

January 2009

*Choice Through
Charters: Policy
Analysis of Iowa
Charter School
Legislation*

POLICY

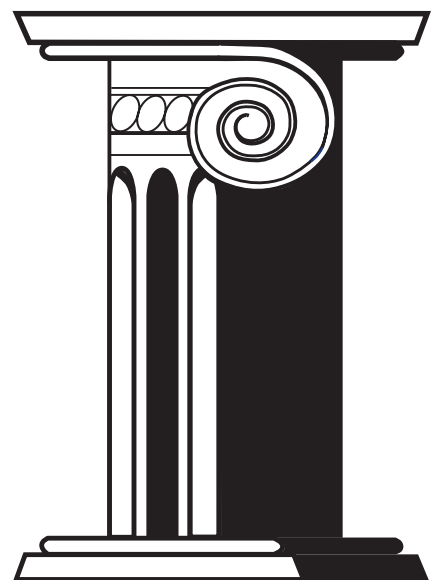
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by

**Dr. Stephen M. King
Public Interest Institute
Mt. Pleasant, IA**

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President**

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Choice Through Charters: Policy Analysis of Iowa Charter School Legislation

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Executive Summary

Charter schools represent a growing trend in government school reform. Charter schools, which were first implemented in Minnesota in 1991 and created what some call a “revolution” in school choice, offer a means of reform that operates within the traditional government school system. Parents, students, and communities are demanding changes to the current broken system of traditional government education, and charter schools are trying to address that demand.

Charter schools are publicly-funded government schools that in most states are granted exemptions from following strict accreditation and other regulatory standards in return for freedom, flexibility, and innovation to create a unique learning environments. These “learning environments” are often designed to meet the growing needs of low-income or other disadvantaged student groups, but in fact are generally open to all eligible students whose parents, and even communities, demand more from the educational system than they believe they are currently receiving.

Unfortunately, the range of charter schools, including the performance and success of charter schools, is often dependent upon the specific state-based legislation. In other words, some states are far more

“permissive” in their legislation, allowing more flexibility and innovation to charter sponsors, than are other states. The Center for Education Reform (CER) ranks all states according to ten criteria. These criteria focus on issues ranging from diversity of chartering authorities to greater funding opportunities to ease of regulatory oversight of charter schools. CER ranked those states high whose charter legislation was more “permissive,” meaning that state legislation contained waivers of exemption for excessive state-based regulatory oversight, increased the number of chartering authorizers, enhanced funding opportunities, and many other options for enhanced flexibility and innovation.

When compared with neighbor states that have charter school legislation, i.e. Illinois, Kansas, Minnesota, Missouri, and Wisconsin, Iowa’s charter school legislation is weak. In fact, CER ranked Iowa’s charter school legislation and charter school system next to last of the 41 states that incorporate charter schools. Iowa scores low on the most important of variables that describe a strong charter school program, including the number of charter schools allowed, the number of chartering authorities, the variety of charter school applicants, the number of new charter school start-ups yearly, automatic blank waivers of state bureaucratic rules that govern

Executive Summary

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traditional government schools, and the need for states to grant charter schools independent legal status, so as to have the authority to govern themselves without having to come under the regulatory oversight of the state’s educational administrative and bureaucratic oversight.

Charter schools provide some degree of choice within the traditional government school system. Certainly charter schools differ from state to state, even school district to school district, and thus “diffusion of innovation” is a major factor in determining when and where states will adopt charter school legislation. Sometimes states copy other states when it comes to establishing charter school legislation. Political, interest group, and economic factors are all possible influences in determining why one state establishes a charter school law when their next door neighbor has already established such a law. Iowa, however, effectively chose not to follow their neighbors, such as Minnesota, who have nationally recognized and successful charter school legislation and charter school programs.

Some basic changes to Iowa’s charter school legislation and policy should include:

- First, the chartering authority be expanded to include colleges, universities, and nonprofit organizations, including special charter

school commissions that are not politically or administratively connected to the State Department of Education or the State Board of Education.

- Second, the current charter legislation should be amended to grant charter schools real and effective waiver of accountability to all state and district laws, rules, and regulations that govern traditional government schools.
- Third, teachers should be exempt from all state- and district-based rules and regulations that cover traditional government school teachers, including state teacher certification and collective bargaining agreements.
- Fourth, funding possibilities should include, in addition to public revenues equal to that received by traditional government schools, private and nonprofit funds, particularly for capital infrastructure.

Charter schools in Iowa will only improve when current Iowa charter school law changes, such as permitting greater flexibility, innovation, and exemption from onerous state and district-based rules and regulations.

Introduction

Charter schools represent a “revolution” in school choice.¹ Reforming the government education system is no easy task, given the bureaucratic, financial, and performance problems that abound. Politicians, policy advocates, and the public alike are demanding that greater attention be paid to the reform of a broken system.² In part, charter schools are addressing that demand, by affording organizers, including interested administrators, teachers, parents, and community participants, a greater “supply”³ of educational opportunities and the flexibility to initiate a quality educational environment,⁴ one that is theoretically free of bureaucratic and political rules and regulations, and thus creating learning opportunities that are not possible in the traditional government school system.⁵

This policy study will 1) examine the basics of charter schools, including a definition and description of charter schools, 2) highlight the short history of charter schools, 3) focus on political and legal hurdles, 4) briefly examine charter schools’ performance measurements, and then 5) discuss the effect of charter school legislation, including authorizers, upon the formation, development, and success of charter schools. The primary focus of this study is on the State of Iowa’s recent venture into charter school develop-

ment; the study will compare Iowa’s charter school legislation with states bordering Iowa that also have charter schools. Conclusions and policy recommendations are provided.

Definition and description of charter schools

What is a charter school? Charter schools are “publicly funded schools that are granted significant autonomy in curriculum and governance in return for greater accountability.”⁶ Charter schools are established by “independent groups [that are] under contract with government agencies,”⁷ such as the state’s board of education, department of education or public instruction, and/or the local school district. Charter schools are *not* [author’s emphasis] private schools; they are a “hybrid” of sorts, “with important similarities to traditional public schools, some of the prized attributes of private schools — and crucial differences from both.”⁸ Thus charter schools operate within the framework of traditional government education, while at the same time affording flexibility, innovation, and creativity to the charter-initiators, primarily teachers, parents, and in many cases various community organization-types, such as community colleges, universities, or even hospitals. In addition, charters cannot be established by religious groups, churches, or religious entities, given the fact that public fund-

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ing finances the charter school. Overall, charter schools are not one-dimensional, but exhibit a strong diversity of categorization.⁹

Even though charter schools are established according to individual state charter school legislation, in order to receive federal funding, states must abide by specific criteria inherent in the national Charter School Program (CSP). The criteria include:

- Non-exemption of all safety, security, and other civil rights rules and regulations;
- Charter school creation and operation is reserved to government schools only;
- Pursuit of specific educational objectives in accordance with the charter school developer and authorizing agency;
- Providing a program of education at the elementary and/or secondary level;
- Nonsectarian in approach, programs, admissions policies, and employment practices;
- No tuition charged;
- Admission is by parent choice and/or lottery basis;
- Agreement to federal and state audit requirements;
- Developing and implementing performance-based measurement standards.¹⁰

Thus, no charter school that receives federal funding can waive these criteria.

A charter is a contract of sorts, a formal legal document that is established between the initiators (“operators”) and the government (“sponsors”), usually the local school board, but it may also include the state board of education, the state superintendent or commissioner of education, or administrative personnel within the state’s department of education, for a specified time period, usually one to five years. Depending on the state’s legislative requirements, the operators draw up a charter application that spells out several items, which may include the proposed charter school’s mission and purpose, anticipated outcomes, marketing plan, and budget and planning guide. Each state’s charter application requirements are different; however, the primary goal is to provide some assurance to the sponsor that the operators are prepared to initiate, develop, and be held accountable for performance of the new school.¹¹

One of the primary reasons for the emergence of charter schools is the embrace of a free-market philosophical orientation to education reform.¹² Commonly referred to as “school choice,” proponents

of this framework contend that greater latitude by parents and students to choose where and what type of education provides several benefits, including enhanced student performance,¹³ increased inter- and intra-school competition,¹⁴ and raised parent and community expectations.¹⁵

Under the traditional government educational system, students are required to attend government schools according to their physical address. Unless a specific waiver is granted, students are not allowed to cross school district lines to attend another government school of their choice. The primary reason is that state funding, generally speaking, is based upon the number of students that live within each school district. Deviation from this mandate will result in decreased revenue, and thus negatively impact funding streams, and adversely impact resource allocation, including teachers, equipment, and even large capital investments. So, by drastically reducing the amount of bureaucratic regulations, such as required curriculum and collective bargaining agreements, the logic is that charter schools will be able to improve student performance through greater creativity and innovation in education.

