

THE LEAGUE OF WOMEN VOTERS OF FLORIDA

STATEWIDE STUDY ON SCHOOL CHOICE: CONSENSUS REPORT ON CHARTER SCHOOLS

INTRODUCTION

The following positions for Study in Action were developed from the Florida League of Women Voters' 2012-13 state-wide study on school choice. The League initiated the study to better understand the oversight of public moneys that are allocated to charter schools and other private educational institutions. How these alternative public/private educational programs align with the constitutional requirement for a uniform, high quality school system of free public schools as stated in the Florida Constitution was also a concern. The League recognizes first and foremost it is a paramount duty of the state to provide for education and that charter schools, while privately owned and managed, are under contract to public school districts, funded by the public and accountable to the public.

LEAGUE PRINCIPLES FOR SCHOOL CHOICE

Florida's constitution provides for a uniform, efficient, safe, secure, and high quality school system as the paramount duty of the state. The League of Women Voters supports the following principles to help ensure that public education can fulfill its duty to Florida's children. The implementation of the law should adhere to these basic principles:

- A uniform system should include the same requirements for educational content, certification, instructional hours and assessment for any school, public or private, that receives public money. Student admissions and dismissal policies should be uniformly applied to public and charter schools.
- Public moneys should not be allocated, directly or indirectly, to private schools or for private school scholarships.
- An efficient system must require that all students have access to appropriate educational opportunities within the public school system. Direct or indirect funding for public/private partnerships, if allowed, should complement district educational programs, not duplicate them.
- Local school districts must have management oversight responsibility of any school within its district, public or private, that receives public money. Districts must report a school's failure to comply with state regulations and/or contract agreements and ensure that all criteria for staffing and administration, fiscal management including illegal assessment of fees, policy and procedural transparency, and procurement and facilities are met with no conflict of interest among the governing board or staff the same as any public agency. The district should also have the primary authority not only to require corrective action and but also to dissolve contracts when warranted. A charter school must be organized by, and be operated by, a non-profit organization by Florida law. The implementation of this law must be stringently applied.

- Every student should have access to a free, high quality education regardless of race, family income or geographical location. Less expensive alternative schools that do not require the same standards for curriculum and instruction should not be allowed. Provision must be made for appropriate high quality services to meet the diverse needs of children. Accountability requirements should be the same for all schools funded with public money.

FLORIDA LEAGUE OF WOMEN VOTERS POSITIONS ON SCHOOLS CHOICE

Oversight: The locally elected school board is constitutionally established to provide oversight and direction to the educational system in each district. The school board should have the authority and the responsibility to require fiscal, management and procedural accountability and enforcement of charter terms and conditions. The requirement of local school districts to authorize and oversee a parallel educational organization may require more funding than currently provided in legislation and a clarification of authority regarding enforcement of charter provisions.

Charter School Purpose: The purpose of charter schools is to serve unmet needs with a primary focus on low income families, reading, and innovative instructional methods. Local needs are best identified by the local school district as part of its strategic plan. To avoid inefficiency through duplicative programs or to have insufficient funding for either program to be successful, charter schools should serve as a complement to not a competitor of traditional public schools. The following League principles are intended to help ensure that charter schools serve this function.

Charter School Management: Since charter schools are public schools, management structures and requirements should be similar. Traditional public schools have Parent Advisory Councils and charters have independent boards which provide input to the school administration. A public charter school should have local representation on the governing board, at least one community resident answerable to school parents and community and not be governed by an entity with no ties or accountability to the community it serves. Both traditional and charter public schools need to have flexibility to develop schedules and curricula. The community is best served if the compensation for instructional personnel is within a maximum and minimum guideline within the district to assure quality of personnel and retention in the classroom.

A public charter school should have local representation on the governing board, at least one community resident answerable to school parents and community, and not be governed by an entity with no ties or accountability to the community it serves. Charter schools should be supervised by district staff with enforcement powers to ensure that they conform to state regulations. These regulations should include fiscal responsibilities and adherence to building code as well as school admissions and dismissal policies and procedures. Public charter schools must have appropriately certified full or part time instructors on staff before applying for Exceptional Student Services funding. Their school admissions and dismissal policies and procedures should be supervised by district staff with enforcement powers to ensure that they conform to state guidelines. Public charter schools must have appropriately certified full or part time instructors on staff before applying for Exceptional Student Services funding. District supervision may require additional funds for oversight.

Transparency and Accountability: Both traditional and charter public schools must report teacher turnover and student mobility rates, in addition to end of year student grade retention. Charter public schools must report financial information in a format that is adequate for comparison with other public schools, particularly regarding facilities ownership and management contracts. Teachers and administrators of ALL public schools, including charters, should meet certification and qualification levels commensurate with their duties and roles. All schools, regardless of size, should report state student assessment test scores and other accepted indicators of student achievement levels.

Conflict of Interest: Administrators and governing board members of all public schools, including charter, must not directly supervise or determine compensation for family members. Members of the charter schools' governing board MUST NOT have any financial interest in the charter school. Legislators serving on education or appropriation committees must recuse themselves on votes related to charter school finance if they have any financial interest in one or more charter schools.

