

Restoring Shanker's Vision for Charter Schools



BY RICHARD D. KAHLBERG AND HALLEY POTTER

In 1988, education reformer and American Federation of Teachers president Albert Shanker proposed a new kind of public school—“charter schools”—which would allow teachers to experiment with innovative approaches to educating students. Publicly funded but independently managed, these schools would be given a charter to try their fresh approaches for a set period of time and be renewed only if they succeeded.

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Freed from bureaucratic constraints, teachers would be empowered to draw on their expertise to create educational laboratories from which the traditional public schools would learn. And liberated from traditional school boundaries, Shanker and other early charter advocates suggested, charters could do a better job than the regular public schools of helping children of different racial, ethnic, economic, and religious backgrounds come together to learn from one another.

In the past two decades, charter schools have grown by leaps and bounds, from a single school in Minnesota in 1992 to more than 6,400 charter schools today, serving more than 2.5 million students in 42 states. Between the 2012–2013 and 2013–2014 school years, enrollment grew by 13 percent, and seven districts now have more than 30 percent of public school students enrolled in charters.¹

But somewhere along the way, charter schools went in a very different direction from the one Shanker originally envisioned. Many charter school founders empowered management, not teachers, and adopted antiunion sentiments. Today, just 12

percent of charter schools are unionized, and teacher retention rates—one possible measure of professional satisfaction—are much lower than in traditional public schools.² Moreover, most charter schools largely discarded the goal of student integration. Charters are now actually more economically and racially segregated than traditional public schools. The purpose of charter schools also evolved. Originally conceived as laboratories with which traditional public schools would collaborate, charters became a force for competition, with some suggesting they replace regular district schools.

All in all, the change was quite dramatic. Proposed to empower teachers, desegregate students, and allow innovation from which the traditional public schools could learn, many charter schools instead prized management control, reduced teacher voice, further segregated students, and became competitors, rather than allies, of regular public schools.

thinking skills in schools where teachers have voice and student bodies are integrated.*

Moreover, these schools offer a sensible way out of the charter school wars by rejecting competing visions in which charter schools are either to be vanquished or completely victorious. On the one hand, we disagree with charter school opponents, who would simply abandon the experiment entirely. Because of their freedom and flexibility, charters have the potential to provide excellent learning environments for students—and many do. Moreover, as a practical matter, even fierce critics such as Diane Ravitch note that charter schools are “here to stay.”⁴ Public support for charters has continued to grow, from 43 percent in 2002 to 68 percent in 2013, according to annual Phi Delta Kappa/Gallup polls.⁵

On the other hand, we disagree with some charter school enthusiasts who argue that charters should try to completely replace the traditional public schools. Despite their enormous

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The reduced teacher voice and increased segregation might seem defensible if charter schools were clearly providing a superior form of education to students systemwide. But the best evidence suggests that is not the case. While there are excellent charter schools and there are also terrible ones, on average, charter students perform about the same as those in traditional public schools.³ In our view, the charter school movement, once brimming with tremendous promise, has lost its way.

The good news is that within the varied charter school world, there are a small but growing number of leaders and institutions that are resurrecting the original idea behind charters. To document their efforts, we wrote a book from which this article is drawn. In it, we profile exciting charter schools in California, Colorado, the District of Columbia, Illinois, Louisiana, Maryland, Minnesota, New York, Rhode Island, and Wisconsin that promote teacher voice or economic and racial diversity, or—in a few cases—do both. To us, these charter schools offer the right approach because, according to extensive research, students have a better chance of building deep knowledge and honing critical-

growth, charters still educate only about 5 percent of public school students. The abiding purpose of charters must be not only to educate the students under their own roofs but also to bring lessons to the traditional public schools, which will educate the vast majority of American students for the foreseeable future.

The relevant question today is no longer whether charter schools are good or bad as a group. Rather we ask, can charter schools be taken in a better direction—one that finds inspiration in the original vision of charters as laboratories for student success that bring together children from different backgrounds and tap into the expertise of highly talented teachers?

Shanker's Original Idea

On March 31, 1988, Shanker, the president of the AFT, rose to address the National Press Club in Washington, D.C. He shook

*For more about the importance of school integration by socioeconomic status, see “From All Walks of Life” in the Winter 2012–2013 issue of *American Educator*, available at <http://go.aft.org/AE-Kahlenberg-Winter1213>.

the education world with an extraordinary speech in which he proposed the creation of “a new type of school,”⁶ which he later referred to as “charter schools.”