Brief history of charter schools

The charter school concept sprang from the magnet school

idea, which originally developed in the 1960s as an urban alternative to forced busing for racial integration.¹⁶ Later, in the 1970s, researchers such as Christopher Jencks, John E. Coons, and Stephen D. Sugarman, advocated changes in government education via the voucher¹⁷ — the same tool that Milton Friedman advocated as far back as the mid-1950s.¹⁸

By the 1980s, researchers like James S. Coleman found that private-schooled students were outperforming their government-educated peers. Coleman believed the results indicated that private school students were surrounded by caring parents, teachers, and community, while their government educated counterparts were generally not.¹⁹

Additional studies, such as Chubb and Moe's, supported Coleman's argument, and thus called for a financial mechanism that would provide poor urban students the opportunity to escape their dead-end government schools and enroll in private schools.²⁰ Chubb and Moe examined vouchers. Unlike Jencks and Coons and Sugarman's failed attempts to successfully promote the voucher system, Chubb and Moe's support of the free-market generally, and vouchers specifically, set off a firestorm of controversy surrounding the use of market forces in traditional government schools. Later, by the early 1990s,

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“So, by drastically reducing the amount of bureaucratic regulations, such as required curriculum and collective bargaining agreements, the logic is that charter schools will be able to improve student performance through greater creativity and innovation in education.”

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officials and education reform advocates in Minnesota added charter schools to the list of reform mechanisms.²¹

Over the last 18 years, charter schools have increased many times over. By the end of 2008 there were 4,568 charter schools in 40 states and the District of Columbia, enrolling over 1.3 million children. This is an 8.4 percent increase compared with 2007.²² Four states (Arizona,²³ California, Florida,²⁴ and Texas) account for 43 percent, or 1,986 operating charter schools, with a total enrollment of 589,008. Other states with large charter school enrollment include Michigan (93,892), Ohio²⁵ (94,171), and Pennsylvania (61,823).²⁶

Despite the fact that The Center on Reinventing Education reports a “slowdown” of charter school start-ups, with a slight increase in shut-downs,²⁷ the overall effect of charter schools is to provide an alternative to students who attend traditional government schools that, for whatever reasons, are underperforming.

Political and legal hurdles

According to The Center for Education Reform (CER), many states are enhancing their charter school statutes and thus winning political and legal battles. For example, in 2006 Florida expanded the number of authorizers by one: the Legislature established and approved

the Florida Schools of Excellence Commission. Likewise, Georgia state education policy activists assisted in working with the state Legislature to reduce bureaucratic encumbrances and write legislation that will lead to additional authorizers.²⁸

In addition, public relations campaigns, including marketing and advocacy organizational development, occurred in a number of other states including New York, New Jersey, Tennessee, South Carolina, and Maryland.²⁹ Still charter school opponents continue to play the “political games” aimed at deterring charter school development. This runs from anti-charter lobbies convincing legislative bodies to deny access to or the ability to build infrastructure (e.g. Albany, New York, San Diego, California) to government school districts refusing to provide transportation (e.g. Ohio) to simply refusing to pay the legislatively-designated tuition per-child (e.g. New Hampshire and Ohio).³⁰

The most effective political tool used against charter school growth is passage of weak charter school laws. When Legislatures, lobbied by the state and local government school establishment, teacher unions, and other like-minded opponents, impose restrictions on the number and diversity of authorizers or do not decrease the level of rules and regulations that traditional government schools must

abide by, they are effectively shackling the charter-school movement.³¹

In addition to political battles, several legal skirmishes have been fought, resulting in some successes, including the establishment and/or continuation and protection of charter schools. In October 2006, for example, the Ohio Supreme Court ruled that Ohio's charter schools are indeed legal and constitutional. In 2001, the Ohio Federation of Teachers, Ohio School Boards Association, and the Ohio Congress of Parents and Teachers combined resources to eliminate charter schools, arguing that charter schools were unconstitutional, particularly arguing that because *private* [author's emphasis] charter schools could not be authorized or governed by local school boards, they were unconstitutional. In effect, the Court ruled that Ohio's General Assembly "has the power to create and modify school districts as it believes necessary..." Thus charter schools are constitutionally legal.

Although additional legal battles have been fought in California, Colorado, Michigan, and New Jersey,³² each time the pro-charter school advocates were vindicated: charter schools are indeed public schools, and thus the primary reason that local and state government school entities oppose charter schools is purely political: "Despite being

veiled in a cloak of concern for 'what's best for the children,' these cases were little more than desperate power grabs by entities losing their total control over education."³³

Charter school performance

"Pro"-charter-school performance studies One of the primary reasons given by many charter-school proponents for their existence is that on average, charter-school students perform as well as, if not better in some instances, as traditional government school-students. Other studies show that charter school students do not perform as well as traditional government school-students. As former California Education Secretary Gary Hart said, "[T]he time is rapidly coming when people are going to be saying, 'Well, we've given you all of this freedom, what are you able to show for it?' ... [T]he trade-off has always been outcomes versus deregulation. And if we can't demonstrate the outcomes, we're not entitled to the deregulation."³⁴ In other words, "put up or shut up." How do charter schools compare to traditional government schools?

Early on, the data was slim. In 1998, for example, a Minnesota study found some nominal gains for achievement, citing twenty-one charter schools that demonstrated increased performance levels.³⁵ From the early 2000s forward, however, the number of research studies,

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both pro and con, began to multiply. Caroline Hoxby, a prominent economist at Stanford and a Senior Fellow at the Hoover Institution, collected data on nearly all (99%) charter schools in the nation, and when compared to students in traditional government schools, found a slightly higher proficiency level (5.2%) in reading and marginally higher (3.2%) in math for charter-school students. She “found the largest differences in proficiency levels in states where charter schools were most common,” meaning that “compared to students attending matched traditional public schools, Alaska’s charter students were about 20 percent more likely to be proficient in reading and math, Arizona’s about 10 percent more likely to be proficient, and California’s 9 percent more likely to be proficient in reading and 5 percent more likely to be proficient in math.”³⁶

In addition, studying charter school student achievement levels over time in multiple states also found positive results. For example, one study examined the results of math exams taken by both traditional government school students compared with charter school students in 11 states and found modest increases of charter school students over traditional government school students by three percentage points. Subsequent longitudinal studies in Arizona and California also showed moderate increased proficiency

levels in math and reading by charter school students over students in traditional government schools.³⁷

In 2005, the National Alliance for Public Charter Schools commissioned an extensive literature review of dozens of charter school studies. The study has been updated four times, with the latest edition coming out in October 2007.³⁸ The 2007 edition covers the work of some 70 research studies, divided into two broad categories: 1) snapshot or “one-time” look studies (i.e. nineteen panel studies that tried to identify the schools’ “value-added” factor by following the results of select students over time), and 30 studies which were a true “snapshot” of one particular aspect of charter schools at one or more points in time; and 2) 21 studies examining the results of charter school average results over a designated time period. These are called longitudinal studies.³⁹

In addition, all of the studies met four criteria for inclusion: 1) They are recent (since 2001), 2) they compare charter versus government school performance data, 3) they use analytical methods, and 4) they examine some significant portion or aspect of the charter school sector.⁴⁰ After extensive examination, the authors provided three key findings: 1) the study quality varies, 2) the results are mixed and, generally, are of limited use, and 3) for charter

school proponents the results are generally encouraging. For example, the authors found that in the 40 change studies:

- Twenty-one recorded overall gains in charter schools were greater than in traditional government schools, primarily in Florida, Massachusetts, Delaware, and New York;
- Ten studies declared that charter schools' gains were greater in elementary and middle schools in Connecticut, select high schools in California and Florida, and schools with at-risk students in Texas;
- Five studies found similar or comparable gains in both charter and government schools, all located in California; and
- Four found that charter schools' gains lagged that of traditional government schools (e.g. two in North Carolina, one in D.C., and one in Michigan).⁴¹

Encouragingly, the authors made several important recommendations that if adhered to by future researchers will avail even more significant results.⁴² Three major recommendations included:

- First, better research is needed on determining how well charter school students are actually performing

in comparison with their traditional government school counterparts. More sophisticated studies are needed that track individual students over time, using experimental methodology (i.e. control and experimental groups in a randomized fashion). In addition, the authors contend that more studies are needed that examine residual outcomes, such as drop-out and completion rates, "college persistence" (i.e. continually trying to get into college if turned down initially), satisfaction levels, and other variables. These types of studies can show how well charter schools perform on tertiary outcomes.

