



## Public School Choice: Charter Schools

The American Association of University Women supports innovative educational methods that promote “...a strong system of public education that promotes gender fairness, equity, and diversity.”<sup>1</sup> While charter schools can provide an opportunity for such innovation, AAUW’s 2009-2011 Public Policy Program further states an “opposition to the use of public funds for nonpublic elementary and secondary education” and the need to vigorously enforce “Title IX and all other civil rights law pertaining to education.”<sup>2</sup> AAUW believes that the flexibility granted to charter schools must still come with clear responsibilities; all publicly funded schools—including charter schools—must be accountable to the public for academic achievement, health and safety standards, and the civil rights of all students.

### What is a Charter School?

Charter schools are public, government-operated elementary and secondary schools that offer their organizers exemption from many state regulations in exchange for the guarantee that they will meet certain performance standards. Charter school laws vary widely across the nation with regard to autonomy, teacher certification, and accountability requirements. A public school is granted a “charter” by a local school board, state department of education, or special charter school board to operate autonomously from some state regulations. Charter schools typically are organized by teachers, parents, nonprofit social services, and in some cases for-profit companies. Charter schools are accountable to their sponsor—usually a state or local school board—to produce positive academic results as proposed in their charter petition and to adhere to the charter contract.

An approved charter school contract usually runs three to five years, depending on the state. Because charter schools are classified as public schools, they receive the same amount of money per student as the other public schools in the school district. Proponents argue that through deregulation and decentralization, charter schools provide an avenue to innovative curricula and teaching styles.

The laws governing charter schools vary from state to state, and often differ on several important factors including who is allowed to sponsor charter schools, how much funding charter schools receive for operating and facilities expenses, and the teacher certification requirements. Many of these decisions are made at the state and local level, though charter schools are also gaining attention at the federal level. President Obama supports the expansion of high-quality charter schools; according to the White House education guiding principles, President Obama “has challenged states to lift limits that stifle growth among successful charter schools and has encouraged rigorous accountability for all charter schools.”<sup>3</sup> Charter school proposals must be assessed carefully to ensure they contain no provisions that would promote or result in inequities or segregation based on race or religion. Charter schools that segregate by sex must adhere to Title IX regulations in doing so (see AAUW’s position paper on single-sex education for concerns about this option and the new regulations that allow it).<sup>4</sup> Further, charter schools should be held to the same accountability measures as all

public schools under the No Child Left Behind Act.<sup>5</sup>

As of October 2008, 40 states and the District of Columbia had enacted charter school legislation; over 4,500 charter schools across the country were open during the 2008– 2009 school year, educating approximately 1.4 million enrolled children.<sup>6</sup>

### **AAUW Criteria for Evaluating Charter Schools**

AAUW believes that charter schools and other nontraditional public school options could facilitate education reforms and develop beneficial new teaching methods. When reviewing and evaluating charter schools and the legislation governing them, AAUW recommends the criteria below for assessment.

- The charter school must comply with federal nondiscrimination laws.
- The charter school must institute safeguards to ensure fiscal accountability to the public.
- The charter school must establish detailed curricula and procedures for assessment and evaluation throughout the duration of the charter.
- The charter school must not receive public monies exceeding the average spending per student in the rest of the district.
- The charter school must not convert a public school into a private or religious school; and private, for profit, entities should not be eligible to receive charters.
- The charter school must ensure equal access and retention policies for all students.
- The charter school must ensure the maximum possible teacher, parent, and student involvement in the development and implementation of school programs and policies.

