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RAISING THE BAR: THE ROLE OF CHARTER SCHOOLS IN K–12 EDUCATION

HEARING

BEFORE THE

COMMITTEE ON EDUCATION AND THE WORKFORCE U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

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RAISING THE BAR: THE ROLE OF CHARTER SCHOOLS IN K–12 EDUCATION

Wednesday, March 12, 2014
U.S. House of Representatives,
Committee on Education and the Workforce,
Washington, D.C.

The committee met, pursuant to call, at 10:38 a.m., in Room 2175, Rayburn House Office Building, Hon. John Kline [chairman of the committee] presiding.

Present: Representatives Kline, Foxx, Roe, Thompson, Walberg, Salmon, Guthrie, DesJarlais, Rokita, Bucshon, Heck, Brooks, Hudson, Messer, Miller, Scott, Hinojosa, Tierney, Holt, Davis, Grijalva, Bishop, Fudge, Polis, and Pocan.

Staff present: Janelle Belland, Coalitions and Members Services Coordinator; James Bergeron, Director of Education and Human Services Policy; Nancy Locke, Chief Clerk; Daniel Murner, Press Assistant; Krisann Pearce, General Counsel; Mandy Schaumburg, Senior Education Counsel; Dan Shorts, Legislative Assistant; Alex Sollberger, Communications Director; Alissa Strawcutter, Deputy Clerk; Juliane Sullivan, Staff Director; Brad Thomas, Senior Education Policy Advisor; Tylease Alli, Minority Clerk/Intern and Fellow Coordinator; Kelly Broughan, Minority Education Policy Associate; Jacque Chevalier, Minority Education Policy Advisor; Jamie Fasteau, Minority Director of Education Policy; Scott Groginsky, Minority Education Policy Advisor; Brian Levin, Minority Deputy Press Secretary/New Media Coordinator; and Megan O'Reilly, Minority General Counsel.

Chairman KLINE. A quorum being present, the committee will come to order.

Well, good morning. Thank you to our witnesses for joining us today to discuss how successful charter schools can strengthen our nation's education system. We appreciate your flexibility, given our need to reschedule the hearing due to last week's snowstorm. And for once, it wasn't just a single snowflake that shut this down, so we appreciate that very much.

The charter school model began in 1991 in my home state of Minnesota. We passed legislation to create the nation's first charter schools. In the years that have followed, more than 6,000 charter schools have opened in 42 states and the District of Columbia, serving almost 2.5 million children each year.

As you know, charter schools are public schools that operate under a contract, or charter, negotiated with the local school board

or other authorizer. The charter school agrees to meet certain student achievement goals and metrics, and in exchange, the institution will be exempt from certain state laws and regulations. This enhanced flexibility encourages charter schools to pioneer new programs and teaching methods that are meeting the unique needs and students and getting real results.

In Indianapolis, for example, the Charles A. Tindley Accelerated School expects every student—no matter his or her background or circumstance—to have a college acceptance letter upon graduation. The school's rigorous curriculum and laser focus on preparing students for higher education has helped more than 80 percent of its alumni earn a bachelor's degree.

Yes Prep Public Schools in Memphis and Houston also have an impressive record of success. The schools, which primarily serve low-income families, offer SAT prep courses and classes that help students learn the financial aid system and practice writing college application essays. And the hard work pays off: For 15 years in a row, every Yes Prep graduate has been accepted into college.

For many children and their parents, charter schools are a beacon of hope for a better education and a better life. The schools are extraordinarily in demand. Wait lists for charter schools have grown steadily in recent years, reaching a new record of 920,000 students in 2012.

As we work to help more students access a quality education, we must support charter schools as a valuable alternative to failing public schools and work together to encourage their growth. Expanding choice and opportunity remains a key pillar in the committee's education reform efforts.

Last Congress, we advanced the Empowering Parents Through Quality Charter Schools Act. The legislation, which passed the House with bipartisan support, would reauthorize the charter school program and allow successful charter schools to be replicated across the country.

Similar language to support charter schools was included in last year's Student Success Act, our legislation to reauthorize the Elementary and Secondary Education Act and revamp the nation's education system. However, the Student Success Act has been awaiting Senate consideration for more than 6 months. Each day without Senate action is another day thousands of students remain trapped in underperforming schools.

We cannot make these families wait any longer for the education their children need and deserve. If the Senate refuses to bring education reform legislation up for a vote, then the House will explore opportunities to advance targeted legislation to encourage charter school growth.

Recent news highlights the challenges the charter school model faces and underscores the importance of reauthorizing and strengthening the charter school program to help ensure these institutions can continue raising student achievement levels nationwide.

I look forward to discussing with my colleagues and our excellent panel of witnesses ways the House Education and the Workforce Committee can help strengthen the charter school model and support the expansion and growth of these innovative institutions.

I now recognize my distinguished colleague, Mr. Miller, for his opening remarks.

[The statement of Chairman Kline follows:]

Prepared Statement of Hon. John Kline, Chairman, Committee on Education and the Workforce

The charter school model began in 1991 when my home state of Minnesota passed legislation to create the nation's first charter schools. In the years that have followed, more than 6,000 charter schools have opened in 42 states and the District of Columbia, serving approximately 2.5 million children each year.

As you know, charter schools are public schools that operate under a contract, or charter, negotiated with the local school board or other authorizer. The charter school agrees to meet certain student achievement goals and metrics, and in exchange, the institution will be exempt from certain state laws and regulations. This enhanced flexibility encourages charter schools to pioneer new programs and teaching methods that are meeting the unique needs of students and getting real results.

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For many children and their parents, charter schools are a beacon of hope for a better education – and a better life. The schools are extraordinarily in demand; wait lists for charter schools have grown steadily in recent years, reaching a new record of 920,000 students in 2012.

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I look forward to discussing with my colleagues and our excellent panel of witnesses ways the House Education and the Workforce Committee can help strengthen the charter school model and support the expansion and growth of these innovative institutions.

Mr. MILLER. Thank you very much, Mr. Chairman, and thank you for holding this hearing and agreeing to re-establish the hearing after it was originally canceled.

I want to thank our distinguished panel for their participation in today's hearing, and I look forward to your testimony. I am also eager to hear about the great work being done to improve our nation's education system. I am looking forward to today's discussion

about how charter schools are benefiting students, parents and communities.

I especially want to thank Mr. David Linzey, the executive director of Clayton Valley High School in Concord, California, who is with us today. The story of Clayton Valley's transformation in just 1 year is truly inspirational testament to the role charter schools can play in the K–12 system.

I have seen this transformation firsthand, and let me tell you that Clayton Valley is a bright light in the 11th District. Students and parents are engaged. Teachers are supported. Student achievement is up, and the community is reaping the benefits. Mr. Linzey, thank you for traveling all this way today to tell the story of Clayton Valley's success.

This school year, more than 2.5 million of our nation's students are attending nearly 6,400 public charter schools. In many ways, charter schools have been teaching us what is possible when it comes to educating kids, and their work helps break down many of the stereotypes that have all-too-often plagued kids who happen to be from the wrong ZIP Code.

What started as a small movement just over 20 years ago has grown at breakneck speed. Now some school districts are enrolling significant percentages of their overall student population at public charter schools, but I worry that rapid growth will come at a cost of quality and accountability. Charters are given public dollars and flexibility in exchange for the promise to educate the students and, in many cases, turn around low-performing schools. However, when a charter school falls short of that promise, we owe it to the students, the families, and the teachers to hold the school responsible for improvement and close that school, if necessary, if they can't meet those goals.

Like other public schools, it is vital that charter schools are held to a high standard of accountability. Every school in every neighborhood needs to be serving students and parents, delivering on the promise of quality education, and all schools need to equitably serve all students.

As I have said before, and I will say it again, no kid should be trapped in a failing school, charter or non-charter. We must treat all public schools as part of the solution. And yet all too often, we refer to charter schools as "those other schools" and treat these innovations in public education as if they were on a separate parallel track to school districts and non-charter public schools. Instead, we must embrace charter schools as part of our current education system and work to ensure that the autonomy and flexibility that charter schools receive is used to the benefit of all students.

We have seen success borne out of meaningful collaboration with districts and communities in places like Denver, where charter schools aren't often the side, but embraced as a driver of the whole district improvement. This kind of collaboration has fostered the transfer of best practices, many of which started as charter school innovations, but are now being applied in the public schools more broadly to enhance the services for underserved students, including students with disabilities.

The district work in Denver is precisely what should be happening to benefit all kids, and we need to see more of this across

the country. I look forward to hearing about Denver's successes from another one of the witnesses today, and I believe that it is a moral imperative to do better by our students and families. Higher standards and better assessments will help, but we must look at the innovative reforms, like charter schools, to push the envelope and spur the system to change when they seem to be stuck.

And I want to thank the chairman again for calling this hearing and, again, thank you to the witnesses, and we look forward to your testimony.

[The statement of Mr. Miller follows:]

Prepared Statement of Hon. George Miller, Senior Democratic Member, Committee on Education and the Workforce

Thank you, Mr. Chairman.

I also want to thank our distinguished witness panel for their participation in today's hearing.

I am always eager to hear about the great work being done to improve our nation's education system, and I am looking forward to today's discussion about how charter schools are benefiting students, parents, and communities.

I especially want to thank Mr. David Linzey, the executive director of Clayton Valley High School in Concord, California, who is with us today.

The story of Clayton Valley's transformation—in just one year—is a truly inspirational testament to the role charter schools can play within our K–12 system.

I have seen this transformation first hand, and let me tell you that Clayton Valley is a bright light in the 11th district. Students and parents are engaged, teachers are supported, student achievement is up, and the community is reaping the benefits.

Mr. Linzey, thank you for traveling here today to tell this story.

This school year, more than 2.5 million of our nation's students are attending nearly 6,400 public charter schools.

In many ways, charter schools have been teaching us what IS possible when it comes to educating kids—and their work helps break down many of the stereotypes that all too often plague kids who happen to be from the wrong zip code.

What started as a small movement just over 20 years ago has grown at breakneck speed. Now, some school districts are enrolling significant percentages of their overall student population at public charter schools.

But I worry that rapid growth has come at the cost of quality and accountability.

Charters are given public dollars and flexibility in exchange for a promise to educate students and, in many cases, turn around low-performing schools.

However, when a charter school falls short of that promise, we owe it to the students, families, and teachers to hold the school responsible for improvement—and close it if necessary.

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I believe there is a moral imperative to do better by our students and families. Higher standards and better assessments will help, but we must look to innovative reforms, like charter schools, to push the envelope and spur systems to change when they seem to be stuck.

I want to thank the chairman for calling today's hearing, and I look forward to the discussion.

Chairman KLINE. Thank you.

Pursuant to Committee Rule 7(c), all committee members will be permitted to submit written statements to be included in the permanent hearing record. And without objection, the hearing record will remain open for 14 days to allow statements, questions for the record, and other extraneous material referenced during the hearing to be submitted in the official hearing record.

It is now my pleasure to introduce our very distinguished panel of witnesses. Dr. Deborah McGriff is the chair of the board for the National Alliance for Public Charter Schools. She also serves as a partner with New Schools Venture Fund. Previously, she has served as the first female superintendent of Detroit Public Schools.

Mrs. Lisa Graham Keegan is the chair of the board for the National Association of Charter School Authorizers. She also serves as the founder and president of the Education and Breakthrough Network. Previously, she has served as Arizona's superintendent of public instruction.

And I think, Mr. Miller, did you want to introduce our—

Mr. MILLER. Yes, thank you, Mr. Chairman. And I am honored to introduce Mr. David Linzey, the executive director of the Clayton Valley Charter High School in Concord, California. Mr. Linzey was unanimously appointed to serve as executive director of the charter high school's governing board following the school's 2012 conversion to a public charter school. Prior to leading Clayton Valley, he spent time as a teacher, principal, and a district superintendent, as well as chief academic officer for the Alliance of College-Ready Public Schools, a high-performing charter school network in Los Angeles. While with the alliance, he led the urban charter schools to achieve record-breaking college acceptance rates of more than 90 percent.

His track record of student-centered and result-driven instruction has followed him to Clayton Valley, where just in 1 year since the charter conversion, the school has achieved the largest increase in student academic growth of any high school in the state. I want to personally thank Mr. Linzey for his leadership to Clayton Valley. Your vision, your hard work, your dedication, and your dedicated faculty have truly ushered in a new era for this high school and for its community of students, families and faculty. And I know the process of conversion was arduous at some point there, a little combative, but the results are indisputable. And I am pleased that you will be able to be with us today, David. Thank you so much for making the trip.

Chairman KLINE. The pressure is on. You got that. Okay.

[Laughter.]

We also have Ms. Alyssa Whitehead-Bust. She serves as the chief of innovation and reform at Denver Public Schools. She is also an

instructor in the University of Denver's Education Leadership for Successful Schools Principal Preparation Program. That is more alliteration than I can handle there.

Mr. Alan Rosskamm is the chief executive officer of Breakthrough Schools in Cleveland, Ohio. He also serves at the chair of the Parent Engagement Committee on the City of Cleveland's Transformation Alliance.

So, welcome to you all. Before I recognize each of you to provide your testimony, let me briefly explain, again—I know it has been pointed out—our lighting system. When you start your testimony, 5 minutes will be allotted. You will have a green light in front of you. When there is a minute left, the yellow light will come on. And when you have reached the end of your 5 minutes, the red light will come on, and I would ask you to try to wrap up as expeditiously then as you can.

After all of you have finished your testimony, then we will be recognized for 5 minutes each to ask questions. While I am loathe to gavel down the witnesses during their testimony, I am much less so with my colleagues. So we want to try to keep moving, give everybody have a chance to be involved in the discussion.

I now would like to recognize Dr. McGriff for 5 minutes.

STATEMENT OF DR. DEBORAH MCGRIFF, CHAIR OF THE BOARD, NATIONAL ALLIANCE FOR PUBLIC CHARTER SCHOOLS, MILWAUKEE, WI

Ms. MCGRIFF. Mr. Chairman and members of the committee, thank you for the opportunity to appear before you today on behalf of the National Alliance for Public Charter Schools. I currently serve as the board chair of the National Alliance, and I am also a managing director at New Schools Venture Fund, a nonprofit organization that supports entrepreneurs who are transforming public education.

I came to New Schools after a long career as an urban school teacher, district administrator, superintendent, and national charter schools leader. Throughout my career, I have been committed to choice, excellence and equity. Today I want to highlight the growth and impact of charter schools and the importance of the federal charter schools program to the growth and success of our nation's public charter schools.

Let's start with growth and impact. This school year, there are more than 6,400 public charter schools enrolling 2.5 million students. This is amazing growth, as the movement began, as our chairman informed us, in 1991 with the passage of the first charter legislation in the state of Minnesota and with the opening of the first charter school the following year.

Today, 42 states and the District of Columbia have now passed charter school laws, and in 135 communities, more than 10 percent of the students attend public charter schools. And in seven school districts, the charter school students exceed 30 percent of the public school population.

As you know, Congress first created the charter schools program in 1994, and research shows that investment has paid off. Today, 15 of 16 gold standard research studies conducted on public charter

school student performance since 2010 have found that public charter schools are exceeding in their mission.

Most important, charter schools are helping students who need it most. A 2013 study conducted by Stanford University's Center for Research on Education Outcomes on public charter school performance looked at public charter school performance in 27 states and found that charter school students are outperforming their peers in reading in traditional public schools and they are closing the achievement gap among subgroups.

Charter schools are seeing success in closing the achievement gap, while at the same time the percentage of public charter school students of color and from low-income families is much higher than the percent in traditional public schools.

While public charter schools have been at the forefront of serving disadvantaged populations since the movement began, the National Alliance has worked to continuously improve these efforts. The National Alliance recently issued guidance to the charter school community on their legal obligations to serve English-language learners and provided a toolkit to guide those efforts.

In addition, we at the alliance partnered with the newly formed National Center for Special Education in Charter Schools last October to issue a report on how states can provide support to charter schools and how charter authorizers in meeting their legal responsibilities to strengthen the recruitment and services for children with disabilities.

Now to talk a little about the charter school program. The charter school program through the State Education Agency Grants Program provides the start-up capital needed to design a school, hire a leader, recruit students, staff, and make initial purchases of materials and equipment until regular state and local funding becomes available.

Beginning in the fiscal year 2010, Congress continued its work, seeding quality charter school networks by enabling high-performing public charter schools to receive funding under the CSP grants for the replication and expansion of high-quality schools.

The other major piece of the CSP program is support for facilities funding. Public charter schools most often devote scarce resources to securing space for their schools. The credit enhancement for charter schools program and the state's facilities incentive grants help redress the fiscal imbalance and ensure that our public charter schools have the facilities they need.

As the Congress continues to work on reauthorization of the Elementary and Secondary Education Act, the number-one message that I want to leave with you today is that the CSP program is working and that both Congress and the administration should prioritize funding for the program to help us meet the needs and demands of parents and ensure funding equity for students who attend public charter schools.

Thank you for the opportunity to provide testimony on the growth and impact of charter schools in American public education. I am happy to answer any questions that you might have.

[The statement of Dr. McGriff follows:]

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Statement of Deborah McGriff
Chairman of the Board, National Alliance for Public Charter Schools
Managing Director, New Schools Venture Fund
Before the House Committee on Education and the Workforce
March 12, 2014

Mr. Chairman and Members of the Committee, thank you for the opportunity to appear before you today, on behalf of the National Alliance for Public Charter Schools (National Alliance). My name is Deborah McGriff, and I am Managing Director of the New Schools Venture Fund, a nonprofit firm that raises philanthropic capital and uses it to support entrepreneurs who are transforming public education. Many of the entrepreneurs we invest in are launching, replicating, and expanding networks of high-performing public charter schools. I came to New Schools after a long career as a teacher, school and district administrator, school superintendent, and leader in the private and nonprofit sectors. I am currently the Board Chair of the National Alliance for Public Charter Schools, a founder and national board member of the Black Alliance for Educational Options, and serve on the advisory board of the Program on Education Policy and Governance at Harvard's John F. Kennedy School of Government.

The National Alliance very much appreciates the leadership and commitment that Chairman Kline and Senior Democrat Miller have provided to the public charter school community over the years. As we all know, the first public charter school opened in Minnesota, and its state law is the best in the country for ensuring quality, accountability and pro-charter policies. The state of California hosts the largest number of public charter schools and students in the country, and also has one of the top laws in the country. The charter school community thanks both of you for your support.

Today, I will discuss with you the growth of charter schools, the important role that they play in American public education, and the importance of the Federal Charter Schools Program (CSP) to the growth and success of our nation's public charter schools.

The Growth and Impact of Public Charter Schools

In this 2013-14 school year, there are more than 6,400 public charter schools enrolling over 2.5 million students. This is an amazing development, as the charter movement began in 1992 with a single school enrolling a few hundred students. Forty-two states and the District of Columbia have now passed charter school laws, and public charter schools have become a significant presence in a growing number of communities. In fact, in 135 communities, more than 10 percent of students attend public charter schools, and in seven cities (New Orleans, Louisiana; Washington, DC; Gary, Indiana; Detroit and Flint

in Michigan, and St. Louis and Kansas City in Missouri) charter school enrollment exceeds 30 percent.

One of the original tenets of the charter school movement is to ensure the transfer of knowledge and best practices between traditional public schools and public charter schools so that everyone in public education can benefit. In the past several years, we've seen increased collaboration between public charter schools and traditional public schools that empowers teachers, parents, students, and communities. Collaboration can take shape in many forms, such as joint professional development opportunities, or a universal enrollment system.

Since 2010, these collaborations have become more formalized through grants provided by the Bill & Melinda Gates Foundation as part of its goal to foster bold collaboration between public charter and district schools. In the 20 District-Charter Collaboration Compacts cities throughout the U.S., public charter and district school leaders, teachers, superintendents, and other community partners, such as mayors, local teachers' unions, and school board members are working together to ensure all students in their communities receive a high-quality education that prepares them for college and career.

The National Alliance also works to encourage collaboration, including its co-hosting of the second National Best Cooperative Practices between Charter & Traditional Public Schools Conference (NBCP Conference). The NBCP Conference was designed to showcase examples of cooperative practices that serve as models for replications and spark ideas for how all sectors of public education can work together.

Public charter schools are also playing a significant role in transforming the education landscape in communities that previously had some of the lowest-performing schools in the nation. In the wake of Hurricane Katrina, New Orleans rebuilt by opening many public charter schools, and now a national high of 79 percent of all students attend public charter schools there. Student achievement in this large, urban district went from greatly below to on par with the statewide performance level during the five school years immediately following Hurricane Katrina. In Tennessee, public charter schools are a central component of the state's improvement plan under the Achievement School District, a turnaround effort which includes the lowest-performing schools in Memphis and Nashville.

Student Achievement in Public Charter Schools

When the Congress first created the Charter Schools Program in 1994, public charter schools were an emerging reform effort. States and the federal government gave seed money to test the notion that student outcomes could be improved if you gave schools freedom to make school-level decisions, in exchange for greater accountability. Today, 15 of 16 "gold standard" research studies conducted on public charter school student achievement since 2010 have found that public charter schools are succeeding in their missions. The research shows that CSP investments are paying off.

Not only is the investment paying off, it is helping students who need it most. A 2013 study conducted by Stanford University's Center for Research on Educational Outcomes

(CREDO) on public charter school performance in 27 States found that charter school students are outperforming their peers in traditional public schools and closing the achievement gap between student subgroups. The study's findings were particularly impressive for students from specific demographic backgrounds: low-income students enrolled in public charter schools, regardless of race, gained 14 additional days of learning in reading and 22 days of learning in math compared to traditional school peers; English learners (ELs), regardless of race, gained 36 days of learning in reading and 36 days of learning in math by attending a public charter school.

I should point out that public charter schools are not just outperforming peers, but are top ranked on national lists of the best schools. For example, public charter schools are 28 of the 100 best American high schools as identified by the 2013 *U.S. News and World Report*, and 16 of the 25 schools on *Newsweek's* Transformative High Schools list—which looks at student achievement and socioeconomic background to identify schools that are really changing their students' lives.

Public charter schools are also going beyond turnaround efforts to pilot new instructional models and support systems that focus on college readiness and success for students from low-income backgrounds. Many networks, such as KIPP, the Denver School of Science and Technology, and YES Prep have designed college readiness programs that include formal arrangements with colleges and universities to ensure student enrollment and retention in postsecondary education.

Students Served by Public Charter Schools

When the charter movement began, a few skeptics forecasted that public charter schools would serve a more advantaged, less diverse student population than traditional public schools. But this has decidedly not been the case. The percentage of public charter school students of color is much higher than in non-charter schools: 56 percent of charter school students are of color, while only 38 percent of non-charter school students are of color. In addition, a higher percentage of charter school students come from low-income families: 51 percent of charter school students come from low-income families, while 48 percent of non-charter school students come from low-income families.

In the past year, there have been policy changes and new initiatives that will further enhance the capabilities of public charter schools to serve chronically underserved students. In late January 2014, the U.S. Department of Education updated its non-regulatory guidance to clarify that public charter schools may use weighted lotteries to provide a slightly better chance of admission to educationally disadvantaged students. As many research studies have found, low-income and English learning students in particular have benefitted from charter schools, and we are hopeful that public charter schools will be able to serve more of these students due to the changes in this guidance.