- Second, why do some charter schools outperform other charter schools? Obviously, the primary outcome to examine is student performance, but perhaps, argue the authors, that if researchers can get a handle on the differences in charter school leadership, organization, and methodology, it will go a long way to explaining how and why charter schools perform differently from traditional government schools.
- And third, more research examining charter school legislation is needed. Finding out how and why one state establishes charter laws compared to other

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states will also assist charter school researchers in better understanding and explaining the efficacy and effectiveness of charter schools.⁴³

“Anti”-charter-school performance results Not all studies provide results that are favorably disposed to charter schools in general and performance measures in particular. For example, one study released in 2004 and sponsored by the American Federation of Teachers, found that, on average, charter school students scored lower on the 2003 National Assessment of Education Progress examination. For example, “compared to students in regular public schools, charter school students had lower achievement both in grade four (six scale points lower in math, seven scale points lower in reading) and grade eight (five points lower in math, two points lower in reading).” Also, the authors found that “in grades four and eight and in both math and reading, the percentages of charter school students performing at or above *Basic* and at or above *Proficient* were lower than the corresponding percentages for regular public school students.”⁴⁴ In addition, other researchers found that “contract-based accountability for educational performance in charter schools may not be working as proponents argued it would,” meaning that very few charter school authorizers

did not renew charters for lack of achievement.”⁴⁵

In 2007, researchers at Western Michigan University found that teacher attrition rates are on average higher in charter schools than in traditional government schools.⁴⁶ Some interesting findings suggest that charter schools must deal with impending problems related to teacher training, qualification, certification, grade level, and age. All of these variables have varying results, but suggest that charter schools attract teachers with less training, lower levels of qualification, more non-certified teachers, and younger teachers — all of these variables are associated with **higher** [author’s emphasis] attrition rates.⁴⁷

One study strongly challenges the argument that charter school students consistently and generally outperform their peers in traditional government schools. Christopher Lubienski and Sarah Theule Lubienski found that traditional government-schooled fourth and eighth graders who took the 2003 National Assessment of Education Progress (NAEP) mathematics exam outperformed both their private and charter-schooled fourth and eighth grade counterparts who took the same exam.⁴⁸

First, the 2003 NAEP exam is “ten times larger than in any previous NAEP administration...” with “over 190,000

fourth graders in 7,485 schools, and more than 153,000 eighth graders in 6,092 schools.” What is most significant about this study is that higher level statistical techniques, such as hierarchical linear modeling — which is a form of simple linear and multiple linear regression, but has the added advantage of sorting through and explaining the differences of “nested data,” which is data, such as math scores from students within the same grade and school, but according to various confounding variables, such as demographics — “allow researchers to account for the primary possible confounding variables that could explain patterns in these data.”⁴⁹ This enhanced statistical technique allowed the researchers to massage the data and find differences between private, government, and charter-schooled students that would not otherwise have been detected with less sophisticated statistical techniques.

Second, as a result, “the study demonstrates that demographic differences between students in private and public schools more than account for the relatively high raw scores of private schools.”⁵⁰ In other words, when the researchers controlled for various demographic differences, such as **school type** (private — meaning Catholic, Lutheran, conservative Christian, and other private schools, and charter schools), **student demographics** (race, ethnicity, sex, ability to use the Eng-

lish language, and the use of an “individualized education plan”), **school demographics** (students eligible for free or reduced lunch, Limited English Proficiency students), and **school location** (urban or rural and Northeastern, Southern, and Midwestern regions of the U.S.), they found little to no difference between private, government, and charter-schooled students.⁵¹

Specifically, the researchers found that “After controlling for demographic differences, no charter or private school means [of the fourth and eighth grade mathematics NAEP scores] were higher than public school means to any statistically significant degree; moreover, particularly at grade four, public schools actually scored significantly higher than did private and charter schools.”⁵² However, there is positive news for charter schools. The researchers found charter schools scored much higher in grade eight after accounting for demographic differences, especially school location.⁵³ The researchers even found that there were differences within the private school community, with conservative Christian school students — which is the fastest growing segment of the private school market — scoring lower than their Catholic and Lutheran brethren.⁵⁴

What does this 2006 study mean to the development and growth of charter schools?

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What, for example, are the policy implications? First, it does not call into question the merit of school choice or market reform philosophically or generally. However, it does indicate that claims by market-based school reformers who consistently claim that private and/or charter school students will necessarily score higher on various achievement tests, for example, is simply not true.⁵⁵ Second, despite its extensive nature, there are limitations with the data set, such as the NAEP data is cross-sectional and not longitudinal and thus this does not allow for examination of student achievement over time, or that the NAEP data tells researchers very little about local differences among charter schools. This means that there are wide differences in charter laws, and thus there are just as likely to be wide differences in the results, such as student performance on math exams in the fourth and eighth grades, that might occur in states with more or less permissive chartering laws.⁵⁶

Qualitative success of charter schools However, performance results for charter schools is not the only—and perhaps not even the most important—indicator for the popularity and “success” of charter schools nationwide. Many parents, for example, enroll their children in charter schools simply because they have the choice.⁵⁷ Pulling their child out of a low-performing traditional government school

affords them the opportunity of experiencing “positive peer pressure” — that is, their child is going to school with other students of like-minded parents, who also desire the best education possible for their child, and the “pressure” to succeed is infectious.⁵⁸

Additionally, research is finding that parents were more “satisfied” with school choice, even if that choice did not necessarily translate into higher achievement results.⁵⁹ Recent studies demonstrate that “a plurality of the overall public and every subgroup continue to support charter schools.” In fact, “supporters of charter schools outnumber opponents more than two to one.”⁶⁰ Further, even though “it is a fundamental tenet that charter schools should be held accountable for performance rather than regulated for process,”⁶¹ the need to balance performance results with parent and student satisfaction is critical to the continued success of charter schools nationwide.

The next section examines the differences in state chartering authority. These differences may also account for differences in performance, although it is beyond the scope of this policy study to quantitatively assess this contention.

Charter legislation

Effective charter schools are generally the product of sound charter school laws.⁶² Simple

enough, but this area of research lags behind the achievement, innovation, and other facets of charter-school policy analysis and evaluation studies.

Trends in charter legislation

The critics argued early on that before substantial resources should be contributed to charter school development, proponents of charter schools, both policy advocates and policy makers, should consider the need for strong legislation. Strong charter legislation must address accountability, finance, student development and achievement, and a host of other concerns.⁶³ Ultimately, the “fate” of charter schools “depends on the resolve of Legislators to develop laws that allow for constructive innovation while balancing the needs of all students for access to safe and educative environments.”⁶⁴ Proponents of charter schools answered their critics by calling for strong charter laws, including political accountability to authorizers,⁶⁵ but at the same time calling for multiple authorizing agencies.⁶⁶

The Center for Education Reform (CER) even established a rating system for strong versus weak charter laws, highlighting ten key factors that contribute to the effective development and growth of charter schools.⁶⁷ These factors were derived from the state’s charter legislation and administrative rules and procedures designed to oversee the implementation

of the state’s charter legislation. (These ten factors will be examined in greater detail when several states’ charter legislation is evaluated. The states include Illinois, Iowa, Kansas, Minnesota, Missouri, and Wisconsin.)

Barriers to charter school development and growth

What factors combine to form “strong” as opposed to “weak or dead” charter laws?⁶⁸ Early research suggested that five factors were common to strong charter laws: multiple and diverse authorizers, a large number of individuals and groups to propose charter schools, legal and fiscal independence from local school boards and state education agencies, exemption of charter schools from typical rules and laws that govern traditional government schools, and the cap for the number of charter schools allowed to open.⁶⁹ In addition, researchers hypothesized that the variations in charter laws were largely the result of four political and/or institutional factors: 1) partisan balance in the legislature and a favorable stance taken by the Governor, 2) the power of the teacher’s organization, 3) the educational condition of the state, i.e. whether or not the state’s current educational system is considered strong, weak, or indifferent, and 4) the state’s political culture.⁷⁰ Initial findings suggested that strong charter laws were the product of Republican-dominated legislatures and governors’ offices.⁷¹

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“Later research pointed out that charter school development is restricted by ‘poorly crafted charter laws, inequitable funding, and inadequate authorizers.’”

Later research pointed out that charter school development is restricted by “poorly crafted charter laws, inequitable funding, and inadequate authorizers.”⁷² Charter laws that place burdens on charter school development, such as caps on charter schools, allowing only local school boards to authorize charter schools, imposing the same or similar laws and rules on charter schools, and a host of other restrictions, impede the potential growth of charter schools. Inequitable funding formulas also deter charter school proponents from pursuing charter school authorization. State funding formulas that marginalize charter schools and thus charter school students also retard the growth and effectiveness of charter schools. And third, many state laws restrict the number and type of authorizers — i.e. the sponsors of charter schools. For example, many states only allow local education agencies (LEA), such as local school boards or districts, state education agencies (SEA), such as the state board of education or state department of education,⁷³ or some combination of the two to authorize charter schools. This restriction effectively negates the potential impact of charter schools, simply because their very existence is dependent upon a favorable decision made by the entities they will compete against for students!⁷⁴

The effect of charter school authorizers As we have dis-

cussed, one of the more important pieces of sound charter school legislation is the number and type of authorizers allowed by state law.⁷⁵ Charter school proponents contend that multiple authorizers provide greater flexibility and freedom in developing and growing charter schools, while charter school critics claim that too many authorizers hampers charter school accountability. Further, how are authorizers supposed to effectively oversee all functions of a charter school when one of the proposed advantages of a charter school is its autonomy and independence, especially from adhering to numerous state education rules and regulations?

The National Association of Charter School Authorizers (NACSA), which is a professional organization of charter school authorizers working to achieve quality public charter schools,⁷⁶ has provided various guidelines for monitoring charter schools: 1) Monitor only those activities required by law to monitor, 2) protect the public interest, such as in providing criminal background checks for prospective employees, 3) monitor as necessary — don’t over or under-monitor, and 4) reduce the burden of reporting actions.⁷⁷ Each of these guidelines provides authorizers with a measure of assurance, when trying to comply with state rules and regulations affecting accountability.

The remainder of this policy study does six things: 1) provides an overview of Iowa's government education system, including the positives and negatives, 2) briefly outlines several possible government education establishment solutions to the problems iterated, 3) highlights Iowa's school choice options, 4) describes several of Iowa's charter schools, 5) compares Iowa's charter school legislation with border states that also have charter school programs (i.e. Illinois, Kansas, Minnesota, Missouri, and Wisconsin), and 6) provides a conclusion, including policy recommendations.

