

A Comprehensive Approach to Address Equity and Opportunity in Charter Schools

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Recommendations to Address Equity and Opportunity

Planning

Federal Level

- Congress should set priority for federal charter school funding that requires attention to equity.
- Congress should require states, as part of ESSA and IDEA state plan approvals, to detail how charter schools will further equity and avoid exacerbating inequities.

State Level

- States should set approval and funding priorities for charter schools that address equitable outcomes.
- States should amend charter school laws/regulations to state explicitly that all charter schools are public schools and are bound by all state and federal nondiscrimination requirements.
- States should explicitly state that all charter school authorizers are bound by all state and federal nondiscrimination requirements as a condition of exercising their chartering authority, regardless of “recipient” status.
- States should require authorizers, as a matter of their oversight throughout the charter school lifecycle, to provide a plan to demonstrate how they will ensure that the charter schools in their purview promote equitable outcomes.
- States should set charter proposal standards that require charter school aspirants to plan explicitly for special student populations, including children with disabilities and children whose first language is not English.

Planning
(Continued)

- States should adopt charter school proposal standards that require charter school aspirants to explain how the proposed school would address local patterns of student performance and discipline.
- States should require, as an element of proposal review, that charter school authorizers consider the fiscal impact of a charter school on the school district in which the school proposes to be located.
- States should explicitly allow or not prohibit charter schools to consider diversity-related factors (such as socioeconomic status or educational risk factors) in their lottery to encourage integration.
- States should establish rebuttable presumptions related to nondiscriminatory operation, including admissions standards, curricular expectations, data collection, and data reporting.
- States should prohibit charter schools from requiring mandatory parent volunteer hours.
- States should include requirements and funding for transportation of charter school students that are similar to those that apply to district students.
- States should require charter schools to participate in the federal free and reduced price lunch program (or to provide a comparable free meals program).

Authorizer Level

- Authorizers should establish protocols for proposal review that prioritize equal educational opportunity.
- Authorizers should consider the development and articulation of requests for proposals to address directly local problems of practice related to equitable student opportunities and performance.
- Authorizers should require clear articulation of how a school's selected curricular approach will foster equal educational opportunity, including the peer-reviewed research that supports the curricular choices proposed.
- Authorizers should require that proposals detail the precise ways the charter school will recruit a diverse student body.
- Authorizers should require that proposals include a clear articulation of discipline standards.
- Authorizers should require clear articulation of how language learning needs of children whose first language is not English will be met, including program development, program evaluation, acquiring appropriate staff expertise, and provision of staff development.
- Authorizers should require clear articulation of how the learning needs of children with disabilities will be met, including program development, program evaluation, acquiring appropriate staff expertise, and provision of staff development.
- Authorizers should set clear data sharing requirements as part of the charter school contract that includes academic performance, attendance, in-school and out-of-school suspension, expulsion, and student attrition.
- Authorizers should require as part of the charter school contract that a checklist of standards must be met prior to recruitment of students, including health and safety, appropriate staffing (including access to special education services), publication of a student/parent handbook, and admission procedures.
- Authorizers should ask charter applicants for detailed planning regarding how they will disseminate information to prospective students and parents, including efforts to reach families with diverse racial, ethnic, linguistic, and socioeconomic backgrounds and students with disabilities.
- Authorizers should require as part of the charter school contract that all school fees are reasonable and comply with state standards and none serve as a barrier to serving a diverse student body.

Planning (Continued)	<ul style="list-style-type: none"> • Authorizers should require as part of the charter school contract that any subcontracts with for-profit education management organizations (EMOs) and nonprofit charter management organizations (CMOs) be reviewed and approved to ensure funds are spent in reasonable ways (for example, staffing, facilities rent, and so on).
Oversight	<p><i>Federal Level</i></p> <ul style="list-style-type: none"> • The U.S. Department of Education should require states to provide charter school attrition data in addition to data on performance and discipline, and should monitor the same as a part of its regular oversight of state use of federal funds. • The U.S. Department of Education should clarify that “cell size” (the number of students in a group) cannot be used to avoid collecting or reporting data to the state, or from the state to the federal government, and that states must regularly consider how they will ensure that schools that serve small populations of student subgroups are appropriately serving those populations.
	<p><i>State Level</i></p> <ul style="list-style-type: none"> • States should review authorizers for performance on oversight responsibilities related to equitable provision of educational opportunities (clear statements regarding proposal requirements, clear statements regarding charter contract development, regular oversight protocols, and clear expression of equitable standards in renewal and revocation standards). • States should revoke authorizer authority for any entity that does not adequately collect and review data or appropriately monitor the charter schools in their portfolio for equitable student treatment. • States should periodically conduct research to determine parental reasons for charter school selection and withdrawal.
	<p><i>Authorizer Level</i></p> <ul style="list-style-type: none"> • Authorizers should collect and review annual data on academic performance, student discipline, student attrition, staff expertise, and staff attrition. • Authorizers should ensure that schools “backfill” to enroll new students when students leave. • Authorizers should review annual budgets to ensure that charter school expenditures are reasonable and direct the majority of resources directly to teaching and learning. • Authorizers should periodically review charter school websites, policies, and student/parent handbooks to ensure appropriate attention to equitable practices and outcomes. • Authorizers should consider student demographics in relation to the area from which students are recruited as part of renewal and revocation considerations. • Authorizers should require, as an element of annual oversight, any charter school with a homogeneous student population to provide an explanation for the result and develop a plan to attract a more diverse student body. • Authorizers should enforce rebuttable presumptions for charter school nonrenewal for any charter school serving a student body with significantly different racial demographics and that is unable to provide adequate justification for continuance in relation to equal educational opportunity. • Authorizers should enforce rebuttable presumptions for charter school nonrenewal for any charter school that is serving significantly fewer children with disabilities and children learning English and that is unable to provide adequate justification for continuance in relation to equal educational opportunity.

Complaint Procedures

Federal Level

- The U.S. Department of Education should develop and provide clear guidelines to parents of children enrolled in charter schools regarding their rights and the options available to them for dispute resolution.
- The U.S. Department of Education should require states to collect and report data to the federal agency regarding complaints received about charter schools alleging discriminatory treatment, policies, or practices.
- The U.S. Department of Education should establish a rule that any charter school operator, charter school chain, or charter school management organization found by state or federal educational authorities or a charter school authorizer to have violated state or federal discrimination standards or that engaged in behaviors that resulted in the revocation or nonrenewal of a charter for a cause related to equal education opportunity is ineligible for federal charter school grants for a minimum of five years.

State Level

- States should establish a complaint procedure to allow for investigation of any allegation that a charter school authorizer does not adequately oversee charter school operation.
- States should require parents to complete a charter school withdrawal form that provides a reason for withdrawing to ensure appropriate oversight of equitable practices.
- States should require authorizers to investigate allegations of discriminatory treatment or practices as a motivation for parents withdrawing a child from a charter school.
- States should establish a rule that any charter school operator, charter school chain, or charter school management organization found by state or federal educational authorities or a charter school authorizer to have violated state or federal discrimination standards or that engaged in behaviors that resulted in the revocation or nonrenewal of a charter for a cause related to equal education opportunity is ineligible for a charter from any state authorizer for a minimum of five years.

Authorizer Level

- Authorizers must establish complaint resolution procedures related to any state and federal nondiscrimination standards.
- Authorizers should ensure that each charter school has adopted and published policies regarding how and with what agency parents may file complaints.