 2020; Han & Keefe, 2020; Johnson, 2017).

Traditional public schools that serve most Texas students need more support than ever to contend with the health, safety and academic ramifications of the pandemic. Charter school expansion compromises the education of most students, including those in failing charter schools.



Given charter schools’ mixed performance and accountability results and their high price tag, Texas must apply more scrutiny to new and existing charter schools that operate with public dollars without sufficient public accountability.

### Financial Impact of Charter Schools

Charter schools cost the state an average of \$1,150 more per student than neighborhood public schools (Williams, 2020), which in 2016-17 operated at just under \$10,000 per student (NCES, 2019). The Education Law Center’s analysis ranks Texas at just 38<sup>th</sup> in school funding levels compared to other states (Baker, et al., 2018).

The Commissioner of Education and the State Board of Education make decisions about which

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and how many charter schools may exist in the state within legislative allowances. When they expand the number of charter schools, they divert state funds away from public schools. From 2000 to 2017, state funding for charter schools increased by 640% as 500 new charter campuses opened (Villanueva, 2019).

This is significant for two reasons: (1) Public schools receive funding based on their student attendance, and (2) the per-pupil funding goes to sustain the entire school district, including instruction, building facilities, teachers, counselors, staff and transportation, among other necessary educational services.

Consequently, when charter schools recruit students out of a school district, the state pays a higher price tag, and the school district loses funding for those students as well as the portion of per-pupil funding that benefits the entire district community.

This leaves school districts on the hook to serve the vast majority of students – including students who require more expensive educational services, such as special education instruction and therapies – with even fewer resources.

When one or two students leave a classroom to attend a charter school, the neighborhood school must still pay the teacher in that original classroom. The lights must stay on. The heater and air conditioner must still operate. In economic terms, charter schools have created inefficiency in the Texas public school system (Baker, 2016).

The Texas Commissioner of Education and State Board of Education recently approved five new charter organizations to set up shop in Texas costing the state more than \$14.9 million over the next five years of their operation. Those charters

pull \$6.8 million more from state funds than their neighboring public school districts (Williams, 2020).

In addition, the Commissioner of Education permitted a particularly controversial charter organization – IDEA Public Schools – to open 12 new campuses next year. IDEA Public Schools garnered national attention recently when several alarming financial expenditures came to light, including the former CEO's use of \$2 million in public funds to use a private jet (Carpenter, 2020). Beyond egregious expenditures, the charter organization expends much more on personnel than other public schools by paying its executives much higher salaries than is typical of public school administrators – nearly half a million dollars each – and experiences much greater teacher turnover than public schools (DeMatthews & Knight, 2020).

This extraordinary fiscal impact necessitates

greater state scrutiny for charter schools to expand their current campuses and for new charter organizations to be approved to open in Texas.

### Charter Schools' Concerning Record of Segregation of Marginalized Students

Charter schools offer a rocky performance record for serving marginalized students, including Black students, Latino students, students with disabilities and English learners. Studies indicate that Texas charter schools can exacerbate racial and socioeconomic segregation within school districts by catering to and recruiting specific student groups (Heilig, et al., 2016; Miron, et al., 2010).

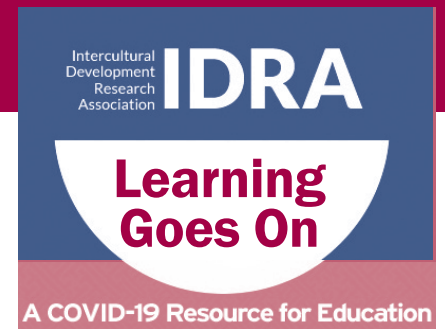
Distressingly, Texas charter schools serve a smaller proportion of students who receive special education services than the statewide average: 7.8% in charters compared to 10.7% in traditional (cont. on Page 7)

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# Pandemic No Excuse for Growth of Poorly Performing Virtual Charter Schools in U.S. South

by Terrence Wilson, J.D.

