Getting to know you...

• Please change your name, in profile to show:
  1. Your name;
  2. Your organization;
  3. One word that best describes your experience / familiarity with charter **schools**: Lots, some, little, none;
  4. One word that best describes your experience / familiarity with charter **authorizing**: Lots, some, little, none;

• E.g., Marcial Joson, Families for Inclusive Education, Some, None
Presenters

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CCAP

• Founded in 2013 by authorizers to advance quality public education for all students
• Did work as CARSNet under a federal grant
• New federal grant to improve authorizing – in final year now
  • Partner with Colorado and Florida in Tri-State Alliance
• Strategic partnership with Small School Districts’ Association (SSDA)
• Now partnering with Santa Clara County Office of Education in statewide Charter Authorizer Support Initiative (CASI)
  • Funded by CDE subgrants from federal grant
  • Training and networking, with special focus on small/rural
Starting Premises: Charter Schools and Language Minority Students

• 1,296 California charter schools, serving 690,657 students – about 10% of public school population
• Over half of students are from diverse cultural, ethnic, and linguistic backgrounds, including 300,000 Latino students
• There is an overall enrollment disparity of EL students in California charter schools compared to communities they serve and local district and/or county schools: 16%, versus 21%
  • Urban charter schools enroll 2% fewer EL students than district schools
  • Rural charter schools enroll 11% fewer EL than district schools
  • Varies locally: San Jose charters enroll 23% more, LA 8% fewer
Starting Premises: Charter Schools and Language Minority Students

• Some overall educational outcomes appear stronger in charters schools:
  • 2008-2013, EL students in charter had, on average, an API growth score about 20 points higher than in other public schools
  • Charter school EL students’ proficiency rates (AYP) in English Language Arts and Math consistently somewhat higher than at other public schools
  • EL students in charter schools grew 36 more days in reading and 50 more days in math compared to EL students in other public schools
  • Consistent across various types of charter schools, including in urban/rural settings and schools with varying levels of autonomy
  • Many people, including education professionals and community activists, lack deep understanding of our charter school sector
Roadmap for today

• Charter Schools & Charter Authorizing 101
• Challenges for Supporting Language Minority Youth
• Opportunities for Supporting Language Minority Youth
• Group exercise: Next steps!
• Resources
Charter Schools & Charter Authorizing 101

- **California Charter Schools Act of 1992**
  - Second state after Minnesota

- Purposes (Educ. Code 47601):
  a) Improve pupil learning
  b) Increase learning opportunities for all pupils, with special emphasis [on] academically low achieving pupils
  c) ...different and innovative teaching methods
  d) Create new professional opportunities for teachers ...

*The late Senator Gary Hart*
Charter Schools & Charter Authorizing 101

• Purposes (cont.):

e) Provide ...expanded choices in the types of educational opportunities...within the public school system

f) ...change from rule-based to performance-based accountability systems

g) Provide vigorous competition within the public school system to stimulate continual improvements
What exactly is a charter school anyway?

• Self-governing, self-managed school
• 501(c)(3) entity authorized by law to operate a nonsectarian, public school
• Under a charter, approved and overseen by an authorizer
  • California authorizers: school districts, county offices of education, State Board of Education (but State Board getting out of authorizing)
• Exempt from some rules for district schools -- the “Mega-waiver”
• The “Accountability Bargain” = More autonomy from rules, but higher-stakes accountability based on performance
Charter Schools & Charter Authorizing 101

Types of charter schools:
- Authorized by School Districts or County Offices of Education
  - “Independent” (Typically nonprofit (501c3), independent governing board)
  - “Dependent” (Authorizing board is also charter school governing board, funded through district)
  - Conversions (not start-up, but existing public school goes charter)
- Countywide benefit charters

Other Distinctions:
- Charter schools that are approved on Appeal
- Classroom vs. Nonclassroom-based schools
Questions & Observations
Charter Schools & Charter Authorizing 101

5 Phases - Terminology:
1. Petition
2. Authorization & Start-up
3. Performance Oversight & Accountability
4. Reauthorization (Renewal)
5. Closure (Nonrenewal or Revocation)
Application (in California, “Petition”)

• Organize around a school concept – write Petition to authorizer
  o Note: Charter Management Organization (CMO) or operator of several schools, versus “freestanding” schools (“Mom and Pops”)
• Petition must contain statutorily required elements, including:
  o Means to achieve a balance of racial, ethnic, special education, and English Learner, including redesignated fluent English proficient pupils, reflective of general population residing within district or county considering Petition
  o Admission policies and procedures
  o Suspension & expulsion processes
Charter Schools & Charter Authorizing 101

• Authorizer reviews Petition
• Staff makes recommendation to Board, which makes decision
• Important: California law says if Petition is legally compliant, authorizer must “approve unless” it falls under one of several narrow grounds for rejection.
• Some of the grounds:
  o Unsound educational program
  o Demonstrably unlikely to successfully implement proposed program
  o “Unlikely to serve the interests of the entire community”
Charter Schools & Charter Authorizing 101

• Authorizer holds Public Hearing
  • Gauges “level of support for petition”
  • But this is not itself grounds for denial
  • If anything, it might relate to one of enumerated grounds, such as “demonstrably unlikely to succeed”

• Petition should be available for public review, as should staff recommendation

• After hearing, minutes should be available
Appeals:
- Denial of Petition by school board appealed to County Board
  - De novo review – reconsiders Petition afresh, not district process
  - If overturns school board, COE becomes authorizer
- Denial of Petition by County Board appealed to State Board
  - Review standard is “abuse of discretion”; only reviews process
  - If abuse of discretion found and Petition approved, then SBE decides whether district or COE becomes authorizer
Charter Schools & Charter Authorizing 101