Iowa's government education system: the "highs" and "lows"

The "highs" of Iowa government education Iowa boasts a strong government education system — at least in terms of selected student achievement scores, competent teachers, and involved parents. Reading scores for Iowa's fourth-graders ranks ninth in the nation and eighth-graders rank seventh. Math scores are also high. Iowa ranks tenth in the nation for the highest proportion of government-schooled fourth-graders scoring at the highest two levels in the National Assessment of Educational Progress exam, increasing 64% between 1996 and 2003.⁷⁸ Iowa also does well in science, ranking second in the nation for having the high-

est percentage of government school fourth-graders scoring at the highest two levels of science. And Iowa's ACT scores are among the top two out of the 25 states where the ACT is the principal college entrance exam used.⁷⁹ Iowans' average SAT scores in math and reading are the highest in the nation, as recorded by the College Board, which is a New York nonprofit group that owns the SAT. Further, Iowa's Gifted and Talented Program leads the nation, given that it ranks first in the nation in percentage of government elementary schools with such a program. In addition, Iowa's parents of school-age children are some of the best in the nation for being involved in their children's education. For example, over 90% of Iowa's fourth-grade parents attend parent-teacher conferences.⁸⁰

Not only are Iowa's government-school students doing well, but Iowa has some of the best teachers in the nation. For example, Iowa is one of the top 12 states in the proportion of government-school teachers who receive certification from the National Board of Professional Teaching Standards, increasing nearly 80% since 2000. Iowa also has been named one of the nation's eight "smartest states," which is largely based on the quality of its elementary and secondary schools. And, Iowa's middle and high school science teachers rank in the top five states

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"Over 90% of Iowa's fourth-grade parents attend parent-teacher conferences."

Choice Through Charters

“Panels of experts in business and education have consistently said that most of Iowa’s graduating seniors — or high school students in general — are not ready for participation in the global economy.”

in proportion of seventh and twelfth grader government school educators.⁸¹

The “lows” of Iowa government education However, not everything is rosy in the Hawkeye State when it comes to K-12 government education. Even though Iowa ranks second in the nation on the ACT (22.4 composite average) — with only Minnesota’s class of 2008 ranking higher (22.6 composite average) — concerned proponents of government education, including the editorial staff of *The Des Moines Register*, are quick to point out that this number is distorted. Too few Iowa high school students are taking advanced coursework in math, science, English, and other core subject areas, and only 22% of Iowa ACT test-takers are taking the minimum math courses, i.e. Algebra I, II, and Geometry. Students who performed the best on the ACT math portion were students who took the gamut of advanced math courses, including both sections of Algebra, Geometry, Trigonometry, and Calculus.⁸² Further, it is common knowledge that the best and brightest students gravitate toward taking the ACT and/or SAT exams, and thus the averages tend to be naturally distorted upward. However, in recent years, more and more states are moving in a direction to mandate students, some as low as junior high, to take the ACT or a practice exam, for example, even if the student shows no desire to con-

tinue his education past high school.⁸³

Changes to Iowa’s government school system

Panels of experts in business and education have consistently said that most of Iowa’s graduating seniors — or high school students in general — are not ready for participation in the global economy.⁸⁴ One of the major “flaws,” supposedly, in Iowa’s government education system is the lack of a standard or “core curriculum,” one that is developed, mandated, and implemented from and by the state. Others in the State of Iowa have suggested that Iowa look to the centralized education systems of Canada,⁸⁵ Finland,⁸⁶ and even Ghana⁸⁷ for international examples and ways to improve Iowa’s government education system. Iowa now has a centralized government curricular system. The Iowa Legislature passed the Iowa Core Curriculum, and Democrat Governor Culver signed it into law in 2008. It will be implemented incrementally, beginning in 2012 for state high schools and 2014 for state elementary schools.⁸⁸

What is the Iowa Core Curriculum? The Iowa Core Curriculum, also known as the Model Core Curriculum, is designed to help Iowa government-school students to “succeed in today’s technology-rich, global economy.” It provides a content (i.e. civic, financial, technol-

ogy, and health literacy) and pedagogy (i.e. “employability” skills) framework⁸⁹ and assists government school teachers for setting curriculum benchmarks and standards. The Core Curriculum is designed to “provide direction about essential content, authentic instruction, and authentic assessment for the core content areas of literacy, mathematics, science, and social studies.” In addition, the Core Curriculum guarantees a quality instruction by providing 1) a viable curriculum, 2) quantitative-based assessment and evaluation processes, and 3) evidence-based practices and methodologies. All of this assistance will be directed and overseen by Iowa’s Department of Education by “providing leadership, policy, professional development, and technical assistance...”⁹⁰ It will be up to the local school districts, administrators, and teachers to implement it.

In addition to the new Iowa Core Curriculum, several existing educational programs are now consolidated in a new Iowa Code Chapter 261E. The new program is titled “Senior Year Plus,” and includes Advanced Placement (AP) courses, “dual credit” courses offered in arrangement between school districts and community colleges, courses offered through the Postsecondary Enrollment Options program (PSEO), courses offered through career academies, and internet-based courses offered for college

credit.⁹¹ Although Senior Year Plus is not technically a school-choice initiative, and certainly not a charter school initiative, it does provide a regulated environment in which eligible government school students in Iowa can choose from a variety of options to enhance their government education.

Other tactics enumerated by experts to improve Iowa’s government education system includes such diverse strategies as the increasingly popular four-day school week,⁹² increased regulations for online and internet-based courses,⁹³ use of the arts to “nurture a global outlook,”⁹⁴ and looking to “career-switchers” as possible educators-to-be.⁹⁵ Each of these tactics point to a specific concern or problem highlighted, but the question remains: Will any of these possible “solutions” really provide the transformation in the government education system of Iowa — or any state, for that matter — necessary to see dramatic improvements over the next few years?

Each of these changes, from implementation of the Iowa Core Curriculum to using the arts to enhance a student’s global perspective, is internal to the current government educational system. They do not advocate a restructuring, even reinventing, of the government education system. Instead, what Iowa needs is true school-choice options, options

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“Instead, what Iowa needs is true school-choice options, options that do not destroy the current government education system, but seek to improve it through enhanced competition and to provide parents with viable educational options.”

Choice Through Charters

“School choice in Iowa is defined according to six main programs.”

that do not destroy the current government education system, but seek to improve it through enhanced competition and to provide parents with viable educational options. Both purposes can be achieved through greater school choice and specifically the increased emphasis on charter schools.

Overview of school choice in Iowa

School choice in Iowa is defined according to six main programs:

- Competent Private Instruction (CPI) or Homeschooling (HS),
- Dual Enrollment (DE),
- Open Enrollment (OE),
- School Tuition Organization Tax Credits (STO),
- Individual Tax Credit for Educational Expenses, and
- Charter Schools (CS).

Competent Private Instruction is private-based instruction, which includes children in private schools not accredited by the state and children who are homeschooled. Parents may homeschool their child, including using the Home School Assistance Program (HSAP). Iowa school districts are not required to have a HSAP. If they do, the district is obligated to provide assistance to those parents who

wish to homeschool their child. The assistance comes in the form of curricular advisement, testing assistance, face-to-face contact eight times per year, and other additional services the homeschool parent may find useful.⁹⁶

Dual Enrollment allows the homeschooling parent to take advantage of enrolling their student in a course or extracurricular activity, such as band or an athletic team that is not otherwise easily available to the homeschooled family.

Open Enrollment permits parents the opportunity to enroll their child in a government school of their choice within or outside their current school district. This allows the student, for example, to take advantage of a neighboring school district's enhanced curriculum offerings or some other benefit not afforded them in their assigned district.

School Tuition Organization Tax Credits allows individuals (not corporations) to receive a tax credit of up to 65 percent of the contribution made to a school tuition organization, which in turn provide scholarships to needy students in the state. STOs must be registered with the Internal Revenue Service as non-profit organizations. The maximum amount allowed has increased each year since its inauguration in 2006, beginning with \$2.5 million and vaulting to \$7.5 million in

2008. In 2007 over 7,500 scholarships were awarded, with an average scholarship value of over \$500. There are a total of eleven STOs operating in ten cities throughout Iowa.⁹⁷

Individual tax credit for educational expenses provides for a \$250 tax credit for Iowans who pay for tuition and expenses for private school instruction. It was passed in the 1980s as one means for providing a financial and tax credit alternative for parents who paid for their children's private school instruction.

Charter schools in Iowa are "public schools of choice."⁹⁸ Although charter schools may be established as a separate entity, that is, outside the physical confines of a traditional government school, this is not the case in Iowa. They are commonly referred to as a "public school within a public school." Even though charter schools in Iowa are as regulated as traditional government schools, they do provide some degree of freedom and flexibility from the traditional government school.