I would note that the public charter school sector is very diverse—in schools' instructional focus curricula, operations, missions, and across many other spectra—and performance, of course, shows variations as well. That is why it is important for States to enact and fully implement laws that truly hold charter schools accountable for performance—including closing schools that do not produce results over time. We also

need to continue efforts to identify public charter school models that enhance college readiness and completion and then support the replication and expansion of those models. This effort must include continued high-quality public charter school research and evaluation. And the charter sector will continue to take action responding to findings that we must do more to ensure that our schools are fully accessible to, and effective in serving, all students' needs, including English learners and students with disabilities.

While public charter schools have been at the forefront of serving disadvantaged populations since the movement began, the National Alliance has worked to build on these efforts with regard to English learners. The National Alliance recently issued guidance to the charter school community on their legal obligations to serve EL and provided a toolkit to guide their efforts. Furthermore, later this month, we are teaming up with the National Association of Charter School Authorizers (NACSA) to cosponsor a webinar on EL issues, focusing on the legal responsibilities of charter authorizers and operators under civil rights laws.

In addition, the National Alliance partnered with the newly-formed National Center for Special Education in Charter Schools last October to issue a report on strengthening the recruitment of and services provided to students with disabilities. This report outlines State, and local laws that govern special education in all public schools, and makes key recommendations for how public charter schools can leverage current programs to best serve students' needs. The National Center for Special Education in Charter Schools will strengthen the ties between the charter school and the special education communities by working with States to ensure that they provide support to charter schools and charter authorizers in meeting their legal responsibilities. The National Alliance is enthusiastic about the Center, and looks forward to working with it.

The Federal Charter Schools Program

When the CSP was created and initially funded with $6 million, there were only a handful of public charter schools. Since then, public charter schools have grown an average of 500 to 600 schools annually since the late 1990s. CSP funding now stands at $248 million, although the growth in funding has stalled in recent years.

The CSP, through the State Educational Agency (SEA) grants program, provides the startup capital needed to design a school, hire a school leader, recruit students and staff, prepare curricula and programs, and make initial purchases of materials and equipment, until regular State and local funding becomes available. CSP funding has been indispensable to the growth of public charter schools, since charters start at a disadvantage compared to district schools, since they do not have access to district or state funds to plan and implement their educational program. Over the course of two decades, the SEA grants program has received the great majority of CSP funds, and it has been the primary engine supporting public charter school growth.

Moreover, the standards laid out in Federal legislation, particularly the definition of a charter school, have served as useful templates for States creating charter school laws. Recently, two States have enacted new charter school laws: Washington and Maine. Several other states, such as Georgia, Mississippi and North Carolina, have lifted the caps

on public charter school growth, or have made other changes that will enable significant increases in schools and enrollment. All of these changes are being made to meet the growing demand for public charter schools. In fact, more than 500,000 individual students were on waiting lists to attend public charter schools across the country before the start of the 2012-2013 school year. CSP funding, if it grows, will help us reduce the length of those waiting lists by serving more students.

The State Grants have also been a force for innovation, seeding the creation of pioneering public charter schools such as the Unidos Dual Language Charter School in Clayton County, Georgia (which teaches in Spanish and English to produce bilingual students by the third grade); the Walton Rural Life Center in Walton, Kansas (whose program focuses on agriculture); and Rocketship Education, which began in California's Silicon Valley and is expanding it's high-impact blended-learning model into communities throughout the country. State grants have also helped launch schools that have evolved into some of the most successful charter school management organizations. The program has broad geographic reach, supporting efforts in urban, rural, and suburban communities across the country.

Beginning in fiscal year 2010, Congress continued its work seeding quality charter networks and began providing funding to enable high-performing public charter schools with a track record of success through the CSP Grants for the Replication and Expansion of High-Quality Schools. We see this competition as a symbol of the growing maturation and success of the charter movement. These networks of schools demonstrate very strong results, especially in educating underserved student populations. They include the schools operated or managed by non-profit charter management organizations (CMOs) like Aspire, KIPP, IDEA, and Breakthrough. Money from the CSP Replication and Expansion competitions has given those CMOs the wherewithal to really take off, bringing their successful models to places that they weren't able to before—with extremely enthusiastic reception from parents in these communities. Support for this relatively new category of grant must continue and grow.

The other major piece of the CSP is the two programs that help ensure the availability of adequate public charter school facilities. As you may know, State charter school laws ensure that each school receives annual funding for operations (although typically not at 100 percent of the level received by traditional schools) but generally do not provide charter schools with facilities funding. Public charter school operators have thus had to devote scarce resources to leasing often-substandard storefront or other space for those schools. Raising money through bonds or other debt instruments, which regular school districts are able to do, is also more difficult for charter schools, because of their typically small size and lack of a credit history. The Credit Enhancement for Charter Schools program (which supports efforts to provide better access to bonds and other credit instruments) and the State Facilities Incentive Grants program (which provides matching funds to States that elect to create or augment State charter school facilities financing) help redress this imbalance and ensure that our public charter schools have the facilities they need. At this time, the challenges faced by charter operators in securing facilities have not gone away; the need for Federal assistance continues.

I don't believe the public charter school sector's growth to meet parental demand for educational options would have occurred the way it has without the presence of dedicated Federal funding. Let me say that again to be perfectly clear: while public charter schools are inherently local, the movement would not have achieved its current success had it not been for the Federal Charter Schools Program. So thank you, Congress, and thank you to all of the Presidents who have supported this program since its creation.

As the Congress continues its work on reauthorization of the *Elementary and Secondary Education Act (ESEA)*, including the CSP, the number one message that I bring you today is that the CSP program is working and that both the Congress and the Administration should prioritize funding for the program to help us to meet the demands of parents and ensure funding equity for students who attend public charter schools. Thank you for the opportunity to provide testimony on the important role charter schools play in American public education. I am happy to answer any questions you may have.

RECOMMENDATIONS TO IMPROVE THE CHARTER SCHOOLS PROGRAM

There are a number of ways in which the CSP should be strengthened, which the National Alliance laid out last year in our document, *Free to Succeed: Public Charter Schools and the Reauthorization of the Elementary and Secondary Education Act.*

We believe it is important that the reauthorized ESEA supports charter school autonomy so that they have the freedom to produce results for their students. In the report, we call for expanding the pool of entities that can receive the SEA Grants so that the statewide entity that has the greatest capacity to administer the grant can be its recipient and for amending the federal priorities for State grants in order to drive funds to states with charter school laws and policies that are mostly likely to result in the creation and spread of high-quality charter schools.

We also believe that the CSP should be more flexible; the current limitations on the amount of time that may be spent on school planning and on initial operations do not always mesh with a school's needs. We also would like States to be able to use a portion of their grants for activities that improve the quality of authorizers. And while the legal requirement that public charter schools facing excess demand conduct admissions lotteries has generally worked well, we would like there to be some flexibility that allows public charter school networks to allow students to move from a school serving one grade span (say, an elementary school) to a school serving the next grade span (a middle school) that is part of the same network, without having to participate in a lottery. This change would allow for greater continuity in a child's education and a greater likelihood that the educational gains achieved at one level will be sustained.

Outside of the SEA grants program, the National Alliance believes that the Replication and Expansion program, which currently is authorized only through appropriations language, should be codified in the authorizing statute and given an appropriate authorization of appropriations. And we support the continuation, with some minor improvements, of the authorizations for the programs that provide facilities funding.

We believe that our ESEA recommendations will strengthen quality by directing funds to states with strong policies in place that will ensure quality. Public charter schools do not need new accountability or metrics requirements from the federal government to succeed: In accordance with the fundamental premise of charter schools, poorly performing charter schools must be closed. From 1992 to 2011, authorizers closed 15 percent of the public charter schools that were approved to open. In 2012 alone, authorizers closed 150 schools for failing to meet enrollment, financial, and/or academic goals.

Federal efforts to dictate how ESEA accountability provisions apply to public charter schools, rather than deferring to state law and the schools' authorizers, could actually have the unintended effect of preventing or delaying the closure of low-performing charter schools. Congress should ensure that any changes to ESEA accountability provisions preserve deference to state charter school laws and the ability of authorizers enforce their schools' performance agreements.

The National Alliance is pleased that H.R. 5, the Elementary and Secondary Education Act reauthorization bill passed by the House last year, incorporates many of these principles. We look forward to working with the Members of this Committee on further refinements to the bill as the process continues.

Chairman KLINE. Thank you.

Mrs. Keegan, you are recognized for 5 minutes.

STATEMENT OF MRS. LISA GRAHAM KEEGAN, CHAIR OF THE BOARD, NATIONAL ASSOCIATION OF CHARTER SCHOOLS AUTHORIZERS, PEORIA, AZ

Mrs. KEEGAN. Thank you, Mr. Chairman, Ranking Member Miller, and committee members. I appreciate being here today, and specifically to talk about charter school authorizers, the boards that put charter schools into business, and particularly those members of NACSA. I serve as the chairwoman of the National Alliance for Charter School—or the National Association—sorry, Deborah—for Charter School Authorizers, NACSA. We represent boards who are overseeing more than half of the nation's public charter schools.

I had the opportunity in Arizona to help write the charter school law in 1994, and I followed that as the state school superintendent into implementation, beginning in 1995. It is awfully nice to be 20 years down the road and know a lot more about what the work of authorizing public charter schools is.

And the reason that we know that is because, at the same time we started public charter schools in this country, we got a much better look at data. We started to collect student data. And I have to thank the members of this committee for their dedication to this data over time.

Twenty years ago, we didn't have this data when we started public charter schools. Today, we do. We also, though, when we started public charter schools, we initiated the first public schools created specifically to advance achievement. That was the goal.

In charter schools, we see schools that are intentional. They are designed with a mission that is created by teachers, educators, who have a vision for a need that is seen and not met. It is a difference, it is a shift in the way we open a public school. It is an important shift, and we have seen thousands of leaders come to the fore to offer their mission.

In addition, we have seen authorizing boards have to learn how to understand whether the people who sit in front of them are capable of delivering on that promise that they are so committed to. That has required a great deal of attention to the data that we have and the consistency of practice over time.

At NACSA, I am particularly proud to be part of our effort called One Million Lives. The One Million Lives effort encourages charter-authorizing boards around the nation to use what we know about what excellence looks like and to only approve those applications, those dreams that have a good likelihood of resulting in a school that is worthy of the students in it.

In addition, we ask our charter authorizers to take the difficult step of closing those schools, as Mr. Miller was discussing, that have not fulfilled their promise. It is a difficult task. It is an essential task. Over 5 years, we believe we will affect at least a million lives in this way for the better and have students in excellent schools.

After the first year, I can tell you it looks like good progress. Last year, we saw 450 public charter schools open. That is not all of the public charter schools that open, but that is a number that we

know were started by charter boards with the commitment to high-quality standards. At the same time, 206 public charter schools closed last year.

Now, that opening number is high, seems high, 450. It actually could be a lot higher. As the chairman has indicated, we have got close to a million students sitting on wait lists. The closure number is high. It is going to stay high for a few years. This country has opened a number of schools because we didn't know. Those schools will have to close. That number will stay high for a few years. We suspect it will then come down—we hope it will—and that we will get in the business of only starting excellence. But we probably will continue to have some failure as innovation is essential in this field.

So this is great progress in charter authorizing. It is also progress just generally in public education. What does a great school look like at opening? What does a great school look like in operation? When do you have to intervene as a board?

Hopefully we are fast approaching the day when any public charter school will be an intentional school and one that is only opened because the mission of that school is well understood and the leadership that is going to be at the helm has a proven record of success before they even begin this new school.

So we have learned a lot. We know a lot. But it is not yet time to codify this moment, because as our friend and mentor Geoff Canada reminds us, our work is not close to being done, and we have to push so hard on innovation that there will continue to be failures, new trials, new attempts. We have to allow that to happen. And the critical balance for charter authorizers and for any school board is to use the best of what we know today and to be open to what is possible tomorrow.

At NACSA, we are very humble to be doing that work with leaders around the country. And I want to thank you, Mr. Chairman and Mr. Miller, for your ongoing support for charter authorizing at quality, and to thank the rest of the members for your work, and I am happy to answer any questions.

[The statement of Mrs. Keegan follows:]

Testimony of Lisa Graham Keegan
U.S. House of Representatives
Committee on Education and the Workforce
March 12, 2014

Thank you Mr. Chairman, Ranking Member Miller, and members of the Committee. I am honored to speak with you today. I so appreciate all of your work and it is gratifying to be here to discuss the critical need and the real possibility for rapid improvement in the quality of all public schools.

I had the honor of serving as Arizona's House Education Committee Chairman when we passed our charter schools laws in 1994, and then as our elected state school chief for two terms as we implemented that law. It is now my privilege for to serve as the chairwoman for the National Association of Charter School Authorizers. NACSA is a nonprofit membership organization committed to developing and maintaining high standards for charter school authorizing. Our members are some of the largest charter school authorizers in the country and oversee more than half of the nation's 6,000 charter schools.

What I am most proud of at NACSA is our focus on excellence, and our partnership with authorizers around the country who are struggling to get this right.

Two decades worth of data on every student's performance in every public school has taught us so much. We have proof that any student is capable of graduating from school prepared for college or to make another life-sustaining choice. There are examples of excellence in every sector of public schooling – charter, district and magnet schools – and for every type of student – those from homes with very low income, those in rural areas of the country, and students from among all of our ethnic and social groups.

So we know what is possible, but we are far from the moment that every individual student has access to an exceptional school. Creating and sustaining only excellent

schools must be our focus. And much of the knowledge we now possess about how to do that has been gained in two decades of work on public charter schools.

Public charter schools were created specifically to advance achievement. They reflect the vision, the skills and the heart of the team that founds them. They are intentional schools, schools built to order, to meet a need known but not met, a possibility understood but not yet realized. Public charter schools were envisioned to be the place that we could find solutions for America's most intractable struggle to realize our children's potential. And they have been America's best public education innovation tool.

Until the advent of public charter schools in the 90's, new public schools were created when there was projected growth and when there was sufficient money in place – period.

Nothing in our traditional school development requirements spoke directly to quality. Certainly we have magnificent examples of excellence in traditional settings. But it is critical to recognize that the job state law gives school board members relates to numbers, not to quality. The rapid growth of public charter schools gives us the opportunity to rethink this process. Instead of planning a new school, boards can solicit offers to operate a new school to education leaders with a track record of excellence. Pre-approval of academic goals and contractual guarantees for progress can be a requirement for any public school.

The evidence we have says any school anywhere can be excellent. The mythology about schools being only as good as student demography predicts is dying a well-deserved death. Not only because of public charter schools, this truth is the result of decades of new data that reflects the work of all exceptional public schools.

But it's important to recognize the significance of this shift. The new reality for American education is that quality – the ability to succeed on behalf of students served – is a function of teaching, of teachers, of schools and school models. Unless school leaders can guarantee it, they should not be empowered to open or lead a school. And unless

school boards and authorizing boards know the key features of what these intentionally excellent schools will look like, they can't bring them into existence, or support their sustained quality.

As the chairwoman of NACSA, I have been very proud to be a part of the One Million Lives campaign, whose goal is to work with authorizers to open and oversee only high quality schools, and to make the very tough decisions to close failing charter schools. By doing so, we can get one million more children into 3000 high-performing schools over five years. □

And we are on track to do so. Last year, we saw at least 450 new schools opened by authorizers that we know require rigorous professional review. During that same period and because of these demanding standards, 206 charter schools were closed. In the first few years of this campaign, we will experience a very difficult "cleanup" as a longstanding group of schools that simply cannot improve are closed. But that will be a short window. The emphasis of our work is on understanding excellence at opening, and as we open more and more schools with the skills to serve their students exceptionally well, the closure side of our campaign will subside. And we will improve not one million, but many millions of lives going forward.

The shift in our knowledge base over the past twenty years cannot be overstated: the advent of public charter schools and the authorizing function has drawn us into the research of what a new school will need in order to be excellent, and how an authorizer – or any governing board - can demand ongoing quality in all of their schools.

The advent of public charter schools combined with two decades worth of annual, per-student achievement data has given the entire public school system far more information about what constitutes a quality school than we ever had before. The challenge to all of us now is to make that matter for all students. And in fact, there are leaders on school boards and authorizing boards all over the country who are sharing this information and trying to understand how they might learn from each other.

Seeking to open only excellent public charter schools is an awesome responsibility, and I think it is with great relief that those of us who began this twenty years ago can now say we understand far more than we did a few decades ago what makes an excellent school – at the outset and in ongoing operation.

But this is also a moment that demands deep humility.

We cannot be satisfied with our current standards of practice or suggest universal regulations that uphold only what is already created. We know a lot. We don't know everything we need to know. Our research into what matters most must continue.

For example, in the presence of many very large and successful charter school networks, the local school that is created by a community can go unstudied and its success may depend on an entirely different set of supports. And we understand this well in Arizona.

In Arizona, one of our strongest assets is a very diverse population, and a student population whose largest ethnic group is Hispanic. The charter school reforms we have had in place for two decades in Arizona were the result of very strong bipartisan backing at inception and an ongoing support consistently led by statewide Hispanic leadership organizations. The struggle for public charter schools in Arizona has never been for political popularity. Our struggle continues to be achieving high quality in all of our public schools. The big divide in our education system is not between charters and district schools – it is between schools that are excellent, and those that are not.

When Arizona began our charter school movement in the mid-90's, we dealt with a massive demand for new public charter schools in high need communities. Many of those schools were opened, and many failed. Arizona was known as the "Wild West" and as a state that did not care about achievement. That was never true. But what was true was that we care a great deal about community initiation of schools.

With the advent of large school networks that very successfully serve low-income communities, we know what quality at opening can look like. And we have to be deeply grateful for these schools and their teachers. But the temptation is to rely only on those proven networks to operate, as we understand their quality and their consistency. Because the smaller, community initiated schools are a risk.

But those schools are often run by community leaders whose trust is held by the families they serve, and whose ability to truly transform their own neighborhood is strong. My favorite public charter school is in South Phoenix, and is one of these schools. Espiritu was an extremely low achieving school for a number of years before the staff were incentivized - by a risk of closure and a loss of their students to a new high quality charter school across the street - to become the A quality school that they are today. I have the same emerging love affair with a local district school that is leading its community, bucking the odds and after decades of low performance, will soon be an A quality school.

What these two schools have most in common is that the decision of their leaders has been not only to transform education for their students, but to transform their neighborhoods and communities. They focus on both simultaneously. We must spend as much time understanding the work of these local leaders as we do importing and supporting large national networks, or we risk losing the trust of the communities we are striving to serve.

We are learning every day what can be achieved by allowing excellent teachers and other education leaders to bring their ideas to public schooling. And it feels great to know a lot more than we used to. But I fear any assumption that says we know enough. I fear those who believe that we should codify today's knowledge and not tolerate future failed attempts at excellence. I'm no fan of failure. But our goal has to be excellence for all students, and we are far from there. Innovation must be allowed to continue. The critical balancing act by authorizers and by all governing boards is to act on the best of what we know today, and to be open to learn what is possible tomorrow.

In the face of so much new knowledge, and in the presence of such inspirational and still early success, we can only be emboldened to move ahead. At NACSA, we are humbled to work with the leaders around the country who are doing just that.

Thank you, again, Mr. Chairman, for providing me the opportunity to testify before the Committee today. We at NACSA have greatly appreciated how both you and Mr. Miller have strongly supported the roles of quality and authorizing in the charter school arena. I look forward to answering your questions.

Chairman KLINE. Thank you. Mr. Linzey, you are recognized for 5 minutes.

STATEMENT OF MR. DAVID LINZEY, EXECUTIVE DIRECTOR, CLAYTON VALLEY CHARTER HIGH SCHOOL, CONCORD, CA (DEMOCRAT WITNESS)

Mr. LINZEY. Chairman Kline, Congressman Miller, and members of the committee, thank you for inviting me here today to tell the transformative story of Clayton Valley Charter High School, a secondary school in Concord, California.

Charter schools allow for the critical autonomy in decision-making, compared to the bureaucracy and red tape of the local districts. In traditional schools and districts, it often takes years to make important changes, with obstacles met almost at every turn. This is different for charter schools, as we have the capacity to make school-based decisions regarding curriculum, supports, interventions, and more, in a timely manner.

A charter school is a speedboat in contrast to the Titanic of the district decision-making. Those in the trenches typically understand what changes need to occur to meet the needs of students as opposed to those who are farther removed. Charter schools allow opportunity for improvement, innovation, and site-based decision-making.

Clayton Valley has undergone a remarkable transformation since converting to a charter school in July 2012. After years of frustration and neglect by the local district, the teachers' turmoil reached a boiling point. This led to a vote by the teachers to convert the school from traditional to a charter school, using the state's conversion law.

The mission was clear: The teachers and the extended community of parents and community leaders banded together in support of making a better school. They wanted to bring the school out of its complacency of underachievement, decline in facilities, low staff morale, and student apathy. Parents had been disengaged for many years. Professional development was nearly absent, and the school had reached a low point in statewide student achievement, earning a ranking of 1 out of 10 on the similar schools scale.

Despite opposition from district leadership, the charter school had tremendous support from Congressman George Miller and other key leaders who took a stand in support of our desire to become a charter school. The Contra Costa County Office of Education unanimously approved our charter petition. And then the work really began.

I was appointed to be the executive director with a mission to galvanize the school into a common vision, leading the charter school from good to great. Then I hired a quality administrative team, and in just 6 weeks after I was hired, we opened the school with 1,900 students, the same students who attended the prior year.

But the difference was immediate and astonishing. Much to the amazement of the staff, the parents, the students, the school was transformed almost overnight with the instructional framework of rigor, relevance, and relationships, as developed by Dr. Willard Daggett. I spent nearly a week with the teachers and administra-

tors discussing what quality instruction looked like, how application makes learning relevant, and how nurturing relationships between teachers and students lays a foundation where students want to learn and they want to perform academically.

Professional development became the constant theme. And one of the founding charter teachers, current administrator Neil McChesney stated, "I received more professional development in 1 year at the charter school than I had in 10 previous years."

Innovative intervention programs were implemented to support struggling students in the summers, after school, and even on Saturdays. There was an all-out focus on improving student achievement, and the teachers caught the vision. We embraced the very same strategies implemented by many other schools, charter schools alike, and these included powerful intervention programs to close the achievement gap, instructional guides, benchmark assessments, a failure-free zone policy where students had to do their work well or stay after school and do it over. The kids interpreted that as love.

[Laughter.]

We implemented innovative instructional approaches, extensive professional development. Parent involvement became a key theme with over 250 parents actively involved on a regular basis. Instructional software programs were utilized significantly. And then we implemented powerful counseling and guidance programs.

While no single best practice is unique, the buy-in to these strategies by staff and the blend of all of these strategies has resulted in a whole new culture and a whole new campus. The desire by the teachers to do better and do more for students is remarkable.

