

NOTES

Introduction: Charter Schools in the Reform Imagination

1. The eligibility requirements for these programs vary considerably. Most publicly funded voucher programs are restricted to low-income students, students with disabilities, or students who attended schools identified as failing.
2. *A Nation at Risk* was the most influential of a series of reports on the state of American education that was released during that time period. The Twentieth Century Fund, the Education Commission of the States, and prominent education researchers such as John Goodlad and Theodore Sizer also weighed in with their own analyses. Berliner and Biddle (1995), and more recently Glass (2008), have argued that the crisis in American education was, in Glass's words, a "political invention" (54).
3. The other two reforms that Coleman and his colleagues (1997) saw as having the potential to create output-driven schools were: (1) national standards; and (2) the use of private contractors to manage public schools.
4. The school charters ranged from elaborate statements of educational philosophies to thin documents. With many of the latter, it was difficult to discern how the proposed school would differ from any other public school. For example, a few of the earliest approved charters were conversion schools with charters that amounted to little more than brief statements that the schools wanted more flexibility to make curricular and funding decisions. According to one charter school advocate, a revision to California's charter school legislation that took effect in 1999 required charter school organizers to provide "reasonably comprehensive" descriptions of their schools' instructional program and operations because so many early charters were relatively undeveloped (Premack, 1998, 41).
5. In order to mask the identity of the school, I do not identify the specific racial group that was the majority of the school's population. The label "disadvantaged," while imprecise, denotes that this particular minority group has a long history of being underserved by public education.
6. There are two other rough indicators of Inspiration School's relative advantage. First, the school did not offer transportation to its students, so parents had to drive their children to the school. Second, according to the information collected by the school as part of the state assessment program, parental education was relatively high. In 1999, 97 percent of the parents of students tested in grades two and higher responded, and of these only 2 percent had less than a

high school diploma. The corresponding figures for Hilltop Charter School and Hearts and Hands Community School are 29 percent (88 percent response rate) and 18 percent (97 percent response rate).

1 Mapping the Terrain of Charter School Reform

1. Author's calculations using Common Core of Data (CCD).
2. In 1999–2000, 74 percent of charter schools were start-up charter schools. In 2003–2004, 80 percent of charter schools were start-up charter schools (Author's calculations using the SASS).
3. The most well-known EMO associated with charter school reform is the Edison Project. Other EMOs involved in operating charter schools include White Hat Management, Mosaica Schools, and the Leona Group.
4. Statements of legislative intent change over time. The analysis presented here is based on the statements of legislative intent in each state's charter school legislation as of September 2006.
5. After the Detroit City School District, the next largest school district in Michigan is Utica Community Schools, a suburban district within metropolitan Detroit, which had just under 30,000 students enrolled in 2005–2006.
6. A charter school can also be renewed if its sponsor can document that its students would perform at least as well as they would in the public schools they would attend if they did not attend the charter school. The evidence used by the sponsor to make the case that the charter school be renewed must include student achievement data from the state-mandated assessments.
7. The characteristics used to construct the SSI include: pupil mobility, racial demographics, socioeconomic status (measured by percentage of students eligible for reduced or free lunch), teachers' credentials (percentage fully credentialed or emergency credentialed), the percentage of English learners at the school, the average class size by grade level, and the type of school calendar (traditional versus year-round multitrack), grade span, and the percentages of: students in the Gifted and Talented Program, students with disabilities, reclassified fluent-English proficient students, special education students, and students in full-day reduced-size classes.
8. While the SASS data are six years older than the CCD demographic data presented above, the demographic breakdowns for the weighted samples of conventional public schools and charter schools in the analyses that follow are roughly similar to the figures presented in tables 1.3 through 1.5, which suggests that the data are roughly comparable. Standard errors for all calculations using the weighted samples from the SASS are available from the author on request.
9. The locale variable in the CCD follows the Census classification of communities. The CCD locale variable was an eight-category variable, which I recoded as follows. Central city denoted schools located in the central city of a Consolidated Metropolitan Statistical Area (CMSA). Urban fringe indicated that the school was located in an urban area within a CMSA with a central city but outside the central city. Town contains all schools located in nonmetropolitan urban areas with populations greater than 2,500 people. Finally, Rural indicates that the school was located in a rural area (NCES, 2008).