Governor Vilsack signed Iowa's charter school legislation, SF 348, into law in 2003. Although the original legislation provided for up to 10 charter schools, and later in 2006 the cap was raised to a total of 20, the reality is that only nine charter schools are in operation, largely because of a lack of federal and state funding.⁹⁹

The State of Iowa provides no funding for charter school start-ups. Other restrictions apply, including only pre-existing government schools can be converted into charter schools, nonpublic and home schools cannot apply for charter status, and the number of authorizers are limited to local school boards, with final approval by the State Board of Education.¹⁰⁰

Snapshot of Iowa's charter schools

The nine currently operating charter schools are diverse in mission, description of purpose, and goals.¹⁰¹ The following is brief description of two of the charter schools.¹⁰²

The Northeast Iowa Charter High School, located in Maynard, for example, seeks "To produce a literate, lifelong learner, who is visionary and productive, aware of self, accepting of cultural differences, sensitive to others, and who applies knowledge to make morally responsible decisions in an ever-changing global society." To try and meet this lofty mission statement, Northeast sets out to "increase graduates with training outside the high school classroom," thus placing many of its students in Northeast Iowa Community College.

One of the more innovative and creative Iowa charter schools is eSigourney Entrepreneurial Academy for Leadership

Policy Analysis of Iowa Charter School Legislation

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(eSEAL). Supported in part by the John Papajohn Foundation of the University of Iowa, eSEAL is a three-part learning experience: business incubator, dual enrollment, and “4 plus 1”. The goal of eSEAL is to provide learning choices for junior high to high school students who wish “to grow entrepreneurial skills through the application of classroom knowledge to the actual experience of owning a personal business.” To accomplish this, eSEAL has developed a strong relationship with Indian Hills Community College, allowing qualified students to enroll in post-secondary classes that can lead to a diversity of career options,¹⁰³ as well as permitting students to complete their high school diploma in four years, but to add one more year for training in technical or vocational skill sets.¹⁰⁴ Setting up an “incubator system,” for example, where students are permitted to develop, fund, market, sell, and evaluate a business venture, provides the opportunity to meld classroom instruction and “real world” experience.

Iowa charter schools offer several opportunities for education and learning that are not easily or readily available in the traditional government-school environment. We now turn to compare Iowa’s charter school legislation with five states that border Iowa and also have charter school legislation. This brief comparison and evalua-

tion demonstrates the need and importance for stronger charter school legislation in Iowa.

Results of Iowa’s charter school legislation compared with legislation from five states

A major difference in among charter schools is the permissiveness of legislation. The Center for Education Reform (CER), a Washington D.C.-based charter school resource and advocate non-profit organization, has established a ten-point benchmark for comparative purposes. We will examine Iowa individually, and then also compare her with Illinois, Kansas, Minnesota, Missouri, and Wisconsin in order to see the differences exhibited in charter legislation. Certainly, this is not a quantitative analysis, but the qualitative methodology should provide interesting and helpful insight and information for charter school advocates and critics.

CER’s ten key elements for strong charter school legislation include:

- The NUMBER OF SCHOOLS should be unlimited;
- The number of CHARTERING AUTHORITIES should include more than the local school board and/or the state board of education or state department of education;

- There should be a VARIETY of APPLICANTS, both inside and outside the existing government school system, that are eligible for charter status;
- There should be a NUMBER of NEW STARTS, i.e. charter school start-ups;
- Schools may begin without THIRD-PARTY CONSENT, such as other school districts or even the general public;
- States should provide AUTOMATIC BLANKET WAIVERS of all state and district education laws, rules, and regulations, thus encouraging greater charter school activity;
- Charter schools should be INDEPENDENT LEGAL ENTITIES, which means they should have the legal ability to sue and be sued, incur debt, control budget and personnel, contract for services, and other discretionary actions;
- Charter schools should be guaranteed FULL FUNDING per pupil;
- Charter schools should be granted full control over the BUDGETS, i.e. fiscal autonomy, without the state or district withholding funds;
- Charter schools should be EXEMPT from all col-

lective bargaining agreements.¹⁰⁵

Comparison of Iowa's charter school legislation to bordering states How does Iowa's charter school legislation match up with these benchmarks? CER ranks all 40 states and the District of Columbia according to these ten elements on a scale of 0-5, based in part on how the particular element supports or rejects the autonomy of charter schools, with scores ranging from 5.5 (Mississippi) to 46.5 (Minnesota). Iowa ranks next to last with an 8.¹⁰⁶ Let's look descriptively at these ten criteria, especially as they apply to Iowa, grouping them in like categories, and then we will compare Iowa to bordering states that have charter school laws. The following information is summarized.¹⁰⁷

First, Iowa charter school legislation allows only one charter school per school district, with a total of 20 enumerated in the law. Unless the charters are renewed, they will sunset in 2010. As of November 2008, there are only nine charter schools with their charters or contracts in order.

- Illinois: The total number of schools is 60, with 30 in Chicago proper, 15 in the suburbs, and 15 scattered throughout the rest of the state.
- Kansas and Missouri are similar. Kansas has an

Policy Analysis of Iowa Charter School Legislation

“Iowa ranks next to last with an 8.”

Choice Through Charters

“Iowa does not permit charter school start-ups to be separate legal and physical entities outside the traditional governmental school system.”

unlimited number of charter schools allowed, but currently only 30 are operating, while Missouri, too, has an unlimited cap, but charter schools are “unlimited” only in the metropolitan areas of Kansas City and St. Louis. Missouri currently has 36 charters.

- Minnesota and Wisconsin also have an unlimited cap written into their state charter legislation. Minnesota has 148 operating charter schools, and Wisconsin sports 247 charter schools.

Second, the number and type of chartering authorities in Iowa is severely restricted, with only the local school board and, ultimately, the state board of education providing final approval. Charter schools must have 50 percent approval by interested teachers and parents before a charter will be granted. Converted traditional government schools can become charter schools. In addition, traditional government schools can create a charter school, so charter schools are “schools within a school.” Iowa does not permit charter school start-ups to be separate legal and physical entities outside the traditional governmental school system.

- Illinois, Iowa, and Kansas permit only local and state boards of education to act as official chartering authorities. In all three states,

the local school board grants the initial charter, with the state board of education providing final approval.

- In Minnesota, Missouri, and Wisconsin the chartering authorization power is more diverse. In Minnesota, for example, in addition to local school boards, colleges and universities, cooperatives (which are special districts that work in conjunction with local school districts), and even non-profit organizations of most types, are eligible chartering authorities. Wisconsin has granted statewide chartering authority to local school boards only; however, in the urban areas of Milwaukee — most charter schools are created nationwide in urban areas — the local school board, the University of Wisconsin-Milwaukee, and the Milwaukee Area Technical College can also oversee granting charters. In addition, the University of Wisconsin-Parkside can also grant charter agreements, but only in the Racine, Wisconsin, school district.
- Unlike Iowa, all of the bordering states permit charter schools to be created in a variety of ways: new starts, converted private schools (non-sectarian only), and even virtual. Iowa, of course, restricts charter

schools to converted public schools only.

- All states, except Missouri, require some form of third party consent, meaning that a percentage, usually 50 percent of parents and teachers and in some cases (Illinois and Kansas) local school district employees, are required by state law to demonstrate support in writing for the creation of the charter school.

Third, although Iowa legislation states that charter schools are granted an automatic waiver from most state and district education laws, regulations, and policies, the reality is that the waiver exemption is minimal. All charter schools that receive federal funding must abide by the same federally-mandated rules and regulations that traditional Iowa government schools must follow, including personnel, budget and financial, civil rights, safety and security, non-discrimination, and several others. However, Iowa is even more restrictive. For example, no legal autonomy is granted to Iowa charter schools, meaning Iowa charter schools cannot independently sue or be sued, or govern nor oversee any of their own legal matters, such as running background checks on potential employees. The oversight agency is the local school board, which is supposed to operate in conjunction with a charter school advisory coun-

cil. Further, the charter school is required to write and file separate accountability reports, including basic and any specific information required by these entities, with the school board, advisory council, and state board of education.

- Illinois and Minnesota grant automatic waiver from most state and district education laws, rules, and regulations. Wisconsin, too, grants automatic waiver in all charter schools, except those in the Milwaukee school district.
- Like Iowa, Kansas and Missouri do not grant automatic waivers; instead, each state requires all charter schools to fulfill the same rules and regulations required of all traditional government schools.

Fourth, Iowa grants charter schools limited fiscal autonomy. Iowa charter schools receive 100 percent of state and district funding that follows traditional government-school students, which is based in part on a complicated “funding formula.” Also, instead of funding going directly to the charter school, it moves from the state to the local school district. Unless there is an exemption granted by the local district board, thus giving charter school administrators discretionary spending authority, funding is to be spent precisely how the district board deems appropriate.

Policy Analysis of Iowa Charter School Legislation

“Although Iowa legislation states that charter schools are granted an automatic waiver from most state and district education laws, regulations, and policies, the reality is that the waiver exemption is minimal.”

Choice Through Charters

“Iowa requires charter-school teachers to meet the same state certification requirements that all traditional government-school teachers meet.”

- Minnesota, Missouri, and Wisconsin also deem that 100% of state and district operations funding is to follow the charter school students, which is based on each state’s funding formula, figured on a per-pupil basis. Per-pupil funding for each state, except Illinois, is Iowa (\$7,529), Kansas (\$6,331), Minnesota (\$10,302), Missouri (\$9,515), and Wisconsin (\$7,996).
- In Illinois and Kansas, the funding for charter schools is negotiated with the sponsor district and/or specified in the charter agreement itself (Illinois) or is strictly at the discretion of the school district where the charter school operates (Kansas).
- Only in Iowa does the funding path move from the state to the district to the individual school; in Illinois, Kansas, Minnesota, and Wisconsin, the funding path is more direct, moving either directly from the state to the district or in two cases (Kansas and Wisconsin) moving directly from the district to the charter school.
- In addition, Illinois, Minnesota, and Wisconsin grant some form of fiscal autonomy to their individual charter schools, whereas in Iowa and

Kansas no fiscal autonomy is granted.

