

## **Interplay between charter, traditional schools often gray**

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**Fifteen years ago, many local educators felt Sacramento was a giant school board in the sky, dictating what districts hundreds of miles away could or couldn't do.**

There were too many rules. There wasn't enough freedom.

Former state Sen. Gary Hart says that lack of flexibility was a major reason he authored legislation enacted in 1992 that would give rise to charter schools, a new type of public school in California.

Charter schools are tuition-free and operate using state money, but they're exempted from many laws governing traditional public schools.

"I used to be a classroom teacher," Hart says. "One of the things I've always felt is that learning is a very complex, complicated matter. No one has a monopoly on how to teach."

His vision has changed education in the state.

Today, more than 600 charter schools in California serve a total of about 220,000 students, according to the state Department of Education. At least four new charters are hoping to open in the San Bernardino area.

Before California lawmakers passed charter legislation, Minnesota was the only state with a public charter program. Today, most states have one.

Charter proponents argue that the schools are healthy competition for traditional institutions, giving parents another choice.

Charters are often free of the bureaucracy that causes decision-making in some districts to stall, says Gary Larson, a California Charter Schools Association spokesman. The schools have wide latitude to create personalized lessons for students, which increase chances of success, he adds.

But some critics view charters as a liability and a drain on resources that could go to traditional schools.

Researchers have arrived at different conclusions about charters' effectiveness.

A 2006 paper by the RAND Corp. found charters generally perform on par with other public schools while using fewer public resources and emphasizing curriculum outside core subjects such as math and English. But the paper, titled "Making Sense of Charter Schools," also noted that charters weren't successful in closing gaps in achievement between students of varied races.

## Walking a tightrope

Greg Geeting, a consultant with the state education department's charter schools division, calls seeking a balance between supervision and freedom for charters "walking the tightrope." Hart calls it finding the "golden mean."

High-profile cases of abuse by charters fuel detractors' call for more regulation.

An audit requested by the Los Angeles County Office of Education and released last month accused staff at the Gorman Learning Center, with campuses in Rancho Cucamonga and Redlands, of nepotism and claiming \$7.7 million in undeserved state funding. The charter is preparing a formal response, which is due April 16.

A 2005 audit reported that funds for the Victorville-based California Charter Academy had been misspent on items including Disney-related art and spa services.

With those scandals and others in mind, Geeting wonders, "Is that a lot? Or is that a little? Or is that what one might expect from any kind of innovative activity like this? & We've had the same problem with school districts having financial crises."

He notes that in response to "celebrated instances" like the California Charter Academy debacle, lawmakers have tightened rules.

Cracking the Gorman scheme was a product of new legislation, Geeting notes. Last year was the first in which county education offices statewide had the power to investigate charters suspected of mismanagement.

Another relatively new law requires charters to choose from state-approved agencies for an annual audit.

Marlin Brown, president of the San Bernardino City Unified School District board, says the lack of oversight is cause for skepticism of charters. There's a reason Sacramento requires districts to oversee areas such as curriculum and hiring, he says.

When charter schools fail, he notes, "Where do the kids fall back? They fall back into the public system."

That was the case when a charter in the Colton Joint Unified School District closed in 2005, according to Colton school board member Kent Taylor. District administrators had to decide whether to grant credits to the charter's students because some of the school's teachers were not properly certified, Taylor recalls.

A common conflict between districts and charters is over facilities. Proposition 39, passed by California voters in 2000, requires districts to offer space to charters, which must pay for expenses such as maintenance, Geeting says.

Stephanie Farland, a senior policy consultant with the California School Boards Association, says districts - particularly those struggling financially - should have autonomy over what to do with their space.

Charters suck away money from traditional public schools, which are funded based on enrollment, Farland says.

Most charters are granted the right to operate by a district, and there are few reasons a district can deny a charter petition. The financial burden opening a charter could place on traditional schools is not one of them.

The debate has played out in San Bernardino, where two charters are hoping to open.

With traditional schools already experiencing declining enrollment, losing hundreds of students to new charters would be a blow to the San Bernardino district, which must come up with money to serve kids and honor employee contracts, says Brown, the board president.

Judi Penman, who sits on the board with Brown, has strongly supported one of the new charters, noting that a good program ultimately benefits students.

A question of identity

**Parents sign the waiting list for the Academy for Academic Excellence in Apple Valley as soon as they know the sex of their unborn child, says Rick Piercy, who helped found that charter school in 1997.**

**Piercy and colleagues are hoping to open a similar math and science-focused charter in San Bernardino.**

**Piercy, who is also chair of the state board for the California Charter Schools Association, says charters must educate people on the schools' purpose. Many moms and dads think charters are private, and district officials often view charters as outside the public system, Piercy says.**

Brown says that's because many charter operators scramble to take the best students while ignoring the needy, thus violating the public mission of serving every child.

Eric Premack, co-director of the Charter Schools Development Center, an advocacy and training group, says anecdotal evidence shows some charters cherry-pick the best kids while some districts push their worst students on charters.

"There are examples of some charter schools using very aggressive and focused marketing tactics that appear to be de facto creaming devices," he says. "(And) districts take their toughest kids and say, 'We won't expel you if you go over and enroll in the charter school.'"

In Taylor's view, good charters help retain students who might otherwise transfer outside a district to a private institution.

Brown, in contrast, questions if charters are needed in a district like San Bernardino City Unified, which serves 56,000 kids. Large districts already offer vocational, foreign-language and other programs that many charters tout, he says.

While some charters "fulfill the promise," Brown says, many come "with a bill of goods that is impossible to deliver." Charters might pledge to help struggling students become stars, only to close soon after opening, he said.

Too many charters are "cookie-cutter" schools that don't offer unique programs, Farland said.

Years later

How charters will shape public education - or how the traditional system will shape charters - is still in question.

In a series of studies released last month analyzing education in California, some authors hinted at the need for an overhaul of the traditional system. One researcher suggested the state would have to shell out an added \$1.5 trillion to meet its student-achievement goals under the current structure.

"The old system has essentially become profoundly dysfunctional, and I think that the studies & are pretty explicit that you could pour infinite sums of money into this system and it wouldn't help," Premack says. "That's a pretty damning indictment."

He says he can picture a California where charters are the norm rather than the exception.

Brown wonders how the public would react to that idea, noting that current education laws were made to protect students, not hinder them.

Hart says allowing entities such as universities to grant charters could foster more innovation.

"Some school boards have been very suspicious, distrustful of charters, which I find ironic," he says, referencing districts' 15-year-old wish for more freedom.

Premack says he'd like to see nonprofit groups and others grant charters. Giving school districts that power was a mistake, he says.

"They rarely devote the resources and high-quality, stable staff to make (charters) happen," he adds. "And that results in a lot of good charters getting denied or delayed, bad ones getting approved."

Looking back on charters' contributions to education, Hart says he's been surprised by how involved many have become in distance learning and home-schooling. He's pleased charters have sprouted in low-income areas where parents want an alternative.

He worries that Sacramento, that school board in the sky, could place so many restrictions on charters that they would lose their ability to innovate.

And that's the challenge for legislators and educators today - walking the tightrope, finding the golden mean.

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