Shanker was frustrated by the way education was being delivered in traditional public schools. Schools were run like factories, he said, in which students moved at the sound of a bell from class to class, where teachers lectured to them for hours on end, and where students were expected to learn in the same way at the same pace. This system worked fine for about 20 percent of students, said Shanker. But for the 80 percent of students who didn’t learn well under that regime, he thought different approaches were needed. “Can we come up with a plan for a school which doesn’t require kids to do something that most adults can’t do, which is to sit still for five or six hours a day listening to somebody talk?”⁷

In his speech, Shanker proposed a new mechanism by which a small group of teachers—between six and 12—could come together with parents and propose the creation of a different type of school. These teachers would say, “We’ve got an idea. We’ve got a way of doing something very different. We’ve got a way of reaching the kids that are now not being reached by what the school is doing.”⁸

These schools might experiment with team teaching; greater time set aside for teachers to share ideas; teachers as coaches, rather than lecturers; programs that allow students to learn at their own pace; and cooperative learning in which “kids can sit

around a table and help each other just as the kids help each other on a basketball team”⁹—ideas that, in those days, were pushing the envelope.

These schools wouldn’t proclaim to have all the answers. In fact, Shanker suggested that they should admit this outright—“that we really do not know just how to reach the 80 percent of these kids ... and that therefore we are engaged in a search.”¹⁰ But through experimentation, the new charter laboratory schools might produce breakthrough lessons about curriculum or pedagogy, which could then be applied broadly to traditional public schools.

Under Shanker’s program, proposals for charter schools would be reviewed, evaluated, and approved or rejected by panels that included union representatives, school board members, and outsiders. Charters would be schools of choice—no student or teacher would be compelled to be part of one. And Shanker proposed that the schools be given independence for a five- to 10-year period to prove themselves, because new education ideas need time to be nurtured and cultivated. In order to make these new schools successful, he outlined two critical conditions: that the schools provide their teachers with strong voice, and that the schools educate kids from all walks of life.

In Shanker’s vision, not only would union representatives be part of the authorizing board of charter schools, charter school teachers would be represented by unions, and charter school

Why Teacher Voice Matters

Research shows that when teachers are engaged in school decisions and collaborate with administrators and each other, school climate improves. This promotes a better learning environment for students, which raises student achievement, and a better working environment for teachers, which reduces teacher turnover.

Stronger School Climate. Research finds a high level of teacher voice has positive effects on school climate. Richard Ingersoll, an expert on teacher workplace issues, describes teachers as people “in the middle,” “caught between the contradictory demands and needs of their superordinates—principals—and their subordinates—students.”¹ When teachers have the right amount of control, Ingersoll argues, they are able to do their job successfully, earning respect from principals, coworkers, and students.

Looking at data from the Department of Education’s National Center for Education Statistics Schools and Staffing Survey, Ingersoll found that as teacher control in “social decisions” (such as student discipline and teacher professional development policies) increases, the amount of conflict between students and staff, among teachers, and between teachers and the principal all decrease.² As

he summarized in a later article, “Schools in which teachers have more control over key schoolwide and classroom decisions have fewer problems with student misbehavior, show more collegiality and cooperation among teachers and administrators, have a more committed and engaged teaching staff, and do a better job of retaining their teachers.”³

Increased Student Achievement. Not surprisingly, evidence suggests that having a strong teacher culture also improves student performance. Valerie Lee and Julia Smith measured the effects of teachers’ work conditions and school climate on student achievement using longitudinal data tracking individual student learning gains from eighth to tenth grade.⁴ They found that, after controlling for student and school characteristics, student achievement is higher across all subjects when teachers take collective responsibility for student learning and when the staff is more cooperative. The study also showed that schools with high levels of collective responsibility and staff cooperation had more equitable distributions of student gains across socioeconomic status (SES)—lower-SES students in these schools tended to have gains on par with the gains of higher-SES students. Promoting

collective responsibility and cooperation among teachers, then, may improve student outcomes and reduce achievement gaps.

Research on effective school organization also finds that collaboration, which is one manifestation of teacher voice, is an important component of school quality. One prominent recent example is the impressive 15-year longitudinal study produced by the Consortium on Chicago School Research. This study of hundreds of elementary schools in Chicago found that one of the organizational features that distinguished schools showing academic improvement from struggling schools was intense staff collaboration coupled with strong professional development. Furthermore, researchers found that building strong relational trust among teachers and administrators was crucial to school improvement.⁵ Greg Anrig recently synthesized research on collaboration and school organization in his book *Beyond the Education Wars*. He found that “one of the most important ingredients in successful schools is the inverse of conflict: intensive collaboration among administrators and teachers, built on a shared sense of mission and focused on improved student learning.”⁶

proposals would include “a plan for faculty decision making.”¹¹ Rather than having a principal walk into a teacher’s classroom once a year and provide an evaluation, for example, groups of teachers would work with one another in teams, and if some weren’t doing their part, the others would hold them accountable. The idea was consistent with Shanker’s support for peer assistance and review plans in traditional public schools,* where expert teachers would try to assist struggling colleagues, and if unsuccessful, recommend termination.¹²