Fifth, Iowa charter school teachers are considered employees of the district and are therefore not allowed to exit collective-bargaining agreements between the state and state teacher organizations, such as the Iowa State Education Association (ISEA), and national teacher unions, such as National Education Association (NEA) or the American Federation of Teachers (AFT). Further, Iowa charter school teachers are required by Iowa law to participate in the state’s retirement program: the Iowa Public Employees Retirement System (IPERS). Other states provide latitude for their charter-school teachers to enter into different retirement arrangements, including working as independent contractors; Iowa strictly requires its teachers to be part of IPERS. In addition, Iowa requires charter-school teachers to meet the same state certification requirements that all traditional government-school teachers meet.

- Unlike Iowa, all other bordering states permit some type of negotiated bargaining agreement to be struck between charter school teachers and the chartering authority. Illinois and Kansas, for example, permit charter school teachers the power to negotiate as a “separate unit” with the

charter school governing authority. They may also choose to remain under the current state-based collective bargaining unit.

- Illinois, Minnesota, Missouri, and Wisconsin extend collective bargaining authority to include the power of charter school teachers to work independently, completely outside the collective bargaining unit of the state. In addition, Minnesota and Missouri also allow charter school teachers to remain under the state's collective bargaining agreement if they so choose.
- In addition to Iowa, only Minnesota requires the same certification requirements as those of traditional government school teachers. Illinois, Kansas, Missouri, and Wisconsin permit a waiver of the requirements if the charter school teacher, for example, meets

separate eligibility requirements, such as minimum work experience in the field of teaching expertise, minimum number of years with a bachelors or graduate degree, or meet a passing score threshold on teacher-certification examinations. In addition, both Illinois and Wisconsin require the non-certified teacher be mentored by a teacher with a regular certification and/or license.

- Minnesota permits a charter school teacher, while during a leave of absence, to continue to aggregate or accrue benefits and credits in the teachers' retirement association account by paying both the employer and employee contributions. None of the other states permit this type of flexibility.

The following table provides more detailed information for all six states.¹⁰⁸

Policy Analysis of Iowa Charter School Legislation

General Information	Illinois	Iowa	Kansas	Minnesota	Missouri	Wisconsin
GENERAL STATISTICS						
No. of schools allowed (<i>CAPS</i>)	60 total; 30 in CHI, 15 in CHI suburbs, and 15 remainder of state	1 per school district, 20 total, sunsets in 2010	Unlimited	Unlimited	Unlimited in STL and KC	Unlimited
No. of Charters Operating	61	9	30	148	36	247
Year of charter legislation	1996	2002	1994	1992	1998	1993
CER's 'Grade'	C	F	D	A	B	B

General Information	Illinois	Iowa	Kansas	Minnesota	Missouri	Wisconsin
APPROVAL PROCESS						
Eligible Chartering Authorities (AUTHORIZER)	Local school boards	State board of education only, with local board first having to approve	Local school boards with state board approval	Local school boards, colleges and universities, & cooperatives, and non-profits Subject to approval.	School boards of the KC or STL districts, or a four-year public or private college or university located in Missouri	Local school boards; University of Wisconsin-Milwaukee, Milwaukee Area Technical College, and University of Wisconsin-Parkside
Types of Charter Schools	Converted public, new starts, virtual	Converted public only	Converted public, new starts, virtual	Converted public, converted private, new starts, virtual	Converted public, some new starts	Converted public, non-sectarian private, new starts, virtual
Appeals Process	Yes. Appeals to state board of education; subject to judicial review	Yes. Appeals to the state board of education	None	Yes. Appeals to the state board of education	Yes. Appeals to the state board of education	None for non-Milwaukee schools; others to state school superintendent
Schools may be started without Third Party Consent	Majority of parents, teachers, and local school council	No, 50% of parents and teachers required	No, support from district employees, parents, and community	No, 60% of full-time teachers must support for conversions	Yes	No, 50% of teachers in a school or 10% of teachers in a school district
Recipient of Charter	Individuals or organizations including partnerships of parents, educators, existing public schools, businesses, colleges, universities, and community based organizations.	Teachers, parents, or principal of an existing school	School or school district employee groups, educational services contractors, and other persons or entities	Anyone	Anyone	Anyone
Term of initial charter	Between 5 and 10 years	4 years	3 years for schools created prior to July 1, 2004; 5 years for schools created after.	Up to 3 years	No less than 5, no more than 10 years	Up to 5 years

General Information	Illinois	Iowa	Kansas	Minnesota	Missouri	Wisconsin
OPERATIONS						
Automatic Waiver from Most State and District Education Laws, Regulations, and Policies	Yes	No, very limited	No	Yes	Limited	Yes from state, no from district; except in Milwaukee
Legal Autonomy	Limited Chicago; no in rest of state	No	No	Limited	Limited	Yes in Milwaukee, no in other districts
Governance	3 members on board of directors	School board and charter school advisory council	School district	Board of directors	Specified in charter	Specified in charter
Charter School Managed or Operated by a For-Profit	For-profits cannot initiate charter, but can manage	No	Not specified in law	For-profits cannot initiate charter, but can manage	For-profits cannot initiate charter, but can manage	Yes
Transportation for Students	Specified in charter	Specified in charter	For students who qualify for the free-lunch program and live 2 miles or more from the school	Provided by district or by charter school for students in district where charter school is located.	School districts	Not addressed
Facilities Assistance	For conversions, school building is provided at no charge; subject to negotiation	Specified in charter	None	Charter schools may lease space from public or private non-profit, non-sectarian organizations, with approval of department of education.	A school district may incur bonded indebtedness or take other measures to provide facilities	None
Reporting Requirements	CS, school board, and state board of education submit annual evaluation to appropriate authorities	Charter school must report annually	Charter school must evaluate annually	Charter school must evaluate annually	Annual report cards necessary	Same reporting requirements as traditional government schools.

General Information	Illinois	Iowa	Kansas	Minnesota	Missouri	Wisconsin
FUNDING						
Amount	Negotiated with sponsor district and specified in charter. Per-pupil funding negotiated with school district and specified in charter, but not less than 75% or more than 125% of per-capita student tuition times number of students.	100% of state and district funding follows the students, based on average district per-pupil revenue. Estimated portion is \$7,529. Per-pupil funding: A charter school is considered a part of the school district in which it is located.	Discretion of district. Estimated portion is about \$6,331. Per-pupil funding: school district discretion.	State portion of operations funding follows students, based on average state per-pupil revenue. Estimated portion is about \$10,302. Per-pupil funding: state portion of operations funding follows students, based on average state per-pupil funding.	100% of state and district operations funding follows students, based on average district per-pupil revenue. Estimated portion is about \$9,515. Per-pupil funding: 100% state foundation formula LESS school district's revenue bond indebtedness	Negotiated with sponsor district and specified in charter; district is permitted to spend more on charter schools than regular public schools. Estimated portion is about \$7,996. Per-pupil funding: Separate for NON-LOCAL SCHOOL BOARD CS (state law) versus LOCAL-SCHOOL BOARD CS (negotiations)
Path	District to school	State to district to school	District to school	State to school	Specified in charter	District to School
Fiscal Autonomy	Yes	None	None	Yes	Specified in charter	Negotiated with sponsor district and specified in charter
Start-up Funds	Federal funds available; state offers a school loan fund	Federal funds available; no state funds	Federal funds available; no state funds	Federal and state funds	Federal funds available; no state funding	Federal funds available; no state funding

General Information	Illinois	Iowa	Kansas	Minnesota	Missouri	Wisconsin
TEACHERS						
Collective Bargaining/District Work Rules	No. Teachers may remain covered by district bargaining agreement, negotiate as separate unit with charter school governing body, or work independently	Yes. Teachers are considered employees of the district	Yes. Teachers remain covered by district bargaining agreement	No. Teachers may remain covered by district collective bargaining agreement if all parties agree. Teachers may also negotiate as a separate unit with the governing body, or work independently	No. Teachers may choose to remain covered by district collective bargaining agreement, or can work independently	In charter schools that are part of a school district, yes. In all others, no.
Certification	Up to 75% of teachers in Chicago charter schools must be certified.	Required	Required (waiver may be granted)	Required	At least 80% of full-time staff must be certified.	Required, with limited exceptions
Leave of Absence from District	Up to 5 years	None	Specified in charter	Up to 5 years; request to extend at discretion of school board	Up to 3 years	Teachers remain employees of the district
Retirement Benefits	Charter schools must participate in state's retirement system.	Teachers are required to participate in state's retirement program	All employees who are participating in the operation of a charter school and who qualify for membership in the Kansas public employees retirement system shall be members of the system	During leave, the teacher may continue to aggregate benefits and credits in the teachers' retirement association account.	Charter school employees must participate in the state or district retirement system	Charter schools must participate in state's retirement system.

