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# H.R. 4330, THE ALL STUDENTS ACHIEVING THROUGH REFORM ACT OF 2009

## HEARING

BEFORE THE

COMMITTEE ON
EDUCATION AND LABOR

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

HEARING HELD IN WASHINGTON, DC, FEBRUARY 24, 2010

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# H.R. 4330, THE ALL STUDENTS ACHIEVING THROUGH REFORM ACT OF 2009

**Wednesday, February 24, 2010**
**U.S. House of Representatives**
**Committee on Education and Labor**
**Washington, DC**

The committee met, pursuant to call, at 10:04 a.m., in room 2175, Rayburn House Office Building, Hon. George Miller [chairman of the committee] presiding.

Present: Representatives Miller, Kildee, Scott, Hinojosa, McCarthy, Tierney, Wu, Holt, Davis, Loebsack, Hirono, Altmire, Hare, Clarke, Shea-Porter, Polis, Sablan, Titus, Chu, Petri, Castle, Ehlers, Biggert, McMorris Rodgers, and Cassidy.

Staff present: Tylease Alli, Hearing Clerk; Andra Belknap, Press Assistant; Calla Brown, Staff Assistant, Education; Jody Calemine, General Counsel; Jamie Fasteau, Senior Education Policy Advisor; Denise Forte, Director of Education Policy; David Hartzler, Systems Administrator; Fred Jones, Junior Legislative Associate, Education; Sharon Lewis, Senior Disability Policy Advisor; Sadie Marshall, Chief Clerk; Bryce McKibbon, Staff Assistant; Charmaine Mercer, Senior Education Policy Advisor; Alex Nock, Deputy Staff Director; Lillian Pace, Policy Advisor, Subcommittee on Early Childhood, Elementary and Secondary Education; Helen Pajcic, Education Policy Associate; Kristina Peterson, Legislative Fellow, Education; Rachel Racusen, Communications Director; Alexandria Ruiz, Administrative Assistant to Director of Education Policy; Melissa Salmanowitz, Press Secretary; Dray Thorne, Senior Systems Administrator; Daniel Weiss, Special Assistant to the Chairman; Mark Zuckerman, Staff Director; Stephanie Arras, Minority Legislative Assistant; Kirk Boyle, Minority General Counsel; Casey Buboltz, Minority Coalitions and Member Services Coordinator; Alexa Marrero, Minority Communications Director; Susan Ross, Minority Director of Education and Human Services Policy; Mandy Schaumburg, Minority Education Policy Counsel; and Linda Stevens, Minority Chief Clerk/Assistant to the General Counsel.

Chairman MILLER [presiding]. A quorum being present, the committee will come to order. I want to welcome all the members and welcome our witnesses today. Thank you for taking the time to join us and to give us the benefit of your expertise and experience.

And I will recognize myself for an opening statement, and then recognize Mr. Cassidy, and then Mr. Kildee, and you have—Mr. Castle, I guess, will be here by then, right? We hope.

Today we will examine how charter schools can be used as a tool to drive innovation in our schools. Specifically, we will discuss legislation introduced by Rep. Polis that would expand access to outstanding charter schools.

This hearing kicks off a larger conversation about how we can educate our way to a better economy, as Secretary Duncan says, by overhauling our nation's primary education law.

Last week, Congressmen Kline, Kildee, Castle and I announced that we plan to do this overhaul in an inclusive and transparent way. We are starting by holding hearings and asking for input of all stakeholders who want to make meaningful improvements in the law.

I strongly believe that the bipartisanship will be the key to getting this rewrite done. Our committee has a tradition of working across party lines when it comes to education.

Nine years ago, we came together for the historic way to write the latest version of the law No Child Left Behind. No Child Left—No Child brought powerful reforms to our schools.

We made clear then—we made it clear that it was time to end the inequities and low standards that had come to exemplify schools in this country. We made it impossible for schools to mask the fact that too many students were falling behind.

This focus on transparency and accountability has forced us to acknowledge some hard truths. It has shown how far we have to go to get our schools and students where they need to be. But we also know that the law didn't get everything right.

We all agree, along with teachers, parents, administrators and many others, that there needs to be significant changes. Now, with our economy in need of serious rebuilding, we cannot afford to wait to fix it.

It is time to realize our vision of world-class schools that prepare every student to compete in our global economy. To get there, we need to be open to bold ideas to disrupt our current system.

We have to pay attention to what is working in our schools and give other schools the tools to learn from those successes. Time and again, we have seen this approach work. Innovation and creativity lead to effective reforms. Effective reforms transform schools and communities.

One of the best examples of high—is our high-performing charter schools. These schools are proving that low-income and minority students can succeed when given the right tools, challenges and learning environments.

There are now more than 1.5 million children enrolled at nearly 5,000 public charters across the U.S. In some of these areas, students were stuck in struggling schools where 70 percent of the students drop out. The opportunity promised by quality charter schools was their only chance at a better education.

Take the Green Dot public schools. Green Dot schools serve students in the highest need in Los Angeles and South Bronx, where only about 4 percent of the kids graduate from college. Eighty percent of Green Dot students graduate, and 80 percent of their graduates are accepted to a 4-year college.

Green Dot schools have their own teachers unions affiliated with the National Education Association and the American Federation

of Teachers. Their job security is based not just on seniority, but how well they are teaching students. These partnerships show that teachers unions can help lead the way to building successful charter schools.

Successful charter schools are also welcoming accountability and data. They value strong principals and teachers. They support longer school hours and more school days to help students catch up. They engage parents as active participants in their school communities.

These are strategies that we should be paying attention to, not just as we think about how to improve charter schools, but how to improve all schools. President Obama and Secretary Duncan recognize this. Their Race to the Top initiative prioritizes the funding for states that allow more charter schools.

As a result, Illinois, Louisiana, Tennessee and California have already changed their laws to be eligible. Another six states also advanced their policies to strengthen charter schools. We should do everything we can to support these efforts.

Now, for all that the charter schools are doing outstanding things, there are also charters that aren't serving students well and need of the charter schools—now, for all to be shut down. Charter schools are not a silver bullet to fixing our schools.

But I think one of our witnesses in a recent hearing, Colorado's lieutenant governor Barbara O'Brien, put it best when she said that charter schools are research and development arms of education.

If our goal is to build world-class schools, we absolutely need to look at high-performing charter schools for research and development to replicate what they are getting right. That is what Representative Polis' bill, the All Students Achieving Through Reform Act, aims to do.

It would bring to scale what is working in charter schools and improve the quality of existing schools. It would allow existing schools to apply for grants to help with transportation and hire additional staff.

The bill would also create a new competitive grant program for states and districts that want to expand quality charter schools in high-need areas.

I would like to thank Representative Polis, who founded two charter schools in Colorado, for introducing this bill.

I would also like to thank our witnesses for joining us today. This is one of the—one of many—this and many other discussions to come where we will discuss these issues raised here this morning and others and how we can improve No Child Left Behind.

With that, I would now like to recognize Mr. Cassidy.

[The statement of Mr. Miller follows:]

**Prepared Statement of Hon. George Miller, Chairman, Committee on Education and Labor**

Good morning.

Today we will examine how charter schools can be used as a tool to drive innovation in our schools. Specifically, we will discuss legislation introduced by Rep. Polis that would expand access to outstanding charter schools.

This hearing kicks off a larger conversation about how we can "educate our way to a better economy"—as Secretary Duncan says—by overhauling our nation's pri-

mary education law. Last week, Congressmen Kline, Kildee, Castle and I announced that we plan to do this overhaul in an inclusive and transparent way.

We are starting by holding hearings and asking for input from all stakeholders who want to make meaningful improvements to the law. I strongly believe that bipartisanship will be the key to getting this rewrite done. Our committee has a tradition of working across party lines when it comes to education. Nine years ago, we came together in a historic way to write the latest version of this law: No Child Left Behind. No Child brought powerful reforms to our schools. We made clear that it was time to end the inequities and low standards that had come to exemplify schools in our country.

We made it impossible for schools to mask the fact that too many students were falling behind. This focus on transparency and accountability has forced us to acknowledge some hard truths. It's shown us how far we have to go to get our schools and students where they need to be. But we also know the law didn't get everything right. We all agree, along with teachers, parents, administrators and many others, that it needs significant changes. Now, with our economy in need of serious rebuilding, we cannot afford to wait to fix it. It's time to realize our vision for world-class schools that prepare every student to compete in our global economy. To get there, we need to be open to bold ideas that "disrupt" our current system. We have to pay attention to what is working in our schools and give other schools the tools to learn from their successes. Time and again, we have seen this approach work. Innovation and creativity lead to effective reforms. Effective reforms transform schools and communities. One of the best examples of this is our high-performing charter schools. These schools are proving that the low-income and minority students can succeed when given the right tools, challenges and learning environments.

There are now more than 1.5 million children enrolled at nearly 5,000 public charter schools across the U.S. In some of these areas, students were stuck in struggling schools where 70 percent of students drop out. The opportunity promised by a quality charter school was their only chance at a better education. Take the Green Dot Public Charter schools. Green Dot schools serve students with the highest need in Los Angeles and the South Bronx, areas where only about 4 percent of kids graduate from college.

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But I think one of our witnesses at a recent hearing, Colorado's Lieutenant Governor Barbara O'Brien, put it best when she said "Charter schools are the research and development arm of education."

If our goal is to build world-class schools, we absolutely need to look at high-performing charter schools for research and development—and replicate what they are getting right.

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The bill would also create a new competitive grant program for states and districts that want to expand quality charter schools in high-need areas. I'd like to thank Rep. Polis, who founded two charter schools in Colorado, for introducing this bill.

I'd also like to thank all of our witnesses for joining us today. On this and many other discussions to come, I look forward to working with all members of our committee to fulfill the promise of an excellent education for every student.

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Mr. CASSIDY. Thank you, Chairman Miller.

And let me begin by welcoming our distinguished panel of witnesses. We are here this morning to talk about proposals to expand high-quality charter schools, expand access, a cause that Republicans have long embraced and we are pleased to see has drawn increasing support on the other side of the aisle.

The nation's first charter school law was passed almost 20 years ago, and since that time they have taken root firmly in our educational system, providing parents with a choice and communities with the innovation and competition necessary to begin transforming their schools.

Charter schools are the epitome of performance-based education. In exchange for flexibility and autonomy, they are held accountable for producing results. And if they fail to meet accountability standards or attract enough students, their charters can be revoked.

As it turns out, attracting students for charter schools has not been a problem. In 2009 an estimated 365,000 students were on charter school waiting lists, enough to fill more than 1,100 new average-size charter schools. In fact, more than half of all charter schools nationwide have a waiting list.

Although charter schools are public, they do face significant disadvantages compared to traditional public schools. Charter schools generally do not receive facilities funding, nor can they raise funds through local taxes.

Twenty-six states and the District of Columbia have caps that limit charter school growth. And while the teachers at many charter schools have chosen to remain independent, there is a growing movement among labor leaders to organize these schools and impose rigid collective bargaining agreements that prevent creative instructional approaches such as longer school days, years or weekend learning opportunities.

As states and local communities keep working to improve opportunities for their students, we need to ensure federal policy keeps pace with and does not get in the way of local innovation.

The bill we are discussing today is one of several promising ideas to expand access to quality charter schools by allowing new schools to be established under an existing charter. Other opportunities include eliminating state charter school enrollment and growth caps and improving access to facilities funding.

As with all federal programs designed to foster local innovation, we must be careful not to tie the hands of educators on the front lines. Too many federal mandates can undermine the flexibility and autonomy that make charter schools so successful.

At the same time, we must not dilute the value of charter schools or the funding they receive by broadening the definition in a way that allows schools without true autonomy to absorb limited resources or cloud this unique subset of the public school system.

This morning's hearing is a welcome display of bipartisanship on the broad issue of expanding access to high-quality charter schools,

and I look forward to hearing from our witnesses on how to make that goal a reality.

Thank you, and I yield back.

[The statement of Mr. Cassidy follows:]

**Prepared Statement of Hon. Bill Cassidy, a Representative in Congress From the State of Louisiana**

Thank you Chairman Miller, and let me begin by welcoming our distinguished panel of witnesses. We're here this morning to talk about proposals to expand access to high-quality charter schools—a cause we've long embraced on this side of the aisle, and one that is drawing increasing support on the other side.

The nation's first charter school law was passed almost 20 years ago. Since that time, charter schools have firmly taken root in our educational system, providing parents with a choice and communities with the innovation and competition necessary to begin transforming their schools.

Charter schools are the epitome of performance-based education: In exchange for flexibility and autonomy, they are held accountable for producing results. If they fail to meet accountability standards or attract enough students, their charters can be revoked.

As it turns out, attracting students has not been a problem for quality public charter schools. In 2009, an estimated 365,000 students were on charter school waiting lists—enough to fill more than 1,100 new, average-sized charter schools. In fact, more than half of all charter schools nationwide have a waiting list.

Although charter schools are public, they face significant disadvantages compared to traditional public schools. Charter schools generally do not receive facilities funding, nor can they raise funds through local tax levies. Twenty-six states and the District of Columbia have caps that limit charter school growth.

And while the teachers at many charter schools have chosen to remain independent, there is a growing movement among labor leaders to organize these schools and impose rigid collective bargaining agreements that prevent creative instructional approaches such as longer school days and years or weekend learning opportunities.

As states and local communities keep working to improve opportunities for their students, we need to ensure federal policy keeps pace with—and does not get in the way of—local innovation. The bill we're discussing today is one of several promising ideas to expand access to quality charter schools by allowing new schools to be established under an existing charter. Other opportunities include eliminating state charter school enrollment and growth caps and improving access to facilities funding.

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At the same time, we must not dilute the value of charter schools or the funding they receive by broadening the definition in a way that allows schools without true autonomy to absorb their limited resources or cloud this unique subset of the public school system.

This morning's hearing is a welcome display of bipartisanship on the broad issue of expanding access to high-quality charter schools, and I look forward to hearing from our witnesses on how to make that goal a reality. Thank you, and I yield back.

---

Chairman MILLER. Thank you.

I now yield to Congressman Kildee.

Mr. KILDEE. Thank you, Mr. Chairman.

I also want to thank our distinguished witness panel for their participation today. I hope your insights—and I expect they will—bring us closer to our goal of providing a high quality of education for all students.

While the American education system is one of the better in the world, the status quo is no longer acceptable. Higher standards and better assessments will help, but we must push the envelope with innovative strategies for reform.

Charter schools certainly hold promise, but only if federal and state governments do a better job of requiring quality. I watched a number of charter schools divert resources from the traditional public school system only to finish the school year with students farther behind.

Innovation cannot occur without proper oversight. And I will push for policies that hold these schools accountable for performance.

I am also concerned that these schools all too often fail to serve a representative sample of the student population. As we explore strategies for comprehensive school reform, we should never lose sight of our commitment to equal access for all students.

I hope we have the opportunity to discuss these important issues today so we can move forward with solutions acceptable to all. I want to thank the chairman for calling today's hearing.

And I now, Mr. Chairman, wish to yield my remaining time to my colleague, Representative Polis. As the author of the legislation we will discuss today and a former charter school superintendent, he is a real leader on this issue, and I am confident that he will work hard to make sure we get this right.

I yield to Representative Polis.

Mr. POLIS. Thank you, Mr. Kildee, for yielding your time.

Chairman MILLER. [OFF MIKE]

Mr. POLIS. What is that?

Chairman MILLER. [OFF MIKE]

Mr. POLIS. Thank you, Chairman Miller, for launching our committee's bipartisan efforts to reform our federal education laws.

I would also like to thank my colleagues on the other side of the aisle.

As we begin to rewrite No Child Left Behind, we renew our commitment to closing the achievement gap and ensuring that each and every child, regardless of economic or ethnic background, receives a quality education and the opportunity to succeed.

Seeing the positive impact of excellent charter schools in neighborhoods across 40 states and the District of Columbia, parents want more access to excellent charter schools. But sadly, the demand far exceeds the available seats.

About 365,000 students nationally are on public charter school waiting lists, including 38,000 in my home state of Colorado.

To address this problem and expand access to hope and opportunity, I introduced the All Students Achieving Through Reform, or All-STAR, Act which enables successful public charter schools that get the job done to expand and replicate. All-STAR allows more at-risk students to attend a great school and realize their full potential.

I know that there are those who wish that charter schools didn't exist and others who would like to see every public school converted into a charter school. This bill embraces the pragmatic common ground.

The public charter schools are an asset to our education system, but only if they do what they are supposed to do, expand hope and educational opportunity to those students and families who need it the most.

We will hear today about the need for charter schools to improve their performance to better meet the special education needs of all students.

We will hear about the need for quality authorizers to intervene or close bad charter schools and ensure a fair authorizing process.

We will hear about how many superintendents and teachers see charter schools as a powerful tool in a portfolio management approach to district governance.

The All-STAR bill is a catalyst, a catalyst for allowing disadvantaged kids to have a transformative life experience at a high-quality public school.

As we already recognize through Title 5 funding dating to the Clinton administration, the federal government has a critical role in helping new and innovative charter schools get off the ground.

Serving as laboratories of educational innovation, charter schools have pioneered some of the most promising and influential reform strategies. This bill creates a separate and distinct allocation for the expansion and replication of successful charter schools.

What is indisputable is that successful innovations have led to outstanding results. Schools like KIPP, Harlem Success Academy and Ricardo Flores Magon in my district are defying the odds and stand quietly as the most powerful testimony in refutation of those who believe but dare not say that these children can't learn.

All-STAR schools around the country run by innovators who succeeded where others have failed are the types of schools we must invest in to serve more kids. They can transform the lives of families, break the vicious cycle of poverty and ignorance and replace it with a virtuous cycle of enlightenment and prosperity.

That is why I have introduced this bill, and that is why I am proud to invite my colleagues today to join us in learning from our panel about the opportunities and challenges in the public charter school movement.

I yield back.

[The statement of Mr. Polis follows:]

**Prepared Statement of Hon. Jared Polis, a Representative in Congress From the State of Colorado**

Thank you Chairman Miller for launching the Committee's bipartisan efforts to reform our nation's federal education laws and for your leadership on serving the needs of all students.

I would also like to thank my colleague on the other side of the aisle, Mr. Ehlers of Michigan, for his support of this legislation and for his dedication to improving our public schools.

As we begin to rewrite No Child Left Behind, we renew our commitment to closing the achievement gap and ensuring that each and every child, regardless of economic or ethnic background, receives a quality education and the opportunity to succeed.

At the committee's June hearing on charter schools, we heard how top-performing charter schools with a rigorous curriculum and high expectations, are turning around student achievement and providing a world-class education to at-risk students.

Seeing the impact of such schools in neighborhoods across 40 states and the District of Columbia, parents want more access to excellent charter schools but sadly the demand far exceeds the available seats. About 365,000 students are on public charter school waiting lists nationwide, including 38,000 in Colorado.

To address this problem and expand access to hope and opportunity, I introduced the All Students Achieving through Reform (All-STAR) Act, which enables successful public charter schools that get the job done to expand and replicate. By building

on what we know works, All-STAR allows more at-risk students to attend a great school and realize their full potential.

I know that there are those who wish that charter schools didn't exist, and others who would like to see every public school converted to a charter school. This bill embraces the pragmatic common ground that public charter schools are an asset to our education system, but only if they do what they were supposed to do: expand hope and educational opportunity to those students that need it the most.

We will hear today about the need for charter schools to improve their performance to better meet the special education needs of all students. We will hear about the need for quality authorizers to intervene or close bad charter schools and ensure a fair authorizing process. We will hear how many superintendents and teachers see charter schools as a powerful tool in a portfolio management approach to district governance.

The All-STAR bill is a catalyst, a catalyst for allowing disadvantaged kids to have a transformative life experience at a high-quality public school. It is a catalyst for states to embrace good policies that promote quality charter growth while strengthening accountability and oversight. A catalyst to promote best practices among authorizers and making sure that charter schools successfully serve the needs of students with disabilities and English language learners. And a catalyst for proven models to disseminate throughout our schools, both traditional and charters.

As already recognized through Title V funding, dating to the Clinton administration, the federal government has a critical role in helping new and innovative charter schools get off the ground. Serving as laboratories of educational innovation, charter schools have pioneered some of the most promising and influential reform strategies, such as extended learning time, principal autonomy, data-driven research and instruction, and a laser focus on results.

This bill creates a separate and distinct allocation for the other major benefit of charter schools. Yes, charter schools cause innovation to occur and challenge the forces of the status quo to embrace the hard work of improvement, but so too the best charter schools represent a part of the solution. Part of the solution for what we all came here for, why we serve in this Congress, on this committee. Data is a funny thing, we all try to use it for political advantage. There are studies that show that charter schools are "better" and "more diverse" than other public schools, and studies that show that charters are worse or less diverse than other public schools.

What is indisputable, however, is that successful innovations have led to outstanding results. Schools like KIPP, Harlem Success Academy, and Ricardo Flores Magon in my district are defying the odds and stand quietly as the most powerful testimony in refutation of those who believe but dare not say that "these children can't learn."

The Ricardo Flores Magon Academy in Westminster, Colorado, prepares kindergarten through eighth grade students for success in school, college and beyond. The school has a longer school day with five hours of core subject instruction each day and an extended school year, and provides for summer enrichment programs and need-based tutoring, as well as one-to-one and cohort interventions. All students have daily tennis and chess lessons and all teaching staff undergoes three weeks of intensive prior to the start of every school year.

Its student population reflects the community: 93% Free/Reduced Lunch; 90% Latino; and 80% English Language Learners. But its students' outcomes do not reflect those characteristics. 93% of 3rd graders scored proficient or advanced in reading, compared to 73% for Colorado. And each and every student—100% of 3rd graders—scored proficient or advanced in math, compared to 69% for Colorado.

It is All-STAR schools like these around the country, run by innovators who have succeeded where others have failed, we must invest in so they can serve more kids, can transform the lives of more families, can break the vicious cycle of poverty and ignorance and replace it with a virtuous cycle of enlightenment and prosperity. That's why I introduced this bill. And that's why I am proud to invite my colleagues today to join us in learning from our panel about the opportunities, fairness issues, and challenges in the public charter school movement.