In charter schools, certain union-negotiated rules could be bent to encourage innovation. For example, Shanker said, class size requirements might be waived in order to merge two classes to allow for team teaching.¹³ But the basic union structures and protections should remain in place, he argued. Shanker noted that traditional school districts that were the most innovative provided such an environment. “You don’t see these creative things happening where teachers don’t have any voice or power or influence.” Only when teachers feel protected from the whims of administrators are they willing to take risks.¹⁴

In his proposal, Shanker also emphasized the importance of ensuring that charter schools avoid de facto segregation by race,

ethnicity, class, or ability: “We are not talking about a school where all the advantaged kids or all the white kids or any other group is segregated to one group. The school would have to reflect the whole group.”¹⁵

Shanker envisioned charters with the potential to be more integrated. As schools of choice, they could be accessible to students from across a geographic area.

Shanker had long favored integrated schools as a way of promoting both social mobility and social cohesion. Research found, Shanker noted, “that children from socioeconomically deprived families do better academically when they are integrated with children of higher socioeconomic status and better-educated

*For more about peer assistance and review, see the Fall 2008 issue of *American Educator*, available at www.aft.org/ae/fall2008.

Reduced Teacher Turnover. Schools with high levels of teacher voice also have less teacher turnover. Ingersoll found that higher levels of teacher control in social and instructional areas are associated with lower teacher turnover rates. Schools with low levels of teacher control in social areas had an average turnover rate of 19 percent, compared with just 4 percent for those with a high level of teacher control in social areas. A smaller, but still significant, difference in turnover rates was associated with control in instructional areas: the turnover rate for schools with a low level of teacher control in instructional areas was 11 percent, compared with 7 percent for those with a high level of teacher control in that area.⁷

Controlling teacher turnover matters because excessive turnover consumes financial resources, disrupts students’ learning, and reduces the number of highly effective, experienced teachers. Each time a teacher leaves and must be replaced, schools face financial costs associated with advertising and recruitment, special incentives for new hires, administrative processing, and training for new employees. A 2007 study of five districts found that the costs of turnover varied widely—from around \$4,000 per

teacher leaving the Jemez Valley Public Schools district in New Mexico, to almost \$18,000 per teacher who left Chicago Public Schools.⁸ Based on these estimates and a national average teacher turnover rate of 12.5 percent, the National Commission on Teaching and America’s Future estimates that the overall cost of teacher turnover in the United States is \$7.34 billion per year.⁹ In an average urban district, these costs break down to \$70,000 per school per year to cover the costs of teachers leaving that school, plus an additional \$8,750 spent to replace each teacher leaving the district.

Teacher turnover also disrupts the school community and hurts student achievement. Research shows that more-effective teachers are more likely to stay in teaching,¹⁰ so teacher turnover could theoretically improve student achievement if less-effective teachers are replaced with more-effective ones. However, research on the effects of actual turnover show that it can have the opposite effect on student learning. A study of fourth- and fifth-grade students in New York City found that students performed worse when teacher turnover within their grade-level team was higher.¹¹ The effects were most pronounced for

students in grades where all of the teachers were new to the school, but there were also smaller effects observed for students in grades where some of the teachers were new hires. Notably, the harmful effects of teacher turnover were two to four times greater in schools with higher proportions of black students and low-achieving students. In low-achieving schools, even students with teachers who had stayed at the school were harmed by having turnover among other teachers in the school. This finding suggests that teacher turnover can have negative schoolwide effects that extend beyond individual classrooms.

—R.D.K. and H.P.

Endnotes

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2. Ingersoll, *Who Controls Teachers’ Work?*
3. Richard M. Ingersoll, “Short on Power, Long on Responsibility,” *Educational Leadership* 65, no. 1 (2007): 24.
4. Valerie E. Lee and Julia B. Smith, “Collective Responsibility for Learning and Its Effects on Gains in Achievement for Early Secondary School Students,” *American Journal of Education* 104 (1996): 103–147.
5. Anthony S. Bryk, Penny Bender Sebring, Elaine Allensworth, Stuart Lippescu, and John Q. Easton, *Organizing Schools for Improvement: Lessons from Chicago* (Chicago: University of Chicago Press, 2010).

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families.” He observed, “when children converse, they learn from each other. Placing a child with a large vocabulary next to one with a smaller vocabulary can provide a gain to one without a loss to the other.”¹⁶

While, in practice, too many public schools remained racially and economically segregated in 1988, Shanker envisioned charters with the potential to be more integrated. As schools of choice, charters, like magnet schools, could be accessible to students from across a geographic area, rather than limiting enrollment based on what neighborhood a child’s family could afford to live in, the way many traditional public schools do.