10. Similarly, 35,076 (64.6 percent) of the conventional public schools in table 1.6 served at least one grade between kindergarten and fifth grade. Of these, only 3.3 percent served at least one grade between grades nine and twelve. In contrast, 643 (63.7 percent) of the charter schools served at least one of the grades between kindergarten and fifth grade; 19.3 percent of these schools served at least one grade between grades nine and twelve.

2 State Level Policy Action

1. This narrative, while convenient, oversimplifies a complex story. *A Nation at Risk* both reflected and provided impetus for education reforms that were underway at the state and local levels (see Toch, 1991) and was also the most prominent of a series of reports on the state of American education that was released during that period. The general consensus that emerged from these reports was that the American educational system was in deep crisis.
2. Most analysts agree on this rough timeline of reform efforts as well as the use of the metaphor of successive “waves” of reform efforts. Similarly, most also make a conceptual distinction between the two types of restructuring described here (see, for example, Raywid, 1992). Whether or not commentators describe them as separate waves of reform seems to depend largely on when they are writing. For example, in an early assessment of restructuring, Murphy (1992) describes market-driven choice as a “less central but persistent theme” within the restructuring movement that at the time he was writing was gaining increasing attention, whereas teacher empowerment tended to dominate earlier efforts at restructuring (6, 9). In many ways, the two forms of restructuring have come together under the banner of the charter school movement.
3. NCLB required states to develop accountability systems to assess if schools and districts are making adequate yearly progress (AYP) toward academic achievement; schools that do not make AYP for two years in a row can be targeted for school improvement. Ultimately, if a school fails to make AYP for more than three subsequent years, it can be restructured by its local school district. The local school district could: (1) reconstitute the school as a charter school; (2) replace all or most of the school’s staff; (3) contract with a private management firm to manage the school; (4) have the state take over school operations (NCLB, 2002).
4. The California Business Roundtable’s efforts were paralleled by similar activities by national business organizations such as the Business Roundtable, the National Alliance of Business, and the Center for Economic Development.
5. Paul Berman, the head of the research team that produced the report, described the impact of the Roundtable on education reform:

As the new kid on the block, the Roundtable had entered California’s contentious political battleground with a nonpartisan approach that enabled it to play a broker’s role. The timing was right for change and the political actors were in place. But a powerful yet responsible weight was needed to tip the balance. By committing prestige and resources and developing a clear agenda that was above the partisan skirmishing, the Roundtable may have provided the missing element that had been so conspicuously

- absent in past stalemated efforts to achieve education reform in California. (Berman and Clugston, 1988, 130)
6. The latter were drawn from an initial pool of 822 proposals that were narrowed down to 200 finalists. Hilltop Charter School was a grantee in a highly competitive funding process (Chang, Salazar, Dowell, Leong, Perez, McClain, Olsen, and Raffel, 1994).
 7. Charter schools are required to meet state standards and administer state assessments. As I detail in chapter 5, both state standards and the state testing program have undergone considerable revision since California's charter school legislation was passed in 1992.
 8. There was also considerable, although not uniform, opposition to the initiative within the charter school community. The state charter school organization, the California Network of Educational Charters (CANEC), refused to take a position on the initiative until it was officially qualified for the November 1998 ballot. Ultimately, CANEC also played an important role in shaping the final bill that was passed by the legislature.
 9. While KCMUSD was the original plaintiff that filed the lawsuit, the presiding judge named the district as a defendant, and a private civil rights lawyer was engaged on behalf of the plaintiff schoolchildren (Morantz, 1996). KCMUSD worked with the plaintiffs as "friendly adversaries" to develop their legal strategies and arguments throughout the trial and appeals process (*Jenkins v. State of Missouri*, 593 F. Supp. 1485).
 10. In *Milliken*, the Supreme Court struck down an interdistrict desegregation plan in Detroit because the plaintiffs did not prove that the policies and actions of the suburban districts contributed to segregation in the Detroit School District (*Milliken v. Bradley*, 48 U.S. 717).