Start-up period

• Between approval and opening
• Authorizer monitors start-up process – checklist & assurances
  o One thing monitored: projected vs. actual enrollment
• Memoranda of Understanding (MOU)
  • Petition becomes contractual document
  • Many authorizers also enter into one or more MOUs to spell out one another’s obligations in addition to Petition
Charter Schools & Charter Authorizing 101

Oversight:

• State law list of mandatory oversight duties is short, but authorizers also use other best practices

• Authorizer monitors academic, operational, financial performance
  • California Dashboard includes student subgroup outcomes
  • Local Control Accountability Plan (LCAP) includes services to EL student

• Authorizer must do at least one site visit per year

• Best practice is to issue an annual performance report for school
  • Relates performance to prospects for charter renewal

• Compliance with terms of MOU(s) should be monitored
Charter Schools & Charter Authorizing 101

Reauthorization

• Renewal or nonrenewal based on performance
  o State law now dictates presumptive results based on tiers
  o ELPAC is among academic data
  o State also provides for second look using different “verified data”

• Another ground for nonrenewal: “the school is not serving all pupils who wish to attend”
  o Note: concern here is discrimination, not capacity, over-enrollment, etc.

• Note: Different criteria for DASS (alternative) schools
Charter Schools & Charter Authorizing 101

Closure

- Nonrenewal at end of charter term
- Revocation mid-charter term in extreme situations
  - Usually fiscal failure
  - Or legal violations / fraud
Questions & Observations
Challenges

School realities:

• Not all charter founders or would-be founders are initially attuned to the obligations of public schools to all students
  o Their vision may have intentional or unintentional blind spots
• Petitioners or established schools may not have much professional grounding or experience in serving all students or personal connection to diverse communities – requirements & best practice
• Like any school, demographics may have changed: learning curve
• Schools are overwhelmed, especially now
Challenges

Authorizer realities:

• No matter what size the district, if it receives a Petition, it is an authorizer

• 92% of California’s 329 authorizers have six or fewer charter schools; 66% have only one or two

• Funding for authorizing responsibilities is based on enrollment of authorized schools: usually 1% of state funding

• Most authorizers have no dedicated authorizing staff

• High staff turnover

• Bottom line: Charter oversight is not Priority 1 (until it has to be)
Challenges

Community realities:

• Some families may not be aware of charter school options that are open to them

• Organizations upon whom they may rely partly for help also may not know the charter scene very well
Challenges

Some pitfalls:

• Unsophisticated recruitment of students and families
• Decisions on school location, transportation, expectations of parents, etc., that hinder access
• Inadequate attention to language supports for families
• School and authorizer need for more knowledge about effective programming for EL students
• Insufficient authorizer scrutiny and “critical friend” discussions of these considerations at Petition stage, start-up stage, and during ongoing oversight
Challenges

Politics:
• Like so much of our politics, charter politics can be polarized
• Can be “us vs. them” among districts, charter schools, parents
  • Tensions over student enrollment, facilities, negative rhetoric
  • Perceptions of impact of charter schools on school districts
• Teachers unions, especially in urban areas, can be hostile if non-unionized charter schools are seen as a threat
• Perceptions can be influenced by outlier cases on all sides
  • Charter school scandals and failures generate headlines
  • Charter school advocates generalize from skeptical school districts they have encountered
Opportunities

Learning from Success

• Some charter schools are doing a great job on access – what can we learn from them?

• Some charter schools are achieving better student outcomes with EL students than public schools overall
  o What’s going on there?
  o What are our means of disseminating insights and best practices?

• Where a local community could use more programmatic options, could a new charter school be something to consider?
Opportunities

Awareness

• July 2019 CCAP’s Assessment of the Needs of California Charter Authorizers to Support English Learners: authorizers strongly interested in best practices, learning and networking opportunities

• CCAP and now CDE through funding the Charter Authorizer Support Initiative (CASI) CCAP and Santa Clara COE are implementing is providing support and networking for authorizers of all sizes – especially rural where EL disparities are greater

• Charter schools know policymakers are looking at these issues closely ...
Opportunities

Three significant recent developments:

1. New state law ground to reject Petition because “unlikely to serve the interests of the entire community”
   o Somewhat unclear, people starting to think about it
   o CCAP and WestEd convened authorizers to produce guidance
2. National Association of Charter School Authorizers (NACSA) strong emphasis on tapping community assets, knowledge, insights
3. Proposed federal rules for Charter Schools Program (CSP) grants strongly emphasize involving community voices in charter proposals and implementation; proposed schools not exacerbating segregation
Group exercise: Next steps!

Based on what we discussed, what are some opportunities / possible entry points you can identify for engagement and advocacy in your community?

- How can I assist charter schools in better serving language minority students?
- How can I engage charter authorizers in helping with this challenge?
- How can I engage my wider community on this challenge?

Any answers to these questions?

- What do I want to learn about charter schools in my community?
- What do I want to learn about authorizers in my community?
- What do I want to learn about language minority students and families in my community related to charter schools?
- What other idea(s) would you like to share / bounce around here?
- What other question(s) can we help answer now?
Resources

• CDE Resources on Charter Schools: https://www.cde.ca.gov/sp/ch/

• CCAP Resources: https://calauthorizers.org:
  • On home page, scroll down to “2022 CABE Conference”
  • Handout for these slides
  • Some resources on charter authorizing and EL students
  • Information on CASI support for local authorizers
  • Resources on serving EL students generally
Wrap-up & Parting Thoughts
Thank you!

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