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Chairman MILLER. Thank you.

Mr. Castle?

Mr. CASTLE. Thank you, Chairman Miller, for holding today's hearing.

And I thank all of the witnesses and all of you who are interested in this issue for being here.

As you all know, the Elementary and Secondary Education Act, which includes the public charter schools program, is up for reauthorization.

And with more than 1.4 million students attending over 4,600 charter schools in 40 states and the District of Columbia, I welcome the opportunity to work in a bipartisan manner to explore legislation aimed at supporting effective charter schools.

Charter schools are an important part of education reform efforts to improve our nation's public school system. Charter schools offer choices to parents and children who, in many instances, would otherwise be trapped in chronically underperforming public schools.

Charter schools also tackle a variety of educational challenges unique to urban, rural and suburban areas.

In outlining their plan for education reform, President Obama and his administration have expressed their support for expanding effective charter schools. The administration has also called on states to lift caps on the amount of charter schools they have.

In 2009, an estimated 365,000 students were on charter schools' wait lists across the country, enough to fill over 1,100 new average-size charter schools.

I agree that one way to meet this demand is for states to reform or reconsider their caps on charter schools while continuing to utilize appropriate measures to ensure that new charter schools are of high quality.

Another thing we can do is look to reform the current charter school program to allow for high-quality schools to replicate their services in these communities to meet this demand.

Like traditional elementary and secondary schools, however, charter schools vary greatly in quality. And I am pleased to explore through this hearing and further discussions the role of the federal government in supporting high-performing charter schools as well as addressing the issue of charter schools that are failing our students.

With the reauthorization of the Elementary and Secondary Education Act pending, Congress has the opportunity to enhance charter school programs and help increase the number of high-quality public charter schools where they are most needed, in areas where students are trapped in underperforming schools and who are still today left behind.

With that, I look forward to hearing from today's panel.

Thank you, Chairman Miller, and I yield back.

Chairman MILLER. Thank you.

Again, let me just say that pursuant to Rule 7(c), all members may submit opening statements in writing which will be made part of the permanent record.

And before I introduce our panel, let me inform the panel that we operate under the 5-minute rule here. When you begin to speak, in those little boxes in front of you a green light will go on. You will have 5 minutes. With 1 minute remaining, an orange light will go on, so you can think about how you want to summarize.

And then a red light goes on and we finish—if you would finish at that point, but obviously finish so you appear to be coherent and—you know, and the rest of—you get your thoughts out the way you want.

I think we have got a great panel this morning. Our first witness will be Dr. Eva Moskowitz, who is the founder and CEO of Success Charter Network in New York City.

Dr. Moskowitz runs the famed Harlem Success Academies, which are some of the top performing public schools in the state. She plans to replicate this successful school model across the city, ultimately opening 40 charter schools in New York City.

Dr. Moskowitz has put the charter school concept into action, and we look forward to learning from her expertise.

Robin Lake is the associate director of the Center for Reinventing Public Education at the University of Washington where she directs the National Charter School Research Project and co-directs the Inside Charter Schools project.

Mrs. Lake focuses on the role of charter schools in driving innovation and district-wide reform. She has authored numerous studies on public charter policy, development and reform strategy. Mrs. Lake will discuss the role charter schools play in district reform and driving innovation.

Greg Richmond is the president of the National Association of Charter School Authorizers. Mr. Richmond served in the Chicago public schools for over a decade, making it the first urban school district to request charter schools, and worked under Arne Duncan in the district as the district's chief officer of new school development.

Mr. Richmond will discuss how to build strong charter law and policy that both supports charter schools and holds them accountable.

Dr. Thomas Hehir is the director of the Harvard Graduate School of Education Leadership program. Dr. Hehir served as director of the U.S. Department of Education's Office of Special Education Programs under President Clinton.

Dr. Hehir has devoted himself to the education of students with disability. He works tirelessly to improve the research, access and services for students with disabilities in charter schools.

Dr. Hehir is an expert on how to increase quality and access for students with disabilities who are in special need of educational choice.

Eileen Ahearn is the senior policy analyst for the National Association of State Directors of Special Education. Dr. Ahearn has extensive experience both in the classroom and in research into special education issues.

Dr. Ahearn will discuss the relationship between special education and charter schools at the policy level and in the classroom.

Caprice Young is the president and CEO of KC Distance Learning. Dr. Young also served as the board chair of the National Alliance of Public Charter Schools.

Dr. Young was president of the Los Angeles Unified School District Board of Education where she played an integral role in focusing charter school movement on student achievement, community involvement, teacher quality and effective management.

Dr. Young will discuss charter school policy that enables growth of high-quality programs while still holding charter schools accountable on students and the communities that they serve.

Welcome to the committee.

Dr. Moskowitz, we begin with you.

I will have to express a conflict of interest here. I visited Dr. Moskowitz' schools a couple of years ago and was deeply impressed.

But go ahead.

**STATEMENT OF EVA MOSKOWITZ, PH.D., CEO AND FOUNDER, HARLEM SUCCESS ACADEMY**

Ms. MOSKOWITZ. Thank you very much, Chairman Miller, for holding this hearing and members of the committee.

As a former civics teacher—and some of you are—remember that there used to be civics in the public school system—it is an incredible honor to be in these chambers. So thank you for having me.

My name, again, is Eva Moskowitz, and I am the founder of Success Charter Network. We have four high-performing schools. We are opening three more this summer. And our aspiration is not only to create 40 phenomenal schools and educate the kids within our four walls exceptionally well, but to change the rules of the game so that children outside of our four walls can get the education that they deserve and are entitled to.

Our nation, as you well know, has lost much of its competitive edge because our education system, particularly the K through 12 education system, is not what it needs to be, despite a half century of incredible increases in spending. That is the bad news.

The good news is that we now have proof points across this nation of what works. Congressman Polis referred to that in his opening statement. We now know that there are a lot of great schools.

And even more importantly for the purposes of this hearing, we know that there are charter leaders who have not just done it once but have done it over and over again. And so the time is ripe to really think through replication and how more children can take advantage of what is clearly good school design.

So we have the suppliers, and we certainly have the demand. We had 5,000 parents at our lottery for Harlem Success Academy for 475 spots. The people have spoken. They want excellent education.

Parents are voting with their feet, not only in New York City but across this nation. Therefore, the time is now for the federal government to play an important role in reversing our nation's educational decline by investing in high-performing charter replicators.

We need a high-occupancy vehicle lane for those folks who have proven that they can get the job done.

There is an anecdote about General Grant that you may have heard. Someone told President Lincoln that Grant was a drunk. Lincoln's response was that someone should find out what brand of whisky Grant was drinking and send a case of it to all of his generals. Lincoln's point was when someone is doing something right, you shouldn't micro-manage them.

I would argue that the federal government has a critical role to play in supporting fast and smart growth of proven success. And that is what Congressman Polis' bill does so well.

To do successfully, the federal government must protect the single greatest ingredient of success, and that is autonomy. The whole concept of charters, as was mentioned before, was in exchange for high performance, the operator gets freedom.

I would argue that that is our secret sauce at Harlem Success. How come kids, I am asked all the time, who are in a Title 1 school with 18 percent special ed have outperformed affluent neighborhoods in New York City and around the state?

If I may brag for a moment, we ranked 32 out of 3,500 schools statewide. We outperformed our school district by 20 percent in math, 40 percent in reading. Nearly three-quarters of our children scored at the highest level, which is a four, compared to one-quarter in the school district.

Our Harlem children outperformed those in Scarsdale, one of the wealthiest communities in this country. How is that possible? The answer is freedom.

We have the freedom to get it right, the freedom to correct in real time the stuff we get wrong, the freedom to innovate, the freedom to work longer and harder, the freedom to organize our schools around children and teaching rather than the economic interests of grownups. Without this freedom, you would get the same results that the school districts get.

At Success Academy we have the freedom to invest in teaching and school leadership talent, so we pay more than the local teachers contract.

How do we afford this even though our per pupil is less? Well, we choose to have larger class sizes so we can pay our teachers more, and we don't rely on a Soviet-style procurement system of the district. Like many Americans, we go to Costco and Kmart and Target to buy our supplies.

We have the freedom to make science a non-second-class subject by teaching it 5 days a week starting in kindergarten.

We have the freedom to use technology in really smart ways, not only to improve student learning but, more importantly, to improve teaching. We have emphasized technology way too much on the student end and not enough on the teaching end.

At Success Academy we organize our resources both in terms of time and money around helping teachers get better.

I understand my time is running out, so I will cut to the chase. We are succeeding because of this freedom. But while there are these proof points of success, I have to run back to New York to a hearing because there are forces trying to stop replication.

Whether it is KIPP, or Achievement First, or Harlem Success Academies, these great proof points are being resisted by the forces of the status quo.

And I would urge you, Chairman Miller, to be bold, as I know you have, so that we can give so many more children an opportunity to learn at an unbelievably high level. Thank you so very much.

[The statement of Ms. Moskowitz follows:]

**Prepared Statement of Eva Moskowitz, Ph.D., CEO and Founder, Harlem Success Academy**

Good morning Chairman Miller and the members of the House Committee on Education and Labor.

It is a great honor to be here. As a former civics teacher (yes, there used to be such teachers) I consider it a privilege to be in this hallowed chamber. Thank you for considering my thoughts and views.

My name is Eva Moskowitz. I am the founder of Success Charter Network. We run four, soon to be seven, high-performing public charter schools. Our goal is to

open up and manage 40 schools of phenomenal quality. We want to replicate our extraordinary success not only so that we can educate the kids within our four walls exceptionally well but so that we can pave the way for much more fundamental, systemic educational change and improvement.

Our nation has lost much of its competitive edge because while we have dramatically increased educational spending over last quarter century, we have failed to fundamentally alter student outcomes.

The good news is that we now have in locations across this country clear proof points of what works. While not all charters are high performing, there is a subset of charter leaders who have not only one great school but have replicated that success at multiple schools.

So we have suppliers. And we certainly have demand. In New York City, 5000 parents came out to win a spot in one of the Harlem Success Academies. Parents are voting with their feet, demanding excellent schools.

The time is therefore now for the federal government to play an important role in reversing our nation's educational decline by investing in high performing charter replicators. We need a high occupancy vehicle lane for our most successful charter leaders.

There's an anecdote about General Grant you may have heard. Someone told President Lincoln than Grant was a drunk. Lincoln's response was that someone should find out what brand of whisky Grant was drinking and send a case of it to all of his Generals. Lincoln's point was that when someone is doing something right, you shouldn't micromanage them.

I would argue that the federal government has a critical role to play in supporting fast and smart growth of proven success.

To do so successfully, the federal government must protect the single greatest ingredient of success: autonomy. The whole concept of charters is that it is a compact between the state and the operator to deliver student achievement results in exchange for freedom.

I get asked all the time what is the secret sauce? How come your kids who are in a Title I school have outperformed affluent neighborhoods in New York City and around the state on state tests? Our school was ranked 32 out of 3500 schools statewide. We outperformed our school district by 20% in math and by 39% in reading. Nearly three quarters of our children are "advanced proficient" in math, compared with roughly one quarter in our school district. Our Harlem children outperformed those in Scarsdale—one of the wealthiest communities in this country.

How is it possible?

The answer is freedom. We have the freedom to get it right. The freedom to correct in real time when we get stuff wrong. The freedom to innovate. The freedom to work longer and harder. The freedom to organize our schools around children and teaching rather than the economic interests of grownups. Without this freedom, you would get the same results district schools get.

At Success Academies we have the freedom to invest in teaching and school leadership talent so we pay more than the local teachers contract. How do we afford this even though we get less per pupil than the district? Well, we choose to have larger class sizes so we can pay our teachers more and we don't rely on the Soviet-style procurement system of the district. Like many Americans, we go to Costco and Kmart and Target to buy our supplies.

We have the freedom to make science a non-second class subject by teaching it five days a week starting in kindergarten. We have the freedom to use technology in really smart ways, not only to improve student learning but perhaps even more importantly to improve teaching. At Success Academies we organize our resources both in terms of money and time around helping teachers get better. So much so that we are simultaneously running a school for kids and a school of education. But to do so requires freedom. Most district contracts only allow teachers to come in a few days before school starts. Our faculty spend 8 weeks a year getting training.

But while we are succeeding because we have this freedom, it needs to be constantly protected because the forces against reform get that this is the secret to our success. In our state capital in Albany this winter, politicians have put forth all sorts of bills to curb our freedom. They range from automatic unionization of charter bills to a quota system whereby charters would be capped and only allowed to educate a small percentage of a district. Indeed, replicators like us are a particular target. State Senator Bill Perkins, a Harlem politician, has a bill that would allow a single charter operator to educate only 5 percent of a district. These kinds of bills will kill replication, taking away the very freedoms that make high performing charters successful.

Chairman Miller and members of House Committee on Education and Labor: please help charters with a strong record of success serve even more kids. This en-

tails both financial support of replication but also not tampering with their secret sauce, autonomy!

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Chairman MILLER. Thank you very much.

Mrs. Lake?

**STATEMENT OF ROBIN LAKE, ASSOCIATE DIRECTOR, CENTER FOR REINVENTING PUBLIC EDUCATION, UNIVERSITY OF WASHINGTON**

Mrs. LAKE. Good morning, Chairman Miller.

Chairman MILLER. We are going to have you pull that microphone a little closer to you.

Mrs. LAKE. Thank you. Good morning, Chairman Miller. Is that better?

Chairman MILLER. Yes. Thank you.

Mrs. LAKE. Members of the committee, thank you so much for having us testify today.

My name is Robin Lake. I am with the Center on Reinventing Public Education. We are a nonpartisan research center at the University of Washington.

In my view, charter schools are essential to the most important school district reforms at play today. And this is especially true in some of the major urban districts, the megadistricts that we think about, that people had largely given up hope on in the past.

They had given up hope that reforms would ever overcome decades of pretty dismal school performance and graduate rates and dropouts.

This wasn't the case even a few years ago. Most districts at that point had either ignored charter schools, hoping that they would be basically a passing fad, go away, or tried to marginalize their impact for lobbying—by lobbying for state charter school caps or limited funding.

But district leaders are coming to realize now that charter schools have an important and, I would argue, in many ways a game-changing role to play in district reform. And let me give you just a few examples.

In New Orleans, 60 percent of all public schools are now charter schools. At first, this is basically a practicality. After Hurricane Katrina, charters run by nonprofits were the first schools that were open—able to open quickly enough after the storm to serve local students.

But now the Recovery School District is actually turning district-run schools into charters because they are looking at the performance and realizing they are—the charters are simply outperforming district schools.

So now 76 percent of charter schools in the Recovery School District were considered last year academically acceptable or better, compared to only 15 percent of the district-run schools.

In Denver, successful college prep charter schools now take the place of district schools that failed students for decades.

The superintendent there doesn't think of his job as running a school system. He thinks of himself as running a system of schools or a portfolio of schools. His job is to get the best schools possible

for the kids in Denver, and he doesn't particularly care what they are called.

In New York City, district officials say that after having repeatedly tried and failed to fix their worst schools, they have no choice now but to turn to charter schools.

The district officials actually lobbied the state legislature to go ahead and lift the statewide cap so that they can replace more failing schools.

So these district leaders all have different reforms in the specifics, but they have one thing in common, and that is they believe that their work is too urgent and too important to close off any viable options.

They see charter schools not as a threat but as an opportunity to overcome school system inertia. They see charters as a way to give them the political leverage they need. So instead of trying to compete with charters, they are trying to co-opt them.

Now, here are four specific things that charter schools offer smart districts. First, access to new talent. District leaders know that they can't fix their public schools without great people. And charter schools tend to attract entrepreneurial teachers, principals, central office folks who wouldn't otherwise choose to work in public education.

Second, they offer the opportunity to start schools from scratch. So they find it is much easier to close low-performing schools if they can announce that a charter school with a proven model will take its place. And it is much easier to open a new school rather than to try to fix a school with a persistent toxic culture of failure.

Charter schools, third, offer proof that things can be better, so the proof point that Dr. Moskowitz was just talking about. The presence of even one charter school that is sending all of its poor and minority students to college can really be a game changer for an urban superintendent, and it can take away excuses that district schools can't do better. It can inspire people to want to make politically difficult decisions.

Fourth, charter schools can create urgency to resolve differences. A healthy charter school sector and competition can actually act as a common enemy that can bring district management and unions to the table to renegotiate new contracts that work better for students in all schools.

There are many examples like this of district leaders who are getting past the charter label and are using charters to do what they wanted to do anyway. But I know that many of you hear often from school district leaders who are losing students to charter schools and see that as a threat.

In response to those complaints, many states have capped charter school growth to protect districts, and others have tried to ease the financial pain, and at the same time policy-makers wonder why charter schools aren't causing widespread school improvement. But that can't happen if states continue to protect districts from competition.

So if we want charter schools to be a tool for district reform beyond just a handful of forward-thinking districts, it is time to level the financial playing field so that charters have access to decent fa-

cilities and an equal share of public funding. And it is time to stop protecting school districts with arbitrary statewide caps.

It is also true, though, that policy-makers have one more obligation if the charter sector is to be taken seriously by district leaders. Too many charter schools, as we have heard this morning, are mediocre, and many are performing very badly.

Lawmakers should insist that states and districts take performance oversight very seriously and close down charter schools that aren't effective. And they need to promote and replicate more high-performing charter schools, as this bill tries to do.

To close, then, the strategy of chartering is increasingly seen by school districts as an opportunity to create the schools they need. But that very promising strategy is unlikely to happen in more than just a handful of districts that we are hearing about today until states commit to fair competition and, probably more importantly, performance-based accountability.

Thank you.

[The statement of Mrs. Lake follows:]

**Prepared Statement of Robin J. Lake, Associate Director, Center on Reinventing Public Education**

Chairman Miller, Ranking Member Kline, and members of the committee, thank you for inviting me to testify today.

Charter schools are responsible for some of the most important school district reforms at work today. This is especially true in some major urban districts where people had largely given up hope that reforms would ever overcome decades of dismal school performance.

This was not the case even a few years ago. Most districts either ignored charter schools hoping that they would be a passing fad or tried to marginalize their impact by lobbying for state charter caps or limited funding.

But district leaders are coming to realize that charters have an important and—in some cases a game-changing role—to play in public school improvement. Let me give you just a few examples.

In New Orleans, 60% of all public schools are now charter schools. At first this was simply a practicality. After Hurricane Katrina, charters run by non-profits were the first schools able to open quickly enough to serve local students. But now the Recovery School District is actually turning district-run schools into charters because they are simply outperforming district schools. Seventy-six percent of charter schools in the Recovery School District were considered Academically Acceptable in 2009 compared to only 15% of the RSD operated schools.

As school choice becomes the norm in New Orleans, poor parents are developing a new attitude. After years of accepting sub-par schools because it was their only option, they are now coming to believe that their kids are actually entitled to schools that will fully prepare them to go to college.

In Denver, successful college prep charter schools now take the place of district schools that failed students for decades. The superintendent doesn't think of his job as running a school system. He runs a system of schools. His job is to get the best schools possible to the kids in Denver. He doesn't particularly care what they are called.

In New York City, district officials say that after having repeatedly tried and failed to fix their worst schools they have no choice but to turn to charter schools. District officials actually lobbied their state legislature to lift a statewide cap on charters so that they could replace more failing schools.

These district leaders all have different reforms in the specifics. But they have one thing in common. They believe that their work is too urgent and too important to close off any viable options. They see charter schools not as a threat but as an opportunity to overcome school system inertia. They see charters as a way to give them the political leverage they need. Instead of trying to compete with charters, they are co-opting them.

Here are four specific things that charter schools offer smart districts.

1) Talent: District leaders know that they can't fix their public schools without great people. Charter schools attract entrepreneurial teachers, principals, and even central office staff who wouldn't otherwise choose to work in public education.

2) The opportunity to start schools from scratch. It is much easier for districts to close low-performing schools if they can announce that a charter school with a proven model will take its place. And it is much easier to close and reopen a school than to try to fix a school with a persistent toxic culture of failure.

3) Proof that things can be better. The presence of even one charter school that is sending all of its poor and minority students to college can be a game changer for an urban superintendent. It can take away excuses that district schools can't do better and it can inspire people to want to make politically difficult decisions.

4) Urgency to resolve differences. A healthy charter sector can act as a common enemy that actually can bring district management and unions to the table to negotiate new contracts that work better for students in all schools. As a result of competition from various choice options, Minneapolis Public Schools dropped from the largest to the fourth-largest district in Minnesota in just a few years. This downsizing led to massive teacher layoffs. The Minneapolis teachers union responded by pushing for new state legislation to allow autonomous, but still unionized, district schools.

There are many examples of district leaders who are getting past the charter label and are using charters to do what they wanted to do anyway. But I know that many of you hear from school district leaders who are losing students to charter schools and see that as a threat.

In response to those complaints, many states have capped charter school growth to protect districts from charter competition. Others have tried to ease the financial pain of enrollment loss by providing aid to districts that lose students to charter schools. At the same time policy makers wonder why charter schools are not causing widespread school improvement.

We should not expect charter schools to inspire improvement if states continue to protect districts from competition. If we want charter schools to be a tool for district reform beyond just a handful of forward-thinking districts, it is time to level the financial playing field so that charters have access to decent facilities and an equal share of public funding. It's time to stop protecting school districts with arbitrary statewide caps.

It's also true however, that policy makers have one more obligation if the charter sector is to be taken seriously by more districts. Too many charter schools are mediocre and many are performing very badly. Lawmakers should insist that states and districts take performance oversight seriously and close down charter schools that are not effective. And they need to promote and replicate more high performing charter schools.

To close, then, the strategy of chartering is increasingly seen by school districts as an opportunity to create the schools they need. But that very promising strategy is unlikely to happen in more than a handful of urban districts until states commit to fair competition and performance-based accountability.

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Chairman MILLER. Thank you very much.

Professor Hehir?