The autonomy is paying off quickly. Clayton Valley High School had the top academic achievement growth in California last year for large high schools. Their 62-point jump on the state's API took them from a score of 774 to 836 in a single year, ranking us at a 9 out of 10 on the statewide scale. The entire community of Clayton knows the significant transformation that has occurred. There is great community pride in our school. And CVCHS now has a waiting list of nearly 400 students for the fall of 2014.

Without becoming a charter school, this transformation would have never occurred. The success of Clayton Valley and the tremendous gains has caused the local district and other schools to pay attention and borrow from our best practices.

And as the executive director, my ultimate desire is to see academic success for all the students in my community, those at the charter and those at other schools, and it is our commitment to share those best practices with everyone who will listen.

Again, this success would not have occurred without becoming a charter, and I want to thank you for allowing me to share that story, and I want to thank Congressman George Miller for his support.

[The statement of Mr. Linzey follows:]

Testimony of:

David Linzey, Executive Director, Clayton Valley Charter High School
Concord, California

For a Hearing Entitled:

Raising the Bar: The Role of Charter Schools in K-12 Education

Before the:

U.S. House of Representatives Committee on Education and the Workforce

March 12, 2014

Chairman Kline, Congressman Miller, and members of the Committee, thank you for inviting me here today to tell the transformative story of Clayton Valley Charter High School, a secondary school in Concord, California.

Charter schools allow for critical autonomy in decision-making compared to the bureaucracy and red tape of the local districts. In traditional schools and districts, it often takes years to make important changes with obstacles at every turn. This is different for charter schools, as we have the capacity to make school-based decisions regarding curriculum, supports, interventions, and more in a timely manner. A charter schools is a *speedboat in contrast to The Titanic* of district decision-making. Those in the trenches typically understand what changes need to occur to meet the needs of the students and the school as opposed to those farther removed. Charter schools allow opportunity for improvement, innovation and site-based decision-making. And with timeliness of implementation, comes better understanding of which strategies lead to academic improvement and actually benefit students. This understanding leads to transfer of best practices – even to our traditional, non-charter school neighbors.

Clayton Valley has undergone a remarkable transformation since converting to a charter school in July 2012. After years of frustration and neglect by the local school district, the teachers' turmoil reached a boiling point. This lead to a vote, by the teachers, to convert the school from traditional to charter school, utilizing the state's charter conversion law.

The mission was clear – the teachers and the extended community of parents, community leaders and the City Council banded together in support of making a better school. They wanted to bring the school out of its complacency of underachievement, decline in facilities, low staff morale and student apathy. Parents had been disengaged for many years and teachers had no voice in decision-making. Professional development was nearly completely absent and the school had reached a low point in statewide student achievement, earning a ranking of 1 out of 10 in their similar schools scale.

Despite opposition from district leaders, Congressman Miller, along with other key leaders, took a stand in support of CVCHS' desire to become a charter school. Following the school district's vote to deny authorization of the charter, teachers appealed to the Contra Costa County Office of Education who unanimously approved their charter petition. Now the real work began.

The key hiring decision by the newly elected governing board, which was comprised of teachers, classified and administrative staff along with parents and community members, was to hire an experienced Executive Director who could galvanize the school into a common vision, one embraced by staff, parents and students alike. As a successful former superintendent of schools with charter school leadership experience in urban Los Angeles, I was honored to be unanimously appointed by the CVCHS governing board. I then hired a quality administrative team and in just six weeks we opened school with 1900 students, the same students who attended the year prior with their feeder incoming students.

The difference was immediate and astonishing. Much to the amazement of the staff, parents and students, the school was transformed almost overnight with the instructional framework of *rigor, relevance and relationships*, as developed by Dr. Willard Daggett. I spent nearly a week with the teachers discussing what quality instruction looks like, how application makes learning relevant and how nurturing relationships between teachers and students lays a foundation where students want to learn and perform academically. Professional development became the constant theme and as a founding charter teacher (now administrator), Neil McChesney stated, "I received more professional development in one year at CVCHS than I had in ten years prior in the school district." Nearly every teacher embraced the professional development opportunities along with the feedback from administrators who visited classes regularly. Innovative intervention programs were implemented to support struggling students in the summers, after school and even on Saturdays. There was an all-out focus on improving student achievement and teachers caught the vision and the passion.

In addition to my past experience as a school superintendent, I had also served as Chief Academic Officer for The Alliance for College-Ready Public Schools in Los Angeles. While at the Alliance we, with the help of external supports and thought-leaders, developed some of the most successful academically focused urban charter schools in Los Angeles. I then took the very same strategies implemented at my former charter schools to CVCHS and the teachers and administrators quickly implemented many of them. These innovative practices included:

- Powerful intervention programs using summers, after school and Saturdays to close a year of learning in math and language arts;
- Benchmark assessments that measured individual student learning, which teachers used for targeted intervention and tutoring;

- Failure free zone policy where teachers required students to perform at an acceptable level or stay after school to do the work over or even come to Saturday School to receive additional instruction so they could learn and perform;
- Focus upon relationships between adults on campus and students so students knew they were respected, nurtured and treated with dignity. This foundational key transformed students desire to attend school;
- Innovative instructional approaches – teachers were encouraged to go *outside the box* to create, learn new strategies, and reach students with project based learning ;
- Extensive professional development was offered utilizing differentiated professional development opportunities met teacher's diverse needs and interests;
- Parental involvement became a key theme with a 24-hour response policy to returning phone calls and emails;
- Instructional software programs to enhance teaching in the classroom and make learning more relevant; and
- Achievement Via Individual Determination (AVID) program implementation across the curriculum.

While no single "best practice" is unique to Clayton Valley, the buy-in to these strategies by staff and the blend of all of these strategies has resulted in a whole new culture on campus as there is an academic focus with rigorous teaching and high expectations for student performance. The desire by the teachers to be better and do more for students, bolstered by our school's unwavering dedication to professional development and support for our teachers, has transformed the campus.

Results

This autonomy is paying off quickly. Clayton Valley Charter High School received tremendous recognition in the local press for their high achievement results, with the top academic achievement gains in California last year for large comprehensive high schools. Their 62-point jump on the State's Academic Performance Index (API) took them from a score of 774 to 836 in a single year, ranking them a 9 out of 10 on the statewide ranks. The celebration is still continuing and the entire community of Clayton knows of the significant transformation that has occurred. There is great community pride in our school.

CVCHS grew by 100 students in our second year with a wait list of more than 130 students and now has a waiting list of nearly 400 students for the fall of 2014. Administration is reviewing all options in the effort to accommodate students near and far who desire to enroll in a great school.

Educational Benefit to Local Schools

Without becoming a charter school, the CVCHS transformation would never have occurred. The support from the California Charter Schools Association was integral to our success as was the PCSPG startup grant provided by the Federal Government. Most charter schools would not be able to open their doors without this federal grant. School choice is

absolutely critical to creating alternatives to a student or parent's zip code. Choice creates competition, which the traditional district must now engage and which causes them to improve as well.

The great success of CVCHS and the tremendous API gains has caused the local district to meet with administration and discuss the various strategies of the transformation and the instructional innovations that resulted in high achievement. They are borrowing from the list of CVCHS best practices in the effort to become more competitive and improve their achievement results.

While I am the Executive Director of Clayton Valley, my ultimate desire is to see academic success for all students in my community – those attending CVCHS and those in neighboring schools. I believe that the successes we are experiencing, and will continue to experience, are driven largely by not only our autonomy as a public charter school but also our accountability for improved outcomes. I also believe that our success will drive district improvement, both through competition introduced by our charter and through transfer of best practices. Again, I thank you for the opportunity to testify and I look forward to answering any questions.

Chairman KLINE. Thank you.

Ms. Whitehead-Bust, you are recognized for 5 minutes.

STATEMENT OF MS, ALYSSA WHITEHEAD–BUST, CHIEF OF INNOVATION AND REFORM, DENVER PUBLIC SCHOOLS, DENVER, CO (DEMOCRAT WITNESS)

Ms. WHITEHEAD-BUST. Thank you, Chairman Kline, Ranking Member Miller, members of the committee. I am honored to be here today representing Denver Public Schools and testifying on behalf of the important role that public charter schools play in our urban school system, a system which is dedicated to realize equity and achievement for all students.

My name is Alyssa Whitehead-Bust. I serve as the chief of innovation and reform. And in that role, I oversee charter school authorization, quality control, and collaboration. Previously, for 15 years, I helped launch and lead charter schools across the country.

I am proud today to be part of a district that I think is setting the pace nationally, in part because of our intentional and strategic strategy around equity and collaboration between all public schools in our system, including our charters.

Denver Public Schools is one of the fastest-growing urban districts in the nation, serving over 87,000 students from diverse backgrounds. Of the district's 170 K–12 public schools, one in four are charter schools. Serving 13,000 students, Denver charter schools educate an equitable portion of the 72 percent of our students who qualify for the federal free and reduced lunch program, as well as of the 39 percent of our students who speak Spanish as their primary language.

In Denver, we see the success of the charter sector as a necessary, but not sufficient component of a larger strategy that focuses on ensuring equity of access to high-quality public schools for all students. We see collaboration and the transfer of promising practices as an equally, if not more important component of our strategy.

We know that by collaborating across all school types and thinking of our charter schools in part as the R&D lab that their original federal mandate suggests, we can more quickly fulfill our fundamental promise to graduate 100 percent of our students ready to persist in college and career.

Our three equities, as we call them in Denver, set a solid foundation for the collaboration that is propelling our success. Denver public charter school leaders, as well as our school board, have mutually adopted a set of commitments to ensuring equity of accountability, equity of responsibility for serving all students, and equity of opportunity to access key resources, including financial resources and facilities.

As an example, all Denver schools are publicly held to the same accountability framework. In addition, all of our new school and closure standards are applied to all schools, regardless of governance type. A full 79 percent of our charter schools are located in district-owned or operated facilities. This shared commitment to our three equities has fostered a fertile ground for the success of our charter schools themselves, as well as for the collaboration between all schools in our public system.

In Denver, charters do add quality seats to a system that needs them, filling both capacity needs and performance gaps across all areas of the city. While Denver has shown steady improvement in performance across all measures and all school types since 2005, charter schools have simultaneously and consistently outperformed other school models.

Since 2010, our charter school enrollment has grown by 17 percent annually. Charter schools are in high demand in part because their autonomies give them the opportunity to try innovative and promising new practices. For example, charters in Denver have led the way in piloting strategies related to human capital, school culture, instructional delivery, and use of time and technology.

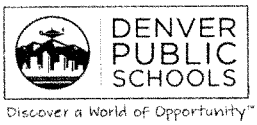
Denver charters were amongst the city's first public schools to expand learning time by extending both the day and the year. They have led the way in the use of data to drive instruction, as well as in establishing high-expectation learning cultures for both students and grownups.

While these innovations are important unto themselves for the benefit of charter school students, they are particularly important in the context of collaboration. If isolated to the province of charter schools alone, such promising practices would only impact 15 percent of our students in Denver. But because of Denver's approach to equity and collaboration, these promising practices are able to spread quickly to schools across governance type; 5 years ago, expanded learning was largely a charter school strategy. Today, dozens of non-charter schools have extended both their days and their years to ensure that they are offering more and better learning time for kids.

Denver students and families need our charter sector to continue and to continue to adopt and share promising practices. Cities across the nation likewise are depending on a thriving and successful charter sector as part of our shared and intentional strategy to provoke dramatic gains in student achievement and dramatic reductions in achievement gaps.

I encourage Congress to align its work to the reauthorization with important role of charter schools being at the forefront of your mind. I thank you for your time and look forward to answering any questions you may have.

[The statement of Ms. Whitehead-Bust follows:]



Statement of Alyssa Whitehead-Bust, Chief of Innovation and Reform, Denver Public Schools

Before the House Committee on Education and the Workforce Hearing Entitled "Raising the Bar: The Role of Charter Schools in K-12 Education"

March 12, 2014

Chairman Kline and Members of the Committee, I am honored to be here testifying on behalf of Denver Public Schools (DPS) on the important role that public charter schools play in "raising the bar" in our urban school system, a system that is driven to realize equity and achievement for all students. My name is Alyssa Whitehead-Bust and I currently serve as the Chief of Innovation and Reform for Denver Public Schools. I come to my role having previously worked for fifteen years helping to launch and lead charter schools across the country. As Chief of Innovation and Reform, I oversee Denver Public School's portfolio management work, including charter school authorizing, accountability, support, and collaborative efforts. I am proud to serve in a district that is setting the pace nationally in part by drawing on an intentional and strategic approach to equity and collaboration across all public schools, including charters.

Before exploring the role charter schools play in our system of public schools, I want to set some context about my testimony and about Denver. While I am grateful that the Denver charter portfolio boasts high results, mine is not a testimony of how charter schools are better than, or unique from, other public schools. While in fact charters in Denver do out-perform district averages and do operate with a unique set of autonomies that have been traded for higher accountability, I want to focus my time delving into the role charters in Denver play in helping to raise the bar for all students across all school types. In Denver, we see the growth and achievement of the charter school sector as a necessary—but not sufficient—component of a larger strategy that focuses on ensuring equity of access to high quality education for all students. We see collaboration and transfer of promising practices as an equally, if not more, important component of our strategy. We know that by collaborating across school types and thinking of

our charter schools in part as the R & D labs that their original federal mandate suggests, we can more quickly fulfill our fundamental promise to graduate 100% of our students prepared for college and the workforce. Knowing the critical role our charter schools play in our local context, we are grateful to Chairman Kline and members of this Committee for your leadership and service on behalf of charter schools across the nation. Your advocacy is making a difference not only for students in charter schools, but also for students across all school types.

The Denver Context

By way of context, Denver Public Schools is one of the fastest growing urban districts in the country, serving over 87,000 students, 72% of whom qualify for the federal free or reduced lunch program; 39% of whom speak Spanish as their primary language, and 79% of whom are minority students. Of the district's 170 schools serving K-12 students, 43 (25%) are charter schools that serve over 13,000 students, or approximately 15% of DPS students. Since 2010, charter school enrollment has grown by 17% annually. An additional 32 Denver schools have taken advantage of Colorado's Innovations School Act to join their charter school peers in trading autonomies for accountability. Combined, autonomous schools in Denver compromise 44% of DPS's overall portfolio.

Denver prides itself on being agnostic to governance type and focused, instead, on equity and achievement. We consider ourselves one system dedicated to serving all students well. All schools – whether district-run or charter – adhere to a consistent set of expectations and are able to access equitable resources. These principles are articulated in Denver's Charter Compact as our "Three Equities":

- **Equity of Opportunity** means that all schools, charter or otherwise, have access to equitable per pupil funding, support services from the district, and available facilities.
- **Equity of Responsibility and Access** means that the schools must offer equitable and open access to all our students—regardless of socio-economic status, disability, home language or other status—and share an equal obligation in district-wide responsibilities such as the cost of pension obligations and district-wide special education funding.
- **Equity of Accountability** means that all schools have the same accountability system under our School Performance Framework and that standards of performance are applied evenly across all school types.

Denver charter schools, as an example, demonstrate their equity of responsibility and access by serving an equivalent percentage of English Language Learners as district average and a relatively proportional share of students who quality for special education services. The district has fulfilled its commitment to the principle of equity of opportunity by addressing one of the greatest barriers to charter school viability—facility access and expense. DPS allocates available facilities on the premise that buildings are a public resource meant to serve all students, not just students served by schools of particular governance types. As such, 79% of Denver charters are currently located in a district-owned or operated facility.

	2009	2010	2011	2012	2013	2014
Charters located on shared campuses	6	9	12	16	19	22
Charters located alone in a district building	3	5	7	8	11	12
TOTAL charters in district bldg.	9	14	19	24	30	34

To codify the focus on these three equities as well as to deepen collaborative relationships between charter schools, non-charter schools, and district leadership, Denver has launched its Collaborative Council, one of the nation's first intentional structures focused explicitly on cross-governance collaboration. Denver's Collaborative Council develops policy recommendations to improve the way that Denver Public Schools and its charter schools work together to fulfill shared priorities and commitments for kids. The Council brings together senior leaders from the district and elected school leaders to: 1) promote Denver's three equities; 2) champion the value of sharing best practices and collaborating among multiple school types; 3) sustain charter school autonomy. In addition to focusing on key policy initiatives, the Collaborative Council provides leadership and direction to a number of working groups that bring together school leaders and district personnel to problem solve specific issues of shared concerns.

Charter Schools Purpose In A System of Public Schools

Quality and Outcomes for Kids

Denver's Collaborative Council exemplifies a shared belief in Denver held both by charter leaders and district leaders that charter schools serve multiple purposes and add multiple points of value to Denver students, schools, and the system writ large. While charter schools are autonomous schools governed by independent governing bodies, they are also intricately connected to and a part of a broader public school system. In Denver, charter schools add quality seats into a system that needs them, filling both capacity gaps and performance gaps in all regions of the city. While DPS has shown steady improvement in performance across almost all measures since 2005 (graduation rates, drop-out rates, proficiency rates, enrollment) simultaneously charter schools have consistently out-performed all other school types. In 2013, as an example, charter schools posted overall proficiency rates on our state summative assessment, called the TCAP, of 53% compared to overall proficiency rates of 47% for direct-run (non charter or innovation) schools. Differentials in student growth are even starker, with Denver charters posting summed median growth in 2013 of 173, with state average being 150.

Denver's rising success is due, in part, to improving quality of continuing schools, and in part due to Denver's aggressive stance on closing poor performing schools and opening higher performing ones. In the past five years, DPS has closed 20 poor performing schools, including 10 charters. In the same time frame, DPS has opened 51 new schools, 28 of which are charter schools. Of these new charter schools, nearly all relied significantly on federal Charter Schools Program (CSP) funds to launch. Eighteen are rated "meets expectations" or higher on the Denver School Performance Framework (or are on track to be so), four are in their first year and therefore have no rating, and six are underperforming. Three of these six under-performing charters schools have already been closed, meaning that 85% of the charter schools opened and remaining in operation in DPS in the past five years are meeting or exceeding expectations. Simply put, Denver's charter school strategy is clearly working to both add capacity and to raise achievement of the overall public school portfolio.

Choice and Access

Due both to the quality of seats many charter schools provide, as well as the unique programming that many offer, charters help ensure that families have a range of school choices. Denver is proud of the varied school models (e.g., dual language schools, "no excuses" schools,

expeditionary learning schools, international schools) that populate our portfolio due, in large part, to our charter schools. We know that a one-size-fits-all approach to education will never produce the dramatic gains we need to realize for students. To ensure equity of access and promote choice, DPS operates a unified school choice system. As such, charter schools are marketed alongside all other Denver public schools and all students are matched with their school choice through a unified lottery. We know that charter schools offer programs that families want because they are disproportionately over-represented in families' first choice preferences. In 2013, while charters represented less than 25% of the DPS portfolio, they represented 60% of the hardest-to-get-into middle schools in DPS in that same year.

6th Grade programs that were the hardest to get into in 2013*:

Rank	School Name	Seats Offered	Waitlisted
1	KIPP Sunshine Peak Academy	0	139
2	Academia Ana Marie Sandoval	0	1
3	Lincoln Elementary (Montessori)	0	2
4	Highline Academy	6	41
5	Odyssey Charter School	4	26
6	Omar D. Blair	15	39
7	Trevista ECE-8 at Horace Mann	10	7
8	Escuela Tlatelolco	2	3
9	DSST: Green Valley Ranch MS	150	222
10	STRIVE Prep - Westwood	128	182

*KIPP, Highline, Odyssey, Omar D. Blair, DSST and STRIVE are all charter schools.

Innovating Promising Practices & Collaborating Across the System

Charter schools are in high demand in part because their autonomies afford them the opportunity to deploy innovative new and promising practices. Charters schools, as an example, have lead the way in piloting strategies related to human capital, school culture, instructional delivery, and use of time and technology. Specifically, Denver charters were among the city's first schools to expand learning time by extending both the day and the year; they have lead the way on use of data to drive instruction, as well as in establishing high expectations learning cultures. While these innovations are important unto themselves for the benefit of charter school students, they are particularly important in the context of collaboration. If isolated to the province of charter schools alone, such promising practices would only impact 15% of DPS students. But because of Denver's approach to collaboration, these promising practices are able to quickly spread to

schools across governance type. Five years ago, expanded learning was largely a charter school strategy. Today, dozens of non-charter schools have extended both their days and their years in order to ensure more and better learning time for kids.

Denver has intentionally established systems and structures to promote cross-pollination of promising practice. Occasions to share practice and collaborate across schools include low intensity opportunities such as structured school visits and observations as well as higher intensity opportunities such as participation in shared professional learning communities that focus on peer-to-peer learning or participation in cohort-based structures that focus on piloting new practices. Such structures provide avenues through which all schools can both share successful practice and learn from that of others. Current pilot cohorts are exploring, for example, differentiated teacher leadership roles, personalized learning, and assessment strategies.

Denver's Approach

Denver is grateful to receive national attention for its approach to charter school authorizing, accountability, and—perhaps most importantly—collaboration. Our approach is based on a simple premise that begins with high-quality and shared accountability, includes differentiated supports for struggling schools as well as a courageous willingness to close schools that aren't serving kids well, and places a high premium on finding places of commonality in order to fulfill our shared commitment to the success of students and families. We are truly one system of public schools.

To ensure the sustainability of its work, Denver relies on a significant number of tools it has produced and published: rubrics that guide school approvals and closures, as well as decisions regarding supports and interventions; performance-based contracts that ensure shared understanding of expectations for students; and policies that safeguard equity of resource allocation. Through the work of the aforementioned Collaborative Council, the Denver Board of Education has adopted policies focused on the three equities and the charter community has adopted commitments to shared accountability.

Denver's Next Steps

As we seek at continue to raise our own bar for student achievement, for charter authorizing, and for collaborative efforts that ensure reciprocity between schools of all governance types, Denver is focused on: 1) developing even deeper collaborative relationships focused on shared strategic priorities such as human capital development; 2) ensuring equity of access and innovation of service for Denver's most highly impacted students, including our opportunity youth, students with severe special needs, and our most limited English proficient students; 3) developing more deliberate shared campuses that promote deep collaboration and shared programming, not just shared facility use; and, 4) deepening and codifying all collaboration efforts.

Denver students and families need our charter school sector to continue to grow, and to continue to adopt and transfer promising practice across our system of public schools. Cities across the nation, likewise, are depending on a thriving and successful charter sector as part of an intentional strategy to provoke dramatic gains in student achievement and dramatic reductions in achievement gaps. I appreciate the opportunity to testify today, respectfully encourage Congress to align its reauthorization work to the important role charter schools play in public education, and look forward to answering any questions you may have.

Chairman KLINE. Thank you.
Mr. Rosskamm, you are recognized.

STATEMENT OF MR. ALAN ROSSKAMM, CHIEF EXECUTIVE OFFICER, BREAKTHROUGH SCHOOLS, CLEVELAND, OH

Mr. ROSSKAMM. Chairman Kline, Ranking Member Miller, and members of the committee, thank you for inviting me to discuss Breakthrough Schools and the transformative education efforts happening in Cleveland, Ohio.