To date, the evidence regarding whether or not charter schools improve academic performance is inconclusive. Some state level and multi-state studies indicate charter school students outperform their peers. However, other research shows comparable or slightly lower levels of achievement. According to a recent report released by the U.S. Department of Education, fourth graders in traditional public schools had significantly higher scores in both reading and math than did those attending charter schools.<sup>7</sup> Researchers point out that charter school performance depends on multiple factors, including state charter laws, funding levels, populations served, and how long the school has been open. Also contributing to the mixed review of charter schools in comparison to public schools is the lack of reliable, comparable data. Researchers cite mixed results at best when studying the differences in student outcomes between charter schools and traditional district schools.<sup>8</sup>

## Resources for Advocates

It is AAUW advocates across the county who speak their minds on issues important to them that truly advance AAUW's mission. Stay informed with updates on charter schools and other issues by subscribing to AAUW's Action Network. Make your voice heard in Washington and at home by using AAUW's Two-Minute Activist to urge your members of Congress to support the positions outlined above. Write a letter to the editor of your local paper to educate and motivate other members of your community. Attend town hall meetings for your members of Congress, or set up a meeting with your elected official's district office near you to discuss these policies. AAUW members can also subscribe to *Washington Update*, AAUW's free, weekly e-bulletin that offers an insider's view on the latest policy news, resources for advocates, and programming ideas. For details on these and other actions you can take, visit [www.aauw.org/takeaction](http://www.aauw.org/takeaction). For more information, read AAUW's related position papers on the No Child Left Behind Act, school vouchers, Title IX, single sex education, STEM education, and AAUW's research, including *Where the Girls Are: The Facts About Gender Equity in Education*. You can find these and other resources on our website at [www.aauw.org](http://www.aauw.org).

## Conclusion

Whether or not charter schools can fulfill their potential for educational innovation depends largely on how they are designed and implemented, as well as the oversight and assistance provided by boards granting the charter. AAUW believes that innovation and flexibility should not come at the expense of public accountability. Further, these critical elements can coexist and in fact compliment efforts that protect the civil rights of all students.

For more information, call 202/785-7793 or e-mail [VoterEd@aauw.org](mailto:VoterEd@aauw.org).

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<sup>1</sup>American Association of University Women. (June 2009). *2009-11 AAUW Public Policy Program*. Retrieved July 9, 2009, from [http://www.aauw.org/advocacy/issue\\_advocacy/principles\\_priorities.cfm](http://www.aauw.org/advocacy/issue_advocacy/principles_priorities.cfm).

<sup>2</sup>Ibid.

<sup>3</sup>The White House (2009). *Education Guiding Principles: Reform and Invest in K-12 Education*. Retrieved June 30, 2009, from <http://www.whitehouse.gov/issues/education/>.

<sup>4</sup>In October 2006, the U.S. Department of Education Office for Civil Rights announced its decision to issue regulations to ease limits on single-sex education. The new regulations allow the exclusion of students from classes based on gender. While the environment for women in education has vastly improved, this does not justify easing discrimination protections. AAUW believes single-sex education without proper attention to civil rights protections can reinforce problematic gender stereotypes, increase discrimination, and restrict the educational opportunities open to both girls and boys. U.S. Department of Education, Office for Civil Rights. (October 25, 2006). *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance-Final Rule*. *Federal Register*, 71(206), 62529-62543. Retrieved January 14, 2009, from <http://www.ed.gov/legislation/FedRegister/finrule/2006-4/102506a.html>.

<sup>5</sup>U.S. Congress. (January 8, 2002). *No Child Left Behind Act of 2001, Public Law 107-110*. Retrieved January 14, 2009, <http://www.ed.gov/policy/elsec/leg/esea02/pg62.html>.

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<sup>6</sup> Center for Education Reform. (October 23, 2008). *Count 'Em Up*. Retrieved January 14, 2009, from <http://www.edreform.com/index.cfm?fuseAction=document&documentID=3003&sectionID=55>.

<sup>7</sup> U.S. Department of Education, National Center for Education Statistics. (August 2006). *A Closer Look at Charter Schools Using Hierarchical Linear Modeling*. Retrieved January 14, 2009, from <http://nces.ed.gov/nationsreportcard/pdf/studies/2006460.pdf>.

<sup>8</sup> National Governor's Association. (2005). *Providing Quality Choice Options in Education*. Retrieved January 14, 2009, from <http://www.nga.org/Files/pdf/EDUCATIONCHOICE.PDF>. (See "Appendix A: Selected Research on Choice Options").

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