## STATEMENT OF THOMAS HEHIR, ED.D., PROFESSOR, HARVARD GRADUATE SCHOOL OF EDUCATION

Mr. HEHIR. Good morning, Mr. Miller and the committee. I am very pleased to be back here after many years away.

I am here today to talk about special populations in charter schools. I would like to begin by expressing my strong support for charters and for public school choice, which charters represent.

I would like to also say that I have prepared many students at Harvard University who have gone out to run charters and teach in charters, and I am very, very pleased with their work.

Charters represent a tremendous opportunity for special populations. Parents of children with disabilities need choices. Parents who are very affluent often move from one district to another to find a school that is accepting of their children and provides good support.

Middle-and low-income parents do not have that option. And charter schools provide that option for many parents of children

with disabilities in this country. And that should be supported and increased.

Also, charter schools are viewed by many activists within various special populations as an opportunity to address issues that have been poorly addressed in traditional systems. For instance, the National Council of La Raza is supporting the establishment of over 50 charter schools to expand opportunities for children who are English language learners.

The Chime Charter School in Los Angeles was designed by parents of children with disabilities who were seeking inclusive options for their children.

Also, many charters, certainly charters that I have looked at in my research, often are based on the principles of individualization and often employ strong efforts in direct instruction. These are exactly the sort of things that many children with disabilities as well as other children who struggle need.

The problem, as I see it, as it relates to charters—and I keep having to pronounce that explicitly with my Boston accent, charters—is under-enrollment, that if you look at charters in many places, the number of kids with disabilities who are enrolled in those charters is significantly below what exists in traditional schools.

For instance, in San Diego, where I have done research, in 2005-2006, the percentage of children in non—what are called non-conversion charters—in other words, charters that start from scratch—is 5.8, compared to 12 percent of the overall traditional public school population.

Also, in San Diego, very few children with complex disabilities are enrolled in charters. And when I did my research, there were only three—this is three individual children—with mental retardation enrolled in the non-conversion charters and only two children with autism in San Diego.

In Los Angeles, there is a similar pattern, where the likelihood that a child with a more complex disability is enrolled in a charter is one-fourth that of traditional public schools.

Many places, a similar pattern exists for English language learners—that in Boston, for instance, where 20 percent of children are English language learners, there is only one charter that exceeds 4 percent in its enrollment of English language learners.

Why is this a problem, this under-enrollment? Number one, it compromises the charter experiment. In other words, if you are not serving comparable kids, it is difficult to make assertions.

Secondly, it raises civil rights concerns. Third, the financial burden for educating these children may fall disproportionately on the traditional public schools.

In light of this, I recommend the following. One, that states proactively address the issue of underrepresentation of special populations. The secretary of education should be required to approve authorizing regulations to make sure that federal statutes are adhered to when schools are authorized.

But also, states should be required to demonstrate to the secretary that they are supporting charters in serving special populations. Most charter operators want to do this but need assistance in doing this.

And last, I believe we should be funding, as the bill calls for, research on best practices in charter schools. And I believe it is time for us to have a systematic study done by the National Research Council on the service for special populations in charter schools.

Charters are no longer an experiment in the American education system and, thankfully, they are a well established part of the education system. But it is time for us to make sure that charters serve all children.

Thank you very much.

[The statement of Mr. Hehir follows:]

**Prepared Statement of Thomas Hehir, Ed.D., Professor, Harvard Graduate School of Education**

My name is Thomas Hehir. I am a Professor of Practice at the Harvard Graduate School of Education where I teach courses on educating students with disabilities and federal education policy. I also work as a consultant in the area of special education primarily with large city school districts. My clients have included New York City, Los Angeles, San Diego, and Baltimore among others. I have spent my entire career in the field of special education as a classroom teacher, local administrator in both Boston and Chicago, and as a university professor. I also served as Director of the Office of Special Education Programs for the U.S Department of Education during the first six years of the Clinton Administration.

In relationship to today's hearings I do not purport to be an expert on all aspects of charter schools. My expertise is primarily in special education. My knowledge of charter schools is based on work I have done in San Diego and Los Angeles assisting these districts to improve their programs for students with disabilities. I have also, supervised two doctoral students who have conducted research on the participation of students with disabilities in charters in Massachusetts and New Orleans, reviewed the literature in this area in preparation for teaching my courses. Further I have consulted with faculty colleagues who have done research on charters, and consulted with many of my former students who run charters. I have done research in three charter-like "pilot schools" in Boston that have enrolled a diverse population of students with disabilities that are outperforming their urban counterparts. I have also had the opportunity to speak with numerous parents of children with disabilities who have enrolled their children in charters or have considered the option.

I would like to state from the onset that I am a proponent of charter schools. I believe that parents, particularly those who reside in urban and low-income areas should have choice within the public system. The need for choice is even greater for families of students with disabilities given the huge variability between schools in implementing the Individuals with Disabilities Education Act.

*The Opportunity Charters Present for Special Populations*

Charters provide choice to all parents. For parents of students with disabilities choice is highly valued due to the high degree of variability that exists across public schools in educating their children. Though we have made great strides in improving educational offerings for students with disabilities, non-compliance with IDEA continues in many schools. Affluent parents sometimes move to get their children into schools that welcome their children and provide them with a high-quality education. I have done work with a high school in the Boston suburbs that does a great job including students with disabilities. I have met a number of parents who moved to this community simply to allow their children to attend this school. Poor and middle class parents do not have that option. Charters can and in some cases do provide this option.

Some charter schools have even been created by activists who are seeking a more inclusive and effective option for children with disabilities. The Mary Lyons School, Boston Arts Academy pilot schools, Democracy Prep Charter in Harlem, and Chime Charter in Los Angeles are examples of schools that from their onset have sought to be inclusive of a diverse population of students with disabilities.

There is also evidence that charters may serve students with disabilities in more inclusive settings than traditional public schools. Chris Wilkens, a doctoral student at Harvard, found that urban charters in Massachusetts were more likely to serve similar students with disabilities in inclusive settings than traditional urban public schools. His research also found that over-placement of African American students

in special education was far less of a problem in charters than traditional urban public schools.

Many charters focus intently on individualization that is a central tenet of IDEA. Others such as the KIPP schools focus on explicit direct instruction needed by many students with disabilities and other students who may struggle in school. These approaches may account for some of the lower levels of special education identification in charter schools. To the extent that these practices prevent inappropriate referrals to special education, they should be encouraged.

A similar dynamic exists for English language learners and other special populations. Like students with disabilities, English language learners participate in charters in much smaller numbers than they exist in the population at large. However, some advocates for English language learners have seized upon the opportunity provided by charters to promote better education for these children. For instance, the National Council of La Raza has supported the establishment of over 50 charters in their efforts to expand educational opportunity for this population.

*The Problem of Charters and Special Populations*

Research on the participation of special populations and charters demonstrates that in most places these students are under-represented. For instance in the area of disability, charters generally serve fewer children with disabilities than traditional public schools. When one looks at students with more significant or complicated disabilities in general, charters serve far fewer students and in many instances none at all. Research conducted in a number of major cities bears this out. In San Diego, close to 10% of all students now attend charter schools. Though the enrollment of students with disabilities in traditional public schools overall approaches 12%, the average enrollment of students with disabilities in non-conversion (from scratch) charter schools during the 2005-2006 school year was 5.8% (Hehir & Mosqueda, 2008). With respect to students requiring extensive special education services, the imbalance is even more dismal. For example, during the 2005-06 school years, there were only three children with mental retardation in all San Diego non-conversion charter schools combined; traditional schools across the district, meanwhile, educated almost one thousand students with mental retardation. That same year, non-conversion charter schools in San Diego educated just two students with autism.

The picture is quite similar in Los Angeles. The enrollment of students in charter schools throughout the city is large (approximately 8%). The enrollment of students with disabilities across the district averages over 11%, while the enrollment of students with disabilities in independent charter schools averages fewer than 7% (Independent Monitors Office, 2009). As in San Diego, the distribution of disability types within independent Los Angeles charter schools is skewed; for students with disabilities requiring extensive special education services, the likelihood they will be enrolled in independent charter schools is one-fourth that of traditional public schools.

Similar data emerges for charters serving urban areas in Massachusetts. For the 2006-07 school years, the percentage of enrolled students with disabilities in traditional urban schools was 19.9%, while the percentage of enrolled students with disabilities enrolled in urban charter schools was significantly lower, 10.8%. As is the case in Los Angeles and San Diego, significantly fewer students were enrolled in all urban charter schools who had more substantial needs such as mental retardation, emotional disturbance, and autism. Several cities' charter schools enrolled none of these students.

The under-enrollment of English language learners in charters mirrors that of that of students with disabilities in many places. In Boston where approximately 20% of students are English language learners, only one charter school enrolled more than 4%. In NYC a similar pattern emerges where the district enrollment is 15% English language learners and the charters serve approximately 4%.

As for disadvantaged students, there is some evidence that charters in some places may enroll a more advantaged population. However the vast majority of charters are enrolling large number of disadvantaged students.

Why is under-representation a problem?

The under-representation of special populations in charter schools is a problem on a number of levels:

a. First low participation rates raise potential civil rights concerns. Students with disabilities, English language learners and homeless students have rights as American citizens both granted to them by the Constitution and within various federal education laws. Anecdotal information suggests that some parents are discouraged from applying to charter schools and that some charter schools "send back" students with complicated needs to traditional public schools. America has opened doors to previously excluded groups through the Civil Rights Act, the IDEA and The Elemen-

tary and Secondary Education Act. The federal government needs to assure that discrimination is not occurring within the charter sector.

b. The "experiment" that charters represent is compromised when charters do not serve the same populations as traditional public schools. One of the primary justifications for allowing charters to exist is to demonstrate better approaches for educating students for whom the current education system has failed. If they fail to serve representative populations their claims to being exemplary are significantly compromised.

c. The failure of charters to enroll representative populations of students from special populations can disadvantage traditional public schools financially. As the San Diego school system demonstrates, the financial responsibility for educating students with disabilities rests with the traditional public schools. Yet, the charters receive roughly the same amount of money per-capita. It should be noted the per-capita cost in most school districts include the cost of educating special populations and that this cost is higher per pupil. For instance the cost of providing language supports to English language learners or transportation to homeless students increases the financial burden on school districts. In the case of students with disabilities this cost can be much higher. The population least represented in charters, students with low incidence and more complex disabilities, are the most expensive for schools to educate.

d. There is financial incentive for charters not to educate students for whom additional costly services may be necessary. Under the current system many charters receive the same amount of money per student whether they educate students with more complex needs or not. Many charters, like many traditional public schools, encumber most of their money on the first day of school by hiring staff. When an unforeseen need arises during the year they may not have the resources to address that need. In traditional public schools the central office may step in with needed support or the anticipated needs of students from special populations are budgeted upfront. Some charters have established similar mechanisms but many have not. Therefore, when a child with additional needs becomes apparent the charter may not have the resources to meet this need. I am aware of charters that have not even budgeted for a single special education teacher upfront.

*Policy Considerations*

In my opinion, it is time for policy makers to directly address the issue of imbalanced enrollment of students from special populations in charter schools. Though some may have argued in the past that charter schools needed time to get established, and to have flexibility to experiment, they are now a well-established segment of our education system. The charter choice should be available to all students and parents. Toward that end I believe the federal government has a role in assuring equity and promoting more effective public school choice for parents of children from special populations. The following recommendations are offered:

(1) The federal government should require states to proactively address issues of access involving special populations as a condition for receiving federal funds.

The US Department of Education historically has played a crucial role in promoting equity in education in the areas of racial desegregation, gender equity and disability access among others. The lack of access for special populations to some charters raises serious equity and civil rights concerns. At a minimum, states should be required to submit their authorizing regulations to their Departments of Education for approval. States should further be required to investigate charters that enroll significantly fewer students from special populations than their surrounding area contains. It is important to emphasize here that states should be allowed flexibility as there should not be an expectation that charters always mirror the population of the surrounding area. Some charters may have lower special education counts simply because they have been successful in eliminating inappropriate referrals to special education. Others may have been established to serve English language learners. These innovations should not be discouraged. The point here is that the state needs to reasonably assure the federal government that special populations' access to charters is not impeded.

States should also be required to assist charter operators in meeting their obligations to provide access to special populations. The vast majority of charter operators I have met want to address the needs of all students. Again, this may take many forms and states should be allowed a good deal of flexibility in meeting this requirement.

(2) The federal government should establish a federal technical assistance center focusing on the needs of students from special populations in charter schools.

This center would primarily serve the states in meeting their obligations detailed above. Such a center could provide states with model authorizing documents as well

as information about successful practices in charters serving special populations. This model has worked very effectively in IDEA and the Elementary and Secondary Education Act as a vehicle to promote better practices in the schools.

(3) Fund research on serving special populations in charter schools.

Though I am sure Congress has gotten advice from many quarters on how to address these issues, there is no consensus on the range or extent of the problems concerning special populations and charter schools. I believe this issue is important enough to warrant a National Research Council study. Such a study would provide an objective picture of the current state of charters and special populations and identify promising practices. Congress should also fund a research program to investigate ways in which charters can better serve special populations.

*Final Reflections*

This past year I assisted my cousin in choosing an elementary school in Boston for her four year-old twin boys. Having worked in the Boston system from 1977-1987, I was pleasantly surprised at how much the system had improved. My cousin is currently considering two public charters and two traditional public schools for the boys. All four are strong choices. This contrasts to the system I left where parents were often given few or no choices and were forced to send their children to underperforming schools. I believe Boston is a far better system for a number of reasons but one is parental choice. Boston outperforms most major cities on the National Assessment of Educational Progress as does the state of Massachusetts. Parental choice is deeply embedded in the state as well. The challenge facing Massachusetts as well as Congress is how we make this choice real for all parents.

Finally, in doing research for this testimony I relied on an old and tested method; Facebook. I posted a request for assistance to my former students many of whom work in charters. They responded well to their old professor. One related that she was working as a psychologist in a major city with troubled youth many of whom are in the foster care system. Many of her students have opted for charters in lieu of large impersonal high schools that had utterly failed them. She found that charters had been particularly effective in serving GLBT youth who felt unsafe in traditional high schools. Another student related how her sister had placed her son in a local charter school and how happy she was that she was not forced to send him to an underperforming elementary school. However, she has another child with disabilities for whom this choice was not an option. For her disabled daughter, she had no choice and was forced to place her in the same underperforming school she avoided for her son. She has been forced to file for a due process hearing in order to get an acceptable choice for her. This will be a huge financial burden on the family. Public school choice is an incomplete option for this family.

It's time for the adults who run charters and for those who authorize them to act. The charter "experiment" has gone on long enough. Access to all must become a priority. When PL 94-142 was passed in 1975 opening up the doors of schools to thousands of previously excluded students with disabilities Congressman Miller stated, "I believe the burden of proof * * * ought to rest with the administrator or teacher who seeks for one reason or another to remove a child from a normal classroom * * *" We need to provide that same logic to charter schools and special populations. The burden of proof should fall on government officials, charter school operators and charter advocates who need to take proactive responsibility to deal with the very real issues of access for special populations.

I hope Congress leads the way.

Thank you.

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Chairman MILLER. Thank you.

Mr. Richmond?

## STATEMENT OF GREG RICHMOND, PRESIDENT, NATIONAL ASSOCIATION OF CHARTER SCHOOL AUTHORIZERS

Mr. RICHMOND. Good morning, Chairman Miller and members of the committee. Thank you for inviting me to speak with you today.

I am Greg Richmond, president of the National Association of Charter School Authorizers. NACSA is a membership organization not of charter schools but of the agencies that oversee charter schools.

We work with our member agencies to grow the number of high-quality charter schools across the nation by setting professional standards for authorizing and providing technical assistance directly to authorizers.

Over the past 15 years, the federal government has spent $2 billion to support the creation of new charter schools. This has been a good and appropriate investment, creating better educational opportunities for hundreds of thousands of children.

Yet during that same time, the federal government has invested almost nothing—less than $2 million, or one-tenth of 1 percent—to ensure that those schools are held to high standards and properly monitored by a competent authorizing agency.

It is as if the federal government had spent billions for new highway construction but almost nothing to put up guardrails along the sides of those highways. Yes, new highways will allow drivers to get where they are going faster, but the lack of guardrails will sometimes lead to horrible accidents.

Authorizers, if you will, are the guardrails of the charter school sector. They are the institutions that oversee public charter schools on behalf of the public.

While some think of authorizing as a one-time action to approve a new school, in reality authorizers have three core responsibilities that continue throughout the life of the schools they oversee.

First, authorizers have a responsibility to maintain high standards and to hold schools accountable for achieving those standards. Organizations that would like to start a new charter school should be required to demonstrate a high capacity to succeed and to educate students to achieve high standards.

Second, authorizers have a responsibility to protect student and public interests. This means that authorizers must ensure that all students are treated fairly. Admissions processes must be conducted fairly. Students with disabilities must receive appropriate services.

And to protect the public, authorizers must put in place monitoring systems particularly to ensure that public funds are used appropriately.

Third, authorizers have a responsibility to preserve the autonomy of the schools they oversee. Autonomy is a—is critical to charter school success.

Freedom from vast mandates and regulations allows charter schools to be innovative and to excel. On a day-to-day basis, authorizers must preserve that autonomy and refrain from re-regulating the schools they oversee.

High standards, student and public interests, and autonomy.

So how well are authorizers meeting those responsibilities on behalf of the public? The record is mixed. Some are doing a good job, but others are not doing well at all.

Indeed, many charter school problems you may hear about are closely related to poor authorizing. Low-performing charter schools are sometimes allowed to stay open because their authorizers don't have the data or don't have the will to close them.

Students may not be treated fairly because basic monitoring is not occurring. Or a school may go bankrupt while its authorizer did not require an annual audit.

In some cities and states, these problems are rare because authorizers have developed professional systems to fulfill their responsibilities. But in other places, professional authorizing practices are seriously lacking.

It is easy to forget about highway guardrails until the moment you lose control of your car. The same is true for charter authorizing. Without strong authorizer practices in place, a school drifting off course quickly becomes a disaster for its students, parents and the public.

So what can you do? First, as you consider legislation like the All-STAR Act or the reauthorization of ESEA, be certain to include provisions that require authorizers to meet minimum professional standards.

Also, as you vote to authorize funds for more charter schools in the future, ensure that some of those funds go to support improved authorizing.

And finally, as you talk with officials of the Department of Education, let them know that you believe authorizing is an important component of a quality charter school sector, not only in the future but also right now.

My organization and our members see the positive power of charter schools every day. From coast to coast, we work with hundreds of excellent schools that are making a real difference in children's lives. But we also know that harm can be done if charter schools are not properly monitored.

Authorizers have a responsibility to maintain high standards, protect student and public interests, and preserve school autonomy. And with your support, more authorizers can successfully fulfill those responsibilities now and in the future.

Thank you.

[The statement of Mr. Richmond follows:]

**Prepared Statement of Greg Richmond, President & CEO, the National Association of Charter School Authorizers**

Good Morning Chairman Miller, Ranking Member Kline, and Members of the Committee. Thank you for inviting me to speak with you today. I am Greg Richmond, President and CEO of the National Association of Charter School Authorizers.

NACSA is a membership organization, not of charter schools, but of the agencies that oversee charter schools. We work with our member agencies to grow the number of high-quality charter schools across the nation by setting professional standards for authorizing, evaluating the practices of authorizers and providing assistance directly to authorizers.

Over the past fifteen years, the federal government has allocated $2 billion to support the creation of new charter schools. This has been a good and appropriate investment, creating better educational opportunities for hundreds of thousands of children. Yet during that same time, the federal government has invested almost nothing, less than $2 million, or one-tenth of one percent, to ensure that those schools are held to high standards and properly monitored by a competent authorizing agency.

It is as if the federal government had spent billions for new highway construction, but nothing to put up guardrails along the sides of those highways. Yes, new highways will allow drivers to get where they are going faster, but the lack of guardrails will sometimes lead to horrible accidents.

Authorizers, if you will, are the guardrails of the charter school sector. They are the institutions that oversee public charter schools on behalf of the public.

While some think of authorizing as a one-time action to approve a new school, in reality, authorizers have three core responsibilities that continue throughout the life of the schools they oversee.

First, authorizers have a responsibility to maintain high standards and to hold schools accountable for achieving those standards. Organizations that would like to start a new charter school should be required to demonstrate a high capacity to succeed. Charter schools that are already operating should be required to demonstrate a track record of academic achievement in order to stay open.

Second, authorizers have a responsibility to protect student and public interests. This means that authorizers must ensure that all students are treated fairly. Admissions processes must be conducted fairly. Students with disabilities must receive appropriate services. Discipline and expulsion processes must be fair. To protect the public, authorizers must put in place monitoring systems, particularly to ensure public funds are used appropriately.

Third, authorizers have a responsibility to preserve the autonomy of the schools they oversee. Autonomy is critical to charter school success. Freedom from vast mandates and regulations allows charter schools to be innovative and to excel. On a day-to-day basis, authorizers must preserve that autonomy and refrain from re-regulating the schools they oversee.

High standards, student and public interests, and autonomy. How well are authorizers meeting these responsibilities on behalf of the public? The record is mixed. Some are doing a good job, but others are not doing well at all. Indeed, many charter school problems you may hear about are closely related to poor authorizing.

Weak proposals for new schools are sometimes approved because some authorizers do not have a strong application evaluation process in place. For example, our survey of authorizer practices from across the nation found that 13% of authorizers do not conduct an in-person interview with organizations applying for a new charter.

Low-performing charter schools are sometimes allowed to stay open because their authorizers don't have the data or don't have the will to close them. Our national survey found that one-quarter of authorizers do not have guidelines for making renewal decisions and one-fifth of authorizers do not apply consistent academic standards across all of the charters they oversee.

Students may not be treated fairly because basic monitoring is not occurring. Forty percent of authorizers reported that they do not have sufficient resources to perform their responsibilities.

Finally, a school may go bankrupt while its authorizer did not monitor its finances, because 15% of authorizers surveyed do not require an annual audit.

In some cities and states these problems are rare because authorizers have developed professional systems to fulfill their responsibilities. But in other places, as noted above, professional authorizing practices are seriously lacking.