Four months after his National Press Club speech, Shanker’s idea won the endorsement of the 3,000 delegates to the AFT convention in San Francisco.¹⁷ In the Press Club address, Shanker didn’t actually employ the term “charter school,” but in a July 1988 “Where We Stand” column, he formally gave the name to his proposal. Drawing upon educator Ray Budde’s report *Education by Charter: Restructuring School Districts*,¹⁸ Shanker said “charter” was an appropriate term, noting that “explorers got charters to seek new lands and resources.”¹⁹

Reichgott Junge), a member of the Education Committee. She said she had never heard of charter schools but was taken by Shanker’s “visionary” idea to create new schools and empower teachers.

Reichgott Junge, who would go on to author the nation’s first charter school legislation, was excited by the idea of making teachers feel more invested in schools. She noted that “many teachers were frustrated with their work environments and were leaving the profession. I wanted to give them more ownership.”²³ At the time, 8 percent of teachers were leaving the profession or retiring every year.²⁴ Reichgott Junge recalls, “For me, chartering was all about empowering teachers—giving them the authority to take leadership as professionals by spearheading and forming new chartered schools. I felt it was an option for entrepreneurial teachers to break away from the system—the status quo—and try something new.”²⁵

The idea of charter schools received another boost in November 1988, when the Citizens League, a community policy organization in Minnesota, issued an influential report *Chartered Schools = Choices for Educators + Quality for All Students*.²⁶ Like Shanker, the committee that authored the report argued that charter schools should be guided by two central tenets: empower-

Many conservatives saw in charters the potential to inject greater competition with public schools, forcing them to improve.



Conservatives were initially unenthusiastic about Shanker’s idea of diverse, teacher-led schools that would engage in broad experimentation. William Kristol, then chief of staff of Ronald Reagan’s Secretary of Education William Bennett, said that while the department “didn’t have problems” with the proposal, “we think there is lots of evidence that traditional methods are working.”²⁰ Assistant Secretary of Education Chester Finn attacked the charter school proposal, saying it suggested that we did not already know what works in education.²¹

But if there was skepticism from the Reagan administration, policy leaders and influential educators in Minnesota, including Ted Kolderie and Joe Nathan, were intrigued.²² In October 1988, Shanker spoke at the Minneapolis Foundation’s Itasca Seminar about the charter school idea, and among those in attendance was Democratic-Farmer-Labor state Senator Ember Reichgott (later

ing teachers and promoting diversity. The report called first for “providing cooperative management of schools,” giving teachers the chance to have greater say over how schools were run.²⁷ The second goal was “building additional quality through diversity.”²⁸ The report specified that charter schools would enroll students of all races and achievement levels: “The committee’s vision for chartered public schools is that they must, like any public school, serve all children.”²⁹ To promote diversity, the proposal called for charter schools to employ

outreach programs to inform students, living both inside and outside the district, from a variety of income levels and races, about the school, ... curricula designed to appeal to students who would make a diverse student enrollment, ... programs and instructional approaches that encourage the interaction

of students and promote integration, ... [and] culturally- and racially-diverse staff.³⁰

The bottom line, the committee argued, was that “the school’s student enrollment could not be segregated.” Charter schools would be required to have “an affirmative plan for promoting integration by ability level and race,” and failing to meet this requirement could be grounds for revoking the charter.³¹

But in a notable departure from Shanker’s vision—and a hint of things to come—the report left the door open for minority-oriented schools. “Although these criteria would prohibit the establishment of schools designed for any single racial or ethnic group, the committee appreciates the complexity of this issue and suggests that the Legislature might wish to deal separately with voluntarily segregated schools established by minority groups.”³² In addition, the report suggested that schools for academically at-risk students could be allowed as an exception to the policy that otherwise prohibits charters from screening students based on achievement level.

Overall, though, the report said that integrated schools should be the norm. “Rather than roll back the gains made by desegregation over the last generation, or settle for that achievement, we should expand the commitment to go further, to do more.”³³ And in a twist, the proposal also highlighted the importance of economic integration: “Although desegregation rules focus exclusively on students’ race or ethnic background, family income levels better determine children’s preparation for school and academic success.” The committee suggested, therefore, that we should “be at least as concerned about segregation by income as segregation by race.”³⁴

In 1990, the charter idea gained further prominence after the state legislature in neighboring Wisconsin passed the nation’s first private school voucher law, providing public support for low-income Milwaukee students to attend private and parochial schools. The argument, advanced by black Democratic legislator Polly Williams, was that low-income black students deserved something better than the dysfunctional urban schools to which they were assigned. This development gave another reason for progressives to back charter schools: as an alternative to vouchers. Charters were a choice option that avoided the concerns posed by vouchers—entanglement of church and state and a lack of accountability for public dollars. Ted Kolderie, former director of the Citizens League and member of the committee that authored its *Chartered Schools* report, noted the news from Milwaukee. He argued in a November 1990 paper for the Progressive Policy Institute, a Washington, D.C., think tank associated with the Democratic Leadership Council, that charters were a way to strengthen public education, not abandon it. Again, teacher empowerment was a core idea of the Progressive Policy Institute report. Kolderie wrote that charter schools could provide nothing less than “the opportunity for teachers to own and run the new schools.”³⁵

As outlined by Shanker, Reichgott Junge, the Citizens League, and Kolderie, then, the original vision of charter schools rested on three pillars:

1. This new type of school should be allowed to experiment with desperately needed new approaches to reach students, approaches from which the traditional public schools could learn.

