

Consensus Questions

This study and these consensus questions are designed to develop a broad position on charter schools for the League of Women Voters of Massachusetts to use in evaluating legislation and ballot questions and in participating in the conversation on this topic. For some of the questions, the response may seem obvious; the question is asked to determine if there is a consensus of our membership on the subject. For other questions, local Leagues may not come to a consensus, and, if that is the case with most of the Leagues participating in the study, the LWVMA position on charter schools will not cover an issue where there is no consensus.

- 1. Should charter schools continue to ensure equal access to all interested students, making every effort to have their applicants be comparable to the percentage of students in sending district schools with respect to income, English Language Learner status, special needs status, ethnicity, and gender?**

_____ **Yes** _____ **No** _____ **No consensus**

YES: Massachusetts requires charter schools to develop and implement student recruitment and retention plans that include deliberate, specific strategies to attract, enroll, and retain a student population demographically comparable to the population of similar grades in schools from which the charter school enrolls students. Charter schools should have recruitment plans that will appeal to all students. Part of education is learning about other people and how to get along in society.

However, some charter schools have missions that support segments of the population, and these missions should be supported even if they yield a student body not demographically equivalent to the sending district(s) as long as the recruitment process is open and accessible to all students. For example, a charter school focusing on math and science will attract students with that focus, but the school should assure that all students in the district(s) that school serves are aware of the opportunity and have the chance to apply, with the applicants selected by lottery if there are more applicants than openings.

NO: Charter schools were created in part to provide alternatives to district schools. They should accept whoever chooses to apply, with a lottery if there are excess applicants, as required by law. Charter schools should not have to make extra efforts to recruit various categories of students to apply just to balance their applicant pool. Such efforts are expensive and would not necessarily result in a demographically balanced student body given the lottery requirement. Some students thrive in schools where they are in a homogeneous population.

Background information on this question is on pages 13-16 of the Fundamentals document.

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2. Should charter schools in Massachusetts continue to be non-profit schools?

_____ **Yes**

_____ **No**

_____ **No consensus**

YES: Although Massachusetts law allows charter boards to contract with for-profit Educational Management Organizations to run charter schools on a day-to-day basis, the law forbids for-profit companies from applying for charters. Charter schools are public schools funded by taxes. Public education is a fundamental responsibility of state and local governments and should not be contracted out to for-profit providers. The profit motive would introduce financial incentives into the operation of a charter school.

NO: Some other states do allow charter schools to operate on a for-profit basis. Financial records and educational achievement are still subject to review by authorizing agencies. The National Alliance for Public Charter Schools states that, on a national basis, “Charter schools choose their own management structure: 67 percent of all charter schools are independently run, non-profit, single site schools; 20 percent are run by non-profit organizations that run more than one charter school; and just under 13 percent are run by for-profit companies. For-profit charter schools have to meet financial oversight regulations, just like any company the government contracts with to provide a service.”

Background information on this question is on pages 11-12 of the Fundamentals document.

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3. (a) Massachusetts has created both district and charter schools. Should the state therefore assure both types of school are adequately funded and in a way that does not disadvantage either type of school?

_____ **Yes** _____ **No** _____ **No consensus**

Clarification of the question: This question seeks a League consensus from which to develop a position on charter school funding. Rather than a consensus question that deals only with the current methods of funding charter schools, this question would establish two criteria that must be met by any proposal—current or future—for funding charter schools. Those criteria of adequacy and fairness could then be used to support, oppose or suggest modifications to specific funding proposals.

YES: It is the responsibility of the state, having created both district and charter schools, to ensure that they are funded adequately and fairly. Any funding proposal, including the current methods and methods proposed in the future, must ensure that both types of schools are funded adequately. Those proposals must not disadvantage either type of school.

NO: State education funds are limited. The state, through its budgeting process, might be unwilling or unable to develop an adequate funding proposal for charter schools that would not create a disadvantage for district schools or an adequate funding proposal for district schools that does not create a disadvantage for charter schools.

3. (b) Would the current process of per-pupil tuition payments to charter schools from local school districts be fair if the state fully funded its reimbursement program for district schools and if the state covered the actual costs of programs such as special education for all public schools?

_____ **Yes** _____ **No** _____ **No consensus**

The “Funding Massachusetts Public Schools” section of the Study Guide contains an explanation of the terminology and funding process that is needed to understand and respond to this question.