Breakthrough is a nonprofit charter management organization operating nine schools, with over 2,500 students, and growing to serve almost 7,000 schools by 2020. Our student population is 96 percent minority, 84 percent low-income. For the second year in a row, Breakthrough is the highest-rated charter network in the state of Ohio.

Our network had a unique start, growing out of a collaborative effort by three existing independent charter schools, each with a distinctive educational model. In 2009, they came together to improve their schools' long-term financial sustainability and to enable growth so that they could serve more children.

Our partnerships with families is key to our students' success. Our teachers conduct summer home visits, and parent-teacher conferences approach 100 percent participation in many of our schools.

Our Through College Program mentors students and their parents in the selection of high-quality college preparatory high schools that best fit their needs. Those efforts culminate in one of my proudest evenings of the year, where the 24 best high schools in Cleveland—independent schools, parochial, charter and district schools—all join us for a high school fair, with our parents and our children shopping together for the right school.

At Breakthrough, we particularly value our relationship with the Cleveland Metropolitan School District. Breakthrough Schools is currently the only charter schools in the city sponsored by the district. Together, we work toward solutions that benefit children. Breakthrough's principals and a group of district principals meet regularly for professional development and to share best practices. I feel I have a true partner in District CEO, Eric Gordon.

We have also collaborated on facilities since 2011, when we purchased four closed buildings from the district and co-located one of our new schools inside an existing district high school. In both instances, these were firsts in Ohio. The co-location arose when the church lease we were counting on fell through just a few weeks before our new west side school was scheduled to open. Eric and the CMSD Board of Education showed tremendous courage and vision, allowing our elementary school to open in the basement of a district high school.

Very quickly, we had CMSD high school students greeting our kindergartners at the door and walking them upstairs to breakfast each morning. When we outgrew that space, the district agreed to a lease of the empty school building next door for only $1 a year. There is a definite sense on both sides that we really are in this together. Our joint goal is to create more high-quality seats for children, regardless of who owns them.

Our city is best known for our unique collaborative approach to urban education reform. The greatest example of our partnership has been the work with Mayor Frank Jackson's office, the greater Cleveland partnership, our Chamber of Commerce, the Cleveland Teachers Union, the Cleveland and Gund Foundations, the school district, and Breakthrough Schools to create and pass the Cleveland Plan: transformative bipartisan legislation that has enabled our city to pursue our shared vision of a portfolio school district, offering high-quality school options in every neighborhood.

Part of the Cleveland Plan included the creation of the Transformation Alliance, a nonprofit organization charged with monitoring the quality of all Cleveland public schools, district and charter, to enable parents to make informed school choices for their children. Following the plan's passage, we worked closely together again to pass a $15 mil operating levy, the first operating levy to pass in our city in 16 years. Cleveland is only the second city in the country, behind Denver, to allow charter schools to receive a small portion of the local tax levy dollars.

As I think the committee can see, in Cleveland all of us have put traditional differences aside for the benefit of the city's children. Breakthrough is an example of how educational entrepreneurs have created innovative schools that work and then proceeded to replicate to create quality seats for many more children.

This phenomenon is taking place across the nation. Breakthrough is one of 24 high-performing charter management organizations that collectively operate more than 400 schools across 53 communities and 23 states, serving 154,000 students. If we operated as a district, we would be the 15th-largest and the highest-performing urban district in the country.

With your ongoing support, we plan collectively to open 370 new schools over the next 5 years and to serve an additional 200,000 students. High-quality charters like those in the Breakthrough network and our peers across the country are proving every day that historically disadvantaged students can learn and excel.

I thank you for the opportunity to speak with you this morning, and I look forward to your questions.

[The statement of Mr. Rosskamm follows:]

FRIENDS OF
BREAKTHROUGH
CITIZENS PREP INTERGENERATIONAL SCHOOLS

Breakthrough – Alan Rosskamm Written Testimony

Chairman Kline, Ranking Member Miller, and members of the Committee. Thank you for inviting me to discuss Breakthrough Schools and the transformative education efforts happening in Cleveland, Ohio. Breakthrough is a nonprofit charter management organization in Cleveland operating 9 schools, with over 2,500 students, growing to serve almost 7,000 students by 2020. Our student population is 96% minority and 84% low-income. For the 2nd year in a row, Breakthrough is the highest rated charter network in the state of Ohio.

Our network had a unique start, growing out of a collaborative effort by three existing independent charter schools each with a distinct educational model. In 2009, they came together to see if collaborating could improve their schools' long-term sustainability and serve more children.

As a result of the combined efforts of our students, families, teachers and support staff, the Ohio Department of Education shows our students continuing their record of exceptional academic performance. In 2012-2013, Breakthrough students, on average, outperformed their peers across the city, county, and state in every subject. Breakthrough has grown rapidly - from 4 schools serving 1,100 students in 2011 to 9 schools serving 2,500 students today. Nationally, Breakthrough Schools were recognized as 1st in reading growth and 4th in math growth among urban charter school networks in the United States in a study by the CREDO Institute at Stanford University. The report analyzed student growth in reading and math across 167 charter school networks.

Breakthrough has received national attention when it became 1 of only 9 CMOs in the country to receive start-up and replication funding from the U.S. Department of Education in 2011 and 1 of only 35 grantees in the nation to receive a 2012 Teacher Incentive Fund grant.

Our partnership with families is key to our students' success. Our teachers conduct summer home visits and parent teacher conferences approach 100% participation. Our Through College Program mentors students and their parents in the selection of high-quality college preparatory high schools that best fit their needs. Those efforts culminate in one of my proudest evenings of the year, where the 24 best high schools in Cleveland – independent, parochial, charter and District – all join us for a high school fair, with our parents and children shopping together for the right high school.

At Breakthrough we are proud of our relationship with the Cleveland Metropolitan School District. Breakthrough schools are currently the only charter schools in the city sponsored by the District. Together, we work towards solutions that benefit children. I have a true partner in District CEO Eric Gordon. Our staffs reach out to each other on policy or operational questions without hesitation.

Breakthrough's principals and a group of District principals meet regularly for professional development and to share best practices. We have also collaborated on facilities since 2011 when we purchased four closed school buildings from the district and co-located one of our new schools in a district high school. In both instances, these were firsts in Ohio. The co-location arose when the church lease we were counting on fell through just a few weeks before our new west side school was to open. Eric and his board of education showed tremendous courage and vision, allowing our elementary school to open in the basement of a District high school. Very quickly, we had CMSD high school students greeting our kindergartners at the door and walking them upstairs to breakfast each morning. When we outgrew the space, the District agreed to a lease of the empty school building next door for only $1 a year. There is a definite sense on both sides that we really are in this together. Our goal is to create more high-quality seats for children regardless of who owns them.

Our city is best known for our unique collaborative approach to urban education reform. The greatest example of our partnership has been our work with the Mayor's office, the Cleveland chamber of commerce, and two of our community foundations to create and pass the Cleveland Plan: transformative bipartisan legislation that has enabled our city to pursue our shared vision of a portfolio school district offering high quality school options in every neighborhood. Part of the Cleveland Plan included the creation of the Transformation Alliance, a nonprofit organization charged with monitoring the quality of all Cleveland schools, District and charter, to enable parents to make informed school choices.

Following the Plan's passage, we worked closely with the District, the Mayor's office and the Cleveland Teachers' Union to pass a 15 mill operating levy, the first operating levy to pass in 16 years. Cleveland is only the second city in the country, behind Denver, to allow charter schools to receive a small portion of local tax levy dollars. As I think the Committee can see, in Cleveland all of us have put traditional differences aside for the children's benefit.

Breakthrough is an example of how educational entrepreneurs have created schools that work and have been able to bring that vision to scale. This phenomenon is taking place across the nation. Breakthrough is one of 24 high-performing charter management organizations that collectively operate more than 400 schools across 53 communities and 23 states, serving 154,000 students. If we operated as a district, we would be by far the highest performing urban district in the country. Over the next five years, we plan to open more than 370 new schools serving another 200,000 students. High-quality charters like those in the Breakthrough network and our peers across the country are proving every day that historically disadvantaged students can learn and succeed.

I thank you for the opportunity to speak to you this morning and I look forward to your questions.

Chairman KLINE. Thank you very much. I thank all the witnesses, really, really great testimony. We have been doing some chattering up here, not out of disrespect for what you are saying, but out of interest in what you are saying. So really, really very, very good testimony.

Mrs. Keegan, I think there is a lot of misunderstanding—or lack of understanding may be another way of putting it—of the role of authorizers. And we know that authorizers authorize the school to start, and they play a role in closing, but can you sort of lay out what the role is from inception to potentially end, just tell us how that works?

Mrs. KEEGAN. Yes, sir. Mr. Chairman and members, this role has evolved, as you know, but primarily charter school authorizers—and Arizona was the first state to have a state board specifically for charter schools, no appeals process, that is their job—now there are any number of different kinds of authorizers.

Certainly, the local school district remains an authorizer in most of the 42 states. As one option, there are state boards for charter schools. There are other independent boards, often out of universities or other community service organizations. So those boards are charged with basically accepting the application from a group of teaching professionals that say, this is the school we would like to run.

There are sometimes transformative moves, as Mr. Linzey was describing, where there is the opportunity to convert from traditional practice, traditional district school, to a new converted public charter school. So many, many different kinds of governance within even the charter sector itself.

So authorizers take that first look, and they say yes or no, you can go into business or you may not, and that is not where it stops. Charter contracts generally now, 5 years at the start. At NACSA, we recommend that all be no more than 5 years at the start, and maybe if you have been a great school for decades, you can have a 15-year contract, but you have got to prove that you are great over time.

That work of watching a school over time is what I think is most interesting right now. We have a lot of networks that we know have replicated themselves, the Breakthrough network notably among the best in the country. So we know what that looks like. And more than that, we know what Alan looks like. This has a lot to do with people. People are policy. People are practice. And so it is up to a governing board, a charter-authorizing board to recognize the expertise of the people behind that application at inception and then ongoing.

And then it is their job when the schools fail to shut that school down. That is never easy. It is never easy for kids. Oftentimes, you can shut that public charter school down knowing that kids will not have better options. Hopefully we are coming up with better ways to maybe transfer those charter schools over to networks like Breakthrough that are exceptional, let a better team come in and take that over so that students don't lose in that equation. But for sure, charter authorizing boards that are overseeing schools that cannot make good on their promise have got to shut those down.

Chairman KLINE. And you can do that fairly quickly? How long does it take you to shut a school down?

Mrs. KEEGAN. Mr. Chairman and members, it has been taking way too long. I would say part of that was lack of data in the first place. Now we know pretty quickly. We know within the first 2 years, quite frankly, the school is going to make it or it isn't.

I have to say, for the first 10 years, though, as these schools got up and running, there is a bunch of them I am glad we didn't shut down, particularly community schools that were struggling to get it right, and many have now. I am glad we let them go. But it doesn't take long now.

And the practice—organizations like NACSA that can help charter authorizers understand the laws and regulations they need to have in place to be able to quickly close these schools down or bring in better operators, that knowledge is coming, I think is here now, and just more boards have to adopt it.

Chairman KLINE. What do you have to do legally to shut one down? I hate to be focusing on the shutting down part here. We are excited about charter schools and them starting, but clearly, this is a power, this is a practice, this is a possibility that really doesn't exist in the traditional public schools. So how do you do that?

Mrs. KEEGAN. Mr. Chairman and members, the charter school has a contract that says they will do a certain number of things, and charter authorizing boards now, fortunately, have set most of the good ones at an even higher standard than the state has. Once that is violated, the school is noticed under whatever legal notice process exists in the state, and so it is a legal notification process.

It probably takes at least 18 months, and so that is why you have to get right on it, because this is a right, as you have indicated. A contract is a right. It is a business right. But charter authorizers can act very quickly to give that first notice that the charter has not been met as soon as you see, you know, reporting, academic reporting or financial reporting. Often these are financial problems, and they need to act on that as quickly as possible, probably no shorter timeframe than 18 months, but it shouldn't be much longer than 2 years.

Chairman KLINE. Okay. Thank you very much. My time has expired.

Mr. Miller?

Mr. MILLER. Thank you, Mr. Chairman. Dr. McGriff referred to the National Center on Special Education Charter Schools. I would like to submit for the record their testimony and ask unanimous consent to be made part of the record.

[The information follows:]

Statement of Julian Vasquez Heilig, Ph.D.
Committee on Education and the Workforce Hearing
"Raising the Bar: The Role of Charter Schools in K-12 Education
March 12, 2014

Charter proponents should be more accurate when discussing what data actually say about charter schools in Texas and elsewhere when comparing charters to traditional public schools.

Charter proponents often knock public schools for low college readiness rates and college degree attainment. In a study of Texas data I conducted and published on Cloaking Inequity, my educational policy blog, I showed that the vast majority of schools producing college-ready Latino and African-American students in Texas are actually public magnets and traditional public high schools.

Furthermore, Stanford's CREDO 2013 study found that on average charters in Texas cost kids 22 days of learning in reading and 29 days in math.

On this, we can agree. The achievement gap is real and it must be fixed. But unlike many charter proponents, I don't believe charter schools writ large have found the magic elixir for a complex problem. Charters are a diverse group with many different models. In recent years, so-called corporate charters have swept onto the scene in San Antonio, dazzling the media, parents and business leaders with high test scores and college-going rates. These franchises include KIPP, IDEA, Great Hearts, BASIS and Carpe Diem.

The reports out of some of these corporate charters of 100 percent graduation rates and a 100 percent of students attending college seem almost too good to be true. They are. A closer look at those shiny numbers show they come at a cost. For example, KIPP has posited that they serve mostly low-income and minority students and still get better results than public schools. What they don't brag about are the high rates of attrition that help cull their classes to only the most motivated and high-achieving students.

A nationwide study of KIPP by researchers at Western Michigan University criticized the schools' high attrition rates —about 40 percent for African-American males — and the fact that they serve low numbers of students learning English or with disabilities. Not to mention the fact that KIPP spent around "$18,500 per pupil in 2007-08, about $6,500 more per student than the average for other schools in the same districts," according to a story in Education Week.

Same story with BASIS. At the original campus of BASIS charter school in Tucson, Ariz., the class of 2012 had 97 students when they were 6th graders. By the time those students were seniors, their numbers had dwindled to 33, a drop of 66 percent.

So what happens to families who get churned out of charters like KIPP and BASIS? They end up back at their neighborhood public schools, who welcome them with open arms as they do all students, regardless of race, class, circumstance or level of ability.

Great Hearts employs a different model. By marketing selectively to high-income parents, not providing transportation or lunch and charging fees for extracurricular activities, the school ends up with a selective and not very diverse crop of students. Such policies make them more akin to private schools than the "open-enrollment" public schools they purport to be. As a spokesman for Great Hearts told the Texas Tribune in November, "For us, diversity is really hard."

Will we hold charters accountable for being diverse even though it is "really hard?"

There is nothing wrong with offering families more choices when it comes to their child's education. But choice should be open to everyone, not be limited to those who test well or whose families can afford to buy their kids' lunch every day. And, finally, every parent in San Antonio [and everywhere else] should have the choice to send their child to a traditional public school in their neighbor that is well resourced like the schools that are in Alamo Heights, Northside and North East.

Julian Vasquez Heilig, Ph.D. ▪ Associate Professor, Educational Policy and Planning ▪ Associate Professor, African and African Diaspora Studies (by courtesy) ▪ Faculty Associate, Center for Mexican American Studies ▪ Faculty Affiliate, Center for African and African American Studies ▪ Coordinator, M.Ed. Program in Educational Policy and Planning ▪ Associate Director, University Council for Educational Administration ▪ The University of Texas at Austin College of Education Department of Educational Administration George I. Sanchez Building (SZB) 374D 1912 Speedway D5400 Austin, TX 78712-1604 Tel: (512) 471-7551 Fax: (512) 471-5975

Chairman KLINE. Without objection.

Mr. MILLER. Thank you.

Mr. Linzey, given the nature of the attendance area of Clayton Valley charter high school, I wonder if you might describe what you saw at Clayton Valley prior to its conversion to a charter school.

Mr. LINZEY. I was able to visit the school in the several months prior to us becoming a conversion school. And the school, quite honestly, looked apathetic. The students looked disinterested. It was obvious there was apathy amongst the kids.

In speaking with staff members, there was incredibly low staff morale, frustration, and so the campus wasn't very clean. The facilities did not look like they were kept up very well. It is about a 60-year-old facility, and it looked like it. It had aged every bit of that and then some.

And so there was some hope by the leaders of the conversion, there was a hope by a lot of staff. The parents were incredibly excited about the newness, the new opportunity to be a part of this school again. In talking with many of the parents, they just weren't a part of the school for the past number of years.

Mr. MILLER. Can you describe the demographics?

Mr. LINZEY. The demographics—it is a suburban school. It is not like the traditional—or what you might see in a normal, very urban school. It is predominantly Caucasian, and then the next subgroup would be Hispanic population, with smaller groups of Asian and African-American students.

There is probably about a 20 percent free and reduced lunch student body there, and then there is a segment of English learners. I would like to report that every single subgroup grew significantly on our state tests, and most successful were the groups that were the farthest behind. And we took great pride in that.

Mr. MILLER. You have 20 percent free and reduced. You also have some very high-income.

Mr. LINZEY. We do. It is a suburban school, and the city of Clayton is a more affluent area. So that is kind of rare to see a conversion charter school in a suburban setting like that, but just shows you the level of frustration that was in existence.

Mr. MILLER. Thank you.

Ms. Whitehead-Bust, the question of facilities, can you describe the process by which facilities are able to be made available for charters in Denver?

Ms. WHITEHEAD-BUST. We have an internal policy that allows us to think about equitable placement of our charter schools, thinking about our vision of ensuring that all students have access to a high-quality school. We look first and foremost at the track record of the school and its ability to serve students in a particular neighborhood.

We then also look at the ability for a school, if they are going to be co-located, sharing a campus, to collaborate with the school that is also on that same campus. So are there opportunities to share professional learning, programming, school culture, those kinds of things? So charter schools have the opportunity to present their case to us, that they would like to be located in a district-owned or operated facility, and then there is a placement process

that looks at a variety of transparently publicized criteria, and then we make our decisions from there.

Mr. MILLER. – they are co-located, between the charter and the traditional school?

Ms. WHITEHEAD-BUST. You know, I would follow up on the statement that we are getting better and better at this work overall. I think if you looked at our first campus-sharing campuses, you would see that we have gotten considerably more intentional about placement decisions today to ensure the kind of collaboration that we really want.

So I will give you a very specific example. We have a campus in the middle of urban Denver that co-locates Cole Elementary School. It is an innovation school and the Denver School of Science and Technology middle and high school. And they have adopted a shared mascot, shared language for student discipline, shared systems and structures to have adult learning transfer from one side of the campus to the other side of the campus. That is working incredibly well. It is working that well in part because we learned from some of our early experiences.

Mr. MILLER. Thank you. Thank you, Mr. Chairman.

Chairman KLINE. Thank you. Dr. Roe, you are recognized.

Mr. ROE. I thank the chairman for recognizing. And kudos for all of you all for what you are doing. I mean, it is just amazing what I am hearing. And, Mr. Linzey, job well done. I wanted to start out by saying that.

I have heard a common theme, and I would—I have got a lot of questions I am going to submit to you all in writing, but one is, why do we need—why do we need charter schools? I mean, and I think the reason is, is to narrow the achievement gap, I believe is the reason that we are having that, and I want to know how you define a failing school.

I hate to go back to what the chairman was saying, but I have been a former mayor. Fortunately, I just got to build schools, but closing one is your worst nightmare. So I know just from a standpoint of a community and how they are attached to the school, that is a very difficult thing to do, so I would like to have you all talk about that.

Do you use a common curriculum? Are you all in the charter school system—because we know—ought to know now what works. And if you know in 2 years what failure is, already you have defined that, then why don't we just—when we start one of these—do what works?

And what I have heard you all say is, we have to have great teachers that are constantly motivated, and the question is, how do you not hire underperforming teachers? That is also very hard. Great leadership in the principal's office I think is another thing I have heard, the length of the day. Nobody wants to go to school longer. Mr. Linzey, I can assure you, if you had challenged me with studying and getting my work done or staying after school, I know what I am going to do. It is good leverage.

[Laughter.]

And then summer programs, no one talked about that, about how you narrow that. So I will stop. I want to hear what you have got to say about all of those things. And anybody can answer that.

Mrs. KEEGAN. Mr. Chairman, Congressman Roe, I am happy to start this, and there is a great deal of expertise here, so I will be brief.

But I would simply say, the curriculum that each of these schools choose is going to be very different. It is mind-blowing, actually, what is out there, some schools using a hybrid techniques, part digital learning, part teachers, some using very traditional methodology that I would recognize as my grade school eons ago.

And yet it is about a decision to be excellent in excellent schools. I would even say that at this point what we know is it is not so much what a charter school does, it is what a school does, and that looks the same whether it is district, charter, magnet, all public schools, governance aside, once you get in there, it is about instruction and the decision to be at, A, using the time and the intention and the expertise to get there, and you can do it in a lot of different ways. What you see as an authorizer, however, is it is either being done according to the contract with data that shows you it is or it isn't. So I will let my colleagues speak to that.

Mr. LINZEY. Yes, thank you. And thanks again for the questions, outstanding questions. I would like to just speak to the issue of curriculum for a second. Most charter schools, all charter schools that I am aware of teach to the standards of their state curriculum, so the common curriculum is the same curriculum as the state you are in. And now we are moving to a national curriculum, the common core curriculum, and so that is a big shift for all schools in the nation, really.

But within the curriculum, there is instruction. And so instructional practices vary greatly from school to school, from classroom to classroom in a school, and so it is up to the leadership within the school to ensure there is high standards, quality instruction, monitoring, professional development, and with budget cuts in California, I know, and probably every other state, a lot of the funding for professional development has been cut and days for professional development in the summer has been cut.

But as a charter school, you have that autonomy to spend your dollars where you think it needs to be spent, so we still, with the same dollars that other schools got, charter or non-charter, we were able to fund teachers the past 2 summers for extensive professional development and then to pay teachers to work on Saturdays to work with intervention programs, using research-based practices.

I like to tell our teachers, not every strategy is the same. There are research-based practices. Dr. Robert Marzano has his nine that are the highly effective strategies. That became our bible for, let's get these nine done well, and then we can move on to some others.

Mr. ROE. My time is about expired. Let me get two quick questions. Where are charters located? Are they urban? I live in a rural area. Where are they located? And, two, how do you answer the question about charters taking money away from underfunded public schools and selecting students? I think that is an argument you hear all the time, so I don't know whether you have got time to answer, but in writing I would like to hear those.

Mr. ROSSKAMM. I would be happy to comment on the funding. There is no question that when students leave a school, a certain

number of dollars leave with them. Whether they are leaving the city altogether because parents feel they can get a better education in a suburban district, whether they are moving to a parochial or independent school, or whether they are moving to a charter school.