2. Charter schools would provide an enhanced level of teacher voice and teacher empowerment compared with the public schools, which saw large levels of teacher frustration and turnover.
3. Charters, by severing the tie between residential neighborhood segregation and school segregation, might help reinvent the old idea of the American common school, where students of different races, incomes, and religions could come and learn together under a single schoolhouse roof.

These were the animating ideas behind the exciting new proposal for charter schools. But the question remained: Once the idea was written into legislation, how faithfully would these principles be honored in practice?

The Development of a More Conservative Vision

In 1991, Minnesota became the nation’s first state to adopt charter school legislation—and, with it, came the first significant deviation from Shanker’s original vision. Over the years, Minnesota teachers had fought hard to ensure that educators, like lawyers, doctors, and architects, had to pass certification requirements in order to enter the profession. They also fought to ensure that teachers were supported and protected by democratically elected union representatives who could bargain collectively on their behalf.

When Ember Reichgott Junge’s charter school legislation was introduced in the Minnesota state legislature, however, it failed to include either universal teacher certification requirements or automatic collective bargaining rights for teachers. If enhancing teacher voice was a central tenet of the charter school idea, why, teachers asked, would the charter legislation strip teachers of the protections of the district contract? The Minnesota Federation of Teachers strongly opposed the legislation on licensure and collective bargaining grounds.³⁶

In addition, Minnesota’s charter law did nothing to prevent the creation of charter schools aimed at particular ethnic and racial minority groups, something Shanker found fundamentally at odds with the very idea of public education in America. Over time, Minnesota would come to host some 30 charter schools focused on students from specific ethnic or immigrant groups, such as Somali, Ethiopian, Hmong, and Latino populations.³⁷

The new, more conservative charter vision, which promoted neither teacher voice nor school integration, quickly swept the country. Democratic President Bill Clinton, elected in 1992, became a strong supporter of charter schools and pushed for federal seed money to promote them. Following Minnesota’s adoption of the nation’s first charter school law in 1991, state legislation was introduced and passed in capital after capital. By 2014, there were 6,400 charter schools in 42 states and the District of Columbia.³⁸

As states began enacting charter school legislation, the departure from Shanker’s vision was repeated over and over again in the three critical areas: collaborating with traditional public schools, empowering teachers, and integrating students. As the original goals of charter schools were upended, conservatives like the Reagan administration’s Chester Finn came to support charters. And, in a stunning reversal, Shanker came to oppose most of them.³⁹

Below, we outline how this remarkable transformation occurred on those three critical questions: (1) whether charters

would cooperate with regular public schools or serve as competitors, (2) whether they would enhance teacher voice or increase management authority, and (3) whether they would promote diversity or cater to niche markets.

Cooperative Laboratories versus Competitors

Whereas Shanker emphasized the way in which charter schools could serve as a laboratory for testing ideas that could improve public schools, many conservatives saw in charters the potential to inject greater competition with public schools, forcing them to improve. The model was similar to the argument advanced by conservative supporters of private school vouchers: that competitive pressures of charters would compel regular public schools to do better. James Goenner, president and CEO of the National Charter Schools Institute, for example, suggested in 1996 that “charter schools are a vehicle for infusing competition and market forces into public education, a proven method for responsive change and improvement.”⁴⁰

As charter school legislation was passed in state after state, the competition rationale grew in strength. Indeed, in a 2013 examination of charter school laws, researchers found the most popular purpose cited in state law for charter schools was to provide competition.⁴¹ The triumph of the market rationale over the laboratory theory also helps explain why more than 80 percent of states with charter school laws allow public funds to go to private, for-profit charter operators.⁴²

Some charter school advocates went further on the competition question and argued that charters should not merely serve as a spur to improve public schools but that, in the long run, the charter schools should replace the traditional public school system entirely. Hugh Price, president of the National Urban League, suggested in 1999 that we “charterize” all urban schools. In 2009, Tom Vander Ark, former education director at the Bill and Melinda Gates Foundation, removed Price’s urban qualifier to suggest, “All schools should be charter schools.” And in 2013, U.S. Senator Lamar Alexander (R-TN), the former U.S. secretary of education, said, “I still wonder why we, over time, don’t make every public school a charter school.” He continued, “You couldn’t do it all overnight, but you could do it over 20, 25 years.”⁴³ In New Orleans—where roughly 90 percent of public school students attended charter schools in 2013–2014, compared to less than 5 percent in 2004–2005⁴⁴—U.S. Secretary of Education Arne Duncan was so enthusiastic that he called Hurricane Katrina “the best thing that happened to the education system in New Orleans.”⁴⁵

Along with the shift in goals, the public policy rhetoric changed from an emphasis on how charters could best serve as laboratory partners to public schools, to whether charters as a group are “better” or “worse” than traditional public schools. Tellingly, a growing number of studies were conducted to determine not what lessons could be learned from charters but whether charters outperform or underperform traditional public schools.

