

## A Test for the Legislature

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In education circles, there is much talk about the merits of testing children and teachers. This week is a test for the Legislature. It is a test, today, of whether Senators will choose what works over what has not worked. Whether they will choose children over the adults who run district school systems. Whether they will choose to renew Massachusetts' leadership in education reform and secure its national preeminence and competitiveness internationally. And, finally and most importantly, whether they will find a voice on the civil rights issue of our generation—and really the number one civil rights issue of the past century as well.



The need is there, and the Governor recognized it in assembling his bill. There are 100,000 mostly poor and minority children in inner city schools that are failing. He has targeted those communities with his proposal, and he has:

- > Kept options open so that all proven charter operators can come and create schools
- > Maintained a fair lottery system
- > Maintained charter schools' ability to reach clear goal of charter schools - academic excellence
- > Maintained equitable funding for charter schools.

The bill being debated in the Senate today does not do that. It undermines all of these key elements of charters' success.

The question is: Are the legislators up to the challenge? Or will they pass a law that nominally lifts the cap but undoes many of the core elements that make Massachusetts' charters excel.

### **CHARTERS WORK**

Just go to the studies most recently done: See [here](#) and [here](#).

Simply put, charters are a proven mechanism for delivering high-quality education to inner city minorities and the poor.

Massachusetts has good state policy on charter schools; one that produces charters in most cases of very high quality. Newsweek just published its list of America's top public high schools. Although less than 3 percent of the Commonwealth's public school students attend charter schools, the three Massachusetts school made the top 100 were all charters. The Sturgis Charter Public School ranked 27th, Boston's MATCH School was 84th and the Mystic Valley Charter School in Malden was 93rd. They ranked ahead of schools like Weston High School (191) and even Boston Latin (165).

When New Leaders for New Schools, a national organization co-founded by former Clinton education aide Jon Schnur, selected the top charter schools in the country, 30 percent of them were in Massachusetts, even though the Commonwealth accounts for just 2 percent of national charter enrollment.

## **GO BACK TO THE GOVERNOR'S BILL**

The Senate needs to **maintain a level playing field for all school operators**. The Senate bill does not do that; it prohibits for-profit operators from applying for new charters. Currently there are only two for-profit charter schools in the Commonwealth, but they are good ones. For example, the SABIS school in Springfield is one of the top urban high schools in the state. The bill, as drafted would prohibit SABIS from developing a second, third and fourth school in Massachusetts and would require it to give up its proprietary curriculum for free. The Senate Ways and Means bill's exclusion of private, for-profit charter providers violates President Obama's, Secretary Duncan's, and the Patrick administration's stated desire to have proven charter providers serving poor and minority populations in Massachusetts. Closing the achievement gap means that Massachusetts needs to bring the charter model to scale quickly and effectively in inner cities. If the Legislature is serious about helping inner-city children succeed — all the options need to be on the table to drive charter and innovation school reforms.

*No other state that I know of prohibits private operators. What are we to do, tell kids they cannot have access to a proven operator because of ideology? The Governor's bill is a superior option because it eschews ideology and seeks the best charter operators for our kids.*

The Senate bill needs to maintain a fair lottery system. Lotteries may be heartbreaking because there are hundreds, thousands of parents whose hopes are dashed when they cannot get into a charter school. But they are fair. The Senate bill sets quotas for special needs (SPED) children and English language learners (ELL) because of pressure from the Massachusetts Teachers Association. Setting quotas compromises the lottery system. While charters do not serve as many SPED and ELL students, [they serve a much higher proportion of African-American and Hispanic students, as well as children in poverty](#). Thus, this provision of the bill will keep a number of African-American, Hispanic and poor children from gaining access to excellent educations in charter schools.

*Again, I know of no other state that sets such quotas. The Governor's bill was superior in calling for charter operators to redouble marketing to SPED and ELL students, but it does not compromise the lottery system.*

The Senate bill needs to **maintain charter schools' ability to reach clear goal of charter schools — academic excellence**. A provision in the bill would require that charter schools "backfill" openings left by students departing charters for district schools. While on the face of it a reasonable suggestion, it cannot be done by inserting students in the same grades as the departing students. Rather backfilling must be only in the grades of entry into a charter school; that is, if a high school the 9th grade; if a middle school, the 6th grade; etc. After all, charters excel because they establish a culture of excellence where the goals are clear and the expectations are clear. Charter middle and high schools, especially, take kids who are behind and with a couple of years get them to proficiency and the ability to take harder (in high school AP and college-level) courses. If they must take students from the district who have missed those

first years of acculturation to learning and advancement, the whole sense of group movement toward excellence will be undermined.

*I know of no other state that requires such backfilling.* Further, the very fact of its consideration is a sign of the undue weight given to a non-peer-reviewed and shoddily prepared Massachusetts Teachers Association's report on attrition. See [here](#) and [here](#).

The Senate bill needs to maintain equitable funding for charter schools. The McDuffy decision in 1993 that drove much of the landmark Education Reform Act of 1993 was that there should be equitable funding for districts. Currently, [charter schools receive on average \\$9,400 per student; sending districts \\$13,400](#). On top of that charters receive \$893 per student for facilities funding, while district schools have access to the School Building Assistance Program run by the state Treasurer. No one is complaining about that, though it is clear that charters receive less funding than districts, notwithstanding MTA misinformation. But the Senate bill now goes back to a proposal first made by the Governor in February, which places up to 20% of charter school funding in a line-item. The line-item would be subject to annual appropriation process, and with coming budget difficulties it is sure to be a target of continued MTA mischief.

## **CLOSING**

Powerful members of the Senate know urban issues firsthand. The Senate President understands well the need for high-quality education in inner cities from her days in Dorchester. The Chairman of the Senate Ways and Means Committee Steven Panagiotakis understands the needs of Middle Cities like Lowell and Worcester and New Bedford. Senator Jack Hart knows very well the needs and desires of constituents in his district as well, as do so many others. The question is: Will you, Senators, decide based on the unions, or based on the needs of children. Make no mistake. This is a civil rights issue. Not the civil rights issue of the 21st century as Governor Romney used to say and as the President of the United States today states. It was the original civil rights issue. The civil rights movement gained a full head of steam after World War II with the Brown v. Board of Education decision, as well as the life work of Dr. Martin Luther King to secure equality of opportunity for all. All the changes in laws, federally and locally, mean little if we cannot assure inner city minorities of a great education.

Your names and votes will be recorded for history. Will you place your stock with the future of unions, or the future of our children? It's not for me to tell you which way to vote. But we will be watching carefully. And the voters will know.

Respectfully,



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