3 School Level Implementation: Charter School Reform "On the Ground"

1. Selznick's structural-functionalist theory of organizations stresses rational action. Neo-institutional theorists have since questioned the view that organizational behavior is rational (see, for example, Meyer, 1977).
2. I use the terms Principal and Director at different times to describe the school leader because during my tenure at Hilltop Charter School, Mrs. Carmichael, the principal, resigned. When her successor Mr. Arden was hired, the title of the position was changed from Principal to Director.
3. A sheltered classroom is a classroom that is comprised of English language learners (ELLs) who receive instruction exclusively in English; teachers use instructional strategies such as visual cues, linguistic modifications such as repetition, and cooperative learning techniques to help teach ELLs subject-specific concepts (Freeman and Freeman, 1988).
4. The weighted N for each group was 24,791 conventional public schools and 420 charter schools.
5. There was some variation in this structure over the years. For example, one year the committee structure was eliminated to allow teachers to focus their work within their grade clusters, only to be reinstated the following year

- because the staff needed the committees to facilitate work across grade clusters on school-wide issues.
6. The school's first charter was approved by the district in the summer of 1993 and renewed in the fall of 1998. In discussing the school's developmental model, I have drawn from the sections of the renewed charter that was largely consistent with the original charter. The sections of the charter dealing with school governance had been revised substantially. I discuss some of these changes in more detail in chapter 4.
 7. Other aspects of the school's original structure had also changed, but less radically. For example, classrooms were originally organized as three-year multi-age classrooms. One teacher characterized the decision to convert to two-year multigrade classrooms as positive because teaching classes with a three-year grade span was too much of a stretch for teachers. Similarly, teachers met with their families every day.
 8. Author's calculations using the 1999–2000 SASS.
 9. Based on my informal observations, less formal teaming seemed to occur more regularly between teachers with English and sheltered classrooms, which is likely attributable to the high levels of primary language support that bilingual students needed, which the non-bilingual teachers were generally unable to provide (although many knew and used rudimentary Spanish).
 10. While the "grey binder" was not new to the school, it was updated in the fall of 1999. One of the SSC co-chairs, a teacher who was later promoted to Assistant Director, systematized and revised all of the school procedures and ensured that all staff members had copies.
 11. Private Waldorf schools not bound by laws regarding the separation of church and state would focus on the Book of Genesis and have an explicit religious component (Edmunds, 1975).
 12. By the end of the school year, the kindergarten students were making smaller versions of main lesson books on the alphabet.
 13. See also the description of the Waldorf Curriculum on the Association of Waldorf Schools in North American web site at www.awsna.org.
 14. Participation in the program varied widely across state contexts. At the time of the fieldwork, twenty-six states had between one and ten public and private schools implementing the curriculum. Another nine states had between ten and twenty schools, three states had between twenty and forty schools, and eight states had more than forty schools in the process of implementation. According to the organization's materials, schools were considered participants in this curriculum model if they "indicate a commitment" to start implementing the model. Schools could be certified in the Grand Heritage model if they taught at least 80 percent of the program's curriculum sequences and completed a certification process. A much smaller number of schools were certified.
 15. As Larry Cuban (2000) pointed out, these are highly charged political terms that often obscure the considerable variation within the respective camps, yet are also resilient features of the policy talk around education reform.
 16. Though beyond the scope of the discussion here, it is worth noting that, like Cuban, Delpit is also critical of the sharp dichotomy between "traditional" and "progressive" education (which she indexes in her discussion of the debate between skills and process).