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4. Should the foundation budget funding formula be adjusted periodically to accurately cover costs associated with required areas, such as health insurance and costs for educating special education, English language learner and low-income student populations?

_____ **Yes**

_____ **No**

_____ **No consensus**

YES: The foundation budget funding formula should accurately calculate the costs of an adequate education in each school district. This budget is updated annually according to a formula that was built in the mid-1990s and has been adjusted. However, this formula has become unbalanced and inadequate, and needs to be reviewed more often. For example, in 2015, the Foundation Budget Review Commission recommended updating the costs for health insurance and costs associated with programs for special education, English language learner, and low-income students.

NO: The state education budget may not be able to cover the full costs of all required programs. The Foundation Budget Review Committee estimated that the foundation budget would increase by \$822 million with proposed alterations to special education and health insurance calculations. It would be difficult for the state cover these additional costs from current revenue. The state should, therefore, continue to allocate available funds based on the budget formula in place now even though that formula does not reflect actual costs.

Background information on the Foundation Budget is in “Funding Massachusetts Charter Schools.”

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5. Should the state continue to limit the number of students in charter schools in a district based on a percentage of the net school spending within each school district?

_____ **Yes** _____ **No** _____ **No consensus**

Clarification of question: Massachusetts General Law states “In any fiscal year, no public school district’s total charter school tuition payment to commonwealth charter schools shall exceed 9% of the district’s net school spending. . . or 18% if the district school is in the bottom 10% of all statewide student performance scores...” “Net school spending” is the total amount spent for the support of public education by a district and includes a wide range of typical school expenses. This law has the effect of limiting the number students in a district who can enroll in charter schools.

YES: The limit sets a ceiling on the financial impact charter schools can have on the district school budget and on the services available to students in the district schools. The impact can be even more severe on underperforming districts that face a higher cap. If the state were to authorize more charter seats in a district than can be covered under the net school spending cap, the state should also provide a different source of funding for tuition for those students.

If charter schools are allowed to add students without limits, there could be a tipping point where district schools are no longer viable if they lose so much funding that they are unable to provide the programs, services and reasonable class size for the remaining students.

NO: In effect, setting a limit on the number of students in a district who can attend a charter school may unfairly block options that should be available to all students.

Charter school proponents argue that, when students enroll in charter schools, the money the state allocates on a per-pupil basis should go to the charter school since charter schools are public schools entitled to public funds. If there continues to be a demand for more charter school seats, then school districts will need to adjust to a declining enrollment.

Background information on this question is on pages 4-5 of the Fundamentals document.

6. Should the state continue to regulate the number and location of charter schools?

_____ **Yes** _____ **No** _____ **No consensus**

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Note: Until a district reaches the percentage of its budget allowed under the net spending cap, the number of charter schools has an impact on the number of students, and therefore the total charter school tuition payment by the district.

YES: Controlling the number of charter schools is necessary to control the financial impact on local school districts, since more schools also means more students (see YES response on Q6).

Regulating the number of charter schools allows the state to adequately monitor and regulate them. Massachusetts currently prioritizes the location of new charter schools in chronically underperforming school districts. This policy can help address the student achievement gap between districts.

Left to market forces, charters could choose locations where the per-pupil tuition is the highest, rather than where the need is greatest. Removing limits could allow unchecked expansion of charter schools.

NO: Market forces will better determine the right number of charter schools and where they should be located than arbitrary state limits. More successful charter schools can grow, while less effective ones will not survive.

Background information on this question starts on pages 4-5 of the Fundamentals document.

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7. Should the state continue to be the authority to establish and oversee charter schools?

_____ **Yes**

_____ **No**

_____ **No consensus**

YES: Massachusetts is one of 21 states with one or just a few authorizers of charter schools. The Governor is accountable for the performance of the state authorizer. Restricting authorization to the Board of Elementary and Secondary Education permits a consistent approach across the state to determining the location of charter schools, oversight and renewal/revocation decisions. It provides economies of scale by centralizing a function that would be expensive for each district to handle on its own. In Massachusetts, charter schools are established by law to be independent of local school districts. The state has avoided many of the problems of charter schools in other states in part because of its rigorous authorization and oversight processes. There is currently no serious movement to change the way charter schools are authorized in Massachusetts.