Over time, the market metaphor came to replace the laboratory metaphor. As Peter Cookson and Kristina Berger observed in 2002, “Much of the charter movement is rooted in the same assumptions and philosophy that [voucher advocates John] Chubb and [Terry] Moe use to support their belief that the American public school system should be transformed into a market-

based ‘economy’ that forces autonomous, publicly funded schools to compete for students.”⁴⁶

Meanwhile, given the adversarial and competitive environment in which charters and traditional public schools found themselves, there was precious little evidence that the two sets of institutions were actively cooperating to share best practices. As Scott D. Pearson of the U.S. Department of Education’s charter school program noted in 2010, while “one of the promises of charter schools was they were going to be a source of innovation and be a benefit not only for the children attending charter schools, but [for] all public schools, ... [in practice], ... the collaboration is not as widespread as we would hope.”⁴⁷ Originally viewed as “isolated laboratories of innovation,” charter schools came to be seen by many as a replacement for traditional public schools and “charter-school expansion as a solution itself.”⁴⁸

Enhancing Teacher Voice versus Increasing Management Authority

The second dramatic shift in the charter school vision came in the critical area of teacher voice (for more on teacher voice, see the sidebar on page 6). In state after state, charter legislation followed the Minnesota model of failing to provide all charter teachers automatic collective bargaining rights similar to those enjoyed by regular public school teachers. (Today, just five of 42 states with charter school laws require charter school teachers to be covered by the district collective bargaining agreement.)⁴⁹

In theory, many state laws provided for the possibility of organizing charters on a school-by-school basis, but given the expense of unionizing a small number of teachers, few unionizing efforts have been made. Overall, teachers in just 12 percent of charter schools are unionized.⁵⁰ By contrast, 60 percent of public school districts have an agreement with a union, and more than three-quarters of teachers nationwide are members of teacher unions.⁵¹ States did not offer a sensible middle ground in which teachers would, upon the creation of a new charter school, have the automatic opportunity to vote on whether to form a union and create a contract that would be tailored to the individual needs of their school.

Over time, conservative charter school advocates argued that having a nonunion environment in charter schools was a key advantage—perhaps the defining advantage—over regular public schools. Finn, initially skeptical of the charter idea, came to champion them, arguing that “the single most important form of freedom for charter schools is to hire and fire employees as they like and pay them as they see fit.”⁵²

Union supporters responded that under collective bargaining agreements in traditional public schools, it is possible to fire teachers, so long as due process is provided; and many unions in district public school systems have embraced performance pay. But conservatives in the business world, politics, and the finance and philanthropic communities saw charters as an attractive vehicle for circumventing teacher unions, organizations they see as harmful to children. Republican Steve Forbes, for example, wrote an editorial in 2009 praising the results of New York City charter schools that are “not burdened with the mind-numbing, effectiveness-killing bureaucratic and union restrictions.” In the same year, Jeanne Allen, then executive director of the Center for Education Reform, flatly argued, “A union contract is actually at odds with a charter school.”⁵³

Promoting Diversity versus Catering to Niche Markets

The third and final major evolution away from Shanker's original vision came in the realm of student diversity. Shanker believed having separate schools by race and class was inherently undemocratic, and he and some other early charter school backers saw charters as a way of breaking down segregation. That priority is evidenced in many early charter school laws, particularly those passed in the early to mid-1990s in states like Wisconsin, Hawaii, Kansas, and Rhode Island, which required all charter schools to take positive steps to promote diversity. According to a 2009

In state after state, charter legislation failed to provide all charter teachers automatic collective bargaining rights.



ity matters more. When confronted by research finding higher levels of racial and economic segregation in charter schools, for example, Nelson Smith, then president and chief executive of the National Alliance for Public Charter Schools, said, “We actually are very proud of the fact that charter schools enroll more low-income kids and more kids of color than do other public schools.” He continued: “The real civil rights issue for many of these kids is being trapped in dysfunctional schools.”⁵⁶