17. After California's school legislation was passed, a community group made an unsuccessful attempt to convert three low-performing and predominantly minority schools into charter schools to be run by a for-profit educational management organization. This effort was unsuccessful because the group did not have sufficient support among the schools' teaching staff. Charter school law required charter school conversions to be approved by 50 percent of the schools' faculty.
18. In early 2000, Educational Enterprise Corporation targeted six county school boards in Florida in an effort to open additional charter schools, although none of those efforts were successful.
19. The Little Hoover Commission is an independent state oversight agency charged with examining the operation of state government with the goal of improving its efficiency, economy, and service.
20. In 2002, Inspiration School discontinued its relationship with Educational Enterprise Corporation. The report to the Geary Unified School District's governing board that was prepared by the district's administrative staff noted that Inspiration School was in violation of its charter because there was little evidence that regular governance meetings were held in accordance with California's public meetings law. The Geary Unified School District also conducted an outside audit and found serious lapses in the financial management provided by Educational Enterprise Corporation to Inspiration School and the three other schools in the district that it managed. Inspiration School submitted a revised charter that the Geary Unified School District approved conditionally; the school had to meet a set of requirements related to fiscal and managerial accountability.
21. One school (not Inspiration School) received a grant of approximately \$350,000 during the same year.
22. This figure was drawn from Inspiration School's state-mandated school accountability report card.
23. Tuckman's ([1968]2001) model of group development has since been adapted to explain the stages of organizational development.

4 How Policy Contexts Shape Implementation

1. This contract language was the outcome of a teachers' strike in 1996. Teachers had been working under an expired contract for over six months and had not received cost-of-living raises for six years. Teachers also sought more authority for governance teams at the school site.
2. The New American Schools Development Corporation (NASDC) was a high profile national effort at restructuring formed as part of President George H. W. Bush's America 2000 education plan. America 2000 provided seed money for NASDC, a privately funded nonprofit that funded the creation of designs for "break the mold" schools (Richter, 1991). By July of 1992, eleven design teams were chosen to participate in the initiative. The Geary Unified School District was a district participant on one of the teams: The National Alliance for Restructuring Education. Five Geary schools, including Hilltop Charter School, were chosen to participate in the program.
3. Interestingly, Jensen's earliest vision for the school included a number of creative policies and practices: class sizes as small as ten students; a school

- day that started in the early afternoon and ended in the evening to facilitate parental involvement; utilizing students as maintenance workers; teaching parents and children together; and providing health, nutrition, and psychological counseling services to students. That the ultimate form of the school largely conformed to the conventional model of schooling suggests the power of what Tyack and Cuban (1995) have described as the “grammar of schooling” (9).
4. The composition of this group reflected local school politics when Hilltop Charter School was founded. In 1992, prominent local business leaders began to promote education reform. One strategy included supporting the development of charter schools by providing technical assistance. By 1996, this group was a key player in local school politics, endorsing a slate of candidates for the school board and actively promoting its own reform agenda.
 5. Shared decision-making was the language used by the union to describe site-based management. According to district documents, as shared decision-making evolved as a formal policy within the district, the employees’ unions had a strong influence in shaping the district guidelines on this policy.
 6. In subsequent revisions of the charter, this strong statement was toned down.
 7. Two other charter schools were in the middle of crises during this period. Hearts and Hands Community School’s internal struggle is detailed in this chapter. Another conventional public school that converted to charter school status was also embroiled in internal disputes; the Geary Unified School District revoked its charter in the fall of 1996.
 8. Staff members credited Mrs. Carmichael with making important and much needed changes at the school. They most frequently highlighted her efforts to reorganize the school’s budget and financial systems.
 9. While the school had other sources of funding that allowed it to participate in other reform efforts, the school’s charter identified these two reforms, and in particular the 1274 grant, as the most significant.
 10. This school remained an important model for Hearts and Hands Community School. Teachers visited the Milwaukee school annually. One teacher who was a grassroots leader described the Milwaukee public Waldorf school as the school that Hearts and Hands Community School needed to be.
 11. The other two charter schools that were formed in 1994 were conversion charter schools. Until Inspiration School was approved in 1997, most of the charter schools that were approved by the Geary Unified School District were conversion schools. An additional “start-up” charter school opened in September of 1996. However, the Geary Unified School District revoked its charter within a week because of safety code violations at the school’s rented site; this school became a satellite school of a charter school in a neighboring district until Geary approved its own charter.
 12. For a good overview of some of the philosophical underpinnings of the Waldorf movement and the controversies surrounding public Waldorf schools, see Ruenzel (2001).
 13. In the years that followed, the teacher’s union opened its own charter school in the district. This school (which is now defunct) also served as an overflow school housed in a district building. Interestingly, these were issues of contention in the union’s lawsuit against Hearts and Hands Community