It is easy to forget about highway guardrails until the moment you lose control of your car. The same is true for charter authorizing. Without strong authorizer practices in place, a school drifting off course quickly becomes a disaster for its students, parents and the public. So what can you do?

As you consider legislation like the All-STAR Act, be certain to include provisions that improve authorizing. While my organization supports the overall goals of the All-STAR Act, the provisions related to authorizing are inadequate and need to be improved.

All-STAR does not require grant applicants to have any plans to strengthen authorizing. In fact, the "Use of Funds" section of the bill does not allow grant recipients to use funds for any activities to improve authorizing.

All-STAR identifies preferences for grant applications in three areas that are related to quality authorizing: contracts, public reporting, and authorizer evaluation. Applicants with those three elements are more likely to receive funds. We are pleased by those elements but must recognize that they are optional, not required.

All-STAR literally does not require quality authorizing practices to be in place as a condition to receive federal funds and specifically does not permit funds to be used to strengthen authorizing. NACSA does not believe that quality authorizing should be optional.

Beyond the proposed All-STAR Act, as you vote to authorize funds for more charter schools, ensure that some of those funds go directly to support improved authorizing. And as you talk with officials at the Department of Education, let them know that you believe authorizing is an important component of a quality charter school sector.

While I have been pleased by Secretary Duncan's strong support for the growth of quality charter schools, the Department of Education needs to be equally supportive of quality authorizing. For example, within the Race to the Top competition, the criteria related to authorizing are relatively weak. And despite a $40 million increase for charter schools in the 2010 budget, the Department is not planning to dedicate any new funds directly for authorizing.

Just as in years past, more money for new highways and no money for guardrails.

My organization and our members see the positive power of charter schools every day. From coast to coast, we work with hundreds of excellent schools that are making a real difference in children's lives. But we also know that harm can be done if charter schools are not properly monitored.

Authorizers have a responsibility to the public to maintain high standards, protect student and public interests, and preserve school autonomy. With your support, more authorizers can successfully fulfill those responsibilities. Thank you.

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Chairman MILLER. Thank you.

Dr. Ahearn, welcome.

**STATEMENT OF EILEEN AHEARN, DIRECTOR, NATIONAL ASSOCIATION OF STATE DIRECTORS OF SPECIAL EDUCATION**

Ms. AHEARN. Good morning. Thank you for the opportunity to appear before you and discuss these important issues related to charter schools.

My name is Eileen Ahearn, and I come to this discussion with a long background in both general and special education. I have been a public school teacher, a director of a special education collaborative, a district director of special education, and the superintendent of a school district.

I came to NASDSE, the National Association of State Directors of Special Education, in 1991 to work on national and state policy issues. I have directed three federally funded projects that specifically focused on special education in charter schools.

These projects have produced targeted resources, especially the series of Primers on Special Education in Charter Schools, that provide information and assistance for authorizers, operators and state officials who are involved with charter schools.

The primers are now part of a Web site that includes additional resources that my colleagues and I developed on the topic of special education in charter schools.

I currently serve as a consultant to the charter school community on special education issues while continuing to work at NASDSE on other projects. I see many parallels between the special education and the charter school movements.

At their core, special education and charter schools are different approaches to providing students with educational opportunities that ideally match their unique educational needs.

Any discussion of special education in charter schools must start with a clear understanding of the basic feature of charter schools—that is, parental choice. Students can be enrolled in charter schools only if their parent makes that choice.

States have adopted charter school laws to provide additional options for parents so that they can access what they consider to be the best type of school program for their child to succeed.

Charter schools may be waived for some—from some state or local requirements, but they are part of the public education system and, as such, they are subject to all federal laws and regulations related to students with disabilities, especially the Individuals with Disabilities Education Act, or IDEA.

The requirements can pose problems for charter schools that are also mandated by state law to fulfill the mission for which they were approved when they were authorized to operate.

Research has identified the policy tension between the prescriptive requirements of IDEA and the identifying features of charter schools that include the exchange of autonomy for accountability and placement based on parental choice.

Most people are not aware of the many complexities involved in providing special education in a charter school. For example, the majority of charter schools are considered to be part of the school district that authorized them—that is, their LEA—and it is the LEA that can decide what, when and how special education will be provided in the charter school.

Conversely, a charter school may be considered to be its own LEA under state law and hold full responsibility for all special education services its students need. That means that this type of charter school must provide all special instruction and related services in a student's IEP, such as speech or occupational therapy, or even the assignment of an aide specifically for that student.

Further, the state location of a charter school is one of its predominant and most critical characteristics because requirements differ so widely among states. However, most states have not developed technical assistance to help charter schools meet these responsibilities.

Some, however, have developed state-specific technical assistance that could be replicated for other states so that future charter schools can be better prepared to meet the special needs of students with disabilities before they open their doors.

Over the more than 30 years that IDEA and its implementing regulations have been in effect, many changes have occurred. A major theme that has come from those revisions is an increased emphasis on educating students with disabilities with their non-disabled peers to the maximum extent possible.

This approach, known as inclusion—that is, keeping students with disabilities in the general ed classroom, learning through standards-based general education curriculum. There are many charter schools that are prime examples of successful inclusion.

There are also charter schools that are designed primarily to serve students with disabilities, and they also provide an important resource to parents and school systems.

There is a significant need for policy clarification and technical assistance to help charter schools carry out their responsibilities for special education. The application process of many authorizers pays little or no attention to how the charter school will amass the capacity to meet the needs of students with disabilities who enroll in their schools.

Many of the charter school administrators I have worked with have sincerely demonstrated their interest in and support for serving students with disabilities.

Charter schools have become an important addition to America's public education system, and many of them have successfully served students with disabilities just as successfully as traditional public schools have done.

Thank you again for this opportunity to appear before the committee, and I would be happy to answer any questions you may have.

[The statement of Ms. Ahearn follows:]

**Prepared Statement of Eileen M. Ahearn, Ph.D., Project Director, National Association of State Directors of Special Education**

Good Morning, Mr. Chairman, Senior Republican Member Kline and Committee Members: Thank you for the opportunity to appear before you and discuss important issues related to charter schools.

My name is Eileen Ahearn and I come to this discussion with a long background in both general and special education. I have been a public school teacher, a director of a special education collaborative, a district director of special education and the superintendent of a school district. I came to NASDSE (the National Association of State Directors of Special Education) in 1991 to work on national and state policy issues. NASDSE is a nonprofit national organization that represents the state directors of special education in all 50 states, the District of Columbia, the Bureau of Indian Education, the Department of Defense Education Agency, the federal territories and the Freely Associated States.

I have directed three federally funded projects that specifically focused on special education in charter schools. These projects have produced targeted resources, especially the series of Primers on Special Education in Charter Schools, which provide information and assistance for authorizers, operators and state officials who are involved with charter schools. The Primers are now part of a website that includes additional resources that my colleagues and I developed on the topic of special education in charter schools. I currently serve as a consultant to the charter school community on special education issues while continuing to work part-time at NASDSE on other projects.

I see many parallels between the special education and charter school movements. At their core, special education and charter schools are different approaches to providing students with educational opportunities that ideally match their unique educational needs.

Any discussion of special education in charter schools must start with a clear understanding of the basic feature of charter schools, that is, parental choice. Students can be enrolled in charter schools only if their parent makes that choice. States have adopted charter school laws to provide additional options for parents so they can access what they consider to be the best type of school program for their child to succeed.

Charter schools may be waived from state or local requirements, but they are a part of the public education system and, as such, they are subject to all federal laws and regulations related to students with disabilities, especially the Individuals with Disabilities Education Act (IDEA). The requirements can pose problems for charter schools that are also mandated by state law to fulfill the mission for which they were approved when they were authorized to operate. Research has identified the policy tension between the prescriptive requirements of IDEA and the identifying features of charter schools that include the exchange of autonomy for accountability and placement based on parental choice.

Most people are not aware of the many complexities involved in providing special education in a charter school. For example:

- The majority of charter schools are considered to be part of the school district that authorized them, i.e., their LEA, and it is the LEA that can decide what, when and how special education will be provided in the charter school.
- Conversely, a charter school may be considered to be its own LEA under state law and hold full responsibility for all special education services its students may need. That means that this type of charter school must provide all special instruction and related services in a student's IEP, such as speech or occupational therapy or even the assignment of an aide specifically for that student.
- Further, the state location of a charter school is one of its predominant and most critical characteristics because requirements differ so widely among states. However, most states have not developed technical assistance to help charter schools meet their special education responsibilities. Some, however, have developed state-specific technical assistance that could be replicated for other states so that future charter schools can be better prepared to meet the special needs of students with disabilities before they open their doors.

Over the more than 30 years that IDEA and its implementing regulations have been in effect, many changes have occurred. A major theme that has come from those revisions is an increased emphasis on educating students with disabilities with their nondisabled peers to the maximum extent possible. This approach is known as inclusion, that is, keeping students with disabilities in the general education classroom, learning through the standards-based general education curriculum. There are many charter schools that are prime examples of successful inclusion. There are also charter schools that are designed primarily to serve students

with disabilities and they also provide an important resource to parents and school systems.

There is a significant need for policy clarification and technical assistance to help charter schools carry out their responsibilities for special education. The application process of many authorizers pays little or no attention to how the charter school will amass the capacity to meet the needs of students with disabilities who enroll in their schools. Many of the charter school administrators I have worked with have sincerely demonstrated their interest in and support for serving students with disabilities. Charter schools have become an important addition to America's public education system and many of them have successfully served students with disabilities just as many traditional public schools have done.

Thank you again for this opportunity to appear before the Committee and I would be happy to answer any questions that you might have.

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Chairman MILLER. Thank you.

Ms. Young?

**STATEMENT OF CAPRICE YOUNG, ED.D., PRESIDENT AND CEO, KC DISTANCE LEARNING, KNOWLEDGE UNIVERSE**

Ms. YOUNG. Thank you, Chairman Miller and members of the Education and Labor Committee. Good morning.

And thank you for the opportunity to testify today at your first hearing in the 111th Congress on reauthorization of elementary and secondary school education.

It is especially an honor that you are focusing your first committee hearing on charter schools and their effectiveness. It is an honor for the movement, because it says to us that we have arrived, that we are taken seriously, and that the kinds of gains that we are making with students will have a chance to be integrated into the larger education system as a whole.

My day job is that I am the CEO of KC Distance Learning, and we enable education innovators to create high-quality online programs for charter and non-charter public school students as well as private schools in grades 6 through 12 across the country.

And I am here today in my role as chair of the National Alliance for Public Charter Schools, where we represent charter schools and the students and parents and teachers and other educators in those charter schools throughout the country.

It is a nonprofit organization that is bipartisan and is working hard to improve not just charter school education but public education as a whole.

Before I go forward with more of my comments, I just wanted to take a minute to preface my remarks with some personal information that I think is important because it is the foundation that underlies my testimony.

I was raised as one of two biologically connected children in a family headed by a special education teacher and sculptor and a juvenile probation officer who is also a minister. They served as foster parents for 45 years.

By the time I went to college, I had had more than two dozen brothers and sisters of all different ethnicities and backgrounds. But the one thing that they all had in common was an unrealized potential due to the situations in which they were born.

And during my career I have been honored to have been responsible for 68 high school students complying with their court-required community service; more than 1 million early childhood edu-

cation, kindergarten through 12th grade and adult learning students in L.A. Unified School District; a quarter of a million charter schools in California; and 63,000 online students learning who attend our IQ Academies, who are enrolled in Aventa courses and The Keystone School.

I am the mother of three girls who span the spectrum of having special needs, being typically developing, and being highly gifted. So when I talk about my commitment to high quality education for all school—for all students, it comes from a very personal experience of the diversity of learners that we have a responsibility to teach.

Basically, I support the philosophy of education by all means necessary. And I know that the members of this committee share a similar depth of commitment based on your own personal stories.

Mr. Chairman, I would like to continue by just giving you an aphorism that I was raised with, and that is that it is very—it is very important to experiment, and new charter schools are doing great experimentation.

But at some point you also need to do more of what works, and less of what doesn't work, and you have to know the difference. As my family would say, more of what works, less of what doesn't, and know the difference. Or as other people might say, is if you find yourself in a hole, stop digging. But it is more than that.

Over the last several years, we have been engaged in activities to grow the charter movement, working with both schools and support organizations, all with a focus on quality.

Importantly, too, the movement has and continues to support the closure of low-performing charter schools, which is all about doing less of what doesn't work.

And we also support the closure and restructuring of any public school that is not meeting the student educational needs. It is that kind of balance that makes us credible. We hold ourselves to the same high standards we would demand of any other public school.

Inherent in the charter concept that everyone here has identified is this responsibility in exchange for autonomy. And we strongly support that and support regulations that support that as well.

To give you a sense of how the charter school movement has grown—and you have identified some of that—in 1994 when the charter school program was originally created, there were only seven states with charter school laws and only 60 schools in existence.

By the time No Child Left Behind was signed into law there were slightly more than 2,000 charter schools in 37 states and the District of Columbia. Today, there are almost 5,000 charter schools educating more than 1.6 million children in 39 states and the District of Columbia.

To give that a regional flavor, when I started on the school board in Los Angeles, we had about a dozen charter schools. Some of them were independent and some of them were district-created charter schools. Now they have more than 160, more than 160 schools.

The charter school movement just in the state of California—if you were to measure it by size equivalent to other school district, it would be fourth in the country in terms of the size of the move-

ment. So clearly, we have gone beyond experimentation to actually serving the educational needs of students.

I am almost out of time. To conclude, I wrote a lot in my—you know, in my statement that was in the record. But the bottom line is this. If we want to be able to have a great education system, we have to do more of what works, less of what doesn't. And charter schools are doing that all across the country.

And I appreciate your support for expanding the charter schools program to be able to make those kinds of changes effective.

[The statement of Ms. Young follows:]

**Prepared Statement of Caprice Young, President and CEO, KC Distance Learning; Board Chairman, National Alliance for Public Charter Schools**

Chairman Miller, Ranking Member Kline, and members of the Education and Labor Committee, good morning. Thank you for the opportunity to testify today at your first hearing in the 111th Congress on reauthorizing the Elementary and Secondary Education Act of 1965 (ESEA). I am Caprice Young, President and CEO of KC Distance Learning, a leading provider of distance learning programs for 62,000 public and private school students in grades 6 through 12 across the country, and I am also the board chairman of the National Alliance for Public Charter Schools, a nonprofit organization representing all sectors of the national charter school movement.

I would like to preface my remarks with some personal information that underlies my testimony. I was raised as one of two biological children in a family headed by a special education teacher/sculptor and a juvenile probation officer/minister who served as foster parents for 45 years. By the time I went to college, I had had more than two dozen brothers and sisters from a variety of ethnicities and backgrounds. The one thing they all had in common was unrealized potential due to the situations into which they were born. During my career I have been responsible for 68 high school students complying with their court-required community service; more than a million early childhood education, K-12, and adult school students in LAUSD; a quarter of a million charter school students in California; and 63,000 online learning students who attend IQ Academies, or are enrolled in Aventa Learning courses and The Keystone School now. I am the mother of three girls who span the spectrum of having special needs, developing typically and being highly gifted. When I talk about my commitment to high quality education for all students, it comes from a very personal experience of the diversity of learners we have a responsibility to reach. I support the philosophy of education by all means necessary. I know the members of this committee share a similar depth of commitment from your own stories.

Mr. Chairman, the fact that you have called the first ESEA reauthorization hearing to discuss new ways to support charter school replication and expansion is a huge honor for the public charter school movement. I recognize there are many reform ideas and proposals to consider, and I thank the Committee for leading off its reauthorization efforts by highlighting ways America can more fully and robustly support the growth, replication, and expansion of high quality charters, while also infusing charter concepts throughout ESEA with the intention of improving all public schools. Together, in a bipartisan fashion, the charter school movement looks forward to working with Members to support these goals. I also recognize that as ESEA is reauthorized, and the charter school programs are reauthorized, more focus must be placed on ensuring our best charter models are enabled to grow (rewarding success) and that the federal programs are updated to encourage state policies governing charter schools improve.

Over the last several years, I have, along with organizations such as the National Alliance for Public Charter Schools, engaged in activities to grow the charter school movement, working with both schools and support organizations, all with a focus on quality. Importantly too, the movement has, and continues, to support the closure of low-performing charter schools. Inherent in the charter concept, and essential for success, is an agreement that in exchange for autonomy, quality schools will be developed or they will be closed down. I'd like to highlight a couple noteworthy activities of the movement in support of these goals: the National Alliance for Public Charter Schools created the "Task Force on Charter School Quality and Accountability" in 2005, which established the principle that the movement will flourish only if charter schools grow in quality as well as in numbers; it created a new model state charter law, developed through extensive consultation with policy experts and

charter movement leaders; In 2009, the National Alliance released the first-ever ranking of all state charter school laws based on the full range of values in the public charter school movement, including quality and accountability—which includes closing low-performing charter schools—funding, and growth; and, The Allianceit developed a framework for the redesign of the Federal Charter Schools Program (CSP) with a new emphasis on quality startups and replication of effective charter models. I share these same objectives, beliefs, and goals.

Over the past several years, the charter school movement has been fortunate to work extremely closely with this Committee on charter school matters. In the 110th Congress, H.R. 2904, a bipartisan proposal authored by Congressmen Boustany and sponsored by Congresswoman McCarthy, as well as several other Committee Members was introduced to redesign the current public charter school programs for the 21st Century. In 2009 and continuing to this day, I have been fortunate enough to see the great work of Rep. Polis on H.R. 4330 which has garnered bi-partisan Committee support from Rep. Ehlers. This is a proposal to support the replication and expansion of the best charter models while also encouraging and incentivizing states to dramatically improve policies authorizing and overseeing public charter schools.

Additionally, I've watched work undertaken with the Senate on charter proposals too; ranging from Senator Vitter's recently introduced S. 2932, a proposal to redesign the current charter school programs, to ongoing work with Senator Landrieu and Senator Hagan on yet-to-be-introduced bills supporting education reforms and public charter schools. And, directly related to today's proceedings, I know the there is ongoing work with Senator Durbin on a Senate companion bill to the All Students Achieving through Reform Act (All-STAR).

Throughout my career including my work with the National Alliance, the focus has been on good policy and working in a bipartisan manner. It is my hope that any ESEA reauthorization includes critical elements of improved charter policy supported by all of the Committee. As a professional who has worked in multiple roles representing the public charter school movement, my goal today is to impress upon the Committee the need to update the federal charter school programs. Specifically, To ensure the federal government reauthorizes them with certain key additions, continues to provides resources when states and locals do not meet their obligations to charter schools, that federal policies encourage states to improve their charter laws, that federal policies continue to support both the growth of new charters and also the replication and expansion of the best models, and that ultimately chartering is an education reform that benefits all public school children by having advantageous elements of charters infused throughout the traditional public school system.

Included in the fiscal year 2010 appropriations for the U.S. Department of Education is new language enabling funding from the Federal Charter Schools Program (CSP) to support the replication and expansion of successful charter models; this was the first legislative change to the programs since 2001 when they were reauthorized as part of the No Child Left Behind Act to meet the needs of parents and children across the country. Authorized in 1994, the CSP was originally created when there were only seven states with charter school laws, and only 60 schools in existence. By the time NCLB was signed into law, there were just slightly more than 2000 charter schools in 37 states and the District of Columbia. Today, there are almost 5000 charter schools, educating more than 1.6 million children in 39 states and the District of Columbia. The movement's growth has been dramatic, and that growth has been sustained and encouraged because of parent demand and persistent educators combined with the right resources and policies.

The CSP was designed as a competitive grant to encourage states to not only pass public charter school laws, but to enact quality charter school laws. Although much attention is placed on newer competitive grants and a potential for more, the CSP has long been a competitive grant program intended to reward states for implementing education reform policies in line with supporting quality charter school growth. Each time it has been updated, new elements have been included that at the time were seen as critical components of quality state charter legislation, elements which would foster the growth of a high quality schools. This emphasis must continue, and new policies must be adopted at the federal level which to continue push states to improve their charter laws and environments. In California, as president of the California Charter Schools Association (CCSA), we often leveraged the CSP to encourage state policy changes.

One vital new direction for federal policy is ensuring the ability to support the replication and expansion of effective public charter schools. After almost 18 years of chartering, it is clear certain charter schools are some of the best schools, private or public, in America—more must be done to offer children an opportunity to attend them. As charter schools have grown, many have tried to replicate campuses or ex-

pand grades served to align K-12 offerings. Neither of these practices can be funded under current law, however. I encourage the Committee to consider changes via reauthorization to fully accomplish this goal. As mentioned before, via this year's appropriations process, new abilities were granted to the Department to fund the replication and expansion of the best charter models; however, this was a short term remedy, a release valve to help the schools currently trying to replicate but lack support. When ESEA is reauthorized, a more complete approach will need to be crafted. For the time being however, this new direction will be a dramatic help to schools around the country. For instance, the Knowledge is Power Program (KIPP) started 18 new schools in 2009, of those only 6 were able to receive CSP funding. Other high-performing charter management organizations (CMOs) share this problem. Uncommon Schools, a highly successful CMO operating schools in New York, New Jersey, and Massachusetts, plans to open 20 new schools in the next three years. Only six of these are eligible for CSP funding under current law. Achievement First, another nationally known high-quality CMO operating schools in Connecticut and New York, plans to open 10 schools in the next three years, but only three are currently eligible for CSP funding under current law.

Ultimately though, even with federal funding able to support replication and expansion of the best charter models, state policies are, and will always likely be, the main factor in determining the environment in which charters operate. It is critical that federal policies be structured in alignment with good state policy. When this occurs, a constant loop of feedback can be set up. Federal incentives can encourage states to adopt the right policies, including equitable funding for charters, quality oversight of authorizers and all parties involved in chartering, equitable access to facilities and facilities support, and high levels of autonomy in exchange for high degrees of accountability. These will help create more high quality charter school sectors, like in New York City where "gold standard" study after study shows the city's public charter schools excelling and outperforming the traditional public schools in the city. Federal programs can reward states for setting up these policies, and then states can ultimately develop new and improved policies that can be adopted in the future via reauthorization. A closed circuit of improvement can be created between federal and state legislation, the federal law incentivizing states to develop better policies, and then the federal law adopting the best state practices to encourage additional states to adopt the successful policies.