On the other side of that equation, at least in our city, and in our state of Ohio, the charter schools that are accepting those children are only getting—are getting less than two-thirds of the funding that the district school is spending per child, and the district facilities are funded through bonds and through state facilities, whereas the charter schools are paying rent on those facilities.

So we start with a substantial disadvantage, and yet we have to do the same job and hope to do that job better.

Mr. ROE. Thank you. Mr. Chairman, I yield back.

Chairman KLINE. Thank you. Mr. Hinojosa, you are recognized.

Mr. HINOJOSA. Thank you, Chairman Kline and Ranking Member Miller.

I strongly believe that all schools, including charter schools, should offer a high-quality education and serve all students equitably. I have experience as the local school board of trustees member. I have experience as the member of the Texas State Board of Education for 10 years and a trustee for a community college before I came to Congress.

So much of what we are discussing today is of great interest to me, because I believe that charter schools, especially those that are high-quality charter schools, are definitely contributing to our education progress in schools throughout the United States.

But I have a problem with seeing that in my state of Texas, where we have over 6 million students in our K–12 programs, that the legislature cut $6 billion about 3 or 4 years ago, and we had to raise the average of students in each classroom from what was average to have 22 up to 25, 28.

I looked at the statistics that several of you have given, like the state of Ohio, with a number of students and campuses, and it equals 280 students per campus. I looked at the state of Texas on our public charter schools, the number of campuses we have, and it averages 323 per campus.

So wanting to make all of our schools operate as well as the exemplary and high-quality charter schools, tell me how that can be done. All the public schools my children have gone to have had close to 1,000 students in that campus, high schools. My last, fifth child is in high school with 2,000 students.

So it just seems like we are comparing two different types of programs for so many students in the average public school in the country versus our best charter schools. So let me ask Ms. Whitehead-Bust, what is your answer to changing things in our public schools?

Ms. WHITEHEAD-BUST. One of the things that we are finding in Denver is incredibly helpful is pairing teachers and school leaders between different school types to share their promising practices. You are referencing perhaps small schools as being one strategy. We see many strategies that are really important for student success, data-driven instruction, high-quality student culture, high-

quality adult learning. We heard from our colleagues that operate schools some of the strategies that they have put in place.

And so in Denver what we have tried to do is pair our leaders and educators from across different schools to share some of those promising practices. So as an example, STRIVE is one of our highest performing charter networks in Denver. They operate largely a series of middle schools. They host, as an example, extraordinarily high-quality data analysis sessions with their teachers that allow their teachers to turn on a dime and shift their instruction the very next morning to make sure that they are accelerating and recuperating learning for all students. They open those sessions to all teachers in the district so that they can come and observe and use those very same practices when they go back to their own campuses the next day.

And so we see slowly, step by step, these practices sharing across campuses. The charters are also learning from direct-managed schools. It is not a one-way sharing, but we very intentionally pair educators together.

Mr. HINOJOSA. Thank you for sharing your thoughts with me. I have time for one more question, this one to Dr. McGriff. Can you share your views on the proliferation of virtual charter schools and, in particular, how these schools equitably serving—how are these schools equitably serving and meeting the needs of students with disabilities and English-language learners?

Ms. MCGRIFF. At the National Alliance, we are supportive of all models of charter schools, because we know that kids learn in lots of different ways and parents have different expectations for students. I cannot speak very specifically about the stats on special education or language learners in virtual schools, but in charters overall, there is not a disadvantage for special education students or English-language learners. And the research is pointing out that the students are equally represented when compared to traditional schools.

I do also want to go back and say, we can't judge any school on a single factor. And what we tried to talk about today are the constellation of factors that make for a great school.

Mr. HINOJOSA. My time has run out. I yield back.

Chairman KLINE. I thank the gentleman. Mr. Walberg?

Mr. WALBERG. Thank you, Mr. Chairman. And I thank the panel for being here. It is really invigoration to hear students, parents, and teachers talked about more than just simply past history of educational status quo. Students needs primarily are what we ought to be concerned with.

And, Dr. McGriff, it is good to see you. I remember as a member of the Michigan House Education Committee watching your all-too-short tenure in Detroit Public Schools.

Ms. MCGRIFF. Nice to see you.

Mr. WALBERG. As you were given all sorts of accolades from people who really cared about the product of the Detroit Public School system being given a chance to ultimately be educated to meet the needs in the real world and have the same opportunity that other school students had in other districts. I just wonder, had some of your innovative new course charting proposals in that great school system and a great city, that hopefully will return to its greatness,

if that had been allowed to bring about its full results, what difference there might be in Detroit this very day.

Ms. MCGRIFF. Thank you.

Mr. WALBERG. We hope that as a result of the work that you and other panel members are doing that we see that change.

Let me ask you, Dr. McGriff, you discussed in your testimony the efforts and the intentions of charter schools to create a collaboration between public charter schools and traditional public schools in order to share best practices to educate students, again, the needs of students versus the status quo desires of the educational establishment. What role do charter schools play in that collaboration? And more specifically, if you could expand on how they benefit traditional public schools?

Ms. MCGRIFF. I think the panelists have addressed that. I happen to be on the board of the Denver School of Science and Technology, and the example that was given for Cole Middle School as a way of sharing, but generally, when there are district charter collaborations, we have pointed out achievement first, for example, provides principal training for all the principals in the city, because their principal training program is considered to be that thoughtful.

I know that DSST has put into place a really strong human capital initiative. They are also engaged in 100Kin10, which is an effort to raise 100,000 STEM teachers in urban areas, and those ideas through PD are shared.

We also—for here in D.C., for example, there are a number of initiatives that are implemented in the charter school network that the district public schools will also implement. And I will give you an example. We talked about benchmarking today, and there is a benchmarking system that lots of charters use called achievement network, is used in the charter schools in D.C., but it is also used in the public schools.

So there isn't this division. And sometimes schools have the same theme. People ask, why charter schools? Because parents want different kinds of schools. They want performing arts schools. They want science schools. They want Montessori schools. And often you may have a charter school with that theme and a public school with that—a traditional public school with the same theme, so they collaborate across instructional strategies and building programs.

I can't think of a single idea where a charter—an innovative charter school and an innovative traditional public school could not collaborate if they chose to.

Mr. WALBERG. And that is the key, isn't it? The—

Ms. MCGRIFF. It is. And another—I will give you another example. I happen to live in Milwaukee, and we have an initiative called Schools That Can Milwaukee. It is a collaborative of the highest-performing traditional public schools, highest-performing charter schools, and highest-performing publicly funded private schools. All you have to be to be a part of this network is to be high-performing. And the goal of the network is to bring 20,000 additional high-performing seats to the city by 2010.

Mr. WALBERG. What a great concept. What a great concept. In my remaining moments, Mr. Rosskamm, when looking at reform,

are there any federal obstacles that we here can assist you in, in helping removing to make your success even better?

Mr. ROSSKAMM. In Ohio, many of our obstacles are state obstacles. What we do desperately need—and I guess the legislation is before you—is funding to replicate what works. Innovation is an important part of the charter movement, and we need to continue to fund innovation, but once we have proven something, there is no greater return on investment than providing funds to replicate what is working. And we absolutely, desperately need your help to be able to continue to do that.

Mr. WALBERG. Thank you, Mr. Chairman.

Chairman KLINE. Thank you. Mr. Bishop?

Mr. BISHOP. Thank you, Mr. Chairman. And thank you very much to the panel for your testimony and also for your work on behalf of our nation's students.

I feel sort of like a voice in the wilderness here, but I just need to put this out there. The Elementary and Secondary Ed Act reauthorization that this committee passed freezes funding for Title I and IDEA for the next 5 fiscal years at the fiscal 2013 post-sequester levels. It also—that same bill—suggests that the federal government should be providing financial support for the planning, program, design, and initial implementation of charter schools, and to expand the number of high-quality charter schools available to students across the nation. I am quoting from the bill.

So my question is, we are going to freeze—if this committee's bill were to ever take on the force of law, we would freeze funding at admittedly inadequate levels, post-sequester levels, for fiscal year 2013, so we would carry forward a level of funding that is inadequate, and yet we would be funding at an increased level charter schools.

And so my question to you is—and I will ask each of you to respond briefly—is that a good public policy choice? Should we really be reducing our support for the traditional programs of Title I and IDEA, and doing so, so as to increase—or as a potential consequence, increase the support for charter schools? Is that the right public policy choice for the federal government to make?

And so I just put that out there as a question.

Mr. LINZEY. My reaction to that is, nobody that I know of in education wants to cut funding for Title I and IDEA. So I don't think that is a good policy to cut funding for special ed students and for Title I students, but my question to you back would be, where do you get your biggest bang for your buck, if you have limited dollars?

Mr. BISHOP. And that—see, that is where I am heading, also.

Mr. LINZEY. Right.

Mr. BISHOP. And we may be coming to a different conclusion, but 95 percent of our students are educated in public schools. And so I guess I would argue that is where you get the biggest bang for the buck. But you may have a dissenting opinion.

Mr. LINZEY. Yes. I think the data that I have seen, which is national data, CREDO Institute, is showing that charter schools are making significantly more gain than their traditional public schools.

Mr. BISHOP. I am going to push back on that a little bit. That data, that CREDO data, if you really look at it, what it really shows is that there are either no differences or infinitesimally small differences in performance of public school students versus charter school students. And so I guess—again, and this is not to knock charter schools. This is to question why it is we seem to be moving headlong in a support of charter schools at the expense of traditional public schools.

Mr. ROSSKAMM. If I could, I would like to respectfully suggest that maybe that is the wrong question. In Cleveland—

Mr. BISHOP. I am a member of Congress. Of course I have got to ask the wrong question—

[Laughter.]

Mr. ROSSKAMM. But your privilege, of course. In Cleveland, our mayor has said that—to use his words, he is over that question. What he is interested in is supporting high-quality schools, both district and charter, and seeing a reduction in poor schools—and either turning around or doing something about the underperforming schools.

And I want you to know, from a charter perspective, we need, desperately need those dollars for special-needs children. We take that obligation and that responsibility equally seriously and need those funds.

Mr. BISHOP. I guess where my concern is—and maybe—and I am maybe doing too much talking and not letting you answer, but I think you can probably make an argument that more money doesn't necessarily equate with quality. But I am not sure you can make an argument that if you continuously drain resources out of the public school system that is not going to result in diminished quality.

And that is my concern. In New York, the way charter schools are funded is by basically taxing the sending district the tuition that they would normally receive from the student going to that school to the charter school, so they are getting hit both ways. And so my challenge is or my question is, is this really where we should be going? Or shouldn't we be increasing the size of the pie? If we are that committed to charter schools, shouldn't we be increasing the size of the pie, instead of slicing it differently?

Mr. ROSSKAMM. Mr. Chairman, could I respond to that, as well?

Mr. BISHOP. Have I taken too long?

Chairman KLINE. The gentleman's time has expired.

Mr. BISHOP. It is a great question, Mr. Chairman.

Chairman KLINE. A fine question. We will probably have a chance to pick that up later.

And just for the record, in the Student Success Act, Elementary and Secondary Education Act, which not only passed the committee, but passed the floor, we did not cut a dime from IDEA. We didn't address special education. And I think I would agree with the gentleman that we as an institution, we as a country are not doing our job in increasing that money for special ed, but we did not cut it, just for the record.

Dr. Bucshon, you are recognized.

Mr. BUCSHON. Thank you, Mr. Chairman. First of all, I would like to say, you know, we could use your help in getting the United

States Senate to bring their version of the bill to the U.S. Senate floor, maybe pass that, and then we can get to conference and work out our differences.

With that said, Dr. McGriff, my question surrounds the number of hours kids spend in school and what charter schools across the country are doing with that. I mean, I think many of us know—and I have four kids, and I am not an educator, but I study the subject a lot, that other countries around the world, their children spend more time in the classroom than ours do, dramatically more time in the classroom.

And I think we also know that lower socioeconomic class students, when they have long summer breaks, regress at a faster rate than students from higher socioeconomic populations, primarily, I think, probably from because of the lack of parental engagement and other factors. They are just trying to get by day-to-day. They don't have time to worry about these issues.

So can you comment on maybe what charter schools—the trend in charter schools is across the country and hours in the classroom and maybe length of breaks that charter schools are doing? There are some schools that are going to year-round and how that might—if there is data out there that shows that that—in America, that works, and how that could spill over into—or the rest of our educational system, which admittedly, I think, in my view, is stuck in the past.

Ms. MCGRIFF. I think when we think about more time, we have to look at, more time doing what? And we also have to look at, what is the current developmental stage of the school? So if you look at charter schools that are launching and they are getting a new set of kids, they are going to have a very different approach to how to use time, where the extra time should be, than if you are looking at a CMO that has been in operation for 15 years and they have now developed a culture.

So let's talk first about the really early-stage school. Generally, they will not open without having the kids who are coming to them the first year come to some type of summer school. They think that culture-building before they get in the room in September is an important thing to do.

When you diagnose kids, and they are three and four grades behind, and they are in ninth grade, you are not going to catch them up unless you are doing after-school programs that you have to come if you don't do your homework. They are building in these kids the resiliency and the sense of responsibility and good use of time.

And you are absolutely right. Low-income children regress every summer. So if you don't have—the programs are innovative. They are not just the traditional summer school programs. They have these kids going to college campuses, spending experiences on college to get them to know, college is for you, and you can be successful. Or they are sending them to STEM camp.

So I think when people say more time and an extended day, they don't really look deeply into the innovations that—and it is not just charter schools. The great quality traditional public schools do exactly the same thing with time.

I think what we are learning from the CMOs in our portfolio, that over time, as the—especially if the CMO has a feeder pattern K–12, they are now getting kids that are not so far behind, they are beginning to cut back the number of hours to be more consistent with what kids need. But that takes years of having kids that you have had since kindergarten now coming into your middle schools and your high schools.

Mr. BUCSHON. Yes. Ms. Whitehead-Bust, do you have any comments on that, about what you are doing in Denver as it relates to hours in the classroom and innovation as far as—as was pointed out by Dr. McGriff, effectively using the extra hours, if you are going to have the students there, how you can most effectively use that time?

Ms. WHITEHEAD-BUST. I would reiterate that it is not just more time, but more and better time. And so we are using the opportunity for expanded time to think about acceleration and recuperation of students simultaneously so that you are ensuring that your students who are struggling to meet your grade level proficiency standards have the opportunity to catch up, but simultaneously making sure we are not thinking about our standards as a ceiling. They are intended to be a floor.

And so we have some students who need acceleration so that they can exceed those minimum standards, in addition to really focusing on the non-cognitive success factors that we know are essential for students to persist through college and careers, so working on opportunities to set goals to build a sense of values within a student culture that we know transcends critical thinking, collaboration skills, et cetera. We ask that our schools come forward with plans. In most cases, they are adding about 100 hours to their school year through a combination of extended day and extended year. They work in small cohorts, again, so they are sharing best ideas and best promising practices across schools.

Mr. BUCSHON. Thank you, Mr. Chairman. I yield back.

Chairman KLINE. Thank you.

Mr. Polis?

Mr. POLIS. Thank you, Mr. Chairman. I would like to thank the chair and the ranking member for bringing before us such excellent witnesses on an important topic. This hearing is really helping to showcase the impact of public charter schools as a tool within public education.

I think there has been a great discussion of charter schools as a strategy to boost academic achievement for all students. And we are particularly thrilled that the committee has called this hearing. As the founder of two innovative public charter schools myself, one currently chartered through Denver Public Schools, the Academy of Urban Learning, the other, the New America School in New Mexico and Colorado, with five campuses, I have really been in the practice of founding and, in the case of New America School, running a superintendent, a charter school, I really got to see firsthand how we were able to use the flexibility afforded to us by our authorizer to meet the learning needs of the kids that came in our door.

Public charter schools across the country are demonstrating time and time again that where a child lives, their ZIP Code, their economic background, their ethnicity need not determine his or her

educational outcomes. In my home state of Colorado, public charter schools are developing innovative strategies, attracting great talent to the room, districts like DPS, who we heard from Ms. Whitehead-Bust, charter schools are serving as laboratories of innovation and are very much part of the district, in terms of sharing best practices.

One of the frustrations that I have sometimes is when people at the district level or elsewhere say, oh, it is us versus them. Well, Denver Public Schools is an excellent example of a district that very much views charters as part of us, as it should be. It is part of the public education system.

And I am not for traditional schools, charter schools, neighborhood schools, magnet schools, per se, but I am for great schools. And no matter what the governance model, we want to make sure that there is a great public school for kids to go to. And sometimes we get caught up in these arguments of, oh, it should be—they should run it or this adult should run it or it should be part of this or part of that.

That is not what makes an impact for the kids. What makes an impact for the kids are great teachers in the classroom, with great school leadership, enough learning time, and we have proven time and time again that works, and that is good news for public education in our country. And we have had many great schools testifying, including some who testified here today, like Breakthrough Schools and Clayton Valley, truly great schools.

Now, the charter school program is a critical way that the federal government partners with state and public charter schools. Many, if not most charter schools might not exist today if it were not for this charter school program. Before any of the state or local funding even kicks in, charter schools have expenses. And it is absolutely critical that the charter school program allow charter schools and innovative schools to get off the ground.

In addition, charter school program rewards states with strong authorizing practices, provides incentives to ensure that laws allow public charter schools to thrive, seed the growth and expansion of excellent charter schools that defy expectations for kids every year.

My All-STAR Act, which I introduced with Representative Petri and many other members of this committee, would improve this program by investing in high-quality charter schools, reward states with laws that afford additional freedoms for charter schools, ensure that authorizers don't hand out charters like candy, but have a thoughtful process around making sure that the applicants can deliver on the model.

I want to get to my questions. My first is for Ms. Whitehead-Bust. Of course, thrilled to highlight the outstanding work that Denver Public Schools near my district has done to improve outcomes for our most at-risk kids. I want to talk about how being a portfolio district that values different governance models—she mentioned innovation schools. That is a concept in Colorado. It is kind of like a charter school-lite concept, where it is part of the district, it is kind of a hybrid between the two. Some states have those, as well.

How has being a portfolio district given you additional tools as a district to expand and replicate high-quality schools to ensure that more kids have access to high-quality schools?

Ms. WHITEHEAD-BUST. I appreciate the question and the focus on equity and access for all kids across our system. I think as a portfolio district, we have had the opportunity to define publicly and transparently the criteria that we use both to open new schools, to support all schools within our portfolio, regardless of governance type, and to have an assertive stance on closing schools who aren't getting it done for kids, in particular our kids who most need high-quality options.

Mr. POLIS. And let me feed you one more question with the limited time. Talk a little bit about what Denver has done to ensure that all schools are serving with special needs, and especially severe special-needs students.

Ms. WHITEHEAD-BUST. In Denver, our charters have signed up to help serve a proportional percentage both of our English-language learners and of our special education students. We have led the nation recently in opening center-based programs within our charter schools—we have about 10 today—to serve our most severe needs, special ed students, and in addition to stepping up to provide equity of access for those students, they are helping us innovate. How do we discover more inclusive models as an example? How do we ensure that expectations and culture are appropriate for all students? So we are learning together in that endeavor.

Mr. POLIS. So many more questions, Mr. Chair, but I will yield back.

Chairman KLINE. Thank you. The gentleman's time has expired.

Mr. Rokita?

Mr. ROKITA. I thank the chairman. I thank the witnesses. It has been great testimony.

I want to start off by associating with Congressman Polis' remarks. I think he is exactly correct. I mean, who here shouldn't be for great schools, no matter what the governance structure? And this idea that money is being siphoned off or compartmentalized or whatever I think goes to—I think it was the mayor of Cleveland's point. I am over that question. I am over it.

I mean, if the product of competition is the movement of some funds, you know, I think that, in fact, can be a very healthy thing, ultimately. Competition is a good thing. It is good in every other part of our lives. And to the extent there is competition for the effective and efficient teaching of our greatest asset, which is our children, so be it.

In that vein, I would simply, again, state for the record it is kind of been an ongoing debate around here, but the fact is that, since 1970, at the federal level, we have increased spending on education 300 percent. And my data shows that there has been little or no commensurate improvement, however you want to measure improvement. It certainly doesn't match the kind of money we are spending, so I don't think we have a money problem.

And if any of you differ with that, I have heard some comments about, oh, we definitely need the money. And I understand that. But if any of you believe—and I would like this for the record that pushing more money at this without change in governance struc-

ture, without doing something differently, like you all are doing, you know, I would like to know that opinion. Anybody? Let the record reflect, no one is taking that bait.

Mr. LINZEY. Well, no—

Mr. ROKITA. Except for Mr. Linzey.

Mr. LINZEY. Does there need to be more funding? My answer is, for innovative schools, yes, there needs to be more funding, because we are limited by the amount of dollars given to charter schools—

Mr. ROKITA. But from a macro standpoint.

Mr. LINZEY. From a macro standpoint—

Mr. ROKITA. Should we increase another 50 percent? We have already increased funding 300 percent since 1970.

Mr. LINZEY. Right. And I would say, for those good organizations, those innovative and effective organizations, if we can get whatever monies there are to them so they can do the work that is proving to be successful, we need to do that. Whether you want to say more dollars or—I don't know how to take dollars away from current groups.

Mr. ROKITA. Thank you, Mr. Linzey. How do you measure success?

Mr. LINZEY. How do I measure success?

Mr. ROKITA. Yes, in your last statement.

Mr. LINZEY. Ultimately, it is going to be jobs. And then what is your key to getting kids to jobs? It is going to be literacy skills, college readiness, and what we are moving towards in the common core standards. That is—but the ultimate proof of success is, are they employable?

Mr. ROKITA. Has the charter school concept been around long enough to prove success under how you define it, Mrs. Keegan?

Mrs. KEEGAN. Mr. Chairman, Congressman, absolutely, it has been around long enough to prove success. And I think there has never been a more exciting time to go into public education because of this, because educators are at the helm of this, because they are bringing their own answers. You have got two great examples here of the school leadership that is out there now, and it is providing a different path.

So I think in the future, funding ought to be about individual students and follow them to schools that work in the public sector. We ought to be very concerned that there is enough money that is equitably accessed by students, regardless of which school they choose, if it is an exceptional school, which is what I think Mr. Linzey has been saying, that we should be about the businesses of accelerating what is demonstrably excellent out there, because we got a lot of demand sitting in the country for it.

Mr. ROKITA. Thank you. Anyone else want to add to that?

Ms. MCGRIFF. Yes, I just wanted—may I jump in, just quickly?

Mr. ROKITA. Dr. McGriff, yep.

Ms. MCGRIFF. One, the pot of money is what exists, but there needs to be equitable funding for charter schools. Charter schools currently operate on about 80 percent of what traditional public schools get. It is very seldom that we get equal funding, so that is an issue.

The second issue for me, I need to have young people who are not going to live in poverty. So it is not to me just a job. I know

if I—and the CMOs that I work with in charter schools are wanting kids to graduate, go to college, because they reduce by 50 percent the likelihood that their own families will live in poverty. So we have a very high success bar for the schools that we work with.

Mr. ROKITA. Excellent. I don't think you are saying anything different than Mr. Linzey, in my—from what I heard.

Mr. ROSSKAMM. Could I also comment—

Mr. ROKITA. Mr. Rosskamm, for the record.