- School—the union argued that since the school was housed in a district-owned building rent-free, the district was in effect subsidizing the school.
14. As I noted in chapter 2, in the years immediately following these lawsuits, charter school law has undergone significant changes, which made some of these issues moot. Specifically, charter school teachers in California are required to be credentialed and charter schools had to declare whether or not they were independent from their district for the purposes of collective bargaining.
 15. While Hilltop Charter School's teachers retained all the rights granted to district employees under the union's collective bargaining agreement, the school did not have to hire teachers using the union's post and bid procedure, which was based on seniority.
 16. While the case was dismissed, PLANS appealed the verdict in a higher court (Ruenzel, 2001).
 17. In other instances, the curriculum is described as a blend between California State curriculum frameworks and a Waldorf educational model. At Hilltop Charter School, district and state standards also seemed to be used interchangeably, in part because the Geary Unified School District had a separate set of standards it adopted in 1998. In January 2001, the district reverted to the California state frameworks.
 18. While the district's reform emphasized teaching children to read quickly and early, the school's charter advocated a slower approach: "Each grade has its own course of study that is responsive to the child's stage of physical, emotional, and cognitive development. Because of this, some areas of academic subjects traditionally taught in kindergarten and first grade are introduced more gently and gradually. Specifically, letter and sound recognition is introduced in first grade, while reading is introduced in the first grade and continued in the second grade" (Hearts and Hands Community School, 1993, 8).
 19. As a condition for their charter renewals in 1998, both Hilltop Charter School and Hearts and Hands Community School were required to follow the district's accountability plan, which required them to administer all the assessments mandated by the district.
 20. There was also some disagreement among the parties about what constituted a clearly defined program and what audience the program document should address. The charter and a teacher's guide contained a skeletal outline of the school's education program in the charter. One teacher argued that these documents would allow teachers to get started and conduct their own research on how to implement the model. Another teacher characterized this assumption as problematic and questioned how people could be effective mentors if they looked down upon people with less Waldorf training. The Curriculum Committee produced a draft of a document intended mainly for teachers that linked the school's education program to state and local standards and highlighted the relationship between the Waldorf-inspired components of the program and the work of child-development theorists such as Piaget. However, some staff members wanted a document that explained the education program more clearly to parents.

21. For example, a school document produced the previous summer listed a series of “collective concerns” that were the outcome of a staff meeting meant to facilitate positive organizational growth and change. One of these concerns was that the “Waldorf component was not clear, not required (how it ties in), not enforced.”
22. Information obtained from the Corporations Directory at the Office of the Secretary of State.
23. One of the other schools managed by Educational Enterprise Corporation was a former private school run by a faith-based organization that was reorganized as a charter school. Originally formed under the auspices of Inspiration School’s charter, its own charter was approved in 1999. In 1995, a representative of the school testified at a Congressional hearing on education reform in support of school vouchers as a vehicle for a comprehensive reform effort that encompassed the home, religious institution, and educational institutions. He also noted that “the education monopoly, like all monopolies, tends to take its clients for granted and loses sight of its responsibility to those which it serves. Healthy competition is good for any business.” Thus while his testimony focused largely on the ways that public schools have underserved minority youth, he also invoked the policy talk of market-driven choice.
24. It could be argued that this is a form of segregation by choice that is analogous to the move into private schools by white parents in the South as a response to desegregation. However, the contexts in which these two sets of choices were made are radically different. Whereas white parents pulled their children out of public schools to resist the change in power dynamics that desegregated schools represented, in contrast, many of the local actors involved with this charter school saw it as a response to how minority students have been underserved by public schools. The only way that we can equate these choices is if we strip them from the wider political and historical contexts that give them meaning (Gotanda, 1991). Moreover, highly segregated urban public schools are themselves the outcome of public policy choices. As Lipsitz (1998) demonstrates, long-standing patterns of residential segregation and “white flight” from public schools in central cities were facilitated by both governmental policies and informal practices (see also Katznelson, 2005; and Kimble, 2007). Moreover, in some instances, white parents have been able to use charter school reform to create schools that have become, in essence, exclusive enclaves for white middle class families (Stambach and Becker, 2006).
25. For a more recent example of this argument, see Stossell (2006).
26. These competing pressures were highly visible at a meeting of a local business group that sponsored an organization that offered technical and legal support for charter schools. Once a year, members of the charter school group were invited to the meeting of the business group. One of these meetings occurred a week before the school board passed the *Plan for Student Success*. The superintendent presented an update on the plan, which the business group unanimously endorsed.
27. One of these was the loss of instructional aides. The *Plan for Student Learning* resulted in a reduction in instructional aide positions and a redirection of those personnel dollars toward professional development for teachers.

