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PUBLIC EDUCATION

## Board seeks to shutter failing charter schools

July 30, 2010 | By Jill Tucker, Chronicle Staff Writer



Oakland's American Indian Public Charter School is cited as one that took a few years to find traction.  
Credit: Carlos Avila Gonzalez / The Chronicle 2005

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Failing charter schools across California could be shut down by the state Board of Education under a major policy shift aimed at ensuring that the alternative public schools fulfill their role as models of academic innovation.

Dozens of the state's 850 or so charter schools, which have significant freedom outside the state Education Code, fall among the lowest-performing schools on standardized tests.

That's unacceptable, state Board of Education members say.

"I don't have a lot of tolerance for these schools," said Board of Education member Ben Austin. "We need to be holding charter schools to at least the same standard as regular schools, if not higher."

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The Board of Education is expected to finalize the new rules in September after a period of public comment this month. The regulations would require the board to vote on the fate of struggling charters each spring, deciding which underachieving schools should be closed at the end of the academic year and which ones should be forced to jump through hoops to improve.

## Schools in trouble

Charter schools would face closure if they are at least 5 years old, post test scores among the bottom 10 percent of all schools statewide and score in the bottom 20 percent among schools with similar demographics.

About 20 charter schools statewide fit those criteria based on the most recent test score rankings. A few Bay Area schools appear to be among them, based on the most recent rankings, including Education for Change Cox Academy in Oakland, Leadership Public Schools College Park campus in Oakland and Leadership Public Schools - San Jose.

Louise Bay Waters, chief executive officer and superintendent of Leadership schools, said she believes both her schools will be taken off the list soon based on improved scores in the latest round of testing this spring. The improvements, she said, come from major staffing changes and a renewed focus in the classrooms on curriculum and testing.

"Something was not working," she said. "We had changes in the organization and changes at the school level."

Yet the state won't release rankings based on these new test scores until next spring, after the state Board of Education would be required to consider the schools for closure, according to the regulations.

That's one of several problems with the board's criteria, said Nick Driver, a vice president of the California Charter Schools Association.

#### Insufficient data?

The regulations also focus on just one year of test scores, which could simply be a one-year blip rather than a reflection of a long-term trend, Driver said.

In addition, while five years seems like a sufficient amount of time for a school to get momentum, some take longer.

Oakland's American Indian Public Charter School, for example, took more than five years to find traction, but is now one of the most successful charters in the state, he said.

"We have no problem with accountability," Driver said, "... but we really strongly think there needs to be better data that goes into it."

Charter schools receive their charter status from a local school district, county office of education or the state Board of Education and must renew every five years.

#### Education alternative

The idea behind public charter schools has long been to create alternative educational options for families. They would be schools with autonomy from state code to allow creative freedom in curriculum, scheduling and staffing, among other things.

At the same time, charter schools have been immune to some of the state and national efforts to overhaul low-performing schools.

A new state law, for example, requires state education officials to identify 1,000 low-performing traditional schools, giving families at those schools the right to transfer their children to better schools this fall.

The law kept charter schools off that list.

Charters, however, were included on the federally required list of 188 schools comprising the worst 5 percent of schools in California. Those schools are eligible for federal stimulus grants to overhaul staffing, curriculum and other aspects to improve student performance.

It's absurd that charter schools are asking for those handouts, said Austin, the state school board member.

"I'm going to be very hard-pressed to vote to reward a charter school's failure with federal stimulus dollars," he said. "Charter schools that are failing need to be shut down. Period. End of story."

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