Mr. ROSSKAMM.—and try and make this real in some sense in my limited experience? The wonderful teachers and educators that I have the privilege of working with are getting spectacular results, the best results in our state. We have not just closed the achievement gap; we have reversed the achievement gap. And yet our teachers are receiving less than—are working at a 20 percent discount from teachers in the district.

We have things, needs for our children, extracurriculars, cocurriculars, programming we would love to do that we just cannot afford the additional staff because of inequitable funding that it would take to do those things. So the dollars are very real.

Mr. ROKITA. Thank you. Mr. Chairman, my time is expired, and I didn't even get to ask the questions that I intended to ask. Thank you.

Chairman KLINE. Thank you.

Mr. Grijalva?

Mr. GRIJALVA. Thank you, Mr. Chairman.

Let me just follow up, Mr. Rosskamm, on the point that you just made, the 80/20 and the 20 percent disparity that occurs in public charter schools relative to public. With equitable funding, as you mentioned, would come—do you see with that equitable funding also coming the idea of public charter schools providing transportation, extracurricular, and you mentioned pay, salary issues? Is that what you mean by that?

Mr. ROSSKAMM. Among the many things we would like to do for our children, yes.

Mr. GRIJALVA. Well, my example in Arizona, which progressive as it is, does have some issues, the extra money being asked by the public charter schools for enhancement of the 80/20 split comes out of the budget of the is currently the regular public school system. Do you see that as an equitable way to do that?

Mr. ROSSKAMM. Forgive me, but I actually see that as a false issue, at least in Ohio.

Mr. GRIJALVA. Well, it is for—

Mr. ROSSKAMM. Let me try and explain my—

Mr. GRIJALVA. Okay, I have got another question.

Mr. ROSSKAMM.—explain my response. The state—

Mr. GRIJALVA. I have only got 5 minutes, so make it quick.

Mr. ROSSKAMM. Yes, the accounting—and the money comes directly to us. But the way it is accounted for in our state, the district feels like they are losing money because on paper it is transferred through the district. It never goes there.

Mr. GRIJALVA. Okay. For public charters, the financial situation for that public charter, is that proprietary information to the charter or to Breakthrough? Or is that public information that schools are required to provide?

Mr. ROSSKAMM. We are public schools, and we are transparent and share that information.

Mr. GRIJALVA. Mrs. Keegan, it is good to see you again.

Mrs. KEEGAN. Good to see you, Congressman.

Mr. GRIJALVA. Let me ask about authorizing, because our state has, what, about 605 charters, seven authorizers. California has 1,067, maybe more, 314 authorizers. And the question of closure came up and failing public charter schools, how you deal with that very tough situation. Based on that, do you think there has to be a cap on charter schools, number one? And number two, authorizers having this other governance, are they also—they have responsibility for evaluation, oversight? And shouldn't there be an enhanced requirement for that authorizing process? Because it is kind of subjective between states right now, as I see it.

Mrs. KEEGAN. Mr. Chairman—

Mr. GRIJALVA. And seven having that full responsibility for 605 charters begs the question.

Mrs. KEEGAN. Yes, Mr. Chairman, Congressman Grijalva, I appreciate the question. I think there does need to be a higher standard. And the state board for charter schools, which is the primary authorizer, as you know, in Arizona, does have a much higher standard and is a star member of NACSA, thank God, or I wouldn't be able to talk about them.

So we are looking—as you know, Congressman, we are looking at about 40 schools in Arizona that probably will be closed because of those high standards, that is right.

Mr. GRIJALVA. Quick follow up. Do you think, as we go through this—you know, the public charters and charters in general are founded on the premise of public—traditional public schools are failing. I mean, that is the genesis of the movement. Having said that, so that you believe there is a federal role in ensuring that states employ quality standards for charter schools or not?

Mrs. KEEGAN. Mr. Chairman, Congressman Grijalva, just for the record, that was never my intention, and I helped write the law in 1994, not the premise that traditional public schools were failing, but the premise that all public schools were not good enough and that we needed more educators to be able to come directly into our education market and provide what they knew.

So to that extent, I think we have done a great job in Arizona and nationwide, so I don't think we are at a point where we know exactly what needs to happen in terms of governance for all public schools, and I certainly think public charter schools are helping us learn.

Mr. GRIJALVA. Okay, thank you. Ms. McGriff, my question is, who is accountable for at-risk students that you mentioned in your statement, kids with disabilities, English learners, in a charter school? Is it that individual school? Is it the authorizing body? Is it both? Who has the ultimate accountability if there is going to be—or is there a federal oversight role in terms of what the benchmarks for that accountability should be?

Ms. MCGRIFF. The first—the contract is with the authorizer, so the authorizer does establish the expectations for serving all kids and will terminate the contract if that is not done. There are requirements that you must meet from the federal government, and

there are also requirements from the state. And so the oversight is—

Mr. GRIJALVA. It doesn't contradict the notion of flexibility?

Chairman KLINE. The gentleman's time has expired.

Mr. Thompson?

Mr. THOMPSON. Thank you, Chairman, and thank you to all the witnesses here on this panel.

I want to start with Mr. Rosskamm. In your testimony, you mentioned that a Web site for families is being unveiled today. Family engagement and education I think is incredibly important. Last July, I introduced the Family Engagement Education Act, and I wanted to just check and see, can you tell us a little more about that and how it is going to help or propose that it will help improve parent engagement in all schools?

Mr. ROSSKAMM. Thank you, Congressman, for that question. We are kind of excited in Cleveland that just 2 weeks ago, we launched a new Web site as part of our Transformation Alliance, which is a public-private nonprofit body appointed by the mayor that includes district leaders, charter leaders, teachers, parents, nonprofits, and corporate representatives.

And collectively, we are developing a process in Cleveland to evaluate the performance of all public schools in Cleveland, district and charter, and we are also receiving input from parents and families, and then we have put all that information, including state ratings, statements from the schools themselves, on a Web site that is available to parents so that parents can make better choices for their kids.

Mr. THOMPSON. Very good. Dr. McGriff, I mean, I happen to believe that one of the most important aspects of charter schools are that they are laboratories of innovation within education. But I am not real sure how well we are doing of closing that loop of—because I hear all kinds of great things that occur in charter schools, but I think there are some bureaucracies at times, some lack of flexibility, of really fulfilling what a charter school should be for, of determining these innovations and rolling it out so that every child benefits from it.

So in your testimony, though, you stated that one of the original tenets of the charter school movement was to ensure the transfer of knowledge and best practices between traditional public schools and the public charter schools. Can you tell us, how is the National Alliance assisting those efforts?

Ms. MCGRIFF. Well, the National—thank you—the National Alliance has been involved in a number of issues. One, first of all, is collecting best practices and the research and sharing it. We also sponsor the National Charter School Conference that has over 4,000 people who attend. You can get information on best practices from our Web site. There is a daily e-mail that goes out about charter innovation that—if you don't like daily, you can get weekly updates. There are toolkits. We are partnering with other organizations.

We work very closely with each of the state associations to make sure that the work that our individual state associations are doing, we know about that nationally and we spread that. We work with states to write strong charter legislation or to improve weak char-

ter legislation, because without good legislation, you are not going to be able to share and innovate.

The work that you have done with the federal law also allows the most innovative of our CMOs to replicate. And there are a number of cities that are just begging these CMOs to come and to start their work.

But I want to just say quickly that in replicating, each of those CMOs are innovating. Replication to them does not mean that I am going to take the first school that I opened and open it 20 times exactly the same way. I am constantly improving the model so that I can accelerate performance for students.

Mr. THOMPSON. Very good. In the time I have left, I was just curious, for each of the panelists, or as far as we go until the light changes, anyways, we have that red light, you know, in your experiences, you know, what is the one innovation you have seen that has worked remarkably in a charter school, because you have had the flexibility to do that with, that you think if—that we should provide the flexibility to push it out into traditional public schools?

Mrs. KEEGAN. Mr. Chairman, Congressman, I would say, teachers in charge. I think the best schools we see, it is teachers hiring teachers. The English Department is hiring the English Department. The profession owns that school, and I think it is a fabulous reminder that schooling is always about teaching.

Mr. LINZEY. I would like to just say more time, more quality time on task in the school day itself, in addition, outside the traditional school day. The charter schools I have worked with really make an emphasis on not wasting time, engaging kids in high-quality instruction, and then for the kids that are most needy, extending that instruction oftentimes to as many as 240 days a year to close that achievement gap, using Saturdays, summers, and things like that. Those are key processes. And a third thing I would say is using research-based technology programs for intervention so kids can access 24/7 to learn.

Mr. THOMPSON. Okay. Thank you, Chairman.

Chairman KLINE. Mr. Scott?

Mr. SCOTT. Thank you, Mr. Chairman.

I tend to agree with my colleague from New York about charter schools. If you are having more money going into education, to siphon it off to charter schools and not to try to beef up the public schools, where 95 percent of the students are going to be going, I think diminishes the opportunities for those virtually all who are in public schools.

I also agree with the—my understanding of the research is that there is essentially no difference between what happens in charter schools and public schools.

You hear all the successes in charter schools. You don't hear the failures, where you tried. So I guess my question is, when you have eliminated all the regulations and give all the flexibility, what happens to the students that get relegated to a charter school that didn't work?

Ms. MCGRIFF. I can answer. I can give you an example here in Washington, D.C. A few months ago, the chartering authority identified a school to—we call it re-chartering. And instead of—because the school had over almost 700 kids in the building, there wasn't

a notion of just close the school and put the kids on the street or, you know, fine the school, if you can. They contacted a high-performing CMO in the city, KIPP DC, and the board of that school engaged KIPP DC in the management of the school.

Mr. SCOTT. If you don't have the performance standards and the other regulations, how do you determine that it is not performing?

Mrs. KEEGAN. Mr. Chairman, Congressman, public charter schools have performance standards. They are bound to the same state academic program and assessment programs that every public school is, and—

Mr. SCOTT. Well, what regulations do—are there not—if there is flexibility, what regulations do they not have to comply with?

Mrs. KEEGAN. Well, they don't have to comply with the traditional hiring and firing practices. They don't comply with—that is probably the biggest one, that they are outside of those contracts.

I would say, in the analysis of what money goes to public schools, public charter schools are public schools. When Title I is cut, it is cut for public charter schools, so all kids in public schools share that money.

Mr. SCOTT. If you give the flexibility in hiring, you will have some much better decisions at some schools and some much worse decisions at others. People hire fraternity brothers and neighbors and relatives and all that. If you don't have the standards, what happens when you end up—what happens when you don't have the good performance?

Mrs. KEEGAN. Go ahead.

Ms. WHITEHEAD-BUST. You are highlighting the importance of quality authorizing. So in Denver, as an example, we have closed 20 schools across governance types in the past 5 years. Ten of those 20 were charter schools, because they were not meeting our accountability expectations. While we are able to grant flexibilities on the inputs, hiring practices, curriculum, we grant no flexibility on the outcomes. We believe that all students deserve access to the highest-quality outcomes and hold all schools, regardless of governance types, to that same accountability metrics.

Mr. SCOTT. Now you are talking about public charter schools, where the governance is public governing boards. Is that right?

Ms. WHITEHEAD-BUST. All of our Colorado charter schools are public charter schools.

Mr. SCOTT. And how do you get on the governing board of the governing body of the charter schools?

Ms. WHITEHEAD-BUST. So the boards are self-created. Although they are reviewed for quality, it is one of the most important components of our quality framework, because we grant contracts to boards, not to school leaders. And so part of our robust rubric and metrics that we look at to grant charter schools looks deeply at the composition of that charter school, their policies, their practices, and their expertise.

Mr. SCOTT. Are they subject to the same regulations as a traditional public school?

Ms. WHITEHEAD-BUST. They are an independent not-for-profit governing board, quite different than the publicly elected governing board that oversees Denver public school writ large.

Mr. SCOTT. Do they get to impact the composition of the student body directly or indirectly? Do they have the opportunity to expel, for example?

Ms. WHITEHEAD-BUST. I am proud that in Denver we have led the nation having a unified school choice system that is actually managed by the same central team for 100 percent of our schools, charter or otherwise. So all entry and exit decisions related to students are made using the same criteria by a department that operates under the Denver public school system.

Mr. SCOTT. Well, yes, but does the school decide who is expelled and who isn't expelled?

Ms. WHITEHEAD-BUST. They do not.

Mr. SCOTT. Do they have any direct or indirect impact on admissions by location or transportation?

Ms. WHITEHEAD-BUST. They do not, because that system is managed as a unified school choice system. So I as a mom of three daughters get to fill out a lottery form. I happen to have one daughter in a charter school, one in an innovation school, and one in a direct-managed school.

Chairman KLINE. The gentleman's time has expired.

Mr. Messer?

Mr. MESSER. Thank you, Mr. Chairman. Thank you to the panelists for being here on this very important issue.

Mr. Chairman, I have a letter that I would like to submit for the record. It is from the Center for Education Reform dealing on this topic.

[The information follows:]

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TESTIMONY BEFORE THE HOUSE EDUCATION AND THE WORKFORCE COMMITTEE OF THE UNITED STATES CONGRESS

"RAISING THE BAR: THE ROLE OF CHARTERS IN K-12 EDUCATION"

By Kara Kerwin, President of The Center for Education Reform
March 4, 2014

Mr. Chairman, Members of the Committee:

Thank you for this opportunity to share testimony on the role of charter schools in K-12 education. I bring to you a national perspective from The Center for Education Reform, which has worked for twenty years across the country to provide advice and counsel to lawmakers like yourselves as well as working with parents and grassroots groups to help them understand education reform efforts with a focus on growing access to educational options, specifically charter schools. My goal in providing this testimony is to highlight the great work charter schools have been doing across the United States, and to reinforce the need to accelerate the pace of reform by improving laws to meet the demand and serve the educational needs of families across the country.

Against the odds, and far too often in hostile policy environments, charters survive and succeed grounded in the principles of choice, accountability, and autonomy. They innovate and adjust to deliver results by introducing new curriculum or creating blended learning environments to meet student needs. Even when they are part of a larger network, no two charter schools are alike, providing diverse educational options from which parents and students may choose.

What began as a small experiment had grown to one that serves over 2.2 million students in 6,004 charter entities in the 2012-13 school year. By early 2013, 42 states and Washington, D.C., have enacted statutes authorizing charter schools. The total number of charters has increased over the last decade at an average rate of 340 schools per year. While this represents a solid achievement, growth will need to accelerate if charter schools are to meet the public demand for these schools.

Demand for charter schools unfortunately remains stronger than the supply, with the length of the average waiting list increasing from 233 students in 2009 to 277 in 2012 according to The Center's recent 2014 *Survey of America's Charter Schools.*

Contrary to the impression some have that charters "cream" more advantaged students from traditional public schools, a majority of charter school students are non-white, or

minority students. Charter schools serve a more disadvantaged student population, including more low-income and minority students. Sixty-one percent of charter schools serve a student population where over 60 percent qualify for the federal Free or Reduced Lunch Program due to their family's low income.

In addition, charter students are somewhat more likely to qualify for Free and Reduced Lunch due to being low-income (63 percent of charter students versus 48 percent of public school students), to being African-American (28 percent of charter students versus 16 percent of public school students) or to being Hispanic (28 percent of charter students versus 23 percent of public school students).

In addition to providing education for underserved students, charter schools emphasize strong, challenging academic programs. The most popular educational approach is college preparatory (30 percent), and a substantial number (8 percent) focus on the demanding Science, Technology, Engineering, and Mathematics (STEM) area.

Many charter schools have historically used their freedom in budgeting and staffing to increase student instructional time beyond the traditional public school six-and-a-half hour day and 180-day school year. From 2009 to 2012, there has been a further increase in the proportion of charter schools that expand instructional time, especially the school day. The percent of charter schools with an extended school year increased from 14 percent to 27 percent in those three years, while the percent with an extended school day increased 25 percentage points from 23 percent to 48 percent.

In states and cities across the country, charter school students demonstrate comparably high achievement rates on national and state assessments. I'd like to share with the members of this committee some data that shows the continued success of students in charter schools.

Dr. Caroline Hoxby, a researcher and professor at Stanford University has studied charter schools and their effects on student achievement for years, at a national, state and city level. In 2009, Dr. Hoxby looked at New York City charter school achievement compared to traditional public schools, using the gold standard of methodologies – random lottery-based – and found that by the time a charter school student has reached the end of eighth grade, he will be scoring about 30 points higher in math than he would have been scoring if he remained in the conventional public school system.

Washington, DC, where 43 percent of public school children are enrolled in charter schools, exemplifies how they can help improve student achievement, according to results from the most recent DC-CAS, the city's standardized test. On these tests, charter school students showed their highest proficiency rates yet, increasing by 3.9 percent from last year. They continue to perform above statewide averages in both reading and math.

The most important common element among states, such as D.C., Minnesota, New York, and Indiana, with the strongest charter schools are that their laws allow for the creation of

a system that allows for independent, multiple authorizers that hold charter schools accountable. In states with multiple and independent authorizers, stronger, more objective oversight is used to ensure that successful charter schools remain open and those that fail to perform are closed.

Indiana has one of the strongest charter school laws in the nation and continuously receives an 'A' based on our 18 years of analyses and rankings of *Charter School Laws Across the States*. Today, Ball State University leads the pack in authorizing nearly half of the states charter schools. The Mayor of Indianapolis and a newly formed state charter school board may also authorize and oversee charter schools.

Authorizers other than local school boards have granted over 60 percent of charters across the country. Continuing to improve charter school laws across the country to ensure higher accountability and therefore, higher quality schools, is a cornerstone of The Center for Education Reform's mission.

There is one major obstacle facing America's charter schools nationwide, that I'd like to raise with the committee. That obstacle is funding inequity. Since charter schools are public schools, students attending them should be entitled to the same funding as students in traditional public schools. However, only a handful of states fund charters in a manner that approaches equity with other public schools. Even many states with otherwise strong charter laws typically fail in this regard. Based on our research, charters are funded at approximately 64 percent of their district counterparts, averaging $7,131 per pupil compared to the average per pupil expenditure of $11,184 in the traditional public schools in 2009/10. They also generally do not receive facilities funds, unlike other public schools, and have to use significant parts of their operational budget to pay for rent.

More than two decades after the first charter law was passed in Minnesota, the number of charter schools continues to increase each year at a steady but slow pace, while still remaining a small percentage of the total number of America's public schools. While gains in parent empowerment are being made, only rarely do state officials view charter schools or other choice policies as the core strategy of reform. One-size-fits-all policies intended to impact all students or all teachers in a state--whether it be standards and testing or teacher evaluation--continue to be perceived as the main attraction, often engendering fierce debates. Yet improvement in U.S. student achievement on the National Assessment (NAEP) is minimal and American students are not closing the gap with our top international competitors.

It is time to ignite the growth of charter schools and other schools of choice and recognize that real reform does not happen as a result of compliance with federal regulations or state-wide policies, but school by school and classroom by classroom. It occurs when educators work with parents at the local level to create, refine and maintain high-achieving academic institutions that meet the needs of their students. Current charter policies artificially constrain growth and deter investment. Charters are typically granted for a limited number of students, with no guarantee or even presumption that effective

schools with long waiting lists will be permitted to expand. Expansion to diverse locations in the same state may require approval of additional, separate charters through the full, cumbersome process. Extraneous, sometimes political considerations can come into play in the approval of new charters, adding a high degree of unpredictability.

I want to close by sharing the stories of two young men I met recently who epitomize the positive effect a charter school can play in the lives of students. High school students Danial and Jay attend a Friendship Public Charter School here in the District of Columbia, and are clear examples of students who are making the most of their better-for-them schooling option. Collectively, these two high schoolers have earned enough college credits to be halfway through a bachelor's program by now. And their favorite thing about their school of choice is the rigorous computer science program the school offers.

Millions of students across the country are vying for the opportunities afforded to Danial and Jay by making a choice in a charter school. We must accelerate growth and we cannot wait any longer. We must fight back efforts to overregulate or fit the charter school movement into a one-size-fits all policy box. Only with laws that ensure parental choice, accountability, autonomy for educators and schools to innovate, and fiscal equity for both students and schools can we meet the critical challenge to improve outcomes for America's students.

Thank you for the opportunity to present this testimony to you.

Kara Kerwin
President
The Center for Education Reform
March 12, 2014

Chairman KLINE. Without objection.

Mr. MESSER. Thank you, Mr. Chairman.

I just couldn't be more excited about the topic that we are here to discuss today in charter schools. It gets at the fundamental promise of America that every kid in America should have a chance to go to a great school.

And the truth is, in America, we fall woefully short of that standard. Lots of kids go to great public schools, but no kid in America ought to have to go to a school where they won't have a chance to succeed. And we need to work in public policy at finding the right school for every child.

I am a former president and CEO of an organization called School Choice Indiana. I believe strongly in charter schools. I believe in traditional public school choice. I believe in private school choice. I believe in home-schooling options for some kids, as well.

You know, we have—the second paragraph of the Declaration of Independence promises all of us a God-given right to pursue happiness. And in modern America, that means we are all promised by God an opportunity to succeed. And that promise isn't real in today's America unless you have a quality education.

And that is the stakes of what we are here to talk about today. It is interesting to hear on the other side of the aisle a sort of litany of the myths of these—of public schools and—I mean, of charter schools, and so I would like to go through a few of them with you. In the interest of time, I am just going to answer the first one, but I hope you can all nod in agreement.

I noticed that Dr. McGriff's organization is called the Public Charter School Organizations, and all charter schools in America are public schools, so many of the false choices that are presented here are a question between, what are we going to do with public schools and charter schools? Well, the reality is, they are all public schools, and they are schools that are serving kids.

Secondly, there is a lot of conversations about, well, charter schools aren't accountable, the question of, you know, well, what happens when they don't work? In my experience—and I would ask anyone on the panel to comment on this—charter schools are far more accountable than public schools. I mean, there are far more incidences of charter schools that—some work incredibly, others have had less success. When they don't work, they close.

There are school after school after school across the country in public schools, when if they are not meeting the standards for a child, frankly, the answer is to throw more money there and keep sending kids. Could anybody comment on the difference in accountability between charter schools and traditional public schools?

Mrs. KEEGAN. Mr. Chairman, Congressman, thank you for the question. There is a direct accountability, in that if parents and students don't want to go to that school, they don't exist. So we haven't even spoken about that accountability. Of course they have the same requirements to meet standards, and they usually set them higher, and the governing boards or the authorizing boards that put them in business are setting those standards higher. But those schools have to convince families that they are worthy of their kids.

So nobody is assigned to a public charter school. Somebody has to make a choice. That is direct accountability.

Mr. MESSER. And virtually every state I am aware of that has a robust charter school program, far more charter schools are closed than any public schools. Fair? Is that right?

Ms. WHITEHEAD-BUST. In Denver, we negotiate performance-based contracts with all of our charter schools, and we have found in the past 2 years, when four charter schools have been closed, three of those four have surrendered their charter because they understand that they are not meeting the quality bar that we have mutually negotiated.