5 Policy Dynamics—Schools and Accountability Policies

1. In practice, few school charters have been revoked on the basis of student performance. In California, charter schools are required to define a set of outcomes that their students will meet and how these outcomes will be measured. However, assessing schools on outcomes that are often ambiguous and difficult to measure has proven more difficult in practice (Wells et al., 2002). Moreover, as I documented in my discussion of the state policy context, California's state-wide testing program began in 1998. Thus, even if we assume that standardized tests are an appropriate measure of student performance in charter schools, for the first five years of charter school reform in California there was no way to assess how charter schools performed relative to other schools.
2. CAP was begun in the mid-1980s and tested students in grades three, six, eight, and twelve; the last administration occurred in 1991 when the California Department of Education was able to find the funds to test eighth graders.
3. Initially the testing program was challenged by religious conservatives. Subsequently, the California Teachers Association and the California School Boards Association also joined these efforts (Gunnison and Lucas, 1994).
4. Author's calculations using California Department of Education data.
5. A small subculture at the school advocated a more performance-oriented approach to standards-based teaching. If we understand teachers' conceptions of teaching as falling on a continuum between developmental/content standards/performance standards, most teachers would be somewhere in the middle and advocate for the use of developmental teaching methods to teach content standards. Other teachers supported performance standards.
6. This topic was the subject of an ongoing debate that started largely in the undercurrents of school life (during lunch, between meetings). With a shift in school leadership, the debate moved to more public forums and the staff began a more sustained conversation about what "developmental learning" meant and how it should look at the school.
7. See also Downey, von Hippel, and Hughes' (2008) distinction between student achievement (standardized test scores at one point in time), learning (the amount that students learn in an academic year), and impact (the difference between students' in-school learning and the amount they would have learned if they had not attended school). Downey, von Hippel, and Hughes' analysis suggests that while achievement is highly correlated with school socioeconomic characteristics, learning and impact are not.
8. One teacher referenced one-way accountability when she commented, "you want my test scores to be great, do you mind giving me a book in order to have these kids read?"
9. In 1998–1999, 28 percent of the Geary Unified School District's students were English-language learners.

6 The Relationship Between Policy Talk and Implementation

1. Hess (2001) proposes a similar framework. Hess distinguishes between regulatory accountability—which combines elements of bureaucratic accountability and performance accountability as described by Garn and Cobb (2001)—and

market accountability. See also Kirst (1990), which draws on and elaborates a framework proposed by Levin (1974).

2. The question did not ask principals to specify whether or not the school improvement plan was required by the state or district. As a result, these responses cannot be reliably classified as internal or external accountability. However, they do provide another source of information about how schools assess their progress, and the results can be compared to that of other questions.
3. Standard errors available from the author on request.
4. Interestingly, on most questions, the standard deviations for the charter school principals' responses tended to be higher than those of the conventional public school principals which suggests that there was greater variability in the responses of charter school principals. The exceptions to this pattern were the standard deviations for the questions asking the principals to assess their own and their teachers' influence on performance standards, which is consistent with the overall pattern of greater internal accountability in charter schools.
5. Indeed, it could be argued that the large sample sizes are in part responsible for the statistical significance of the findings.

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