Charter School Facilities and Funding: As a recipient of public education funds charter schools should meet the procurement standards applicable to other public institutions as stated in statute and rule regarding competitive bids, purchasing of services, equipment, supplies and sites. Records of all transaction and procedures should meet all public records laws for full disclosure. Charter schools that acquire their facilities using public funds must assure that the facility reverts to public ownership at termination of the charter. If the facility is subject to a mortgage, the mortgage must disclose and protect the public's interest in the facility. A conversion of an existing public school to a public charter school should only be authorized by the local governing school board retaining full public ownership of the facility and the assets associated with the school. A public charter school may be housed in a religious institution so long as secular identity is maintained and the student body reflects broad racial/ethnic/religious and economic diversity.STATEWIDE

STUDY ON CHARTER SCHOOLS CONSENSUS RESULTS

Florida's constitution provides for a uniform, high quality school system as the paramount duty of the state. The purpose and management of charter schools are subject to study and debate. A lawsuit has been filed in Florida that alleges that the current educational system is neither uniform nor high quality. The League supports the Florida constitution. Discuss these statements and reach consensus on whether or not they will improve charter school management and make Florida's educational system more closely aligned with the Florida constitution.

Seventeen local leagues participated in local studies of their district's charter schools. Following completion of these studies, local leagues held consensus meetings to consider statements that reflected the issues and recommendations drawn from the results of the studies. This report summarizes the results of these meetings. Results were compiled for the 17 participating local leagues. One league studied its one charter and did not report consensus. Another completed the portion of the consensus statements that related to their study. An N/A designation was used when there was no response for a statement. Comments for each topic area were summarized.

Purpose of Charter Schools

1. Districts must identify unmet student and community educational needs as part of their strategic plans and submit priorities for alternative and/or charter schools to the Florida Department of Education.

RESULTS: YES: 14 NO: 2 NA: 1 (NO-Volusia and Tallahassee)

2. Only charter schools that offer identifiable innovative teaching/learning methods or meet specific unmet needs should be authorized.

RESULTS: YES: 15 NO: 1 NA: 1 (NO-Tallahassee)

COMMENTS: While support was very strong, concern about ability/willingness of districts to define/make unmet need assessments, and how to define innovation were expressed.

Management and Accountability

1. Traditional public and charter schools procedures must allow flexible schedules and curricula.

RESULTS: YES: 15 NO: 1 NA: 1 (NO-Volusia)

2. Charter and traditional schools may have flexibility in salary and benefit compensation packages, but they must adhere to a minimum and maximum salary range that reflects district salary guidelines.

RESULTS: YES: 16 NO: 0 NA: 1

3. A charter school governing board must have a minimum of one local representative, not the administrator, who resides in the community and is answerable to the school parents and community.

RESULTS: YES: 16 NO: 0 NA: 1 (NO: Duval and Volusia)

4. Charter school admissions and dismissal policies and procedures should be supervised by district staff to ensure they conform to state guidelines.

RESULTS: YES: 15 NO: 1 NA: 1 (NO: Duval)

5. Those charter schools that educate students requiring ESE services must hire appropriately certified full or part time instructors before applying for additional funding for the services.

RESULTS: YES: 16 NO: 0 NA: 1

COMMENTS: Studies show significant problems, but there was some concern that flexibility and practicality are at odds. There was strong support for a majority of local members on boards. Concern was expressed about costs to district of charter school oversight. Do districts have any meaningful responsibility for correcting charters' rule infractions?

Transparency and Accountability

1. All public schools, including charter schools, must report teacher and student retention.

RESULTS: YES: 15 NO: 0 NA: 2

2. The charter school audit template must be adequate for comparison and analysis and identify facilities ownership and management contractors.

RESULTS: YES: 15 NO: 0 NA: 2

3. Teachers and administrators, including principals, must meet certifications and qualifications at the same level as all other public school instructors or administrators.

RESULTS: YES: 14 NO: 1 NA: 2 (NO: Volusia)

4. All schools, even small ones, receiving state funds must report state assessment test scores, and receive some indicator of student achievement levels.

RESULTS: YES: 14 NO: 1 NA: 2 (NO: Volusia)

COMMENTS: Provision for experts in field and business backgrounds as administrators should be allowed. Need to clarify terminology e.g. retention.

Conflict of Interest

1. Administrators and board members of all public schools, including charters, must **not** supervise or determine compensation for family members.

RESULTS: YES: 15 NO: 0 NA: 2

2. Members of charter school governing boards must **not** have financial interests in the charter school.

RESULTS: YES: 15 NO: 0 NA: 2

3. Legislators serving on education or appropriation committees must recuse themselves on votes related to charter school finance if they have financial interests in charter schools.

RESULTS: YES: 14 NO: 1 NA: 2

COMMENTS: Strong agreement and concern that this could be more inclusive.

Facilities and Funding

1. As a recipient of public education funds, charter schools should be required to meet the same procurement requirements as other public institutions, including competitive bids for leasing, acquisition of sites and purchasing of supplies, equipment and facilities. The records should meet all public records laws for full disclosure.

RESULTS: YES: 15 NO: 0 NA: 2

2. Charter schools that acquire their facility using public funds must assure that the facility reverts to public ownership at the termination of the charter. If a facility is subject to a mortgage to be paid using public funds, the mortgage must disclose and protect the public's interest in the facility.

RESULTS: YES: 15 NO: 0 NA: 2

3. A conversion of an existing public school to a charter should only be authorized by the local governing school board retaining full public ownership of the facility and assets associated with the school.

RESULTS: YES: 15 NO: 0 NA: 2

4. A charter school may be housed in a religious institution in order to broaden the availability of facilities for use by charter schools so long as secular identity is maintained and the student body reflects broad racial/ethnic and economic diversity.

RESULTS: YES: 10 NO: 5 NA: 2 (NO: Alachua, N. Pinellas, Polk, St. Johns, Volusia)

COMMENTS: The terms need to be clarified e.g. facilities, secular. Clarify how facilities would revert to district and prorated reimbursement to State if buildings sold.

Submitted by the Florida League of Women Voters Statewide Study Educational Team