Mr. MESSER. Yes. In line with that, I mean, another topic you hear is, well, you know, the charter schools are performing well, but they are creaming the best kids out of the system. In my experience, in talking to education reformers who are inspired to be educators that change lives, frankly, they seek the toughest kids in the toughest populations. And my understanding is that the statistics are that charter schools, by and large, are serving a much more disadvantaged population than the public schools generally.

Could a couple of you comment on that?

Ms. MCGRIFF. I would agree. And I tried to point out the demographics and the diversity of the student population in my opening remarks, so I won't repeat them, but the research clearly shows that the demographics in charter schools are much more diverse and poorer than traditional schools.

Mrs. KEEGAN. Mr. Chairman, I would just add to that, that I would invite people who say that to walk the hot streets of Phoenix in the summer when the schools in the urban core who are going in to try to rescue these kids are trying to convince families that they will be worthy of their kids, day after day after day, trying to make that argument, because this is something families haven't seen before, and they have to convince families.

There is nothing akin to creaming kids that goes on in these quality schools that are going into the urban core where the kids are least served.

Mr. MESSER. Oh, I went from yellow to red.

Chairman KLINE. You did, sir. The gentleman's time has expired.

Mrs. Davis?

Mrs. DAVIS. Thank you, Mr. Chairman, and thank you to all of for being here. And I am from San Diego. I have seen some extraordinary examples of charter schools, but I also question the extent to which they really influence other schools in the area. We know that, as you have said, I mean, a lot of charter schools close, so, you know, if you start saying, well, how many—you know, what is the percentage of ones that continue to go on and be exceptional and what are the percentage that actually, you know, don't do so well or are just not able to make the grade?

The good thing is that perhaps they are no longer there, but the reality is that they leave a lot of students who might need a whole lot of remedial help during that period as they make a transition into what is often another public school in their community.

So what are we doing to address those issues? Have we found a good way—do you think that actually there is any responsibility on the charter school or those who put it together or the school district

to do the kind of intense remediation that is required to help those students who actually weren't getting what they should have during that period of time?

Mr. ROSSKAMM. So, you know, we are extraordinarily proud, particularly some of our middle schools that take kids in the fifth or sixth grade that are far behind. We sweat blood, sweat and tears to get those kids caught up through incredibly dedicated teachers and getting the kids to buy into their own futures and their own learning.

But I will admit that in Ohio, notwithstanding the influence of the national authorizers and the progress we are making, we don't have the authorizing standards we should have. That is changing, and that is a good thing, and it needs to continue to change.

Mrs. DAVIS. Is there a federal role in that? Should there be?

Mr. ROSSKAMM. That, as I understand it, is more of a state role and a role in terms of the responsibility and the oversight of the authorizers themselves. Our good authorizers maintain very high standards, and there is new legislation, state legislation, that will prevent authorizers with a bad track record from opening more schools.

Mrs. DAVIS. And in many cases, those are local school boards, correct, in a number of cases who make some of the final decisions about the charter schools?

Mr. ROSSKAMM. In Ohio, typically, they are not.

Mrs. DAVIS. They are not. Oh, okay.

Mr. ROSSKAMM. Typically not.

Mrs. DAVIS. Okay. Yes, all right. Thank you. Mr. Rosskamm, I know in your testimony earlier you talked about the fact that your schools were able to get federal funding to replicate and to be a design, really, for the community, and that took some federal funding. Could you have moved with that replication without that federal funding? How critical was that?

Mr. ROSSKAMM. It was absolutely critical and continues to be critical. There is a tremendous amount—you know, I already explained that our initial per student funding is less, and in the planning year and in the first couple years of a new school, we lose serious dollars. And if we did not have that support, we just simply could not move forward.

And we lose those dollars in part because we are so concerned about getting the culture right that we start small, and then when we get it right, we continue to build. But as basic economics says, if you have fewer children in the seats, you are generating less revenue. Until we fill the building, we are not covering our overhead.

Mrs. DAVIS. So would you suggest that there is some federal role there in terms of looking to those programs that actually—like Breakthrough, that actually have a really strong track record, but couldn't on their own replicate their programs?

Mr. ROSSKAMM. I think the best return on investment that we can have is to take something that is working. After all the innovation, we have some winners, we have some losers, but once we have identified things that are working, it is a fabulous return on investment to replicate what is working.

Mrs. DAVIS. Thank you. Ms. McGriff, could you just speak to the idea of the Department of Education is updating guidance to allow

charter schools to use weighted lotteries? And is that something that you think is a good idea? How would you see that play out? Because we do know that certainly charters go out and do a lot of recruiting, but on the other hand, there are some particular needs that charters have to develop a diverse body of students, and that is important.

Ms. MCGRIFF. This is one of my favorite questions and favorite things, and I am so happy that the federal government has decided that schools like Denver School of Science and Technology, that was designed to have a student body that is socially and racially integrated and a focus on STEM and college can now get funds from the federal government to support their work.

Mrs. DAVIS. Would you all agree with that?

Ms. WHITEHEAD-BUST. We second that appreciation.

[Laughter.]

Mrs. DAVIS. The rest of you, as well? Do you use that? And, I mean, is it an issue for you?

Mr. ROSSKAMM. Absolutely.

Mrs. DAVIS. Okay. Thank you.

Chairman KLINE. The gentlelady's time has expired. All time has expired.

I want to thank the witnesses and yield some time to Mr. Scott for any closing remarks that he may have.

Mr. SCOTT. Well, only to say that a lot of this can be done on the traditional setting. When you have a lottery and decide who can get a good education and who can't, that raises additional questions. Of course, if you get in one of these good schools, you are a lot better off. But overall, what we have found is that charter schools have not done better. A lot of them fail. And students are stuck in those, as well as some of the good schools.

So we need to improve all the schools, and I think that sentiment has been made. I think we need to do everything we can to get there. Thank you, Mr. Chairman.

Chairman KLINE. As is so often the case, the gentleman who is sitting here and I disagree on some things, but on one thing I think we all agree, that we need to do better for our kids on the whole. And I happen to think that the advances made in charter schools, going way back to my home state, and now have been really, really significant and have helped lift all those boats.

So, again, I want to thank all the witnesses. Excellent testimony. Thanks for engaging with us. There being no further business, we are adjourned.

[Questions submitted or the record and their responses follow:]

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MARK POCAN, WISCONSIN

April 4, 2014

Mrs. Lisa Graham Keegan
Chair of the Board
National Association of Charter School Authorizers
14770 North 88th Lane
Peoria, AZ. 85381

Dear Mrs. Keegan:

Thank you for testifying at the March 12, 2014 hearing on "*Raising the Bar: The Role of Charter Schools in K-12 Education.*" I appreciate your participation.

Enclosed are additional questions submitted by members of the committee after the hearing. Please provide written responses no later than April 25, 2014 for inclusion in the final hearing record. Responses should be sent to Mandy Schaumburg or Dan Shorts of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.

Sincerely,

John Kline
Chairman
Committee on Education and the Workforce

Chairman John Kline (R-MN)

1. Can you describe the One Million Lives campaign in a bit more detail? What other stakeholders have to support this effort for it to be successful?

2. In your testimony, you talk about charter schools as being "intentional schools." Can you elaborate on that point and tell us what that means for students, parents, and families?

3. Your testimony includes a sentence about recognizing that there will be failures on the path to success. How does this apply to the charter school movement?

4. Ms. Keegan, there is always a lot of interest in how authorizers shut down poor performing schools, maybe because it is so rare in the nation's public education system. However, we don't hear a lot about the human side of that equation. What happens to the students in those schools? What role do authorizers play in ensuring they find new, high-quality education options?

Rep. Rush Holt (D-NJ)

1. Nationwide, how does the percent of special education students and English Language Learners in charter schools compare to public schools?

2. Are charter schools given flexibility for their own sake or is flexibility being used to exclude, punish, or avoid teachers organizations and avoid difficult students?

nacsa
NATIONAL ASSOCIATION OF CHARTER SCHOOL AUTHORIZERS

Raising the Bar: The Role of Charter Schools in K-12 Education

March 12, 2014

Questions for the Record

Chairman John Kline (R-MN)

1. Can you describe the One Million Lives campaign in a bit more detail? What other stakeholders have to support this effort for it to be successful?

NACSA's *One Million Lives* campaign is dedicated to providing one million more children the chance to attend a great school that will prepare them for success throughout their lives. The math is straightforward: if our sector opens 2,000 great new charters and closes as many as 1,000 low performing ones, this will impact 3,000 schools, giving one million children the opportunity to attend better schools. *One Million Lives* reflects the growing consensus about what smart charter growth looks like: encouraging the replication of the best and brightest schools and making the toughest of decisions—closing poorly performing schools.

One Million Lives engages charter school authorizers, along with a broad coalition of school operators, lawmakers, funders and others, to lead the way in closing failing charter schools and opening many more excellent ones. We do this through three core initiatives focused on Practice, Policy, and People.

- Practice—NACSA provides a suite of tools, training, evaluation, and hands-on consultation for authorizers ready to improve their practice;
- Policy—NACSA advocates for stronger state and federal laws that will support smarter growth and stronger accountability;
- People—NACSA offers human capital initiatives and powerful, personalized online resources to strengthen the skills of authorizing staff and build the talent pipeline.

After one year of engaging authorizers, along with a broad coalition of school operators, lawmakers, funders, and others to get this work done we are pleased to report on the progress made to date. Because of stronger authorizing across the nation 230,000 students now have better education options available through a combination of opening 491 quality charter schools and closing 206 failing ones.

Stakeholders are vital for the success of *One Million Lives* campaign. In addition to charter school authorizers—our core constituent group—we rely on state and federal policy makers, charter school operators and associations, reform groups, and funders to make this campaign successful.

2. In your testimony, you talk about charter schools as being "intentional schools." Can you elaborate on that point and tell us what that means for students, parents, and families?

Charter Schools come into being through a vision of a team of educators, seeking to serve students with a very focused, school wide set of strategies. In our traditional schools system, schools are built due to

the anticipated increases in the numbers of students in an area, and teachers are assigned to the school based on how many teachers are needed, without regard to their affinity for a particular style of instruction or mission.

This is a critical and essential difference in approach. Charter schools seek to serve students in ways that specialize, with a specific intention not just to teach, but to accelerate achievement. That is part of the promise made in any charter school contract. The contract itself is a stated intention for how that will happen, and over two decades of experience has seen dozens of very effective approaches created by teachers *who themselves choose to become members of these school teams*.

For students and families, this means they have the opportunity to evaluate the mission and effectiveness of a particular style of school, and to assess that school's "fit" for their own needs. It also means that families can have a clear picture of what the school intends to provide for them. And should delivery not match the promise, the existing contract with a school's authorizer can be used as a means to enforce improvement. For public charter schools, the written intention for how a school will operate becomes the guide for what the teaching team, families, and students can and should expect from that school. From day one.

3. Your testimony includes a sentence about recognizing that there will be failures on the path to success. How does that apply to the charter school movement?

Inventing new solutions means our education must be free to try things that will not be immediately perfect, and that we commit to learn what works for students and act on that as quickly as we can without preventing further innovation.

But the critical aspect of public charter schools is that the commitment is to quality. Should a new idea not prove to offer appropriate or hopefully excellent education, we can find new opportunities for the students and move on.

That reality is in comparison to the traditional system, where we have no correlating contract for excellent performance. As a specific example in Arizona today, it appears that about 22 public charter schools will have failed to perform adequately, earning an F grade. Their authorizer is in the process of revoking their charter holder's authority to operate those schools. At the same time, about 68 public district schools will receive an F grade, and the future of the students of those schools is in doubt. There is no expectation that the governing boards of these traditional public schools will move the students to better school settings.

4. Ms. Keegan, there is always a lot of interest in how authorizers shut down poor performing schools, maybe because it is so rare in the nation's public education system. However, we don't hear a lot about the human side of that equation. What happens to the students in those schools? What role do authorizers play in ensuring they find new, high-quality education options?



In relation to the situation above in Arizona, the authorizer of those schools is working with about a dozen education and community organizations to identify high quality schools that the students in those failing schools can attend. The urgency could not be greater, as these students have been failed for multiple years and their academic future must be rescued if at all possible.

Leadership is key here. No law requires authorizers to coordinate these efforts with the greater community, but the best authorizers in the country ensure a wide network of relationships that allow for this kind of assistance when necessary.

NACSA has outlined a very helpful set of recommendations for boards in this difficult position of closing schools, keeping the needs of families and students at the center of the exercise, excerpted in part below:

> Closing a low-performing school ultimately serves the best interests of students and families, but it can also cause them a great deal of hardship and distress. Authorizers must do their utmost to protect the best interests of displaced students and ensure successful transitions for all. The students and parents caught in the trap of a failed school should not be punished for the school's shortcomings. They deserve nothing less than individual assistance to transition smoothly from a closing charter school to a viable education option.
>
> There are a number of practices that we recommend authorizers use to provide the smoothest transition possible for those students impacted by school closure.
>
> - Establish students and parents as the first priority
> - Create a student transition committee and transition plan
> - Secure student records
> - Communicate with parents and students
> - Hold community meetings
> - Organize a school choice fair
> - Consider how timing can lessen community impact

While the specific actions will vary from place to place, an authorizing must always uphold the promise it made to the community and to the public to provide a high quality education to our children.



Rep. Rush Holt (D-NJ)

1. **Nationwide, how does the percent of special education students and English Language Learners in charter schools compare to public schools?**

An authorizer's role is to ensure the charter schools it oversees are protecting the rights of students, including special populations distinguished by state and federal law such as special education students and English Language Learners. NACSA takes this roll seriously. In 2013 NACSA joined with experts in charter schools and special education to help form the National Center for Special Education in Charter Schools to advance access and support for special education students. In addition NACSA regularly provides training and resources to authorizers and charter schools on the role an authorizer plays in ensuring equitable access and quality programs for all student populations.

The population of special education students and English Language Learners in charter schools varies considerably between schools and regions. For nationwide information, the Governmental Accountability Office issued reports in 2012 and 2013, respectively, comparing the populations of charter schools with that of traditional public schools. Concerning special education students, in a report issued in June 2012, the GAO found that:

> "Charter schools enrolled a lower percentage of students with disabilities than traditional public schools, but little is known about the factors contributing to these differences. In school year 2009-2010, which was the most recent data available at the time of our review, approximately 11 percent of students enrolled in traditional public schools were students with disabilities compared to about 8 percent of students enrolled in charter schools."

After the GAO report was issued the Center for Reinventing Public Education conducted an analysis of special education enrollment in New York State to better understand the contributing factors to enrollment statistics at a regional level. The report, titled "New York State Special Education Enrollment Analysis", recommended that policy makers conduct additional research to identify the root of the enrollment differences. The report suggested possible causes for the enrollment differences, such as under-identification of students as having disabilities, the abundance of elementary schools in the charter sector, and strong school district relationships with special education students that may make changing schools less attractive for families. Further research is clearly needed to identify any deficiencies, remedy them, and ensure charter schools provide all students with a high quality education.

In August 2013 the GAO issued a report on their attempts to collect similar national data comparing the enrollment of English Language Learners in charter schools and traditional public schools. The report concluded that the "GAO was unable to compare ELL enrollment in charter schools to ELL enrollment in traditional public schools because Education's only available data on school-level ELL enrollment were unreliable and incomplete." Alternative data from the National Center for Education Statistics School and Staffing survey indicates that English Language Learners make up 9.8 percent of charter school students compared with 9.2 percent of traditional schools. NACSA regularly provides resources to



authorizers on federal special population reporting requirements and, in light of the GAO report, is working with authorizers and the charter community to address this information gap.

2. Are charter schools given flexibility for their own sake or is flexibility being used to exclude, punish, or avoid teachers organizations and avoid difficult students?

Charter schools are public schools that must protect and safeguard the rights of all students and families. This includes all student populations, whether they are federally or state recognized special student populations or other types of students in need. A charter school has the legal and moral obligation to serve every student in that school and to ensure there are no barriers to entry or continuation at that school other than those imposed by capacity limits or state law. This extends to all areas of the charter school, including admissions, student discipline, and educational services.

An authorizer's role is to protect the interests of all students and families—including those from high-need populations—while upholding the charter school bargain of increased autonomy for increased accountability. The autonomy granted to charter schools varies from state to state but core federal requirements for public school accountability, services, and protections remain the same. Charter schools have used this autonomy to pursue a range of educational models designed to serve a diverse array of student populations. In some cases this has yielded great success, and in other cases these models have not fulfilled their promise for student success. At NACSA we promote strong authorizers who hold their charter schools accountable for their results and work expediently to close failing charter schools and support a quality education for all students.

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FREDERICA S. WILSON, FLORIDA
SUZANNE BONAMICI, OREGON
MARK POCAN, WISCONSIN

April 4, 2014

Mr. David Linzey
Executive Director
Clayton Valley Charter High School
1101 Alberta Way
Concord, CA 94521

Dear Mr. Linzey:

Thank you for testifying at the March 12, 2014 hearing on "*Raising the Bar: The Role of Charter Schools in K-12 Education.*" I appreciate your participation.

Enclosed are additional questions submitted by members of the committee after the hearing. Please provide written responses no later than April 25, 2014 for inclusion in the final hearing record. Responses should be sent to Mandy Schaumburg or Dan Shorts of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.

Sincerely,

John Kline
Chairman
Committee on Education and the Workforce

Chairman John Kline (R-MN)

1. How does parental choice influence the charter school student population?

2. How do strong school district/charter school partnerships affect student achievement? Are there additional benefits to the community? Does a good partnership help alleviate some common issues faced by charter schools, such as school locations and financing?

Rep. Rush Holt (D-NJ)

1. How many teachers at charter schools (nationwide or at your individual school) are in state-wide teacher labor organizations or are able to bargain collectively with other public school teachers?

2. What is it about charter school professional development that makes it effective as compared to public school professional development? How might you inject that training or those initiatives into all the schools in the district?

3. Are charter schools given flexibility for their own sake or is flexibility being used to exclude, punish, or avoid teachers organizations and avoid difficult students?

Chairman John Kline (R-MN)

1. How does parental choice influence the charter school student population?

The public school system does not typically provide for choice when parents are considering their student's education. Most often, a zip code pre-determines the school track. Charter schools create options for communities which in turn breeds competition. When funding is inherently tied to enrollment and enrollment is no longer a guarantee, schools become incredibly motivated to perform. Charter schools in particular are completely dependent on sustaining and growing enrollment and are therefore compelled to be "better" than the traditional system in order to attract new families and students. They face non-renewal or closure if they don't meet their targets. This exigency drives success.

2. How do strong school district/charter school partnerships affect student achievement? Are there additional benefits to the community? Does a good partnership help alleviate some common issues faced by charter schools, such as school locations and financing?

Positive and productive district/charter partnerships are in everyone's best interest. As was written in the original charter legislation, charters are meant to be a laboratory of innovation – not to copyright and withhold best practices from the rest of the educational world, but rather to share back with traditional models in order to move our system forward into the 21st century. Districts that embrace charter schools and foster a working relationship with them, can develop a powerful synergy that will drive school reform for the entire community. Certainly, some of the common issues that new charters face are alleviated when they receive support from their districts. Charter schools are becoming an increasingly important aspect of this countries educational landscape and the sooner they are embraced as such by the leadership of the traditional system, the sooner we can leverage them to their full capacity.

Rep. Rush Holt (D-NJ)

1. How many teachers at charter schools (nationwide or at your individual school) are in state-wide teacher labor organizations or are able to bargain collectively with other public school teachers?

At Clayton Valley Charter High School all teachers are in a local branch of the California Teachers Association and bargain with CTA representation. As a conversion charter high school, that made the transition to a charter with teachers leading the effort, the retention of union protections and collective bargaining was necessary. It was simply the world that teachers knew and were comfortable with. This is typical of "teacher-trigger" conversions. Statewide, conversion charters make up less than 10% of the 1200+ charter schools. "Start-up" charters (the vast majority) are typically non-union from the beginning and tend to be very happy with the flexibility that this affords.

2. What is it about charter school professional development that makes it effective as compared to public school professional development? How might you inject that training or those initiatives into all the schools in the district?

The charter mentality tends to embrace school reform, innovation, creativity, and non-normative initiatives. It is in our nature to think outside the box. Successful charters will establish a culture that fosters growth and professional development and will therefore attract the type of employee who will embrace it. There also exists a heightened level of accountability and exigency for success. Charter is only granted for a term of five years and is judged at the end of that term based on quantifiable metrics. Unsuccessful charters can be closed. Both the change mentality and the accountability for success create an ideal environment for professional development. It is not that charter schools have all the good ideas; rather, they have the ability to garner buy-in at a much higher rate.

A healthy district/charter partnership can facilitate shared best practices. When a charter school is successful implementing new strategies and has data that shows the effort was effective, then it can be easier for district leadership to sell this as worthwhile professional development. This is the value of the charter as "educational laboratory."

3. Are charter schools given flexibility for their own sake or is flexibility being used to exclude, punish, or avoid teachers organizations and avoid difficult students?

The flexibility afforded to charter schools is an absolutely critical component to their success. At Clayton Valley Charter High School we do not avoid teacher organizations (we are a union shop as a local CTA branch) or difficult students. As a conversion school we kept the same student body. After two years of incredible success with our students, we now have a wait-list of over 400 students. We have geared much of our time and effort towards supporting the "difficult" students and have a tremendous success rate so far. The charter flexibility allowed us to allocate funds, recruit and hire experts, and design professional development efforts around interventions and supports to close our achievement gaps. Prior attempts to make such gains as a district school were unsuccessful, primarily due to the large and complicated bureaucracy that we had to work under.

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April 4, 2014

Dr. Deborah McGriff
President of the Board
National Alliance for Public Charter Schools
3290 N 44th Street
Milwaukee, WI 53216

Dear Dr. McGriff:

Thank you for testifying at the March 12, 2014 hearing on "*Raising the Bar: The Role of Charter Schools in K-12 Education.*" I appreciate your participation.

Enclosed are additional questions submitted by members of the committee after the hearing. Please provide written responses no later than April 25, 2014 for inclusion in the final hearing record. Responses should be sent to Mandy Schaumburg or Dan Shorts of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.

Sincerely,

John Kline
Chairman
Committee on Education and the Workforce

Chairman John Kline (R-MN)

1. You have experience in both the traditional public school system and charter school community. What are some lessons you learned from the traditional public school system that helped you better advocate for charter schools and school choice in general?

2. From your experience, can you tell us what impact the presence of a charter school, especially one with significant increases in student success, has on surrounding public schools? How do better schools and higher grades make communities better?

3. How has the Charter School Program assisted in the growth of charter schools? How can it benefit states with new or recently improved charter school laws?

Rep. Rush Holt (D-NJ)

1. Nationwide, how does the percent of special education students and English Language Learners in charter schools compare to public schools?

2. How many teachers at charter schools (nationwide or at your individual school) are in state-wide teacher labor organizations or are able to bargain collectively with other public school teachers?

3. Are charter schools given flexibility for their own sake or is flexibility being used to exclude, punish, or avoid teachers organizations and avoid difficult students?