Two arguments were advanced for targeting low-income, minority, and immigrant groups in racially and economically isolated charter schools: the need to maximize bang for the edu-

analysis by Erica Frankenberg and Genevieve Siegel-Hawley, 16 states had laws that permit or require charter schools to employ positive steps to bring about greater levels of racial and/or socioeconomic diversity.⁵⁴

But over time, concerns about diversity have often been eclipsed by efforts—well-meaning in nature, to be sure—that have the effect of concentrating minority and low-income students in racially and economically isolated charter schools. Rather than emphasizing diversity and the possibility for breaking down segregation, charter school supporters began advocating for schools to target members of minority and low-income groups, who are demonstrably in need of better schools. According to a 2010 study by the Civil Rights Project, for example, almost half of low-income students in charter schools attended schools where more than 75 percent of students were low income, compared with about a third of low-income students in traditional public schools. In addition, 36 percent of all students in charter schools attended schools where 90 percent or more of students were from minority households, compared with 16 percent of all students in regular public schools.⁵⁵

How did a policy that began with the idea of promoting diversity end up exacerbating racial and economic concentrations? Fundamentally, charter school advocates suggested, integration and school quality are unrelated and distinct priorities, and qual-

ity matters more. When confronted by research finding higher levels of racial and economic segregation in charter schools, for example, Nelson Smith, then president and chief executive of the National Alliance for Public Charter Schools, said, “We actually are very proud of the fact that charter schools enroll more low-income kids and more kids of color than do other public schools.” He continued: “The real civil rights issue for many of these kids is being trapped in dysfunctional schools.”⁵⁶

cational buck, and the belief that the special needs of these communities could be better addressed in concentrated settings. Charter school operators, who are in the business because they believe they can do a better job of educating students than the regular public schools, argue they sought to bring the benefits of their schools to the students most in need. Under this view, the best way to help at-risk students and close the achievement gap is to prioritize low-income and minority students. Given scarce federal, state, and philanthropic dollars, funding a racially and economically integrated school that includes not only substantial numbers of low-income and minority students but also substantial numbers of middle-class and white students may be seen as diluting funding for at-risk students. Based on similar logic, charter school authorizers—the various state, local, or independent agencies charged with approving new charter schools, monitoring their progress, renewing charters for successful schools, and closing schools that fail to meet performance requirements—may favor high-poverty charter schools. Authorizers may choose to prioritize applications for schools located in the areas with the fewest high-quality educational opportunities, which are often communities with concentrated poverty.

Advocates of low-income charter schools further suggest that disadvantaged students need a different set of pedagogical approaches than middle-class students. Highly routinized, “no

excuses” schools set rigorous academic standards but also emphasize “noncognitive skills,” such as self-discipline, and seek to develop an all-encompassing school climate to combat the culture of poverty from which their students come. Paul Tough, author of a book about the Harlem Children’s Zone, describes the philosophy behind “no excuses” secondary schools that target at-risk students: “The schools reject the notion that all that these struggling students need are high expectations; they do need

bathroom at prayer time the way she might have in an integrated school. Likewise, Jewish advocates have called for the creation of Hebrew language schools to “strengthen Jewish communal identity.”⁶¹

Proponents of charter schools that are self-segregated argue that they are qualitatively different from the segregated schools of the past because they are the product of acts of volition on the part of racial, ethnic, or religious minorities. Bill Wilson, an Afri-

When schools diminish teacher voice or enroll segregated student bodies, students miss out on important benefits.



those, of course, but they also need specific types and amounts of instruction, both in academics and attitude, to compensate for everything they did not receive in their first decade of life.”⁵⁷

Journalist David Whitman suggests that highly effective high-poverty schools often employ a “paternalistic” approach specifically tailored to low-income students. He says they teach students

not just how to think, but also how to act according to what are commonly termed traditional, middle-class values. These paternalistic schools go beyond just teaching values as abstractions: the schools tell students exactly how they are expected to behave, and their behavior is closely monitored, with real rewards for compliance and penalties for noncompliance.⁵⁸

Similar arguments are made on behalf of charter schools that cater to targeted immigrant populations. Educator Joe Nathan, for example, supports a pair of charter schools in the Twin Cities that educate mostly Somali and Oromo students, because the schools provide a space where children can retain their home language and knowledge of their home culture.⁵⁹ Likewise, Letitia Basford’s qualitative study of Somali youth concluded that “attending a culturally specific charter school promotes positive intercultural competence in which students are able to build a good self-concept and find comfort in who they are as East African immigrants, as Muslims, and as American citizens.”⁶⁰ One student told Basford that in a charter school in which 100 percent of students are Muslim, she did not feel embarrassed running to the

can American advocate who grew up attending segregated public schools in Indiana, notes, “We had no choice. I was forced to attend an inferior school, farther from home than nearby, better-funded ‘Whites-only’ schools. Higher Ground [a racially isolated charter school] is open to all. No one is forced to attend. Quite a difference.”⁶²