Education leaders across the U.S. South are making tough decisions about how to adapt local educational settings to meet the needs of students in the safest way possible during the COVID-19 pandemic. Unfortunately, some policymakers redirected investments toward privately-operated schools that receive public funds, including charter schools, that have a lower level of accountability than traditional public schools.

Congress allocated \$4.4 billion of the \$13.5 billion Elementary and Secondary School Emergency Relief (ESSER) Fund created by the Coronavirus Aid, Relief and Economic Security (CARES) Act to states across the U.S. South. Charter schools were eligible to receive these ESSER funds.

But, unlike traditional public schools, charter schools also could receive forgivable payroll protection loans from the federal government while receiving state public funding from local taxpayers. This means they were eligible for significantly more relief funding than traditional public schools.

According to a report from the Network for Public Education, charter schools in the South received – in addition to CARES Act funds – \$495.5 million to \$590 million from the Small Business Association (SBA) Payroll Protection Program (2020). Similarly, a North Carolina Policy Watch report found that at least 50 North Carolina charter schools received a total sum between \$21.1 million and \$53.6 million from the Paycheck Protection Program (Childress, 2020).

These investments are reflective of the larger trend that shows that around 30% of the COVID-19 relief funds are committed or have been disbursed to private and charter schools that only serve about 15% of the total student population (Committee for a Responsible Federal Budget, 2020).

Given this level of investment, education leaders must ensure that funds spent to support charter

schools will actually lead to educational success for students in the current pandemic environment. Specifically, education leaders should be wary of further investment in the virtual programs at charter schools that have been advertised as better than virtual programs through public schools during the pandemic.

Charter school enrollment grew during the pandemic, particularly in virtual charters. For example, K12, the country's largest operator of virtual schools, saw enrollment grow by almost 50,000 students from the previous year, and Connections Academy reports that applications rose 61% over the same time period (Barnum, 2020).

In Oklahoma, enrollment increased 77% in virtual charter schools (Eger, 2020). Florida's virtual school reported an increase of over 60% for the 2020 fall semester, and enrollment in virtual charters increased in Connecticut, Ohio and Wisconsin as well (Lieberman, 2020).

In the past, many state education leaders have been more cautious about expanding such virtual programs at charter schools. For example, the North Carolina Department of Education rejected a proposal this fall to allow two charter virtual schools to add up to 3,800 additional students this year. North Carolina leaders point to poor performance of virtual charter schools across the state, including the fact that they have received "D" grades from the state and their students have not met academic growth targets since opening. (Hui, 2020)

This trend reflects findings from a study that examined the performance of online charters throughout the country with data from Arkansas, Florida, Georgia, Louisiana, Texas and Washington, D.C. (Center for Research on Education Outcomes, 2015). The study found that, compared to their matched counterparts in traditional public schools, online charter students had much weaker growth overall in reading and math. The (cont. on Page 4)

*Public schools serving the vast majority of students should be the first place that education leaders look to invest to serve students in a post-COVID-19 environment.*



(Pandemic No Excuse for Growth of Poorly Performing Virtual Charter Schools in U.S. South, continued from Page 3)

pattern of weaker growth remained consistent across racial-ethnic subpopulations and students in poverty. Only Georgia showed a positive impact of online education.

Another study analyzing Ohio data found that, controlling for demographics and prior achievement, online virtual charter school students performed worse than students who attend brick-and-mortar district schools (Ahn, 2016).

The authors of these studies indicate that the student populations who attend virtual charter schools may have particular challenges that have led them to seek an alternative to their traditional public school setting. It is vital that the virtual charters that serve them have accountability systems in place to ensure these schools meet students' needs responsibly.

Given the performance of charter school education pre-pandemic, particularly virtual charters, education leaders should exercise prudence and caution before making additional investments into virtual charter schools as a tool to serve students in a post-COVID-19 environment.