McGriff Congressional Testimony Responses

Chairman Kline

1. *Q: You have experience in both the traditional public school system and charter school community. What are some lessons you learned from the traditional public school system that helped you better advocate for charter schools and school choice in general?*

A: High-performing traditional public schools and public charter schools close access and achievement gaps at an accelerated pace. The educators in these institutions provide parents with unique options and embrace parent choice. They insist on local school autonomy for the financial budget, academic program and hiring decisions. For them, reform is driven by data and informed by classroom-tested and research-based solutions. Continuous improvement and accountability for results are part of their DNA.

2. *Q: From your experience, can you tell us what impact the presence of a charter school, especially one with significant increases in student success, has on surrounding schools? How do better schools and higher grades make communities better?*

A: Successful schools are seekers of excellence. They celebrate and adopt excellence wherever it is found. This mindset fuels charter-district partnerships and networks like Schools That Can.

Any school that is improving educational outcomes for its students is clearly benefitting the broader community by helping to ensure that students are college- and career-ready, and contributing to economic growth. But there is also evidence that charter schools have a constructive effect on neighboring schools as well. Yusuke Jinnai, a Ph.D. candidate in Economics at the University of Rochester, examined the impact of opening public charter schools on achievement levels for students at neighboring district schools in North Carolina. His 2013 study[1] found that public charter schools generated "a positive and significant direct impact on student achievement" in math and reading at nearby traditional public schools. About 25 percent of this direct impact can be explained by low-achieving students switching from traditional public schools to charter schools, leaving higher-performing students at traditional schools. The larger portion of the impact was due to direct competitive effects. In other words, the presence of public charter schools encouraged traditional public schools to make improvements for remaining students that lead to increases in student performance.

3. *Q: How has the Charter School Program assisted in the growth of charter schools? How can it benefit states with new or recently improved charter school laws?*

A: When the Charter Schools Program (CSP) was created and initially funded with $6 million, there were only a handful of public charter schools. With the program in place, public charter schools have grown an average of 500 to 600 schools annually since the late 1990s.

The CSP, through the State Educational Agency (SEA) grants program, provides the startup capital needed to design a school, hire a school leader, recruit students and staff, prepare curricula and programs, and make initial purchases of materials and equipment, until regular State and local funding becomes available. CSP funding has been indispensable to the growth of public charter schools, since charters start at a disadvantage compared to district schools, as they do not have access to district or state funds to plan and implement their educational program. Over the course of two decades, the SEA

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[1] *The Impact of Charter Schools' Entry on Traditional Public Schools: New Evidence from North Carolina*, Yusuke Jinnai, University of Rochester (January 2013).

grants program has received the great majority of CSP funds, and it has been the primary engine supporting public charter school growth.

Recently, two States have enacted new charter school laws: Washington and Maine. Several other states, such as Georgia, Mississippi and North Carolina, have lifted the caps on public charter school growth, or have made other changes that will enable significant increases in schools and enrollment. All of these changes are being made to meet the growing demand for public charter schools. In fact, more than 500,000 individual students were on waiting lists to attend public charter schools across the country before the start of the 2012-2013 school year. CSP funding, if it grows, will help us reduce the length of those waiting lists by serving more students and provide important capital to jump-start the creation of charter schools in the states with new laws.

Beginning in fiscal year 2010, Congress continued its work seeding quality charter networks by funding high-performing public charter schools with a track record of success through the CSP Grants for the Replication and Expansion of High-Quality Schools. We view this grant competition as a symbol of the growing maturation and success of the charter movement. These networks of schools demonstrate very strong results, especially in educating underserved student populations. They include the schools operated or managed by non-profit charter management organizations (CMOs) like Aspire, KIPP, IDEA, and Breakthrough. Money from the CSP Replication and Expansion competitions has given those CMOs the wherewithal to really take off, bringing their successful models to places that they weren't able to before—with extremely enthusiastic reception from parents in these communities. Support for this relatively new category of grant must continue and grow.

The other major piece of the CSP is the two programs that help ensure the availability of adequate public charter school facilities. As you may know, State charter school laws ensure that each school receives annual funding for operations (although typically not at 100 percent of the level received by traditional schools) but generally do not provide charter schools with facilities funding. Public charter school operators have thus had to devote scarce resources to leasing often-substandard storefront or other space for those schools. Raising money through bonds or other debt instruments, which regular school districts are able to do, is also more difficult for charter schools, because of their typically small size and lack of a credit history. The Credit Enhancement for Charter Schools program (which supports efforts to provide better access to bonds and other credit instruments) and the State Facilities Incentive Grants program (which provides matching funds to States that elect to create or augment State charter school facilities financing) help redress this imbalance and better ensure that our public charter schools have the facilities they need. At this time, the challenges faced by charter operators in securing facilities have not gone away; the need for Federal assistance continues.

I believe that the Charter Schools Program has been critical to meeting the growing parental demand for educational options.

Rep. Holt

1. *Q: Nationwide, how does the percent of special education students and English Language Learners in charter schools compare to public schools?*

A: According to 2009-2010 school year data released in a GAO report,[2] eight percent of charter school students are students with disabilities, compared to 11 percent in traditional public schools. More

[2] *Charter Schools: Additional Federal Attention Needed to Help Protect Access for Students with Disabilities*, U.S. Government Accountability Office (GAO) (June 2012).

recent data from the National Center for Education Statistics (NCES) Schools and Staffing Survey (SASS) showed that in school year 2011-2012, 11.7 percent of traditional public schools students had an IEP designation, while charter schools served 9.9 percent students with disabilities.[3] Apart from these statistics, the research indicates that students with disabilities are thriving in charter schools. The Center for Research on Education Outcomes (CREDO) at Stanford University released the largest national study[4] of charter school performance in 2013, which used data from 25 states along with New York City and the District of Columbia. The CREDO national study found that, in terms of achievement, students with disabilities attending public charter schools gained 14 additional learning days in math compared to their traditional school peers.

The NCES SASS data on English Language Learners (2011-2012 school year) show that public charter schools serve a higher percentage of English Language Learners (9.8 percent) than do traditional public schools (9.1 percent).[5] The 2013 CREDO national study found that by attending a public charter school, English Language Learners (ELL)—regardless of race—gained 36 additional days of learning in reading and 36 days of learning in math compared to their traditional public school peers. Considering that the standard school year is 180 days for traditional district schools, ELL students attending public charter schools gained 20 percent more learning in both core subjects. The study's findings for Hispanic ELL students were even more dramatic: attending a public charter school resulted in 50 additional days of learning in reading and 43 additional days of learning in math.

2. *Q: How many teachers at charter schools (nationwide or at your individual school) are in state-wide labor organizations or are able to bargain collectively with other public school teachers?*

A: In the 42 states that have charter schools, plus the District of Columbia, about 12 percent of public charter schools are unionized.[6] A majority of the unionized charter schools nationwide (388 out of 604 charter schools, or 64.2 percent) are bound by state law to the existing collective bargaining agreements in place between the local traditional public school district and the local teachers' union. Further, "conversion" charter schools—schools that transitioned from district to charter school governance structure—account for 30.5 percent of unionized charter schools, while they are only 5.5 percent of all non-unionized charter schools.

The same state legislative process that creates a charter law determines whether charter schools are required or permitted to unionize.

3. *Q: Are charter schools given flexibility for their own sake or is flexibility being used to exclude, punish, or avoid teachers organizations and avoid difficult students?*

A: The fundamental premise of charter schools is to grant educators the autonomy to run their own school in exchange for meeting the terms in their performance agreement—their charter. Charter schools provide parents with options, such as the opportunity to send their child to a school that has an academic program or school culture that is a better fit than the default district options. The data (see

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[3] National Center for Education Statistics (NCES) Schools and Staffing Survey (SASS), 2011-12 data table, https://nces.ed.gov/surveys/sass/tables/sass1112_2013312_s12n_002.asp.
[4] *National Charter School Study 2013,* Center for Research on Education Outcomes (CREDO) at Stanford University (June 2013).
[5] National Center for Education Statistics (NCES) Schools and Staffing Survey (SASS), 2011-12 data table, https://nces.ed.gov/surveys/sass/tables/sass1112_2013312_s12n_002.asp.
[6] *Unionized Charter Schools: Dashboard Data from 2009-10,* National Alliance for Public Charter Schools (2011).

questions 1 and 2) show that this charter autonomy is particularly beneficial to disadvantaged students, students with disabilities, and English language learners.

I believe that this autonomy is critical for ensuring student success. A 2012 report[7] by Abt Associates on Milwaukee public charter schools found that public charter schools with greater autonomy from school districts—in terms of financial budget, academic program and hiring decisions—are more effective and that students in these types of charter schools read at a grade level at a higher rate than similar students who attend traditional public schools.

Regarding student enrollment, public charter schools cannot have selective admissions requirements. They must accept all students. Federal law and most state laws require public charter schools to use a lottery if more students apply than there are available seats. National demographic data show that public charter schools enroll more students of color and from low-income backgrounds than traditional public schools.

A paper by Zimmer and Guarino[8] provides evidence that public charter schools are not pushing out low-performing students. The study examined patterns of student transfers in an anonymous school district with more than 60 charter schools. The study found no evidence to support the charge that public charter schools were more likely to push out low-performing students. Conversely, the study finds that below-average students were five percent more likely to leave traditional public schools than below-average students in charter schools.

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[7] *Do Charter Schools Improve Student Achievement?*, Abt Associates (May 2012).

[8] *Is There Empirical Evidence Consistent with the Claim that Charter Schools "Push Out" Low-Performing Students?*, Ron Zimmer of Vanderbilt University and Cassandra Guarino of Indiana University (January 2013).

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April 4, 2014

Mr. Alan Rosskamm
Chief Executive Officer
Breakthrough Schools
10118 Hampden Avenue
Cleveland, OH 44108

Dear Mr. Rosskamm:

Thank you for testifying at the March 12, 2014 hearing on "*Raising the Bar: The Role of Charter Schools in K-12 Education.*" I appreciate your participation.

Enclosed are additional questions submitted by members of the committee after the hearing. Please provide written responses no later than April 25, 2014 for inclusion in the final hearing record. Responses should be sent to Mandy Schaumburg or Dan Shorts of the committee staff who can be contacted at (202) 225-6558.

Thank you again for your important contribution to the work of the committee.

Sincerely,

John Kline
Chairman
Committee on Education and the Workforce

Chairman John Kline (R-MN)

1. You seem to have figured out how to develop a great partnership with your school district and the local community. Do you have any advice for other charter management organizations (CMOs) on ways to break through the typical challenges that charter schools and CMOs face?

2. Based on the success of Breakthrough Schools, what advice do you have for others in the charter school community interested in turning around low-performing schools as an alternative to creating new models? How can they attain the same success as you have in Cleveland?

Rep. Richard Hudson (R-NC)

1. What regulations, mandates and restrictions did your school have to overcome to become a charter school?

Rep. Rush Holt (D-NJ)

1. How many teachers at charter schools (nationwide or at your individual school) are in state-wide teacher labor organizations or are able to bargain collectively with other public school teachers?

2. What is it about charter school professional development that makes it effective as compared to public school professional development? How might you inject that training or those initiatives into all the schools in the district?

3. Are charter schools given flexibility for their own sake or is flexibility being used to exclude, punish, or avoid teachers organizations and avoid difficult students?

BREAKTHROUGH
GREEN PREP INTERGENERATIONAL SCHOOLS

House Committee on Education and the Workforce Responses

Chairman Kline:
1. You seem to have figured out how to develop a great partnership with your school district and the local community. Do you have any advice for other charter management organizations on ways to break through the typical challenges that charter schools and CMOs face?

The relationship between the Cleveland Metropolitan School District and Breakthrough Schools is the result of many years of working together. The relationship began when the District became a sponsor for one of the Breakthrough schools. We have found that open and honest communication among leadership, a shared commitment to the city's children, and a willingness to address tough issues together have been essential to building a strong relationship. Building trust takes time, and even when progress is made at the leadership level, distrust lower down in both organizations can still create obstacles to effective collaboration. As I mentioned in my testimony, the core philosophy of our city, as articulated by our Mayor, is that it is the quality of education that matters for our children and families, not which schools own them. Should other cities decide to adopt that as their central principle as well, that is the first step to overcoming the typical challenges charter schools and CMOs may face in working together.

2. Based on the success of Breakthrough Schools, what advice do you have for others in the charter school community interested in turning around low-performing schools as an alternative to creating new models? How can they attain the same success as you have in Cleveland?

One of our most effective tools at Breakthrough Schools has been the creation of a school culture where children are motivated to succeed and adhere to a no-excuses philosophy. We have high expectations of our students and ourselves, and we've learned that when expectations are high, our students generally surpass them. Often times, this is a primary differentiator between our charter schools and traditional district schools. We believe that the best way to establish that culture is to start small with just a few grades, and then build the school out one year at a time.

Representative Hudson:
1. What regulations, mandates, and restrictions did your school have to overcome to become a charter school?

In Ohio, to become a charter school, our schools had to complete a rigorous sponsorship application to a potential authorizer that has received approval from the Ohio Department of Education (ODE) and has entered into a written agreement with ODE. Our primary sponsor, the Cleveland Metropolitan School District, requires a detailed written application, and then asks applicants to appear before a panel of experts to answer questions and defend the application. Following the proposal, the board for the sponsoring authority can enter into a preliminary agreement with the proposed charter school and then a formal contract between the two governing boards. A charter authorizer is required to provide oversight of the charter school. Once a sponsorship contract is completed, the charter school is legally able to begin operations.

Representative Holt:
1. How many teachers at charter schools (nationwide or at your individual school) are in state-wide teacher labor organizations or are able to bargain collectively with other public school teachers?

Within the schools in the Breakthrough Schools network, none of our teachers are in state-wide teacher labor organizations. We value and appreciate the autonomy and trust our teachers place in us and work hard to maintain that. However, although they do not do so currently, under state law, our teachers are able to organize and join the public school local union chapter if they so choose.

2. What is it about charter school professional development that makes it effective as compared to public school professional development? How might you inject that training or those initiatives into all the schools in the district?

At the Breakthrough network, educator professional development is based on proven practices and strategies. From the outset, we are structured to provide more teacher coaching since our schools typically have Directors of Curriculum and Instruction (DCI) and Deans of Student Culture in addition to the Principal and an Operations Manager. By supporting the operations side at the CMO level and through the Operations Manager, the principal and DCI can spend more time observing and supporting teachers. At the school and network level, our staffs seek to create professional development opportunities that are relevant, engaging, and able to be implemented. One particular practice is to enable educators and school leaders to visit other high performing schools in other cities. Seeing excellence in action is impactful and allows those representatives to bring back innovative ideas and strategies to their own school. We also engage teacher leaders to provide professional development to their colleagues. We explore ways to make professional development hands on as opposed to a one-way delivery method. Within Cleveland, because of the deep relationship with the Cleveland Metropolitan School District, there is communication between staff members regarding the sharing of or learning about professional development underway in both systems. This communication is the best way to facilitate effective professional development strategies to be shared among charter schools and district schools.

3. Are charter schools given flexibility for their own sake or is flexibility being use to exclude, punish, or avoid teachers organizations and avoid difficult students?

The history of the charter school movement has been to envision and create public schools to serve as incubators of innovation. By doing so, these schools can serve as models for traditional public schools and enable the dissemination and implementation of proven, effective practice. This is intended not only for curriculum and instruction, but also after school programs, school culture development, wraparound services, and the integration of education technology. For this reason, to my understanding, the flexibility charter schools are awarded is to support and enable their efforts towards incubating innovation and not for any punitive purposes.

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MARK POCAN, WISCONSIN

April 4, 2014

Ms. Alyssa Whitehead-Bust
Chief of Innovation and Reform
Denver Public Schools
900 Grant Street
Denver, CO 80203

Dear Ms. Whitehead-Bust:

Thank you for testifying at the March 12, 2014 hearing on "*Raising the Bar: The Role of Charter Schools in K-12 Education.*" I appreciate your participation.

Enclosed are additional questions submitted by members of the committee after the hearing. Please provide written responses no later than April 25, 2014 for inclusion in the final hearing record. Responses should be sent to Mandy Schaumburg or Dan Shorts of the committee staff who can be contacted at (202) 225-6558.

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Sincerely,

John Kline
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In response to Chairman John Kline (R-MN):

How does parental choice influence the charter school student population?

In Denver Public Schools (DPS), our charter schools are deeply committed to the equity of responsibility and access for all DPS students. Our district-charter Collaborative Council has embraced this equity as a fundamental core value. We believe all students and families should have equitable access to the school of their choice, whether it is district-run or charter. As one of many mechanisms to support this equity, DPS runs a unified SchoolChoice enrollment process, through which a central office team manages marketing, lottery and assignments for all students and schools, including charter schools. As a result of utilizing a central lottery and school assignment system, DPS is able to collect and analyze robust data on demand and assignments. We are able, as an example, to identify the highest demand schools within our system and use that data to think strategically about new school creation and/or replication of successful and high-demand models.

In DPS, our charter schools serve an equivalent percentage of students of color, students who qualify for free or reduced lunch, and students whose first language is not English, as compared to district-run schools. Many of our charter schools are designed specifically to serve these student populations and serve them well, in terms of the academic outcomes they create for students. These schools engage in substantive community engagement to build parent/guardian and student interest and to involve these stakeholders in continuous improvement efforts. These charter schools generate some of the highest levels of family interest in the district through our choice process; many possess sizeable wait lists.

There are two areas where our charter population looks different from our district-run population.

First, our charter schools serve fewer students with special needs than do our district-run schools. The Center on Reinventing Public Education (CRPE) recently released a research report interrogating this challenge and found that there is a disparity in families' choices at our primary "entrance" grade levels – K, 6 and 9; families of students with specials needs are more likely to choose a district-run school. The CRPE report did not explore *why* this happens; only that it does. Our Collaborative Council will examine this issue further in the coming year. Importantly, the study also debunked a common perception that charter schools "counsel out" students with special needs: CRPE's analysis demonstrated that students with special needs are far more likely to stay continuously enrolled in a DPS charter school than in a district-run school.

Within the special education segment of our population, DPS historically assigned students with more severe needs into center-based programs that were offered only in district-run schools. These students had no access to our charters. In recent years, DPS and our charter partners have worked collaboratively to begin opening center programs in charter schools.

This year, we also launched formal efforts to improve our collective service to children with more severe needs by exploring alternate approaches. A group of charter and district-run leaders is exploring implementation of an inclusion model, rather than a center-based model, in our schools. Further, DPS authorized a new school, REACH Charter School, whose model fully revolves around inclusion.

The second area in which our charter and district-run populations differ is within a sub-population of our English Language Learners (ELLs). Although our charters serve an equivalent percentage of ELLs, the ELLs charters serve are more likely to possess higher levels of English Language proficiency than ELLs in our district-run schools. Through collaborative efforts, DPS and our charters have worked to identify barriers and implement key levers to increase access to charters for ELLs who are just beginning to learn English.

One of the barriers we identified, for example, was that, although parents/guardians of these students were selecting charters through the choice process, the sheer volume of requests for seats in some of those schools made it unlikely that these ELLs would receive a seat. We've worked with several charters to establish preferences in our seat-assignment process for ELLs in the earlier stages of learning English, in order to increase their access and expand charter service for these students. We will track the impact of such efforts over the next several years.

How do strong district/charter partnerships affect student achievement? Are there additional benefits to the community? Does a good partnership help alleviate some common issues faced by charter schools, such as school locations and financing?

Our district-charter Collaborative Council has adopted, and our Board has codified in its policies, the equity of accountability. This means that all schools have the same accountability system under our School Performance Framework and that standards of performance are applied evenly across all school types. This equity reflects and drives a shared and steadfast focus on improving achievement among students in DPS. Our district has produced gains for students overall, and narrowed achievement gaps in most segments, over the past five years. In addition, the equity of accountability has increased clarity around the need to close schools that do not serve students well, even after a period of targeted interventions. The boards of two charter schools in recent years, for example, opted to forfeit their contracts and close, after they were unable to make improvements in their service to students.

This unified framework also lends itself well to transparent community conversations about school performance. Increasingly, our community partners care less about whether a school is a charter school or a district-run school. They care about whether it is, or, in the case of a new school, is likely to be, a great school for students. Of course, parents/guardians choose schools based on numerous factors, such as proximity or transportation options. Concerns like these inform other forms of collaborative work between our district-run and charter schools, such as the use of enrollment zones and shared transportation systems that increase families' access to their schools of choice in their neighborhoods or regions.

A good partnership between the district, charter schools and our communities supports the identification of solutions to shared challenges that put students first. Another shared value that underscores this work is the "equity of opportunity." This means that the schools, across types, have access to equitable per pupil funding, support services from the district, and available facilities. Using funding as an example, our charter schools receive a direct equivalent of state per-pupil funding and local revenue sources, with some of those funds redirected back to the district for charters' equal obligation in district-wide responsibilities, such as the cost of district-wide special education services, and for costs associated with DPS's work as an authorizer. The premise of the equity of opportunity also informed DPS's switch to a student-based budgeting approach for our district-run schools. In both cases, funds are allotted based on students served, allowing more dollars to flow directly to meet student needs.

Responding to Rep. Rush Holt (D-NJ)

How many teachers at charter schools nationally (or your individual school) are in statewide teacher labor organizations or are able to bargain collectively with other public school teachers?

Denver Public Schools does not track collective bargaining arrangements among charter teachers nationally. Teachers employed by charter schools in DPS are employees of those charter schools, and

DPS has no way of systemically tracking charter teacher interest in, or efforts to organize for, representation by any labor organization. DPS is not aware of any charter school in our district in which teachers have sought collective bargaining rights through the state labor organization.

What is it about charter school professional development that makes it so effective as compared to public school professional development? How might you inject that training or those initiatives into all schools in the district?

In DPS, part of our collaborative posture allows us to support the very kind of shared learning and implementation you reference – from charters to district-run schools, and from district-run schools to charters. We systemically leverage learnings from all schools, regardless of type, and work to bring effective innovations to scale. Our charter schools, for example, were among the first in our district to use short-cycle assessments and to expand and schedule professional development programming around findings from those assessments, in order to improve teacher instruction and better meet students' needs. Observations revealed that professional learning was deep and sustained (not one shot) and focused on practice as well as theory. Additionally, research indicated this appoach was driving real gains for students in charter schools, and DPS launched a pilot in its own schools (SCAN – Short Cycle Assessment Network). Early results from the pilot indicate positive impact on student learning, and DPS is now working to bring the pilot to scale.

Are charter schools given flexibility for their own sake, or is flexibility being used to exclude, punish or avoid teacher organizations and avoid difficult students?

In DPS, we support flexibilities for charter schools and for district-run innovation schools, because 1) flexibilities allow more decisions to be made by those who are closest to students – teachers, leaders and parents/guardians in the school itself, and 2) flexibilities create conditions that support the development of innovative practices to drive improvements in student learning. This strategy has nothing to do with excluding, punishing or avoiding. Rather, it is about empowering school communities to design and deliver great service to students. As described earlier, our charter schools practice the equity of responsibility and access for all DPS students.

[Whereupon, at 12:31 p.m., the committee was adjourned.]

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