Among the most influential actors in the charter school world—state legislators—the idea of catering to niche markets has, over time, generally trumped the original emphasis on creating schools that promote diversity and reinforce the American common school ideal. Laws in roughly a dozen states, including Illinois, North Carolina, and Virginia, prioritize charter school funding for at-risk or low-income students or, in Connecticut’s case, students in districts in which members of racial or ethnic minorities constitute 75 percent or more of enrolled students. Other state laws restrict attendance zones for charter schools, making it more difficult for charters to attract a diverse population from a wide geographic area.⁶³ And even state laws that require charter schools to mirror local demographics could end up concentrating poverty. For example, a 2010 New York state charter school law requiring charter schools to mimic the demographics of the surrounding neighborhood—implemented to address gaps in English language learner and special education enrollment at charter schools—might mean, if enforced, that a school in upper Manhattan’s District 6 would need to enroll a student population in which 98 percent are eligible for free or reduced-price lunch, a commonly used measure of low-income status.⁶⁴

Likewise, the other key players in funding charter schools—philanthropists—often prioritize education projects in high-poverty locations, providing incentives for charter school creators to maximize the proportion of low-income students in a school in order to gain funding. The Walton Family Foundation, for example, focuses specifically on selected “Market Share Demonstration Sites,” which are all districts with high concentrations of low-income students,⁶⁵ and the Broad Foundation focuses generally on urban school districts.⁶⁶ Some of the charter school chains that have received the most generous philanthropic support pride themselves on their ability to educate pupils in schools with high concentrations of low-income and/or minority students. KIPP schools, for example, boast that “more than 86 percent of our students are from low-income families and eligible for the federal free and reduced-price meals program, and 95 percent are African American or Latino.”⁶⁷

Rick Hess of the conservative American Enterprise Institute notes the trend among foundations to support charter schools “that have the highest octane mix of poor and minority kids” and outlines how that priority can work at cross-purposes with integration. He wrote in 2011, “The upshot is that it is terribly difficult to generate interest in nurturing racially or socioeconomically integrated schools, even though just about every observer thinks that more such schools would be good for kids, communities, and the country.”⁶⁸

Before his death in 1997, Shanker watched with growing dismay as his idea morphed into something quite different. To begin with, Shanker was disturbed that the market-driven charter school rationale led some states to allow private, for-profit corporations to enter the charter school business. For-profit companies, he warned, would inevitably put shareholder interests before educating children, and “vouchers, charter schools, for-profit management schemes are all quick fixes that won’t fix anything.”⁶⁹

At base, Shanker suggested, the charter school experiment was not working. In a meeting sponsored by the Pew Forum in 1996, he suggested, “In the charter schools we now have, there is no record with respect to achievement or meeting standards.” But Shanker wasn’t willing to throw in the towel entirely. In the 1996 AFT executive council meeting, he suggested it was time to separate the wheat from the chaff. He said the AFT should “put out a careful analysis of the range of types of charter schools and what’s good and what’s bad about different provisions in them and how they work.” Such an analysis “could have a tremendous impact on influencing good legislation and getting rid of lousy legislation.”⁷⁰

The current thrust of the charter school sector, toward non-union workplaces and segregated schools, is troubling for at least two reasons. First and foremost, it is bad for kids. Having vibrant teacher voice can help build a strong school climate and increase student achievement. Likewise, students in socioeconomically and racially diverse schools have shown greater academic achievement and social awareness than peers in more homogeneous settings. When schools diminish teacher voice or enroll segregated student bodies, students miss out on these important benefits.

Second, it is unimaginative. If comparing all charter schools to all district schools is “like asking whether eating out is better than eating at home,”⁷¹ then concentrating resources into the propaga-

tion of nonunionized, segregated charter schools is like going to a buffet and only eating the dinner rolls.

Charter schools should start with big dreams, creative ideas, and experimentation—not repetition of one mediocre model. Why not try to increase socioeconomic and racial school integration through such schools? Why not use them to rethink traditional notions of teacher voice?

Changes to federal, state, and local policy, as well as increased private support, can help encourage innovation in charter schools around these two issues. But there is room to grow even before structural changes take place. We have blueprints to follow in the form of existing charter schools that empower teachers through unions, as well as those that integrate students from diverse socioeconomic, racial, and ethnic backgrounds.

Shanker’s ideas for charter schools, formulated more than two decades ago, turn out to be a powerful vision for educational innovation in a new century. Charter schools can address the educational demands of a 21st-century society by giving students the chance to work with a diverse group of peers and treating teachers as 21st-century professionals engaged in collaboration, critical thinking, and problem solving. Teacher voice and student diversity, largely forgotten goals from the earliest ideas about charter schools, may hold the best hope for improving charter schools—and thereby illuminate a path for strengthening our entire system of public education. □

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