Currently though, the CSP has just three priority criteria for awarding grants to States:

(A) the State has demonstrated progress in increasing the number of high quality charter schools that are held accountable in the terms of the schools' charters for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which a state Education Agency or eligible applicants applied for a grant under this subpart

(B) The State——

(i) Provides for one authorized public chartering agency that is not a local education agency, such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to such State law; or

(ii) In the case of a State in which local educational agencies are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

(C) The State ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures.[1]

Although there are additional assurances that states must make when applying for CSP grants, these are the only priority criteria in determining grants to states. While these criteria have been helpful in addressing certain factors in state policies, and should continue to be priority criteria for federal charter funding, they do not reflect the full spectrum of policies at the state level to ensure quality charter growth.

In 2007, a bipartisan bill was put forward to amend the Charter School Programs: H.R. 2904 and then subsequently adopted into the House 2007 NCLB discussion draft. Many of these proposals included updating the priority criteria as well as enabling new usage of funds to better meet the growth of high quality schools. The six key changes were:

• Enhancing Support for Start-Ups and Replications. First, while helping charter school start-ups remained the foundation of the CSP, H.R. 2904 also provided greater support for the expansion and replication of successful charter models. In particular, the bill allowed more than one CSP grant per recipient and permitted char-

[1] See Charter Schools Program Section 5202 (e)(3) at: *http://www2.ed.gov/policy/elsec/leg/esea02/pg62.html#sec5202*

ter support organizations to receive grants to undertake expansion and replication activities. CCSA undertook significant steps to engage charters in CA's school turnaround efforts highlighted by the work at Gompers and Keiler traditional public schools which became successful charter schools. This change of who can directly administer the CSP grant would enable other groups to take on and support this activity more robustly like CCSA.

• Strengthening Priority Criteria for State Grants. Second, the legislation strengthened the priority criteria by which the Secretary of Education may award grants to states. An ideal state charter school law encourages growth and quality as well as a high degree of school autonomy and accountability. To motivate states to adopt the ideal law, the bill added priorities to encourage the creation and support of non-district authorizers, the strengthening of charter school autonomy and accountability, and the provision of equitable funding to charter schools.

• Allowing Authorizers to Serve as Grant Administrators. Third, the bill strengthened the administration of the CSP by allowing charter school authorizers to serve as grant administrators in addition to state education agencies (SEAs). In some states, the SEA may be the best organization to manage CSP funds. These SEAs have involved their state's public charter school leaders in the administration of their grants and in developing programs that reflect their state's specific needs. In states where SEAs have fallen short in administering (or even applying for) the program, however, charter schooling in those states will be enhanced by allowing charter school authorizers to compete for the CSP grant administrator role.

• Granting Funding Discretion to the Secretary. Fourth, the bill allowed the Secretary of Education to allocate funds as needed between the Charter Schools Program and State Facilities Incentive Grants Program. This funding challenge is further exacerbated by the reservation of up to $100 million in new CSP funds for the State Facilities Incentive Grants Program. By granting discretion to the Secretary, the bill allowed for federal appropriations to respond to the needs of the states, recognizing that in certain years more money will be needed for the CSP, while in other years more money will be needed for the State Facilities Incentive Grants Program.

• Creating a National Dissemination Program. Fifth, the legislation created a national dissemination program. As charter schools continue to grow, the best practices developed in these innovative public schools must be disseminated to all other public schools. Previously, the CSP's dissemination activities were primarily state-focused. As proposed by the legislation, a new national dissemination program will encourage the sharing of charter schools' best practices among public schools across the nation.

• Reauthorizing the Credit Enhancement Program. Finally, the draft incorporated reauthorization of the Credit Enhancement for Charter School Facilities Program, an important vehicle for encouraging private sector investment in charter school facilities, into the CSP. This change will enhance administrative efficiency in the overall charter schools programs.

But, time has passed since 2007, and it has been almost 10 years since the CSP was last reauthorized. These last several years have shown the charter movement additional key steps the federal government should take to incentivize improved state policy environments. One critical area where federal law is silent is on quality authorizing. Any reauthorization must include core elements of quality control around authorizing, including: priority criteria for a transparent charter application, review, and decision-making process; requirements for performance based contracts between schools and authorizers; comprehensive charter school monitoring and data collection processes; clear processes for renewal, nonrenewal, and revocation decisions; and oversight of all parties involved in chartering from the schools to the authorizers too. I strongly encourage the federal government to adopt measures to encourage states to hold all parties accountable in the chartering process. Too often the emphasis is on just one entity, but many parties are ultimately responsible and accountable for charter school success.

The All-STAR legislation, includes many of the elements described above, and paints a comprehensive picture for how to move the federal charter programs forward. A critical new addition though is a significant focus on authorizer oversight and oversight of authorizers—highlighted by a priority criteria for states that have or will have in place policies for reviewing the effectiveness and quality of their charter authorizers, as well as additional priority criteria on charter schools having equitable access to pre-K and adult education funding streams; equitable and timely funding compared to traditional public schools, including facilities funding, that includes bonding revenues and millage revenues; options to be their own Local Education Agency; a renewed focus on charter autonomy including explicit requirements for written performance contracts that ensures charter schools have independent

and skilled governing boards; and, a requirement for these successful, all-star schools to have in place plans to share their best programs, practices, or policies with other schools and LEAs. The bill moves federal statute in new directions as well, including allowing grant recipients to retain a portion of their grant in a reserve account to help cover the costs of expanding and replicating, even keeping the interest earned on the funds to help further the purposes of the program. IMPORTANTLY, this proposal unlike previous proposals is focused on rewarding the best charter public schools, enabling these entities to replicate and expand—a necessary plank of any reauthorized ESEA's support for charter schools.

All of these proposals contain critical additions to the CSP and ESEA, and I strongly encourage the Committee to adopt them in its reauthorization legislation. Unlike the majority of programs in ESEA, the CSP has always been intended to drive state policy changes, and this emphasis must not be lost. It must however be modified to ensure it encourages the best policies for growing quality charter schools. The ideas embodied in the proposals outlined above are those elements. And, it is only with the right policy settings that charter schools will fully be able to succeed.

Today, over 600,000 children are on charter school waiting lists across the country, enough demand to create over 2,000 new average sized charter schools.[2] And, with growing bipartisan support, demand from parents and grassroots activists, charter schools not only afford parents and children new high quality public school options, but can be a dramatically effective tool in our nation's education reform efforts.

In Los Angeles, the school board recently approved a plan to turn over 250 campuses to charter schools and other independent school operators. This was a powerful showing from our nation's second largest school district that charter schools have a critical delivery role to play in educating its children, and it clearly showed that charters are having a competitive effect on traditional public schools. In New York City, the Chancellor there is planning to have 200 charter schools by the 2013-2014 school year educating approximately 100,000 children—a full 1/10 of our nation's largest school system's children. But, beyond large urban school districts, in communities and locales across the country, charters are opening up and serving students and families who want and need them. In fact, of the almost 5000 charter schools, 54 percent are in urban areas, 22 percent are in suburban communities, approximately 9 percent are in towns, and 15 percent are in rural areas according to the National Center for Education Statistics Common Core of Data for the 2007-2008 school year. Charter schools provide parents and communities across the country—from the largest city to the most rural—true local control over their public education, they afford parents a choice and they are accountable for their performance. Whether in rural locations benefitting from online schooling or as in the Los Angeles neighborhood of Granada Hills, where the Granada Hills Charter High School in 2003 converted from a traditional public school to a charter school and became the largest comprehensive independent conversion charter school in the nation, charters are meeting the needs of communities across America.

Another example of charters meeting the needs of the local community, is the Alliance for College-Ready Public Schools in California (For more information on this network of schools, please see Appendix I). With significant expansion and replication plans, the Alliance has had to rely on private fundraising and philanthropic support to replicate and expand, and currently is on track to run 20 schools in Los Angeles, making it the largest operator of charter schools in LA. The Alliance for College Ready-Ready Public Schools has thrived since opening its first schools nearly six years ago, consistently posting test scores and attendance rates that far outpace surrounding district schools. Expectations and demands on students and teachers are high, with an extended school day running from 7:45 a.m. to 3:30 p.m. as well as mandatory after-school and weekend classes for struggling students. All students are required to complete a rigorous course-load of college-preparatory classes and must repeat any classes in which they earn less than a C. Enrollment at high schools is limited to 500 students, and fewer at middle schools, while the ratio of students to teachers in classrooms does not exceed 25 to one. Many of the Alliance schools also use online learning to broaden the curriculum and offer individual students the opportunity to make up courses they failed the first time.

The early results have been impressive, with nine of every 10 Alliance students who enrolled as ninth-graders expected to enroll in two-or four-year colleges. In 2008, the Alliance launched a performance-based incentive program, in which teachers and administrators received salary bonuses when their students hit performance targets, merging many of today's most promising education reforms under one roof—

[2] National Alliance for Public Charter School Research.

autonomy as a public school in exchange for high stakes accountability, an ability to reward excellent and effective teachers, a longer school day, and rigorous expectations for all students enrolled in the school. Expanding the number of Alliance schools would send more historically underserved students to college, students who would otherwise be pushed out of high school by low expectations and a tragic lack of rigor or support.

As evidenced by this hearing, there is strong rationale and support for the growth of high quality public charter schools like the Alliance for College-Ready Public Schools. Never before has there been such strong support from policymakers across the political spectrum for the replication and expansion of our best models. Federal policy should support this activity, but it must also continue to support the creation of new quality charter schools. Undoubtedly, the federal support for charter schools has been critical in taking the movement from 60 schools in 1994-1995 to almost 5000 in just 15 years, and it has been invaluable in shaping state policies that govern charter schools. As ESEA is reauthorized, the past objectives must be married with the new goals and work together to push simultaneously the expansion of our best charter models.

As evidence for the strong bipartisan belief in charter schools, the President has included significant support for them in his fiscal year 2011 budget request. While I am excited about the opportunities stemming from this request, there is cause for concern. Included in the Administration's fiscal year 2011 budget is a proposal to support the growth of "autonomous public schools" in addition to charter schools. Although the charter school movement considers this on one hand a success, that traditional public schools are reacting to the pressures from public charter schools and are adopting successful practices from charters, I am concerned that the federal charter school funds will lose their purpose. These programs were established to support the growth of public charter schools, and although the Administration proposes many exciting ideas via its consolidation of programs in the fiscal year 2011 Budget's Expanding Educational Options category, including a way to combine support for growing high quality charter schools with ensuring parents have the information necessary to know about their choices (supply and demand), the new ability to fund autonomous public schools lessens the impact of the federal charter school programs. Furthermore, even the most successful examples of autonomous public schools, the Pilot Schools in Boston, are not achieving at the same success rates as Boston's public charter schools.[3] According to "Informing the Debate: Comparing Boston's Charter, Pilot, and Traditional Schools," a report prepared for the Boston Foundation, Boston's public charter schools are doing significantly better than pilot and traditional public schools in raising student achievement. This includes results from randomized studies designed to reduce the possibility that charters might benefit from having more motivated students or parents.

The federal charter programs were designed to support the growth of public charter schools because state and local governments do not provide funding to support new charter schools. State and local governments already provide funds for the creation of new traditional public schools, including autonomous public schools. Besides being duplicative of current state and local funds, it is difficult to envision the Department of Education ensuring that all "autonomous public schools" receiving funding under this new authority are truly autonomous public schools. Furthermore, the achievement results of these schools are in many place is less than charter schools. And, although the Department has set out ambitious targets for what an autonomous public school would be, I await additional details on this proposal.

I do understand though that the Administration and Congress want to examine all possible promising education reforms. And, I look at the push for truly autonomous public schools as a validation of charter schools having a systemic impact on public education. However, when ESEA is reauthorized, if it includes a new push for autonomous public schools in addition to public charter schools, it must ensure several things. In the current Congressional Budget Justification for the FY2011 ED Budget, the Department defines autonomous public schools as "* * * charter and other public schools that have autonomy over key areas of their operations, including staffing, budget, time, and program and are subject to higher levels of accountability than other public schools."[4] Congress must establish clear guidelines and principles for states that set out clear definitions for all these terms, and ensure "that higher levels of accountability" means closure for not meeting academic per-

[3] *http://www.tbf.org/uploadedFiles/tbforg/Utility—Navigation/Multimedia—Library/Reports/InformingTheDebate—Final.pdf*

[4] *http://www2.ed.gov/about/overview/budget/budget11/justifications/f-iit.pdf*

formance objectives. Clearly defining and defending these terms is critical for these schools to be successful.

A lesson can be clearly learned here form charters. Charter schools around the country are facing regulatory creep, where third parties are unfortunately infringing upon their autonomy. For instance, in Baltimore, KIPP Ujima Village which is Baltimore's most successful middle school, with its students consistently achieving some of the highest test scores in the state may have to dramatically alter its successful program because the Baltimore Teacher's Union is demanding dramatically higher pay—something that hasn't been a concern of the Union for the past seven years the school has been operation. Despite the fact that the school's teachers are already among the city's highest paid (on average receiving 18 percent more than the salary scale) the union is demanding 33% more than the salary scale. In Arizona, the state attempted to align charter schools teaching schedules with ones imposed on traditional public schools. Ultimately, a settlement was reached and the state did not impose a rigid annual schedule for instructing students. Clearly though, this is an example that in even some of the most "progressive" charter states, attempts are constantly being made to "standardize" charter schools in the name of alignment.[5] These efforts to create a "level playing field" by handcuffing charters are backwards. I would instead recommend removing the handcuffs from non-chartered public schools and increase their accountability.

Another example comes from Wisconsin, where "charter schools" were established as programs within traditional public schools and used as a revenue source via the federal charter programs rather than as new schools. When the federal funding expired or was exhausted, these "charter schools" were absorbed back into the district. This practice stems from a lack of clear state law on the independence of charter schools, and federal law must take steps to prevent states from "gaming the system."

As the committee moves forward with potentially marking up this legislation and considering additional ESEA ideas with the goal of reauthorizing the statute, I know the national charter school movement stands ready to help support an ambitious agenda for reforming and improving our nation's public education system. In the discussions that surround this goal though, there are critical elements that must be adopted to ensure charter schools can meet the Committee's objectives as a powerful education reform vehicle.

Congress must develop significant and wide-ranging policies for replicating and expanding our best charter schools. By increasing the capacity of these "all star" schools to serve more students, we will dramatically improve our nation's high school graduation rates and importantly our college attendance and success rates. As highlighted by the recent EdNext study conducted by Kevin Booker, Tim Sass, Brian Gill, and Ron Zimmer recently, "charter schools are associated with an increased likelihood of successful high-school completion and an increased likelihood of enrollment at a two-or four year college is two disparate jurisdictions, Florida and Chicago."[6] Although this examines just two jurisdictions, it clearly reinforces the necessity of policies being structured to ensure charter school success.

In the name of scaling up though, the charter concept must remain true to its objectives and goals; public charter schools must remain autonomous public schools that are held accountable for their results. They must have control over their budget, personnel, programs, and other elements critical to their success. Watering down the charter concept in the name of scaling will not achieve the success Congress wants nor the public demands from public schools.

I have greatly appreciated the chance to speak to the Committee and its Members today, and I will gladly take any questions you may have.

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[5] *http://www.azcentral.com/arizonarepublic/local/articles/0804charter0804.html*

[6] *http://educationnext.org/the-unknown-world-of-charter-high-schools/*

ALLIANCE
College-Ready Public Schools

## 2010 EXECUTIVE SUMMARY

Background - Alliance College-Ready Public Schools (Alliance) is a nonprofit charter management organization committed to creating small high performance, college-ready public schools in Los Angeles. In April 2004, the Los Angeles Unified School District (LAUSD) Board of Education approved the first high school charter operated by the Alliance. Since that time, the Alliance has had a total of 16 charter petitions approved by LAUSD.

Mission - The mission of the Alliance is to create a network of small high performing schools in historically underachieving, overcrowded, low income communities in Los Angeles that will prepare students for college success. Through research-based best practices, a small school environment, and strong community and parental involvement, Alliance schools provide a rigorous, accountable education designed to give each student college-preparatory skills, experience and knowledge.

Network of Schools – The Alliance network currently includes 16 schools in operation – 11 high schools and 5 middle schools serving almost 5,600 students in South, Northeast and East LA in the 09-10 school year. In August 2009, three new Alliance high schools and two new middle schools opened. Our vision is to grow our network to include 20 public charter schools by fall 2010. At full enrollment, these schools will serve almost 10,000 students in the most underserved areas of Los Angeles.

Measurable Goals – Each Alliance school promotes a culture of high expectations for every student. Some measurable objectives include: at least 95% average daily attendance at all schools; 90% of Alliance students continuously enrolled from grades 9 – 12 will pass the California High School Exit Exam and meet University of California and California State University A through G college-preparatory course requirements. 90% of graduates will attend two or four-year colleges.

Milestones Achieved – According to Academic Performance Index (API) scores released by the CA Dept of Education, one-third of the top tier LAUSD high schools are Alliance schools. On the 2009 API, two Alliance schools scored above 800 and five are in the top 16 schools in the district. All Alliance schools significantly outperformed the neighboring schools from which their students cameby a range of 86 to 331 points. Of the Alliance's three graduating classes, 99% passed the California High School Exit Exam and 100% were accepted to a college.

Alliance School Demographics
Average Daily Attendance: 97%
Ethnicity: 84% Latino, 15% African American
Free/Reduced Meal Program Participants: 94%

Financial Model - Alliance schools are designed to be fiscally self-sufficient with public funding in their third year of operation. State and Federal public funding allocated on a per pupil basis is not sufficient to provide facilities and all essential program costs in the first two years. To meet those needs, the Alliance provides $800,000 in start-up funding through contributions and grants to each new school, and approximately $2 million per school in capital support.

Fundraising - Over the past five years, the Alliance has raised over $40,000,000 in contributions, grants and commitments to support the operation of its corporate office, schools and school facilities.

Leadership - Alliance President and CEO Judy Ivie Burton is a former LAUSD local district superintendent who also served as head of the LAUSD Charter School Office. Led by Chairman Tony Ressler, the Alliance Board of Directors brings a wealth of diverse experience in key areas such as education reform, leadership development, finance and operations.

For more information about Alliance College-Ready Public Schools, call (213) 943-4930 or visit www.laalliance.org.

ALLIANCE
College-Ready Public Schools

## STUDENT DEMOGRAPHICS FOR 2009-10 SCHOOL YEAR

| | Year Opened | CBEDS Enrollment | Current Grade Levels | Ethnicity | | | | | English Learners | Free/ Reduced Meals | Special Education |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Hispanic/ Latino | African American | Asian | White | Other | | | |
| Alliance College-Ready Public Schools | 2004 | 5551 | 6-12 | 86.40% | 12.90% | 0.40% | 0.18% | 0.13% | 23.29% | 92.07% | 5.87% |
| **High Schools** | | | | | | | | | | | |
| College-Ready Academy High School #4 | 2006 | 446 | 9-12 | 93.27% | 5.16% | 0.90% | 0.22% | 0.45% | 18.16% | 96.64% | 4.72% |
| College-Ready Academy High School #5 | 2007 | 429 | 9-11 | 83.45% | 16.08% | 0.00% | 0.47% | 0.00% | 31.93% | 93.47% | 7.41% |
| College-Ready Academy High School #7 | 2007 | 312 | 9-11 | 59.94% | 40.06% | 0.00% | 0.00% | 0.00% | 30.45% | 98.72% | 6.23% |
| Environmental Science and Technology High Scho | 2009 | 139 | 9 | 97.84% | 0.72% | 0.00% | 0.00% | 1.44% | 31.65% | 92.81% | 10.14% |
| Gertz-Ressler High School | 2004 | 518 | 9-12 | 87.84% | 10.81% | 1.35% | 0.00% | 0.00% | 17.76% | 91.70% | 5.25% |
| Health Services Academy High School | 2009 | 143 | 9 | 55.24% | 44.76% | 0.00% | 0.00% | 0.00% | 19.58% | 87.41% | 8.39% |
| Heritage College-Ready Academy High School | 2005 | 538 | 9-12 | 82.53% | 17.29% | 0.00% | 0.00% | 0.19% | 22.86% | 96.84% | 4.66% |
| Huntington Park College-Ready Academy High Sc | 2005 | 523 | 9-12 | 99.62% | 0.00% | 0.00% | 0.19% | 0.19% | 22.37% | 91.20% | 5.53% |
| Media Arts and Entertainment High School | 2009 | 135 | 9 | 99.26% | 0.00% | 0.00% | 0.74% | 0.00% | 29.63% | 96.30% | 8.21% |
| Marc and Eva Stern Math and Science School | 2006 | 537 | 9-12 | 98.32% | 0.19% | 0.93% | 0.56% | 0.00% | 17.69% | 91.99% | 4.27% |
| William and Carol Ouchi High School | 2006 | 468 | 9-12 | 83.12% | 16.45% | 0.21% | 0.21% | 0.00% | 18.59% | 87.82% | 6.62% |
| **Middle Schools** | | | | | | | | | | | |
| College-Ready Middle Academy #3 | 2008 | 265 | 6-7 | 82.64% | 17.36% | 0.00% | 0.00% | 0.00% | 27.92% | 96.98% | 5.28% |
| College-Ready Middle Academy #4 | 2009 | 155 | 6 | 76.77% | 23.23% | 0.00% | 0.00% | 0.00% | 27.10% | 94.84% | 4.52% |
| College-Ready Middle Academy #5 | 2009 | 119 | 6 | 94.96% | 0.84% | 4.20% | 0.00% | 0.00% | 30.25% | 97.48% | 9.17% |
| Jack H. Skirball Middle School | 2007 | 401 | 6-8 | 75.81% | 23.94% | 0.00% | 0.25% | 0.00% | 21.95% | 90.77% | 5.92% |
| Richard Merkin Middle School | 2005 | 423 | 6-8 | 93.14% | 6.62% | 0.00% | 0.00% | 0.24% | 26.95% | 96.45% | 6.00% |

*Assessment Data Analysis Services, 11/16/2009*

ALLIANCE
College-Ready Public Schools

**Progress Summary, 2009-10**

In 2004, Alliance College-Ready Public Schools opened a single high school with a profound promise: to prepare underserved students in areas of Los Angeles with historically low-performing schools to graduate ready for success in college. We believe in our ability to succeed so much that we put our promise in our name. Students and their parents have embraced our rigorous instruction, personalized campuses, longer school year and the expectation that every student can achieve at high levels.