### Recommendations for Transparency and Efficiency

To increase accountability, education leaders across the South may consider the recommendations offered by IDRA and 15 other education policy organizations aimed at increasing transparency and efficiency in both traditional and virtual charter schools. These recommendations include:

- informing the public about charter school expansion;
- increasing opportunities for public input into the charter application and amendment process, encouraging agencies to create and manage a standard application for charter schools;
- providing all students equal access to enroll in charters;
- considering the impact of new charter schools on local school districts and neighborhood schools before any new charter schools are approved;
- disclosing charter school financial dealings to the public;
- helping parents make informed enrollment choices; and
- paying charters the same per-student funding as the traditional public school districts in

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focusing on education issues in the Texas legislative session  
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IDRA's family leadership in education process, Education CAFE™, supports parents and caregivers to understand and influence public school policy and practice. This January, families in Texas will have various opportunities to inform legislators and staff about their priorities, needs and hopes for the education of their children, from birth through college graduation.

Due to COVID-19, there likely will be a drastic change in how the general public will be able to interact with policymakers during the Texas legislative session. Now more than ever, policymakers need to hear from the very people their decisions will impact.

IDRA is launching a family and community advocacy network focusing on education issues in the Texas legislative session. We invite families and community advocates to join in. Start by signing up to receive our new email alerts, which will be available in English and Spanish.

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which they are located (IDRA, 2019).

Public schools serving the vast majority of students should be the first place that education leaders look to invest to meet the needs of students in a post-COVID-19 environment. Additional investment in specialized charter options should not be made without additional accountability to ensure student success. With sufficient accountability, education leaders can ensure that the limited funds available during the COVID-19 pandemic and beyond flow to schools that are accountable, effective and inclusive of the needs of all students.

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## IDRA Legislative Priorities: Keep the Public in Public Education

Public funds should remain in public schools with public oversight from local communities. Yet, public monies are increasingly going to privately-run programs, like charter schools, with little public oversight or accountability. The loss of much-needed resources harms public school communities, students and families.

### How Do Public Funds Get Taken from Public Schools?

Several types of programs funnel public funds away from the schools that need them most, including the following.

Charter schools are privately-operated schools that receive public funding. Originally envisioned as incubators for ideas and programs that could be used in public schools, they have grown significantly and now impact the ability of public schools to keep students, families and other resources in their communities. Data show that, overall, charter schools do not outperform public schools in measures based on standardized testing, district accountability scores or attrition rates (Burriss, 2020; Han & Keefe, 2020; Johnson, 2017).

While public schools must serve all eligible students, including English learners, students with school discipline records, and students receiving

special education services, charters often engage in “creaming” strategies to avoid enrolling these students (Burriss & Bryant, 2019).

At the same time, state funding for charter schools has ballooned in the past decade.

Voucher programs (including “microgrants,” education savings accounts and tax credit scholarships) divert public money to subsidize private schools or homeschool arrangements. IDRA and families across the state have successfully fought vouchers and other privatization efforts in the past so that Texas does not currently have a state-funded voucher system. We plan to keep it that way.

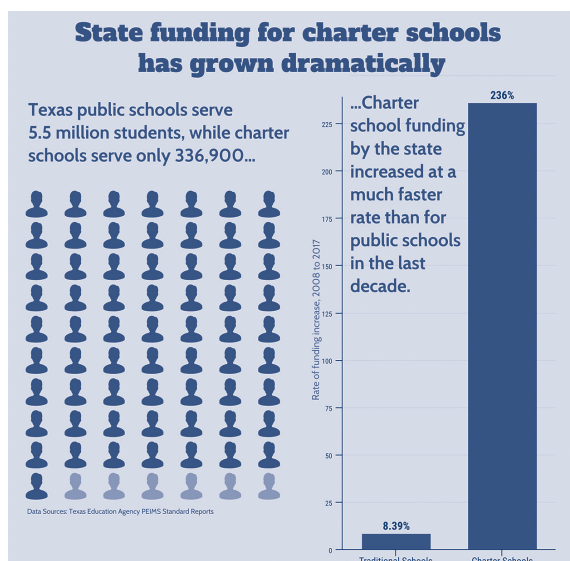
Voucher-like programs (i.e., Education Savings Accounts and Tax Credit Scholarships) similarly divert public money toward private education. These programs offer financial incentives for taxpayers and corporations to direct funds for private educational purposes that would otherwise go toward public schools.