General Information	Illinois	Iowa	Kansas	Minnesota	Missouri	Wisconsin
STUDENTS						
Eligible Students	Students in district	All students within the state	Specified in charter (Statewide eligibility is possible)	All students in state	All students	Students in sponsoring district or state, if space is available.
Preference for Enrollment	Students enrolled prior and siblings	Siblings	Specified in charter. Racial/SES balance	Siblings; racial balance of charter school required.	Geographical area around the school; siblings or children of parents employed at the school	Students enrolled prior. Racial balance required
Enrollment Requirements	Same as other public schools	None	Specified in charter	Not permitted	None	Charter schools may not use academic ability criteria; they may, however, define certain other criteria for enrollment, such as at-risk.
Selection Method (in case of over-enrollment)	Lottery or random selection	Lottery or random selection	Lottery or random selection	Lottery or random selection	Lottery or random selection	Lottery or random selection de facto
At-Risk Provisions	Approval preference is given to schools designated to serve a substantial proportion of at-risk children	None	State board of education must give preference to charter schools designed to serve at-risk students.	None	One-third of charters granted by sponsors shall be to schools that actively recruit dropouts or high-risk students.	Preference to serve at-risk children.
Accountability	All achievement goals, standards, and assessments	All state public school accountability measures, including annual testing	Describe manner of student participation in state assessment	Meet outcomes adopted by the commissioner	Charter school design methods adopted by the state board of education.	Charters meet same academic standards as government schools, including testing.

Analysis

Is Iowa's charter school legislation effective? Compared to bordering states examined, the answer is "No." It is deficient in a number of ways:

- First, the charter school cap is woefully low. The legislation only provides for up to 20 charter schools statewide; however, only ten were funded by federal start-up funds. No charter school operates in any other metropolitan area, including Des Moines.
- Second, eligible chartering authorities are restricted to local school districts, and ultimately the state board of education. In addition to Kansas, this is the most restrictive requirement of all the states examined. Lack of diversity and multiplicity of chartering authorities necessarily and *de jure* and *de facto* limits the opportunities for expanding intra-school choice, i.e. choice within the current traditional government system. States such as Arizona, New York, and California and even smaller states with expansive rural areas and small towns, such as Minnesota, Pennsylvania, and Wisconsin, provide multiple means of authorizing charter schools.
- Third, the waiver exemption is weak. Charter

schools are theoretically designed to be free from the extensive statewide and district-based laws, rules, and regulations that govern traditional government schools. (Remember, all states with charter school legislation who wish to receive federal funding, must abide by various federal requirements.) Still, Iowa's legislation indicates it grants a waiver or exemption to non-federal mandates, but in reality the waiver exemption is minimal, meaning that charter schools in Iowa are nearly as rigorously governed as traditional government schools. The legislation reads: "Although a charter school may elect to comply with one or more provisions of statute or administrative rule, a charter school is exempt from all statutes and rules applicable to a school, a school board, or a school district, except that the charter school shall do all of the following":

- Operate as a nonsectarian, nonreligious public school.
- Provide special education services in accordance with chapter 256B.
- Be subject to the same financial audits, audit procedures, and audit requirements as

Policy Analysis of Iowa Charter School Legislation

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Choice Through Charters

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a school district. The audit shall be consistent with the requirements of sections 11.6, 11.14, 11.19, 256.9, subsection 19, and section 279.29, except to the extent deviations are necessary because of the program at the school. The department, the auditor of state, or the legislative fiscal bureau may conduct financial, program, or compliance audits.

- Be subject to and comply with chapter 284 relating to the student achievement and teacher quality program.
- Be subject to and comply with chapters 20 and 279 relating to contracts with and discharge of teachers and administrators.
- Be subject to and comply with the provisions of chapter 285 relating to the transportation of students.
- A charter school shall provide instruction for at least the number of days required by section 279.10, subsection 1, or shall provide at least the equivalent number of hours.
- A charter school shall be considered a part of the school district in which it is located for

purposes of state school foundation aid pursuant to chapter 257.¹⁰⁹

In reality, then, Iowa charter schools are effectively not independent agencies, which are free from most state bureaucratic rules and regulations that govern traditional Iowa government schools.

- Fourth, funding discretion is limited. Even though 100 percent of state and district funding follows the charter school students, the path of funding remains strictly governed, following the traditional bureaucratic road of state to district to local level.
- Fifth, teachers are strictly regulated. Unlike in most states with charter laws, including the five examined in this study, Iowa grants no special waivers or exemptions for charter school teachers. For example, for purposes of collective bargaining they are considered employees of the district and granted no opportunities to negotiate with the district or to work independently. In addition, charter school teachers in Iowa must meet all of the strict and regimented certification requirements that all traditional government teachers must meet. And teachers are forbidden to operate outside of Iowa’s state retirement system, i.e. IPERS.

Conclusion

Summary Charter schools provide one form of school choice. Albeit it is not the purest form of market-based school choice, such as vouchers or tuition tax credits or tuition tax credit organizations; charter schools do provide some degree of choice within the traditional government school system. As the literature suggests, charter schools differ from state to state, even school district to school district, and thus “diffusion of innovation”¹¹⁰ is certainly a factor in determining when and where states will adopt charter school legislation and to the degree the legislation is “permissive” or “restrictive.”¹¹¹

States often times “mimic” other states, particularly contiguous states, when it comes to establishing charter school legislation. Both “interstate diffusion” and “intrastate processes,” such as political, interest group, and economic factors are all possible influences in determining why one state establishes a charter school law when their next door neighbor has already established such a law.¹¹² Clearly, then, educational policy, and in particular the establishment of charter schools, is largely based on “institutional process, internal politics, and even geography.”¹¹³

Iowa entered the charter school arena relatively late, 2002, compared with the vast major-

ity of the 40 states and District of Columbia. Only one state (Alaska) passed charter legislation later than Iowa (2003). Only two other states passed legislation after 2000: Florida in 2001 and Connecticut in 2002. Interestingly enough, only Florida receives a high mark (‘A’) by the CER. Connecticut (‘C’) and Alaska (‘D’) receive low rankings by CER.¹¹⁴

Policy recommendations Based upon the results, we recommend the following changes be made regarding Iowa charter school policy:

- First, that the chartering authority be expanded to include colleges, universities, and nonprofit organizations, including special charter school commissions that are not politically or administratively connected to the State Department of Education or the State Board of Education. Diversity in chartering authority will better ensure the probability of more charter schools, and thus greater opportunities for school choice within the traditional government school system.
- Second, the current charter legislation should be amended to grant charter schools real and effective waiver of accountability to all laws, rules, and regulations that govern traditional government schools. Ac-

Policy Analysis of Iowa Charter School Legislation

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countability should be established between the chartering authority and the chartering sponsors, i.e. parents, teachers, non-profit organizations, private companies, and community at large. Outcome measurements and assessment criteria should be established between these entities.

The Department of Education and state school board should have only minimal oversight authority and responsibility.

- Third, teachers should be exempt from all state rules and regulations that cover traditional government school teachers, including state teacher certification. Exceptions might include criminal background checks; however, even then the chartering authorities should establish and enforce these requirements, not the state. Charter schools should be able to draw from a local, even state-wide, pool of teacher talent, including business, nonprofit, college and university, and other community-based personnel, who have demonstrated through years of experience and/or earned advanced degrees in areas of specialization relevant to the content or subject matter.
- Fourth, funding possibilities should include, in addition to public revenues equal to that received by traditional

government schools, private and nonprofit funds, particularly for capital infrastructure. No religious or otherwise sectarian funding would be permitted.

In conclusion, charter school opportunities in Iowa can be greatly improved if the State will reduce undue regulatory control and oversight, and allow for greater growth, more diversity in funding possibilities, diversity of chartering authorities, and ease of teacher accreditation standards.

Endnotes

¹Frederick M. Hess, *Revolution at the Margins: The Impact of Competition on Urban School Systems*, Brookings Institution Press, Washington, D.C., 2002. Others contend it is an “evolution,” given that charter schools focus on three traditions: community establishment, similarity to magnet and lab schools, and it represents a traditional response to a problem — innovate and adapt. See Chester E. Finn, Jr., Bruno V. Manno, and Greg Vanourek, *Charter Schools in Action: Renewing Public Education*, Princeton University Press, Princeton, NJ, pp. 17-18.

²Early survey results for charter schools showed a substantial lack of knowledge about charter schools, including how they work, their purpose, and other aspects. Yet, much of the public, including parents and policy makers alike, were encouraged by the opportunities for choice and innovation that the charter schools provide. For more survey information on charter schools, especially individual state surveys of school choice, see the Friedman Foundation for Educational Choice at www.friedmanfoundation.org. In addition, the peer-reviewed education policy journal, *Education Next*, in conjunction with the Program on Education Policy and Governance at Harvard University and the polling firm Knowledge Networks, conducts survey research on school choice in general and charter schools in particular. For example, for an overview of the U.S. public’s take on charter schools see William G. Howell, Martin R. West, and Paul E. Peterson, “What Americans Think about Their Schools,” *Education Next*, (Fall 2007), pp. 13-26.

³Michael Mintrom and Sandra Vergari, “Charter Schools as a State Policy Innovation: Assessing Recent Developments,” *State and Local Government Review*, Vol. 29, No. 1, Winter 1997, p. 44.