**Demographics**

The Alliance opened five schools in the 2009-10 academic year and now operates a total of 11 high schools and 5 middle schools in low-income areas of Los Angeles. The student body numbers about 5,600: 84% Latino and 15% African American. Also, 27% are English-language learners and 94% qualify for free or reduced federal meal program.

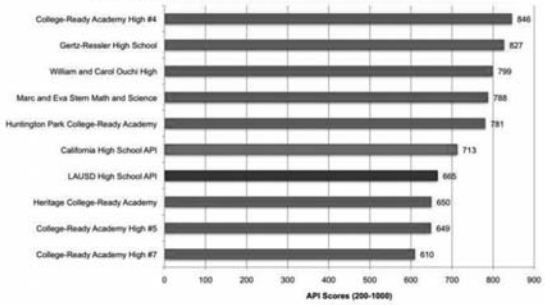
**Graduation Rates**

In June 2009, the Alliance celebrated three high school graduations.100% of our graduates were accepted to four-year universities or community colleges. Alliance grads currently attend UC and Cal State public and private universities such as Vassar, Wellesley, Mills and Dartmouth. In June 2010, six Alliance schools will have graduating classes.

**Academic Performance Index**

Five Alliance high schools have earned 2009 Academic Performance Index (API) scores that rank them in the top 16 high schools in the Los Angeles Unified School District; two scored higher than 800 and rank in the 10 top-scoring high schools.All Alliance schools outperformed nearby traditional schools by a range of 86 to 331 points, but single test scores don't tell the whole story. It's growth over time that ensures sustainable change in student learning. For example, Gertz-Ressler High School improved 131 points since 2005 and Huntington Park College-Ready Academy High School jumped 188 since 2006.

**2009 Academic Performance Index (API)**
**Alliance Among Top Performing High Schools**
**in California and Los Angeles Unified School District**

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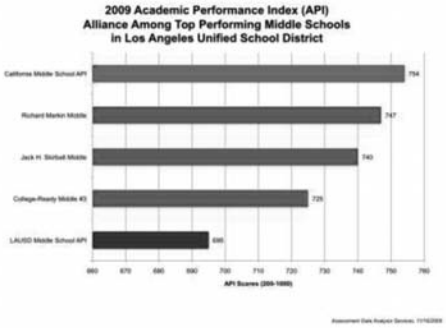


**California Content Standards Tests (CST)**
Overall between 2007 and 2009, Alliance schools increased the percentage of students performing at advanced or proficient levels on California Content Standards Tests by 1% in English and 16% in math.

**Attendance and Parent Satisfaction**
A survey of 3,000 Alliance families shows that parents strongly support the academic program, the college-bound culture and the school environment. The average daily attendance rate at Alliance schools is 95%.

**Academic Performance Index**

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All Alliance schools outperformed nearby traditional schools by an average of 200 points, but single test scores don't tell the whole story. It's growth over time that ensures sustainable change in student learning. For example, Gertz-Ressler High School improved 131 points since 2005 and Huntington Park College-Ready Academy High School jumped 188 since 2006.

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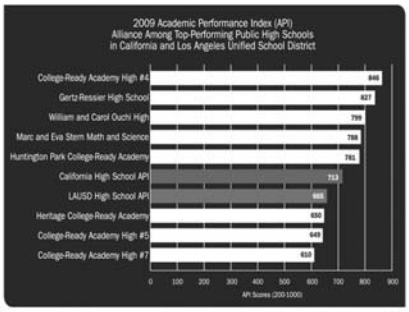


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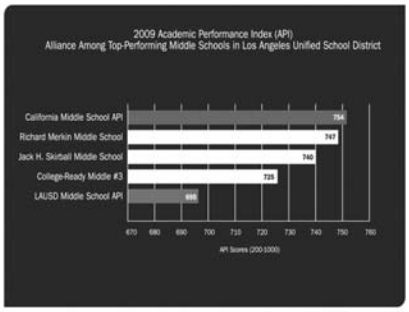


Assessment Data Analysis Services. 11/16/2009

ALLIANCE
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# Christine O'Donovan Middle Academy

Christine O'Donovan Middle Academy

**Enrollment for Current School Year:**
265 in grades 6 and 7.

**Enrollment for 2010-11 School Year:**
A new 6th-grade class of 125 new students will join the school in September 2010.

**Address:**
5355 South 4th Avenue
Los Angeles, CA 90043
Phone: (323) 294-3172

**Date opened:**
September 2008

The school is named for Christine O'Donovan, sister of donor Frank McHugh.

**Christine O'Donovan Middle Academy is a free public charter school developed by Alliance College-Ready Public Schools and authorized by the Los Angeles Unified School District.**

**School Description:** Designed to prepare students to succeed in high school and continue on a path toward college, Christine O'Donovan Middle Academy's educational model focuses on five core values: high expectations for all students, small personalized schools and classrooms, increased instructional time, highly qualified principals and teachers, and parents as partners.

**Performance:** Christine O'Donovan Middle Academy achieved a 2009 API score of 725, 30 points higher than the average 2009 API score for LAUSD middle schools.

**Community:** Christine O'Donovan Middle Academy, located in the Angeles Mesa Community/Crenshaw District of Los Angeles, acts as a feeder school and shares a campus with the Alliance's William and Carol Ouchi High School. The community is home to mainly non-charter public high schools that historically are low-performing and/or overcrowded.

**Demographics and Average Daily Attendance:** 83% Hispanic and 17% African American, 28% English language learner (ELL) Students, and 97% free or reduced meal program participants. To date, average daily attendance is 97%.

ALLIANCE
College-Ready Public Schools

# William and Carol Ouchi High School

**William and Carol Ouchi High School is a free public charter school developed and operated by Alliance College-Ready Public Schools and authorized by the Los Angeles Unified School District.**

**School Description:** Designed to prepare students for graduation and readiness to enter and succeed in college, William and Carol Ouchi High School's educational model focuses on five core values: high expectations for all students, small personalized schools and classrooms, increased instructional time, highly qualified principals and teachers, and parents as partners.

**Performance:** William and Carol Ouchi High School achieved a 2009 Academic Performance Index (API) score of 799, making it the 13th top-performing public high school in LAUSD.

Ouchi High School scored 134 points above the 2009 API average for LAUSD high schools and 86 points higher than the 2009 API average for high schools statewide.

Ouchi High School was recognized as a 2009 California Distinguished School, an award that recognizes the state's most exemplary, inspiring and well-rounded community public schools.

**Community:** Located in the Angeles Mesa Community/Crenshaw District of Los Angeles, William and Carol Ouchi High School enrolls students from and shares a campus with the Alliance's Christine O'Donovan Middle Academy. The community is home to mainly non-charter public high schools that historically are low-performing and/or overcrowded.

**Demographics and Average Daily Attendance:** 83% Hispanic and 16% African American, 19% English language learner students, and 88% free or reduced meal program participants. Average daily attendance so far for the 09-10 school year is 98%.

**William and Carol Ouchi:** The school is named for William Ouchi, Alliance board member and longtime education reform activist, and his wife Carol. William Ouchi, who holds an MBA from Stanford University and a PhD in business administration from the University of Chicago, teaches courses in management and organization design, and conducts research on the structure of large organizations at UCLA's Anderson School of Business. He is co-founder and chairman of The Riordan Programs, which foster diversity in the business community by encouraging and preparing individuals from diverse and disadvantaged backgrounds to pursue higher education and careers in management. He also is author of many books on education, including his most recent "The Secret of TSL: The Revolutionary Discovery That Raises School Performance," which explains what autonomous principals do to improve their schools.

## William and Carol Ouchi High School

**Enrollment for Current School Year:**
468 Students in grades 9 – 12. William and Carol Ouchi High School will celebrate its first graduating class in June 2010.

**Address:**
5356 South 5th Avenue
Los Angeles, CA 90043

**Date opened:**
September 2006

Ouchi High School scored 134 points above the 2009 API average for LAUSD high schools and 86 points higher than the 2009 API average for high schools statewide.

ALLIANCE
College-Ready Public Schools

## Our Mission

The mission of Alliance College-Ready Public Schools is to create a network of small high performing schools in historically underachieving, overcrowded, low income communities in Los Angeles that will prepare students for college success.

## Schools

Opened in 2004-05 School Year
**Gertz-Ressler High School**
(Manual Arts High School Community)
James Waller, Principal
2023 South Union Avenue
Los Angeles, CA 90007

Opened in 2005-06 School Year
**Heritage College-Ready Academy High School**
(Locke High School Community)
Robert Pambello, Principal
9719 South Main Street
Los Angeles, CA 90003

**Huntington Park College-Ready Academy High School**
(Huntington Park High School Community)
Laura Galvan, Principal
2071 Saturn Avenue
Huntington Park, CA 90255

**Richard Merkin Middle School**
(Audubon Middle School Community)
Donna Jacobson, Principal
2023 South Union Avenue
Los Angeles, CA 90007

Opened in 2006-07 School Year
**College-Ready Academy High School #4**
(Jefferson & Belmont HS Communities)
Janette Rodriguez, Principal
644 West 17th Street
Los Angeles, CA 90015

**William and Carol Ouchi High School**
(Manual Arts, Crenshaw High School Community)
Ena LaVan, Principal
5356 South 5th Avenue
Los Angeles, CA 90043

**Marc and Eva Stern Math and Science School**
(Roosevelt & Garfield HS Communities)
Derrick Chau, PhD., Principal
5151 State University Drive – CSULA Lot 2
Los Angeles, CA 90032

Opened in 2007-08 School Year
**College-Ready Academy High School #5**
(Jefferson High School Community)
Dean Marolla, Principal
1729 West Martin Luther King Jr. Blvd
Los Angeles, CA 90062

**College-Ready Academy High School #7**
(Crenshaw High School Community)
Carolyn Miller, PhD., Principal
2941 West 70th Street
Los Angeles, CA 90043

**Jack H. Skirball Middle School**
(Gompers Middle School Community)
Joy May-Harris, Principal
603 East 115th Street
Los Angeles, CA 90059

Opened in 2008-09 School Year
**Christine O'Donovan Middle Academy**
(Manual Arts, Crenshaw High School Community)
Rosalio Medrano, Principal
5355 South 4th Avenue
Los Angeles, CA 90043

Opened in 2009-10 School Year
**Environmental Science & Technology High School**
(Franklin High School Community)
Howard Lappin, Principal
2930 Fletcher Drive
Los Angeles, CA 90065

**Health Services Academy High School**
(Washington High School Community)
Erik Elward, Principal
12226 S. Western Avenue
Los Angeles, CA 90047

**Media Arts & Entertainment High School**
(Roosevelt/Garfield High School Community)
John Fox, Principal
5156 Whittier Blvd.
Los Angeles, CA 90022

**College-Ready Middle Academy #4**
(Washington High School Community)
Alejandro Gomez, Principal
1625 E. 111th St.
Los Angeles, CA 90059

**College-Ready Middle Academy #5**
(Roosevelt/Garfield High School Community)
Suzette Torres, Principal
2635 Pasadena Avenue
Los Angeles, CA 90031

ALLIANCE
College-Ready Public Schools

## Board of Directors

Leadership—Alliance President and CEO Judy Ivie Burton is a former LAUSD local district superintendent who also served as head of the LAUSD Charter School Office. Led by Chairman Tony Ressler, the Alliance Board of Directors brings a wealth of diverse experience in key areas such as education reform, leadership development, finance and operations.

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Co-Founder
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**Ted Mitchell**
CEO
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Chairman MILLER. Thank you very much.

And thank you to all of you for your testimony.

It has been mentioned by a couple of you that this is part of our beginning the process of—and Congressman Castle mentioned this—of the reauthorization of the Elementary and Secondary Education Act.

And this is part of a larger set of questions in hearings about what are the tools and assets that are available to districts as they think about going through the process of improving their schools, reconstituting their schools.

We had sort of strict plans, annual plans, that districts had to go through under No Child Left Behind. They didn't seem to work very well. And I know that the administration has talked about reconstitution of schools and what that means.

And really, Mrs. Lake, we are following your research—there really has to be a portfolio of tools—options available to school districts and they—there is different fits in different places.

But clearly, charter schools are a very important part of that—of that portfolio, so—just so people have the context of this hearing.

I would like to—my time is limited, like your time was limited.

But, Dr. Hehir, in your testimony—and I am—Eva, you said you had about 14 percent special ed.

Ms. MOSKOWITZ. Eighteen.

Chairman MILLER. Eighteen percent. So you are going to be included in this question.

Low participation rates raise potential civil rights issues. Students with disabilities, English language learners and homeless students have rights as American citizens both granted them under the Constitution and within various federal education laws.

And then in the next paragraph, you say the experiment for charters represents—the experiment that charters represent is compromised when charters do not serve the same populations as traditional public schools. If they fail to serve representative populations, their claims of being exemplary are significantly compromised.

You then go on later in your testimony—and I think this is the tension here—it is important to emphasize here that states should be allowed the flexibility as there should not be expectations that charters always mirror the population of the surrounding area.

That doesn't mean that those populations don't get served. It means that particular school, as in public schools in some cases, traditional public schools.

And you make the very, I think, important point—and part of this tension is that these innovations should not be discouraged. The point here is that states need to reasonably assure the federal government that special populations' access to charter schools is not impeded.

Clearly, under 94-142, that is the law of the land. Now, how you serve those children we do give flexibility and options because of the different needs of different populations.

Dr. Ahearn has just talked about the technical assistance that could help school districts, help states and others, to develop this as we move to a more of a portfolio model, if you will, in helping those students achieve high educational outcomes.

So I want to raise that issue—and, Mrs. Lake, this is part of the portfolio issue for you, too—on how do we reconcile those—that inherent tension here, because as we know, in many instances, those populations aren't represented here.

That may be because of parental choice, that they chose not to—not to go there, they have chosen another educational opportunity for their—for their children and their students—the parents might have.

Mr. HEHIR. I think Mr. Richmond's testimony actually spoke to this, and I——

Chairman MILLER. Right.

Mr. HEHIR [continuing]. I think it is very important to address this issue on the authorizing level, and—because states vary tremendously on how they authorize charter schools. Some pay a lot of attention to the—serving kids in a way that is consistent with federal law. Others do not.

And I think that the—that, number one, these authorizing regulations should be reviewed by the secretary of education and approved by them—by him, because we do that with special education regulations, and we should do that with charter schools, in my view.

But also, I think another piece of this is that states should be able to demonstrate to the secretary that they are assisting charter schools.

So on the one hand, we want to make sure that there are not barriers to parents being able to choose charter schools, but also that states are assisting charter schools, because there are charter schools—and I have done some research in three charter-like schools in Boston—that do an absolutely terrific job of serving diverse populations of kids with disabilities.

Chairman MILLER. Dr. Moskowitz? We have all got to live inside my 5 minutes, so——

Mr. HEHIR. I am sorry. I am sorry.

Ms. MOSKOWITZ. Well, I would just say that I was very involved in the first charter school for autistic children in New York City, and one of the first problems we had was that they said you couldn't select kids who were autistic. So you know, that creates challenges, and that speaks to your point.

We were able, through several years of going back and saying, "Look, we want to serve our autistic children. We have got to be able to select." And there are many different types of autism, and any given school may not be able to serve every child with that very, very broad label.

The other thing, I think, to understand for high-performing charters—and going back to the replication bill—is that we are going to have to solve some of the funding issues and the bureaucratic issues.

So I have 18 percent in my school. I have to serve children who have IEPs and, I believe, have special needs long before I get my measly check to educate them, because the bureaucracy—it is the one area, special ed, where I am not free from a bureaucracy that has historically served children with special needs very, very poorly.

Chairman MILLER. Mrs. Lake?

Ms. MOSKOWITZ. So I have to wait a very long time.

Chairman MILLER. So how does this fit into the idea that these——

Mrs. LAKE. Right.

Chairman MILLER [continuing]. Children—that their opportunities won't be diminished in this portfolio as we think about school reform?

Mrs. LAKE. Right. So the districts that are embracing charter schools as a part of their reform strategy aren't looking at each school's special ed numbers and worrying about those numbers.

What they are doing instead is they are looking at the kids and their community that they are trying to serve and trying to identify gaps in that service and fill those gaps.

And so they might say, "You know, our kids on the autism spectrum are being underserved by our district schools and our charter schools. Let's think about whether we can put out an RFP for a school to serve—to serve these kids well."

What they are also doing is sitting down at the table with their charter schools and their district-run schools to work out some strategies for support structures and application processes and things to work as a partnership.

Chairman MILLER. Thank you.

Dr. Ahearn?

Ms. AHEARN. I think it is really important to note that charter schools, when they are authorized, have to in their application describe a particular mission that they feel their school can address to meet needs in the area they are going to locate.

That mission may or may not attract parents of students with disabilities. It is designed to put in place something that is missing in that area or that district.

It is also important that districts that authorize schools take the time and participate in the marketing of that school as an option for people in their districts.

And there are a lot of districts in this country—they are the largest number of authorizers are school districts, so it is really important that they are involved in recruiting students for charter schools.

Chairman MILLER. But is there not also the issue of parents who may select a charter school—they may select a traditional public school, but in some instances they are essentially counseled out of that selection.

Ms. AHEARN. There is——

Chairman MILLER. And that may be on the level or it may not be on the level, I guess is my question.

Ms. AHEARN. There is anecdotal information around that there is counseling out from—of students with disabilities from charter schools. There is the same kind of level of information about counseling in of students that a district doesn't want to serve itself.

So this is all hearsay. There has really never been any kind of review of this. And I am sure some of it goes on, because you do hear about it. But in essence, the emphasis must be on the appropriate placement of the charter school in its district and the appropriate recruiting of students for that charter school.

Chairman MILLER. My time is running out, and I raise this issue not to put this burden on charter schools, but I raise this issue because I think what is important is to understand—and we know that in many of the populations of students with disabilities, when they are properly matched with educational services, they thrive beyond what many people believe they are capable of achieving, and we have seen that to some extent on the Boston exams—I mean, the Massachusetts exams, where their—their performance.

And I think we have to keep that in mind. And I think so we don't kill the innovation and the flexibility that we keep in mind this idea of portfolios, that there—how this population is served is

the issue, not whether they are served in direct proportion to the attendance area or what you would traditionally think as the service area—geographically, I guess, is what I am trying to say.

How we do that—we need your help. And so I just wanted to raise that issue at the outset, as one of the last surviving members of Congress who was here when we did 94-142. I still have a very, very strong commitment to that—to that legislation.

So thank you.

And now I recognize——

VOICE. Mrs. Biggert.

Chairman MILLER. Welcome. The gentlewoman is recognized for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman. Had a little trouble here. And thank you for having this hearing.

I was just looking at a couple of the bios and see that the two gentlemen were—have been in the Chicago school system and in Illinois, and I was in the Illinois legislature when we first put the charter schools—or came into existence there.

And I can remember taking piles of paper to go to a national meeting with how the charter schools were created in Chicago, and I am glad to see that there is still an emphasis on that in Chicago.

So I have got just a couple questions for—first for Mr. Richmond.

Mr. Hehir has stated in the—that he believes in—charter schools do not serve equal percentage of students with disabilities—kind of goes back to this question.

But, Mr. Richmond, you said in your testimony that it is the responsibility of the authorizers to ensure that the students with disabilities receive appropriate services. And how can authorizers draft better charters that ensure access to these students?

And I guess authorizers, to me, is a new concept that obviously has just come into——

Mr. RICHMOND. Sure.

Mrs. BIGGERT [continuing]. Last year that was just put in, so——

Mr. RICHMOND. Right.

Mrs. BIGGERT [continuing]. Does that work to help to make sure that——

Mr. RICHMOND. Right.

Mrs. BIGGERT [continuing]. That the authorizers do this?

Mr. RICHMOND. Authorizing is a new concept. It often in school districts has been noted—most school districts can authorize charter schools, but sometimes it is a state education department or a university or even others.

Just to add briefly to the great conversation that has happened on special ed, one role of an authorizer, I believe, is to be actively involved in refereeing, if you will, being an intermediary between a charter school that has students that may need service and a special education department that has resources that could serve those students.

One of the problems in this space is that there aren't enough special ed teachers, there aren't enough assistants, there isn't enough money for anyone. So there needs to be a—including district schools.

So there really is inside these school systems a very active role that needs to be played to try to make sure, if a charter school has

a student that has a disability and needs services that those resources are being delivered to that school.

When that doesn't happen, that is why you sometimes hear these anecdotes about counseling out, where a school says, "Well, I have tried to"—you know, to the parent, "I have tried to get services for your student but we can't get them." And that sometimes causes the parent to go somewhere else where they can get it.

So authorizers should be refereeing that activity, helping to connect the resources to the student.

Mrs. BIGGERT. Okay. Is there any other suggestions that you have for making the authorizing method for charter schools more efficient and provide for more quality schools?

Mr. RICHMOND. Well——

Mrs. BIGGERT [continuing]. To refereeing with—in all instances, I guess——

Mr. RICHMOND. Yes.

Mrs. BIGGERT [continuing]. But not just disabilities that would——

Mr. RICHMOND. You know, I like Dr. Moskowitz's analogy about adding a high-capacity lane to the highway—I mean, this—what the All-STAR bill—one of the things it is contemplating doing and which speaks to me is as we—as the charter sector gets more sophisticated and develops more along those lines, we need to make sure the public oversight related to that keeps pace with that.