NO: There are alternative approaches to authorizing charter schools. Seventeen states, including California and Florida, use local school districts as the charter authorization bodies. The National Association of Charter School Authorizers (NACSA) recommends that an alternative authorizer such as an independent charter board be an option in such cases. Five states allow multiple charter school authorizers, including school districts, independent charter boards, state education agencies, non-profit entities, and colleges and universities. These approaches allow charter applicants to apply to more than one authorizer. NACSA notes that these approaches require strong accountability guidelines for the authorizers to assure a quality charter program. Many of the problems associated with charter schools in other states stem from a lack of such guidelines.

Background information on this question is on pages 8-11 of the Fundamentals document.

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8. Should the state foster more cooperation and provide programs to encourage collaboration between district schools and charter schools?

_____ **Yes** _____ **No** _____ **No consensus**

YES: Charter schools were established as part of the educational reform effort to develop innovative ideas as well as to hold district schools accountable. Both goals could be better achieved if the two types of schools worked more closely together. The state should resolve the funding issue that is currently creating competition and friction between the types of schools so cooperation is more likely.

The state should also address the communication, time, and money issues that the State Auditor's report identified as barriers to more effective dissemination and sharing. Simply providing a collection of information on a state website is insufficient. The state could facilitate conferences, workshops, and school visitations where teachers from many schools interact and share ideas.

In addition, with more cooperation, students who might best benefit from the mission of a particular charter school could be identified and encouraged to consider that school. For instance, this is the approach currently taken between the Fitchburg school district and the Sizer charter school.

NO: The state should be working with public schools at the state level, not at the district level; it would take additional staffing and resources to support and monitor cooperation at the district level as well. Charter schools were established in part to provide students with options to the district schools and to be independent of school districts. Charter schools and district schools may choose to work with each other but should not be required to do so.

Background information on this question is on page 19 of the Fundamentals document.

Consensus Questions

9. Should charter schools be required to meet the same criteria for teacher licensure as district schools?

_____ **Yes**

_____ **No**

_____ **No consensus**

YES: As public schools receiving public funds, all charter schools should be required to meet all the same licensure requirements as district schools, including requirement for periodic licensure renewal. This helps ensure that all students have access to good teachers.

NO: Effective teacher evaluation is what ensures that students have access to good teachers. Charter schools and district schools already must use the same evaluation criteria. Charter school teachers are also required to take and pass the Massachusetts Tests for Educator License (MTEL Certification) by the end of their first year teaching. There is no need to add the licensure requirement.

Background information on this question is on page 17 of the Fundamentals document.

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10. Should the state continue to ensure that accountability requirements and reporting by charter schools are fair, transparent, and easily accessible to the public?

_____ **Yes**

_____ **No**

_____ **No consensus**

YES: Complete, reliable information is important to the state in evaluating performance and to parents in deciding on schools for their children. Information available should be determined by a specific set of criteria, and any deviations should be clearly documented. The public needs to be able to easily access, understand, and compare information about the management and performance of charter schools.

NO: Detailed accountability and reporting requirements are not needed. Market forces will better determine which charter schools are successful.

Background information for this question is on page 9-10 of the Fundamentals document.

Consensus Questions

11. (a) Should it be a requirement that charter school boards of trustees include parents of children attending that school?

_____ **Yes** _____ **No** _____ **No consensus**

YES: Requiring parents to serve on charter school boards gives parents a greater voice. It would help assure that demographic groups that make up the student body are represented in school governance. Parental involvement is necessary to alleviate any sense of disenfranchisement.

NO: Charter school boards may not be able to find parents willing to meet the state’s financial disclosure and other regulations for charter trustees. Parents may have a hard time making a decision to serve the best interest of the school rather than the best interest of their child. Setting aside a certain number of board seats for parent representatives may limit the ability of the board to include the mix of skills necessary for good governance. Charter schools may choose to include parents on their boards, but it should not be required. Parents can be involved in other ways.

11. (b) Should it be a requirement that charter school boards of trustees include people from the community being served?

_____ **Yes** _____ **No** _____ **No consensus**

YES: All public schools should be accountable to those they serve and those who provide funding. Requiring community representation on charter school governance boards helps ensure that local interests are being considered and addressed.

NO: Charter school boards may not be able to find community representatives willing to meet the state’s financial disclosure and other regulations for charter trustees. A board member does not need to live in a community being served by the charter school to represent the interest of that community. Specifying the exact makeup of a board may prevent the school from including a needed mix of skills. Charter schools may choose to include community representatives on their boards, but it should not be required. Community representatives can be involved with the school in other ways.

Background information for this question is on page 2 of the Fundamentals document.