### Policy Recommendations for Texas

The Texas Legislature should...

- Ensure public funds have public oversight and are not used to support private interests.
- End expansion of charter schools and hold charter schools to the same accountability standards as public schools in achievement, expenditures, student progress and enrollment.
- Ensure that charters cannot “cream” students by selecting their preferred students based on academic achievement, English learner or special education designation or discipline history.
- Provide additional supports related to COVID-19 to public schools.
- Funnel no public funds to virtual charter networks or other private arrangements that do not serve the vast majority of students.
- Ensure that communities are involved in decision-making processes that impact their local public schools, including local and state-level processes about charter applications and amendments.

For more information, contact Dr. Chloe Latham Sikes, IDRA Deputy Director of Policy ([chloe.sikes@idra.org](mailto:chloe.sikes@idra.org)) or Ana Ramón, IDRA Deputy Director of Advocacy ([ana.ramon@idra.org](mailto:ana.ramon@idra.org)).



Pomp and Poor Circumstances – IDRA Charter School Study Infographic, 2020

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## A&M-Commerce Partners with IDRA in Groundbreaking Collaboration

### IDRA Will Teach Graduate-Level “Social Justice Through Education Policy” Course this Spring

Texas A&M University-Commerce and IDRA are partnering to create a trailblazing collaboration to increase access to higher education and provide students with insight into navigating the educational policymaking process.

As part of the agreement, IDRA will provide the curriculum for an online elective course on social justice through policy. The A&M-Commerce Department of Educational Leadership will offer the graduate-level course in the spring of 2021. The course will be based on a curriculum designed for the IDRA Education Policy Fellows program, a nine-month initiative designed to give real-world state policymaking experience to advocates familiar with communities of color in Texas.

Celina Moreno, J.D., IDRA president & CEO, and Morgan Craven, J.D., IDRA national director of policy, advocacy and community engagement will teach the course, which coincides with the 2021 Texas legislative session. They also will facilitate guest speakers, panels and experiential learning opportunities.

Along with other assignments, course participants will interact and work with fellows in IDRA’s Education Policy Fellows program while networking with partners in the policy, advocacy and legal communities of Texas.

“IDRA has a powerful legacy of education policy work that spans almost five decades, and we’ve seen the difference it makes when advocates who are connected to impacted communities are present in the rooms where decisions about their lives are made,” Moreno said.

Dr. Kimberly McLeod, dean of the College of Education and Human Services, said the partnership is revolutionary.

“Students will have an opportunity to examine how current policies impact education through

the various lenses of people who are actually doing the work,” McLeod said. “Students at A&M-Commerce will be better prepared to enter the workforce with a knowledge mindset, ready to create positive outcomes for their respective communities and learning communities, than most other graduates around the state of Texas.”

She added the partnership will help create equity and advocacy for the most marginalized and underrepresented learning communities in Texas. She hopes it will open the door for collaborating with many other organizations throughout the state for the purpose of exposing students to state and national networks.

“We want our students working side by side with state and national leaders who are agents of change,” McLeod said. “Graduates from A&M-Commerce will be prepared to be bridge builders and future leaders of Texas.”

In turn, A&M-Commerce is offering several incentives for IDRA staff and coalition members to attend the university.

IDRA staff and coalition members who have high-school age children will be able to participate in the university’s Rising Lions program. Through the program, incoming freshmen can start taking college classes in the second summer term and take advantage of opportunities to engage with new friends, join student organizations and adjust to the college environment prior to the start of the fall semester. Rising Lions also receive free textbooks for the first six college credit hours of the summer term.