And that is to the point in my testimony that the federal government has done a terrific job supporting the growth of the charter school sector but has not put resources into that public oversight function, and that is a critical need, in our opinion.

Mrs. BIGGERT. Okay. And then is it—and this is an issue, I think, that comes up a lot. Is it your understanding that charter schools should be subject to the same school improvement measures, like AYP processes and sanctions, that apply to other public schools under ESEA?

Mr. RICHMOND. Yes.

Mrs. BIGGERT. Yes. That is an easy answer.

Would anybody else like to comment on that?

Ms. AHEARN. I think it is important to note that charter schools are public schools. And as part of the public system, they need to comply with all of the requirements, especially the accountable for achievement. That is a big part of the federal NCLB law.

Mrs. BIGGERT. Anybody else?

Ms. YOUNG. I served as both an authorizer and a leader of charter schools and strongly believe that the law is correct in holding charter schools to an even higher level of accountability, because with charter schools all of them have to be accountable to AYP, but they also have to be able to prove to their authorizer that they are doing the great work for kids that they promised in their charter.

They also have to prove that to the parents, because if the parents leave the charter school, there is no more charter school. And so all those—these three things make very direct accountability.

Mrs. BIGGERT. Do you think—well, how about the——

Mr. POLIS [presiding]. Do you want a quick final question? That is fine.

Mrs. BIGGERT. No. All right.

Mr. POLIS. Okay.

Mrs. BIGGERT. I will yield back.

Mr. POLIS. Thank you, gentlelady. Thank you for your questions.

The gentleman from Virginia, Mr. Scott, is recognized for 5 minutes.

Mr. SCOTT. Thank you. Thank you, Mr. Chairman.

Mr. Chairman, we have got several examples of excellent charter schools before us today, but it seems to me that we can't always assume that if we expand the number of charter schools they will all be as good as the ones we get.

Let me ask anybody who wants to respond, if we expand, can we expect all of the charter schools to be good charter schools, or will some be good and some be bad?

Ms. YOUNG. The question——

Mr. SCOTT. Dr. Young?

Ms. YOUNG [continuing]. If you don't—if I could answer, the—your question, the bill that is on the table today will allow us to actually have many more great charter schools opened than bad ones, because it is really focusing on expanding the grade levels and duplicating charter schools that are already a proven success.

To give a specific example, two of my two younger daughters attended the Chime Charter School that was referenced before, which is a brilliant school that does special ed inclusion.

Mr. SCOTT. Well, I mean, I am sure we could fund some good schools, but will we also——

Ms. YOUNG. No——

Mr. SCOTT [continuing]. Be funding some bad schools?

Ms. YOUNG. But here is the point. Chime Charter School cannot grow. It is kindergarten through eighth grade. And because there isn't seed funding for them to add high school grades or replicate——

Mr. SCOTT. Right. We will be doing some good schools. Will we also be funding some bad schools?

Dr. Hehir?

Mr. HEHIR. I think so, because, again, charter schools vary tremendously. A bigger concern of mine would be unless the issue of underrepresentation of special populations is addressed in charter schools, the traditional public schools are going to have disproportionate numbers of those kids if you vastly expand the charter sector.

So this issue needs to be addressed, I believe, in order for the charter school system to—and traditional public schools——

Mr. SCOTT. I have a——

Mr. HEHIR [continuing]. Prosper.

Mr. SCOTT [continuing]. Report from the Civil Rights Project at UCLA that suggests that if we have more charter schools we will have more segregation. Does anybody disagree with the findings in this report?

And I ask unanimous consent that it be entered into the record.

Mr. POLIS. Without objection, so ordered.

[The report, "Choice Without Equity: Charter School Segregation and the Need for Civil Rights Standards," may be accessed at the following Internet address:]

*http://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/choice-without-equity-2009-report/frankenberg-choices-without-equity-2010.pdf*

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Ms. MOSKOWITZ. I was wondering if I could weigh in there. You know, it is very—obviously, it is a very, very important goal to have both racial and ethnic integration but also socioeconomic integration. This has been a long struggle in this country's history.

You do have to understand that charter schools and operators come in to neighborhoods that are not integrated. So I operate in Harlem, and we are—by law must be reflective of the district. That is what our authorizer demands of us.

Mr. SCOTT. Well, is that the law all over the country?

Ms. MOSKOWITZ. Every charter state has their own law. In the state of New York, we give preference to the district.

Mr. SCOTT. Well, do you have information to—that would contradict what is in the report, that there would be a tendency toward segregation?

Ms. MOSKOWITZ. Well, I just think that there is a tremendous value in having schools in Harlem.

Mr. SCOTT. Okay. Well——

Ms. MOSKOWITZ. Nineteen out of the 23 zone schools in the neighborhood——

Mr. SCOTT [continuing]. I only have——

Ms. MOSKOWITZ [continuing]. Are failing schools, and so if I don't go into a neighborhood that is not integrated, I will fail to serve those kids. And that is a dilemma——

Mr. SCOTT. Okay.

Ms. MOSKOWITZ [continuing]. That we face.

Mr. SCOTT. Okay. Well, so segregation is just something we need to accept.

Dr. Hehir, you are a professor doing research. One of the things that is—you do in research is try to isolate your variables, get control groups, try to replicate.

The way we are funding charter schools and trying to find out what is going on—is this a good way to research charter schools?

Mr. HEHIR. The way we are funding them, Mr. Scott?

Mr. SCOTT. The way we are trying to find out the ones that work and the ones that don't work. Are we doing good research?

Mr. HEHIR. I think you need to do two things. This is one of the reasons why I have suggested to the committee they consider a National Research Council study.

We really need to get the data. There is a lot of—like Dr. Ahearn said, there is a lot of hearsay out there, and there certainly is evidence that in some places kids get counseled out of charters, but there is also evidence that in some places school districts, as Dr. Ahearn said, try to push kids into charters.

We need to have—we do need to have a study that looks at the big picture. But however, the other type of research, which is research that I have conducted looking at successful both traditional public schools as well as pilot schools in Boston, which are charter-

like, as it relates to serving inclusive populations of kids with disabilities, is also an important line of research.

We need to be looking at what works. We need to be looking at the—at both traditional public schools as well as charter schools around what works.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. POLIS. The gentleman's time has expired.

The chair recognizes the gentleman from Louisiana, Mr. Cassidy, for 5 minutes.

Mr. CASSIDY. (OFF MIKE)

Mr. POLIS. Could you put your mike on, please?

Mr. CASSIDY. This is really bipartisan. [Laughter.]

Mr. POLIS. My first time as chair, and the microphone breaks.

Mr. CASSIDY. I feel I should be at a wedding, crooning. Anyway.

Thank you again for—from the people of Louisiana and thank you—thanks to Congress, because you took a school system which was awful, consigning people to a life of irrelevency and you have given them an opportunity.

Now, based upon that experience, which I have a little bit of knowledge about, what would you say to Mr. Scott's question regarding the issues of segregation in the New Orleans Parish School System?

Mrs. LAKE. Right, thanks. I mean, I think your thanks are a little bit misplaced. I am not responsible for what is happening in New Orleans—just an observer.

But as an observer, I think—and a researcher, I think that the important thing to think about when you are thinking about segregation and studies of segregation is that charter schools' concentration of students—minority students is largely a reflection of where they choose to locate.

They choose to locate in urban areas that are very often, as in New Orleans, majority minority districts. And so if you just take a broad stroke look at kind of the state numbers of kids attending charter schools, it is easy to think that that reflects a segregative effect.

What you want to do as a researcher is instead look at where the kids—the schools that the kids left to attend the charter school and then the charter school, and compare those two schools.

When some researchers have done that—Ron Zimmer, Brian Gill and others—they find very little evidence of any segregative effect.

Mr. CASSIDY. Now, let me ask you—next thing regarding New Orleans—now, I am in Louisiana, so I am aware of this. The school system prior to Katrina was one that destined children for academic failure.

And frankly, some of the impression back there was it was the restrictive work rules, it was the encroachment of the school board upon the autonomy of schools, et cetera, that frustrated people.

And Paul Vallas, who is now the superintendent—doing a wonderful job, and he has changed that. I think one of the concerns on the Republican side is that as we suggest new regulations we may encroach upon the freedom that Vallas and others have used to create the school system, defeating the original purpose.

Any comments?

Mrs. LAKE. Yes. I mean, it is always a fear with the charter school system that over time it will come to look more and more like the system that it tried to fix or change.

And you know, it is a delicate balance. When we talk about performance accountability, we first go to the idea of regulation. If we can instead talk about performance outcomes and stay at kind of the high level, rather than regulating inputs, we are in pretty good shape, I think, with the charter sector.

And I think Paul Vallas would probably agree with that.

Mr. CASSIDY. In fact, on the authorization aspect of it, Mr. Richmond, it almost seemed like if you take as your primary variable how the kids do, then everything else takes care of itself.

I mean, if your dependent variable is that the guardrails are up, but the primary variable is do they get to—safely to the end of the road, then that seems like a better way to approach the problem than having, you know, the traditional way of——

Mr. RICHMOND. Right.

Mr. CASSIDY [continuing]. A 360 microscope.

Mr. RICHMOND. Well, I think that is right. And you want to make sure that whatever we all talk about and have these good discussions that that is our ultimate objective. Are we doing things that help more kids get a better education and go on to succeed in life?

And we want to have those guardrails on the side so we don't lose kids along the way. We want all kids to be able to get there.

Our organization has done a lot of work in New Orleans with Paul Pastorek and with Paul Vallas. And what has struck me is the comparison. That was a closed system before the hurricane. There was really not energy, not vitality. There wasn't community engagement in public schools. It was closed. It was a closed bureaucracy.

And what you have seen happen is the charter sector has opened it. The level of community engagement in public education in New Orleans now is astronomically higher than it was before. It didn't exist before. How——

Mr. CASSIDY. And that crosses all socioeconomic——

Mr. RICHMOND. Absolutely. Absolutely. These are schools that are in communities throughout the entire city serving the populations of the entire city and involving in a much more open way and, most importantly, better results for kids.

Mr. CASSIDY. Now, let me ask you—you or Mrs. Lake—you have both done research there, apparently. There is a concern that we may fund bad schools. Now, it is my understanding, though, that the charter schools in New Orleans that are performing poorly are being shut down or changed over, is that correct?

Mr. RICHMOND. It is a legitimate question about are we going to have more bad schools potentially. There is no guarantee in this. There could be, and there will be in the future, schools that open that aren't as good as we want. That absolutely will happen. It happens in the district sector and it happens in the charter sector.

The key is the charter sector is better at closing those schools. In the district sector they continue on indefinitely.

Mr. POLIS. The gentleman's time has expired.

The chair recognizes the gentleman from Texas, Mr. Hinojosa, for 5 minutes.

Mr. HINOJOSA. Thank you, Acting Chairman Polis.

I want to commend Chairman Miller, thank him for having this hearing on H.R. 4330, entitled The All Students Achieving Through Reform Act.

As we move to increase educational opportunities for all students, it is critical, in my opinion, to ensure that all children have access to a high-quality education. Furthermore, this includes our public charter schools.

I commend Congressman Jared Polis for his leadership to author this bill.

I have two questions for Professor Thomas Hehir. In your testimony, you mention that students with disabilities and English language learners participate in charters in much smaller numbers than they exist in the student population at large.

Based on your expertise, give me the two percentages, one on ELLs who currently participate in public charter schools, and the percentage estimates for ELLs with disabilities in charter schools.

Mr. HEHIR. I don't—and nor do I think anybody can give you the overall numbers as far as that is concerned. My research is in specific communities. And this is, again, one of the reasons why I think you need to have a study that really looks at these issues systemically across the whole country.

But in the communities that I have looked at—Boston, San Diego, Los Angeles—the percentage participation of children with disabilities is significantly below what exists in traditional public schools, and there are very little to none children with significant disabilities being served in them.

And that raises very serious concerns, in my way of thinking.

Mr. HINOJOSA. Okay.

Mr. HEHIR. The same is true with——

Mr. HINOJOSA. Time is of the essence, and I will interrupt you.

Mr. HEHIR. Well——

Mr. HINOJOSA. I will wait to see if there is some studies done on that—on the answers to my questions.

Can you elaborate on one other recommendation you made that the federal government possibly require states to proactively address issues of access involving special populations as a condition for receiving federal funds? Give me your thoughts.

Mr. HEHIR. Well, again, my thoughts about this are informed by my experience in the area of special education, where it wasn't until the federal government stood up to the plate and insisted that all children be educated that they were.

And the special education—the federal involvement in special education has, I think, been very positive. And so in my view, the—given that what we know about underserving of these populations, it is important for the federal government to play a role in this, both in terms of making sure that states monitor this issue, but also in—equally important, in my view, is states assisting charters in addressing this issue.

Mr. HINOJOSA. I want to state that I served on the state board of education in Texas and was chairman of special populations committee, which included bilingual education students, gifted and talented, children with disabilities and migrant and seasonal farm workers' children.

And I found that the mindset there was that the smallest percentage investment of our budget went to the special populations. And so I met with parents and they just couldn't understand how we didn't give them same opportunities as needed.

So I agree what you are saying, and I want to follow up with you later on.

My next question is to the first panelist, Dr. Moskowitz. Yesterday Univision plus several other groups, including the Bill and Melinda Gates Foundation, the U.S. Department of Education, many Latino leaders and community-based organizations launched the Es El Momento, which translates into The Time is Now Campaign.

This is a multimillion-dollar, 3-year national education initiative aimed at increasing high school graduation rates, college readiness, college completion and engaging Latino parents in the education of their children.

So can you tell me what strategies have public charter schools used to engage low-income children and the minority parents in the education of their children?

Ms. MOSKOWITZ. Thank you for your question. We serve at Success Academy charter schools—where all of our schools are Title I schools. And I just came from a meeting yesterday morning where we have 514 children at one of my schools, and we had 507 parent representatives. We had a few women go into labor so they were not there in the morning.

But we have enormous parental involvement in our schools, and we are often asked, "Well, how do you get on a math night—how do you have 100 percent attendance?" And it takes a lot of hard work and a lot of relentlessness on the part of teachers and school leaders.

But we say to parents from the get go something that I think has gotten lost in America, that——

Mr. HINOJOSA. I apologize. Time has run out, and there are other members that need to ask—have time to ask their questions. Thank you for your response.

Mr. POLIS. And I remind members of the committee that questions can be submitted in writing up to 24 hours, and the panel will answer those for the record—14 days you have to submit those in writing.

I thank the gentleman from Texas.

And the chair now recognizes himself for 5 minutes. Would that it were more time.

I have also been informed, by the way, that we will have votes starting at about quarter till, perhaps a little after, so this committee will probably go until right before noon. We will not be reconvening, so I will ask all members to stick within their 5 minutes. Try to be a little bit briefer if at all possible.

I will start with a couple of quick questions.

Dr. Moskowitz, you mentioned that your school has about 18 percent special education. How does that compare to the rate for New York City or the state of New York?

Ms. MOSKOWITZ. In charters or the district?

Mr. POLIS. For the district.

Ms. MOSKOWITZ. Well, in our co-located buildings, we are higher than three of the four schools.

Mr. POLIS. Okay. The next question is a follow-up question for Dr. Ahearn. And a couple of you mentioned counseling in. I am well aware of that and have experienced that in the charter schools that I ran.

I would like you to define that for the committee and talk about that practice.

Ms. AHEARN. Well, when parents are—have a child who is having difficulties, that parent will frequently go to the traditional school and talk with a counselor and say, you know, "What is best for my child," or, "What can we do to help?"

And rather than trying to perhaps plan a program within the traditional school, it is not uncommon for a counselor or anyone that parent speaks to to say, "Why don't you take your child to another school?" And it may be a good recommendation. It may not be.

We don't know a lot about how this happens, but we know it happens because we have had charter schools complain that students come because the counselor told me to come here.

Mr. POLIS. Would you say it sometimes happens that students are counseled that the district feels—the districts might not want to serve students that they feel are more expensive to serve? Is that what you feel might be at play?

Ms. AHEARN. I don't know if it is more expensive to serve or more difficult to serve, because some children are more difficult to serve than others.

Mr. POLIS. Thank you.

The next question is for both Dr. Ahearn and Professor Hehir. With regard to economic equivalency—and so while some charter schools might not serve the same percentage or might serve higher percentages of special ed students, there are some agreements or charters that establish economic equivalency in that—and, for instance, in examples of charter schools that I started, New America School, it pays a set special education amount to the district who then handles the special education needs for the charter.

And I am wondering if you can comment briefly on the—how effective or widespread that sort of practice is.

Ms. AHEARN. The practices vary greatly by state. And one of the models, as you just explained, is commonly called an insurance model, where a charter school has to pay a certain amount to its authorizing district per student, and then the authorizing district is responsible for taking care of special education in that school, but the charter school usually has very little, if any, control over making that happen.

In other cases, funding is done on a completely different basis.

Mr. POLIS. And my question for Professor Hehir would be is that a reasonable or fair way to do it, given that, of course, this is a network, the needs of a student might be best met somewhere else?

Is this type of economic equivalency, where you can make sure that it makes economic sense, a fair or reasonable way to do it?

Mr. HEHIR. I think in theory it is. I think one of the issues around serving kids with disabilities in charter schools is if you give parents the true choice of charter schools, there will be par-

ents who will want to enroll their children in charter schools that may have expensive and unusual needs that the charter school is not able to meet.

It is not that they don't want to. They are unable to meet it. Charter schools——

Mr. POLIS. As, I might add, might be many other schools in that district that are public schools.

Mr. HEHIR. Exactly, but the public schools have the backup of the school system.

Mr. POLIS. Right.

Mr. HEHIR. And charter schools do not. Having a mechanism like you described I think is very important, whether it is something that is created by charters themselves in collaboration with one another or it is created by the state or the local school district.

I think that type of mechanism is central here.

Mr. POLIS. Thank you.

I would like to also respond briefly on the issue of segregation. I believe that this bill can help reduce segregation by giving a preference to schools that serve low-income students, particularly through cooperative agreements, including transportation.

I would also like to share with our committee briefly the experience in our district of the Ricardo Flores Magon Academy, which is a K-8 school that has a longer school day, 5 hours of core subject instruction, summer enrichment, daily tennis and chess lessons, and the results really speak for themselves.

First of all, it has 93 percent free and reduced lunch, higher percentage than the school district; 90 percent Latino; and 80 percent English language learners. Its student outcomes are, simply put, incredible and transformative.

Ninety-three percent of the third graders scored proficient or advanced in reading, compared to 73 percent for Colorado. And each student, every student, 100 percent of third graders scored proficient or advanced in math, compared to 69 percent of Colorado.

And again, while the school is 90 percent Latino, and the district is slightly less than that, these students are achieving, and that is why students choose that school.

You have a sometimes cross odds of economic diversity and ethnic diversity. We have another successful charter school in Pueblo, Colorado, Cesar Chavez Academy, that had very successful test results, started out at a—very high percentage Latino.

As all the parents saw that it had very good test results, it attracted a lot more white families. So it became less segregated but it served less at-risk kids as a result. So you can't have it both ways sometimes.

I think that charter schools that have as a goal serving diverse communities are what this bill seeks to fund.

With that, my own time has expired.

And I would like to recognize the gentlelady from Washington, Mrs. McMorris Rodgers, for 5 minutes.

Mrs. MCMORRIS RODGERS. Thank you, Mr. Chairman.

I have a number of questions, too. I wanted to start with Dr. Moskowitz, and I just wanted to ask you to talk a little bit more about the autonomy at the charter schools and why that is so important, and maybe give us an example.

And then I had—my second question was you also mentioned that in the last 50 years that we have really increased funding for our educational system but yet we aren't seeing the outcomes associated with that increased spending. And I wanted to ask if you would give us an example of how you are able to do more with less.

Ms. MOSKOWITZ. Sure. Well, my example of the freedom that gets to the heart of teaching and learning is the New York City contract, teachers union contract, gives one 50-minute prep period a day. We give our teachers three, minimally. Sometimes it is four.

But we expect an incredibly high level of preparation. I don't think that the teachers union contract giving one 50-minute period could result in high levels of preparation, so that would be one, but there are many, many other examples.

In terms of spending, I am most familiar with the details in New York City, but we went from $15 billion—in the year 2000, a $15 billion operating budget to a $21 billion operating budget today.

Charters have not been the beneficiary of all that money. We get significantly less than the district. We get $12,443 and the buildings that I am co-located with get between $19,000 and $21,000 a child. So there is a wide disparity in funding.

How we are able to do it—and the "it" is important to understand. It is a longer school day, a longer school year. We go 6 days a week starting in second grade, and we go from 7:30 in the morning till 4:30; if you are struggling, from 4:30 to 5:30. Meanwhile, we are offering art, music, chess, dance, and every kid plays a team sport.

We are able to do that with larger class sizes, frankly. I have 28 in kindergarten. And we are able to do that because we aren't subject to a Soviet-style procurement system, and that—if you look at the New York City school system, how they find basketballs for the amount of money they pay for basketballs, I don't know, because I haven't been able to find them for that price. We are able to be nimble about our procurement.

Mrs. MCMORRIS RODGERS. Great. Great. Thanks.

Mrs. Lake, I wanted to—I was intrigued that you were—your center is at the University of Washington, as I come from Washington State, and we have not been successful in allowing for charter schools in Washington State yet—served in the state legislature during some of those debates, and I know that we have—we battled this issue for many years.

And one of the arguments used against charter schools was that they would cream the best, and especially in high—and take away from those that have high needs. I find the discussion related to special needs to be very interesting.

I have a son with special needs, so I am starting—he is three, so I am just starting through this whole process, and I must admit I am looking for options right here in D.C. because I want those options for my son.

But can you just speak to the high needs—meeting the needs of a high-need area, especially as it relates to—and how charter schools can do that?

Mrs. LAKE. Right. Well, we are not only fellow Washingtonians, but we are also fellow moms with special need kids.

Mrs. MCMORRIS RODGERS. Oh.

Mrs. LAKE. So we are bonding. [Laughter.]

On the question of creaming, I mean, that was one of the earliest concerns about this charter school movement. I think at this point we don't hear a lot of discussion about it, because the facts just haven't panned out to support the idea that charter schools would go after the elite kids in districts.

You know, overall, charter schools tend to serve much higher numbers of minority and kids who qualify for free and reduced lunch. And then when you make kind of apples to apples comparisons in the districts where they are located, they tend to be basically on par or more aggressively serving those kids.

And the reason is if you think about it from the perspective of somebody who wants to open a school, it is hard work, doesn't pay very well. Folks like Dr. Moskowitz are not going to go into the business to serve kids who are already being well served.

And the kids who are coming to charter schools are not coming to charter schools to escape, you know, a high-performing school. They are coming to escape a low-performing school. So I think, you know, it is really time to put the creaming argument to rest.

I think there are some second generation issues with the charter schools that—with special needs——

Mr. POLIS. The gentlelady's time has expired.

Mrs. MCMORRIS RODGERS. Great. Great. Thank you.

Mr. POLIS. I would like to encourage—strongly encourage committee members to, if possible, stick to 3 minutes so that everybody can get in. You are really recognized for 5, but try to keep it below that if possible.

With that, I would like to recognize the gentleman who cast his 20,000th vote in the United States Congress yesterday, my esteemed colleague and chair of the subcommittee, Mr. Kildee of Michigan.

Mr. KILDEE. Thank you, Mr. Chairman. And some of those votes were right.

In my home state of Michigan, students attending traditional public schools outperformed those attending charter schools in the Michigan math and English language arts test over the last 4 years, by 10 to 21 percentage points.

I find this data alarming. While there may be some model charter schools, in my state, on average, these schools are not producing results as good as the traditional public school system.

Now, I know, just—I know Michigan very well, having lived there 80 years—that one of the reasons, obviously, in Michigan is that the charter schools are concentrated in your older industrial cities that are in some degree of decay.

You don't find many charter schools out in the wealthier areas, so that is one of the factors why the—they are not performing as well as the public school system.

I will start with you—let's see—Mr. Richmond first, then Mr. Hehir. What other reasons might there be that they are not performing as well as the traditional public school?

Mr. RICHMOND. One reason is that in some places weak proposals for charter schools are approved that should never have been approved in the first place.

We know a lot more now in 2010 than we did 15 years ago about how to evaluate someone who wants to start a school and how to do a better job of making the right picks, how to approve more good schools and not approve weak schools. We didn't know how to do that very well when this all started. We now know how to do that much better than we did before.

The challenge is we do have excellent schools around the country, but then we had schools that were approved 10 or 15 years ago that maybe they shouldn't have been, but now they are here. And we need to—they either need to improve their performance or need to be closed.

So one of the roles of the authorizer, first, is to make those selections like your voting record—get it right as often as possible, right? And then, after the schools are running, the authorizer should be enforcing those high standards and allowing good schools to stay open, supporting the creation of more good schools and closing those that are not delivering a high-quality education.

Mr. KILDEE. Mr. Hehir?

Mr. HEHIR. Again, I think that the studies in this area are all over the place. I mean, one of the better controlled studies which was done in Massachusetts by a colleague of mine at Harvard, Tom Kane, compared people who were successful—children who were successful in charter lotteries with children who were unsuccessful in charter lotteries.

So this, in other words, is apples to apples. And he actually found that the charters were performing at a higher level, not a lower level. So I think these studies are all over the place, and I think that is one of the reasons why it is important to do some much more extensive research in this area, in my view.

And I think that the Congress and this bill supports that.

Mr. KILDEE. Thank you very much.

Thank you, Mr. Chairman.

Mr. POLIS. Thank you.

The gentleman has yielded his time back.

To make sure that everybody gets in, we will be setting the timer to 3 minutes, and I ask my colleagues to ensure that the rest of their colleagues can speak that they get their comments and questions in in a 3-minute period.

With that, the chair recognizes the gentlelady from California, Ms. Chu, for 3 minutes.

Ms. CHU. Thank you, Mr. Chair.

I was interested, Mr. Richmond, in your statement on the necessity for improving the process for authorizing charter schools. And I am in particular concerned about English learner students. I represent a district in California with many of them.

And in California, they are looking at data with regard to English learner students and thus far it shows that charter schools are enrolling fewer English learners than traditional schools, and many do not differentiate their program or their instruction to address the various English proficiency levels of their students.

And there is also a study that just came out for Massachusetts which identified several significant issues regarding how charter schools are not meeting the educational needs of English learners.

And it reveals that fewer English learners and fewer recent immigrants are enrolled in charter schools.

And there are also some concerns that charter schools are only keeping the best students and counseling ESL students back to public school.

Can you tell me whether charter schools are subject to the same data collection in terms of attrition and also data on English learner students, as well as the other kinds of data, including gender and race?

And should this data reporting be in the reports that are submitted by charter schools, especially as its relevant to authorizing?

Mr. RICHMOND. Sure. A common theme developing around the—a need for better data, better research, and I would echo and reinforce that strongly.

What we have seen across the country—that there isn't a single charter school sector. There are 41 charter school sectors, 41 different states, each with their own different laws, their different practices, their different requirements around data collection, their different habits around who is paying attention, if anyone is paying attention.

And some states do this work well, and some do it much less well. So to your point specific—well, we want to learn from those that are doing well and help replicate what works. So I think it is important to realize that we have that opportunity, that we can see what does work well and try to replicate that.

To English language learner students, one of my experiences—when we did this in Chicago, one of the great benefits from the beginning we didn't fully understand at the time is that we included all the kids in the charter schools in our student information data system.

So we knew who they were. We knew their addresses. We knew whether they needed special education services, English language learner services, whether they were free and reduced lunch. And that allowed us as a system to do a much better job making sure those kids were getting the services they needed.

If you don't know that, if you have an authorizer that doesn't have that information, it is very difficult to address the concerns you are concerned about. So we want to see a much better job of authorizers doing that data collection.

Mr. POLIS. The gentlelady's time has expired.

The chair recognizes the gentlelady from California, Ms. Woolsey, for 3 minutes.

Ms. WOOLSEY. Thank you, Mr. Chairman.

I think we have more time than you realize. I mean, once the bells ring, we have got 20 minutes.

Mr. POLIS. We will absolutely go back for a second round after everybody has completed, if time permits.

Ms. WOOLSEY. So I want to thank the witnesses and congratulate the charter movement for fulfilling what I believed was to be your mission in 1993 when I was sworn in here and became a member of this committee.

And that mission was to prove that—to educators and to authorizers that in many, many cases there—new and better education practices work.

So I have been on this committee, as I said, for 18 years. And over that time, the charter movement was born and grew. And later, No Child Left Behind was passed. And now we are preparing to reauthorize the Elementary and Secondary Education Act.

So back to the charter and your speech—your presentations today. You have shown us that absolutely more individual lesson plans, parental involvement, more autonomy, more freedom—all of that works, including chess or dance. Of course it works.

You have provided members of this committee some very proven successful practices to the public education system.

So I want to ask you, how are we going to integrate this into elementary-secondary education reauthorization without splitting our public education system down the middle? You have shown us that there are better practices. The public education system has better practices when it comes to English learners, to special needs kids, to homeless.

How are we going to marry that together? Because I am scared to death that we are going to start marching down a path where we have two public education systems, one for those that are better off, and one for those in need. And I am not going to be satisfied with that. That will not work.

You have proven to us that if we integrate new and better ways into the public education system, we will be able to educate all children, and all children—in a world so they can compete worldwide.

So that is my question to you. Does anybody want—have time to respond?

Ms. YOUNG. Absolutely. In Los Angeles, they made a historic vote yesterday that didn't make everybody in the charter school movement happy, but they voted to give several dozen of their campuses to internal staff teams that create great schools to charter schools to create schools.

And by bringing the charter school movement into competition but also collaboration with district families and teams, they began that integration. And I think that is going to be one of the ways that other school districts can focus on this.

Mr. POLIS. The gentlelady's time has expired.

The chair recognizes the gentleman from Illinois, Mr. Hare, for 3 minutes.

Mr. HARE. Thank you, Mr. Chairman.

Dr. Moskowitz, let me just give you my opinion here. I have heard you mention Soviet-style twice in your testimony. While I appreciate the fact that you are genuinely concerned and obviously into the thing, I think the rhetoric on that might get toned down a bit.

I mean, I think we are all in this to try to make sure—but you know, the Soviet-style, I think, to be honest with you, troubles me greatly.

Let me just ask you—the panel quickly—I represent West Central Illinois, a lot of rural area. And my concern is the rural schools face a lot of unique challenges, such as limited resources, small student body populations, geographic isolation.

And I am concerned that promoting charters in rural America may not be—may be unrealistic. My question for this panel is can charter school models be replicated in rural communities. If they

can be—or outside of urban areas, and if they can, can you explain to me how you can do that?

Ms. YOUNG. Absolutely. There are wonderful replication models of charter schools throughout the country, and a lot of those charter schools are using a combination of students coming to a particular campus to have some of their classes and then doing some of the work from home in online programs.

And this is happening in rural areas throughout the country, and it makes it possible for students who would otherwise ride a school bus an hour and a half each way to school to instead come to the school site 2 or 3 days a week but then have the other days to use that time more productively by doing their course work online.

And so we are seeing that growing throughout the country. It is also the case that there are school districts that have only one or two schools in them that are choosing to make a charter school and a non-charter school in that school district so that they can have the experimentation of both and have more options for kids.

Mr. HARE. (OFF MIKE)

Ms. YOUNG. It is by agreement with the school district to make sure that that funding is available.

Mr. HARE. (OFF MIKE)

Ms. AHEARN. Certainly, and I think also we are working on the topic of special education and virtual schools at this moment, and it is really important that a lot of innovation has been grown out of the virtual movement, moving toward virtual schools, and delivery of special education services as well. So it can work.

Mr. RICHMOND. I will add, in 10 seconds, if you—you know, Wisconsin actually has had many small school districts adopt and grow charter schools—dozens actually embraced by superintendents in Wisconsin—as a means of doing what you are interested in.

Mr. POLIS. The gentleman's time has expired.

The chair recognizes the gentleman from Pennsylvania, Mr. Tierney, for 3 minutes.

Mr. TIERNEY. Okay. I haven't moved. I am still from Massachusetts, so we——

Mr. POLIS. Yes, you are. The chair stands corrected.

Mr. TIERNEY. Thank you.

Look, I think we have good public schools and bad public schools. We have good charter schools and bad charter schools. And the good public schools do a lot of the things that the good charter schools do. Some do longer days, longer school years, you know, and all of that stuff.

So I mean, I think that Ms. Woolsey gave you a lot of credit, but I think it should be shared, that there are good public schools in a lot of different places.

But in the aggregate, the reports that I am familiar with shows that charter schools perform slightly below the public schools. In the aggregate, charter students demonstrate slightly lower proficiency on national tests. And in the aggregate, a slightly higher percentage of charters fail to make annual yearly progress.

So as I say, some are low performing and, as one of our witnesses said, we have some that are low performing, but they are allowed to stay open for various reasons. Well, that is the same thing with public schools.

And we have some schools that sometimes are approved, and now they are here, and we have to do something about that. Well, that is the same thing with public schools.

So the concern that I have here is we are recreating the wheel, that we know what works. In the last panel it apparently—by the committee here to have duplicate hearings on charter schools on that—is that some things work.

We have now done a lot of research and studying. We know what works. The thing I am concerned is why we are trying to make it work in one area instead of not just making it work in one area but trying to bifurcate it off of there.

So you know, now they know that some don't work, so they want help for the 3 percent of students that are in charters to sort of replicate what is right and move away from what is wrong.

There is nothing in my observation that stops local education agencies and states from doing what is right, except maybe we don't have enough public pressure, and we are not moving through on that.

We can hire, promote, retain principals and teachers that operate the way we want them to. We could support them. We could even work with teachers to do peer review and weed out the ones that aren't doing as well as we want, or mentor or train the ones that have to do better and concentrate on that part.

But I wonder, what could states and local education agencies do with the $310 million that the president proposes for charter schools. Instead of taking it, you know, and putting it there, instead of adding it and doing the things that are right in the existing system, I think it would make a world of distance—difference.

And I wonder why it is in charter schools we will support public money for bricks and mortars, where historically we have never done that for the public schools, and wouldn't those public schools have liked to have had that opportunity.

So I just have that question going through my mind—is it would—that this is not actually helping but maybe just sort of bleeding it out and taking the concentration away from what we need to do for all children, not just 3 percent.

I want to leave you all with a question and ask you, if you would, and if the chair would ask you, to submit it in writing to me. It has been mentioned that mandates and regulations are something that charter schools have to be shielded from.

And that is why, you know, you want to do—so if you would provide to the committee so that I can look at it as well as the other members what alleged mandates and regulations do you say charter schools should be shielded from, and that would assist us, I think, in our work.

I yield back. Thank you.

Mr. POLIS. Thank you. The gentleman's time has expired.

The chair recognizes the gentlelady from Nevada, Ms. Titus, for 3 minutes.

Ms. TITUS. Thank you, Mr. Chairman.

I would like to continue this same line of thought. Nevada has had a mixed experience with charter schools. So we have what we call empowerment schools. Empowerment schools are, in many ways, similar to charter schools. They have a lot of autonomy in

exchange for accountability in governance, budgeting, staffing, instruction and time.

But they operate on extended days, extended years, more flexibility in hiring, more flexibility in use of their per-student allocation of funding. And they have proven to—shown that they do better.

The way they are different, though, is rather than focusing on one particular population, they still remain neighborhood schools, so they serve all the children in the neighborhood. They just serve them better.

And they are accountable to the school district, as opposed to being approved by the state board of education, which makes them really more centered in that community, with parent involvement and teachers and principals.

I just wonder how you could argue that charter schools are really a better way to go than, say, empowerment schools that would, indeed, use the funding that Mr. Tierney addressed in a fairer kind of broader way.

Ms. YOUNG. One of the ways is that this 75-page document is the California charter school law, and most of the charter school laws in the country are that small compared to, say, the average state ed code, which is about 2,000 pages.

And that gives charter schools the opportunity to really tailor their program to the students they serve. For example, if a charter school wants to have specialized programs, or teachers that are trained in a particular rigorous area that matches the needs of the kids that wouldn't otherwise belong in a school because of the education code, charter schools can do that.

And so one of the things that traditional public schools can do is get the same kind of waivers as charter schools get if they want to improve their programs, and that is one of the ways we are seeing that charter school law influenced traditional school districts, because now, more and more, traditional school districts are asking for waivers from the regulations that keep them from being able to do charter-school-like things.

Ms. TITUS. And I think that is accurate, and that is why I wonder why we don't spread that money across, allowing more of those schools to become empowerment schools rather than just centralizing it with charter schools.

Ms. YOUNG. Well, I think the key reason is not—I don't think that it is one or the other. It needs to be both. But when you have an empowerment school, in terms of make it sustainable and to make it a high-quality school, it needs to have at least solid independent governance. It needs to be judged based on student outcomes.

The leadership of the school needs to have the ability to manage their own budget and to hire and fire the people who work in the school. And if it has all of those things, and freedom from the regulations that—them away, it will be successful.

Mr. POLIS. The gentlelady's time has expired.

The chair would also like to thank Dr. Moskowitz, who has to depart, as will the rest of us shortly.

With that, the chair recognizes the gentlelady from New York, Ms. Clarke, for 3 minutes.

Ms. CLARKE. Thank you, Mr. Chairman.

It is good seeing you, Dr. Moskowitz. Dr. Moskowitz and I served on the New York City council together, so it is good to see her in her new capacity here in Washington.

Let me just raise a couple of issues about the charter schools as they were established in the early 1990s. It was sort of our thinking that we could use these as incubators for innovative educational ideas and new teaching methods and that ultimately these new ideas and teaching methods would be shared with and scaled up for dissemination in the wider public school community.

In New York City, this is not taking place. And I am a bit concerned, because I think you have heard a lot of the concerns coming from my colleagues about a bifurcated public school system—there is a public non-charter school system, and there is the public school system. And it is as though never the twain shall meet.

I know that in speaking with a number of the chartered schools in my district, there is never a conversation in our governance structure with the city's department of education where charter school administrators actually meet with the regular public school administrators to talk about what their experiences have been.

I am just a bit concerned about where we get to the tipping point and what is the end game here. And I don't know whether that has been a conversation in the charter school movement, but I think it is a very valid one.

And when people talk about cherry-picking, let me just explain how that happens. There are some parents who are in the know. There are some parents who constantly interact with other folks and navigate the system very well.

Those parents are the parents who always look after their children's education and they are always going to find the very best educational system for their children. They tend to be a very slim part of a large community of parents that never know what is going on.

And what I have found is that a lot of the parents who could best benefit from the charter school movement are never informed, never get the message. So you do get this perpetuation of a cherry-picking phenomenon, whether you intend to or not.

And I think we really need to address that. In a huge public school system like New York City's it is becoming very contentious. So I would just like to get some feedback from you about how we get to this tipping point or at least this reconciliation so that when we talk about doing ESEA we know what direction we are heading in and we are not heading for a collision course.

Mr. RICHMOND. I will try to speak to that very quickly. I think you are right, there has been less direct sharing from school to school between charters and district schools than people expected. I think that is an accurate assessment. People expected more, and there is less happening than we want.

But where we have seen it is on a higher level around standards, better teacher recruiting, better teacher training, better assessments—policy level those lessons have carried over into the rest of public education—reauthorization of ESEA now.

Mr. POLIS. The gentlelady's time has expired.

The chair recognizes the gentleman from New Jersey, Mr. Payne, for 3 minutes, our final questioner.

Mr. PAYNE. Thank you very much.

Sorry that I was unable to hear the testimony, but it is something that I am very interested in. As a former public school teacher, I certainly have a strong interest in education. And I do think that the charter school movement have really provided some good results.

We have North Star Academy in my district that has done very well. It is—was visited by the Secretary of Education, Duncan.

I just would like to reiterate what the gentlelady from New York says, that, you know, your job is not to worry about those students who are not in the charter movement. I mean, you are in the charter movement and therefore your obligation is to your movement and moving forward with it.

However, it is a system, as it has been indicated by the gentlelady from New York, that it takes, first of all, a parent who is—has initiative, so the argument could be, "Well, why should you penalize children of parents with initiative?" Very good argument.

The thing that we have in our state is that, you know, once a child is in, then the lottery allows them to have siblings. So you got the parent who has a lot of initiative. She gets the first child in. The other siblings automatically qualify because that is the way they do it in New Jersey.

And once again, the expulsion from charter schools certainly is high. The number of charter school children that have been put out and back into the public school system is definitely an indication that, once again, we have a—sort of a select—you have to earn the right to stay, whereas public schools—by law, you must stay.

And so I think that what you are doing is fine. I would just hope that—matter of fact, in New Jersey, you can't have more than 15 kids in a class. I wish that were for every school.

So I am not knocking and certainly complimenting the success, because we have them in my town. I am just basically concerned about the others, and that is, like I said, not your worry. That is the public schools' problem, and they should deal with it.

But I do see more of a segregated type of a system, and I just hate to think that we are getting back to 1896 and Plessy v. Ferguson of equal but separate is okay.

I think my 3 minutes are up. Yield back.

Mr. POLIS. Thank the gentleman.

I would like to thank all of our panelists today. We deeply appreciate you spending your time educating this committee.

I would like to thank the many progressive and civil rights organizations that support the All-STAR bill, including the Center for American Progress, the Thomas Fordham Foundation, the Citizens' Commission on Civil Rights, the United Negro College Fund, the National Council of La Raza, and the Education Quality Project, as well as the Black Alliance for Educational Options, for helping to support this bill.

And thank you for educating our committee about a bill that can make sure that charter schools have strategies to serve more at-risk students, can help desegregate our schools by looking at cooperative agreements and transportation agreements to help provide

more diversity in our charter schools, and a bill that helps replicate successful charter schools as well as ensuring that there are strategies to close or intervene in unsuccessful charter schools.

We can all hope that this can move the movement forward and help ensure that the promise of hope and opportunity is a real one for more American families.

Without objections, members will have 14 days to submit additional materials or questions for the hearing record.

And without objection, the hearing is adjourned.

[The statement of Mr. Ehlers follows:]

**Prepared Statement of Hon. Vernon J. Ehlers, a Representative in Congress From the State of Michigan**

Chairman Miller and Senior Republican Kline, I thank you for holding this important hearing on maintaining quality in charter schools.

I also thank Representative Jared Polis for his work on the All Students Achieving through Reform Act of 2009, or the All-Stars Act. I was very pleased to join him as an original cosponsor.

Throughout my career, both in Lansing and in Washington, I have been an ardent supporter of good public and private schools. I strongly believe that we should work to improve our federal education laws to incentivize more effective schools and options for parents and students.

Charter schools provide Michigan families with an educational choice. Having a choice of quality schools is very important for students' education and for our communities. In fact, I have noticed that parents tend to be quite involved in their child's education when they choose to live near the school they want their child to attend.

Developing good schools takes work. Officials in my state have spent considerable time and effort in ensuring that public charter schools are effective. According to the Center for Education Reform, Michigan's charter school laws rank the 6th strongest in the county. In my state, no other public schools are scrutinized like charters are. Charter authorizers (often state universities) have large staffs that monitor the schools and ensure compliance with lengthy, written performance contracts. Charters keep their contracts if they are academically and fiscally sound, and lose them if they are not. Even more importantly, charter schools are held accountable by parents who are there by choice and can ultimately "vote with their feet" by choosing another school if they are not satisfied.

While there are approximately 240 public charter schools in Michigan, very few serve the high school grades. In 2008, a new public high school charter opened in Grand Rapids, and served 150 students with a waiting list within its first year of operation.

The All-Stars Act would provide federal grant funds to replicate successful charter schools. It also would ensure high levels of charter school authorizer reporting and accountability.

I look forward to hearing from our expert witnesses today, and hope that other members of this Committee will join me in supporting the All-Stars Act.

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[Whereupon, at 12:08 p.m., the committee was adjourned.]