Additionally, IDRA staff and coalition members will have the opportunity to pursue graduate degrees through the Dean Opportunity grant program. The program will provide a continuous grant of \$600 per semester to those who meet program criteria.



Learn more about the “Social Justice Through Education Policy” course at A&M-Commerce

<https://idra-resource.center/AMCcourse>



(Texas Must Scrutinize Potential Charter Schools Before Issuing Approvals for Growth, continued from Page 2)

public schools (TEA, 2020b). Research shows that charters push out students with disabilities by urging parents to seek other programs for their students. This practice suggests that charter schools cannot serve students with disabilities to high standards (Waitoller, 2017; Waitoller, Nguyen, & Super, 2019).

Similarly, research suggests that charter schools underserve emergent bilingual students (also referred to as English learners), either through under-enrollment or through pushing emergent bilingual students back to their home campuses, which further disrupts their learning (Heilig, et al., 2016). Texas charter school enrollment includes about 30% emergent bilingual students, higher than the state average (TEA, 2020b). But in areas with high concentrations of emergent bilingual students, researchers found that Texas charter schools served significantly lower proportions of emergent bilingual students than nearby public school campuses (Heilig, et al., 2016).

Consistent with this study, several of the new charter applicants approved in September 2020 also proposed enrolling a much smaller percentage of emergent bilingual students at their new campus than attend neighboring schools.

For instance, Clear Public Charter (which was ultimately vetoed by the State Board of Education) estimated a 12% English learner enrollment for its proposed campus in San Marcos, while a nearby school campus enrolled 69%. This suggests inequities in how students with specific instructional needs are admitted and served at charter schools.

Research also indicates a lack of reliable information on bilingual education programs and emergent bilingual student success in charter schools (Garcia & Morales, 2016). Of the nine final applicants for new charter schools considered this year, seven stated that they would offer English as a second language programs instead of bilingual education programs despite the volumes of data and research across the country showing bilingual education programs to be significantly more effective models for using the student's home language to learn core subjects while learning English (Collier & Thomas, 2017; Robledo Montecel & Cortez, 2001).

## Texas Should Evaluate New Charters with More Scrutiny

In future cycles of charter applications and amendments, the Texas Education Agency

*Given charter schools' mixed performance and accountability results for students and their high price tag, Texas needs to apply more scrutiny to new and existing charter schools that operate with public dollars without sufficient public accountability.*

should scrutinize every charter school's potential financial impact and segregating effects on the local school district. The state must invest funds toward public education improvements that support inclusivity, diversity and academic success for all students, rather than using precious public dollars to finance new charter schools with inconsistent records for serving some of our most vulnerable students. Instead, IDRA suggests that TEA officials and state policymakers invest in public schools to ensure safe learning environments, to close the digital divide, and to navigate the anticipated and unanticipated pandemic-related challenges of the next academic year (Latham Sikes, 2020).

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*Focus: Keeping the Public in Public Education*

**Chief Science Officer Students Lead the Way**



Chief Science Officer Arturo was recognized by the San Antonio Museum of Science and Technology for his project about STEM career pathways. Through the IDRA Texas CSO program, teens create action plans to promote STEM in their schools and communities.

Due to the pandemic, CSO Arturo Quiñónez wanted to collaborate with a local STEM partner and reached out to SAMSAT, which happily served as his mentor. To spread career awareness so other students can see their future in STEM, Arturo created a model showcasing 12 different careers.

After presenting his project to education specialists, Douglas King, the CEO of SAMSAT, acknowledged his hard work and awarded him with a certificate and a pin with the CSO motto: “We don’t just hope it happens. We make it happen!”

CSO Shreya Chaudhary shared her experiences as a Chief Science Officer on a webinar panel on Elevating Youth Voice in STEM Programming, held by National Girls Collaborative Project. As she described her role on the CSO program, she said, “A big thing we stress is students leading the way.”

**Learn more about the IDRA Texas Chief Science Officer program and how to bring the program to your school**  
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