⁴U.S. Department of Education, “A Commitment to Quality: National Charter School Policy Forum Report,”

Washington, D.C., 2008.

⁵Eddy Ramirez, “America’s Best High Schools,” *U.S. News and World Report*, December 15-22, 2008, pp. 43-56. Of the 100 “best” high schools reported, 18 percent are charter schools.

⁶Jack Buckley and Mark Schneider, *Charter Schools: Hope or Hype?* Princeton University Press, New Haven, CT, 2007, p. 1

⁷Paul T. Hill, “Introduction,” In Paul T. Hill, *Charter Schools: Against the Odds*, Education Next Books, Stanford, CA, 2006, p. 1.

⁸Finn, pp. 14-15.

⁹Dick M. Carpenter II, “Playing to Type? Mapping the Charter School Landscape,” Thomas B. Fordham Institute, Washington, D.C., October 2005, pp. 1-15.

¹⁰Department of Education, “Charter Schools Program,” Title V, Part B, *Non-Regulatory Guidance*, July 2004, pp. 6, 7.

¹¹eSigourney Entrepreneurial Academy for Leadership (eSEAL) is one of nine Iowa charter schools. It is located in the Sigourney Community School District, Sigourney, IA. The superintendent is Todd Abrahamson. eSigourney’s application included: a) the mission and purpose of the charter school, b) goals and objectives, c) anticipated outcomes, d) progress monitoring mechanisms, e) description of the characteristics of the community where the charter school will operate, f) the types and style of educational programs and pedagogy employed, g) means and methods of marketing the charter school program, h) timeline for implementation of goals, objectives, outcomes, and other factors, i) governance structure, j) explanation of application (which is usually by lottery or other random process), k) means for obtaining and maintaining physical structure and facilities, l) description of student transportation means, and m) establishment of budget and planning guide.

¹²John E. Chubb and Terry M. Moe, *Politics, Markets, and America’s Schools*, The Brookings Institution Press, Washington, D.C., 1990;

Paul E. Peterson, “The Use of Market Incentives in Education,” in Paul E. Peterson (ed.), *Choice and Competition in American Education*, Rowman and Littlefield, Lanham, MD, 2006, pp. 3-12.

¹³John Bohte, “Examining the Impact of Charter Schools on Performance in Traditional Public Schools,” *The Policy Studies Journal*, Vol. 32, No., 4, 2004, pp. 501-520.

¹⁴Caroline M. Hoxby, “Does Competition among Public Schools Benefit Students and Taxpayers?” *The American Economic Review*, Vol. 90, No. 5, December 2000, pp. 1209-1238.

¹⁵William G. Howell, Martin R. West, and Paul E. Peterson, “The 2008 Education Next—PEPG Survey of Public Opinion,” *Education Next*, Fall 2008, pp. 20-21.

¹⁶Paul E. Peterson and David E. Campbell, “Introduction: A New Direction in Public Education?” in Paul E. Peterson and David E. Campbell (eds.), *Charters, Vouchers and Public Education*, Brookings Institution Press, Washington, D.C., 2001, p. 5.

¹⁷Terry M. Moe, *Schools, Vouchers, and the American Public*, Brookings Institution Press, Washington, D.C., 2001, pp. 20-24.

¹⁸Milton Friedman, “The Role of Government in Education,” in Robert A. Solo (ed.), *Economics and the Public Interest*, Rutgers University Press, Newark, NJ, 1955, pp. 123-144.

¹⁹James Coleman, “Private school, public schools, and the public interest,” *Public Interest*, Summer 1981, pp. 19-30.

²⁰Ibid., pp. 7, 8.

²¹See Finn, p. 17.

²²The Center for Education Reform, <www.edreform.com> (December 12, 2008.)

²³Bryan C. Hassel and Michelle Godard Terrell, “The Rugged Frontier: A Decade of Public Charter Schools in Arizona,” Progressive Policy Institute, Washington, D.C., June 2004, pp. 5-40.

²⁴Bryan C. Hassel, Michelle Godard Terrell, and Julie Kowal, “Florida

Charter Schools: Hot and Humid with Passing Storms,” Education Sector, Washington, D.C., May 2006, pp. 1-30.

²⁵Louann Bierlein Palmer, Michelle Godard Terrell, Bryan C. Hassel, and C. Peter Svahn, “Turning the Corner to Quality: Policy Guidelines for Strengthening Ohio’s Charter Schools,” Thomas B. Fordham Institute, October 2006, pp. 1-38

²⁶Ibid.
²⁷Robin J. Lake, editor, “Hopes, Fears, and Reality: A Balanced Look at American Charter Schools in 2007,” National Charter School Research Project, Center on Reinventing Public Education, Daniel J. Evans School of Public Affairs, University of Washington, December 2007, p. 4.

²⁸The Center for Education Reform, “Progress Report 2008: Advancing the Cause, Achieving Change,” p. 5.
²⁹Ibid, p. 6.

³⁰Joe Williams, “Games Charter Opponents Play,” *Education Next*, Winter 2007, pp. 13-18.

³¹Christiana Stoddard and Sean P. Corcoran, “Charter Politics,” *Education Next*, Spring 2008, pp. 72-78.

³²The Center for Education Reform, “Understanding Constitutions and Charter Schools,” July 2007, pp. 1, 2.
³³Ibid, p. 4.

³⁴Quoted by Finn, p. 75. According to his profile page on the website of the Public Policy Institute of California, “Gary K. Hart is retired founder of the California State University Institute for Education Reform (IER).” He served as a member of the California State Legislature from 1974-1994 before forming IER in 1995. From 1999-2000, he served as Governor Gray Davis’ Education Secretary, “where he played a major role in developing and enacting into law the Academic Performance Index (API) and the California High School Exit Examination (CAHSEE).” See www.ppic.org/main/bio.asp?i=235, (December 12, 2008).

³⁵An early study cited by Finn,, p. 75. Stella Cheung, Mary Ellen Murphy, and Joe Nathan, “Making a Difference? Charter

Schools, Evaluation, and Student Performance,” Center for School Change, University of Minnesota, March 1998.

³⁶Quoted from Herbert J. Walberg, *School Choice: The Findings*, Cato Institute, Washington, D.C., 2007, p. 21.

³⁷Ibid., pp. 24, 25.

³⁸Bryan C. Hassel, Michelle Godard Terrell, Ashley Kain, and Todd Ziebarth, *Charter School Achievement: What We Know*, National Alliance for Public Charter Schools, Washington, D.C., 4th edition, 2007, pp. 1-64.

³⁹Ibid., p. 1, 7, 8

⁴⁰Ibid., p. 6.

⁴¹Ibid., p. 2, 9.

⁴²Kevin Smith, a professor of political science at the University of Nebraska-Lincoln, argues that much of the research on charter schools, especially in the performance area, is “entangled in the politics surrounding debates over market-drive reform rather than serving as foundations for utilitarian policy making.” In other words, Smith is concerned that ideological lens might cloud the real meaning of empirical and quantitative research, thus distorting the true meaning of the data. He offers practical advice for researchers and readers alike of charter school reform literature, including “how to read a choice study,” “what do the data really say,” and what impact does the information provided through answers to these two questions have upon policy makers? For a full overview of these and other questions posed by the author, see Kevin Smith, “Data Don’t Matter? Academic Research and School Choice,” *Perspectives on Politics*, Vol. 3, No. 2, June 2005, pp. 285-299.

⁴³Ibid., p. 10.

⁴⁴F. Howard Nelson, Bella Rosenberg, and Nancy Van Meter, “Charter School Achievement on the 2003 National Assessment of Educational Progress,” American Federation of Teachers, August 2004, pp. i.

⁴⁵Katrina Bulkley, “Educational Performance and Charter School Authorizers: The Accountability

Bind,” *Education Policy Analysis*, Vol. 9, No. 37, October 2001, <<http://epaa.asu.edu/epaa/v9n37.html>> (September 18, 2008).

⁴⁶Gary Miron and Brooks Applegate, “Teacher Attrition in Charter Schools,” The Great Lakes Center for Education Research and Practice, May 2007, pp. 1-39. Web site: www.greatlakescenter.org

⁴⁷Ibid., p. 1.

⁴⁸Christopher Lubienski and Sarah Theule Lubienski, “Charter, Private, Public Schools and Academic Achievement: New Evidence from NAEP Mathematics Data,” National Center for the Study of Privatization in Education, Teachers College, Columbia University, New York, NY, January 2006, pp. 1-48.

⁴⁹Ibid., p. 25, 5.

⁵⁰Ibid., p. 3.

⁵¹Ibid., p. 36.

⁵²Ibid., p. 34, 36.

⁵³Ibid., p. 36.

⁵⁴Ibid., p. 35, 36

⁵⁵Ibid., p. 39.

⁵⁶Ibid., p. 38.

⁵⁷Thomas L. Good and Jennifer S. Braden, “Charter Schools: Another Reform Failure or a Worthwhile Investment?” *Phi Delta Kappan*, June 2000, pp. 745-750. The authors write, “On the positive side, we found that in the short run charter schools have proven to be popular with both students and parents...” In addition, the authors note, “...charter schools are providing choices to some parents and extending new educational opportunities to some students.” (p. 746)

⁵⁸Christopher Lubienski, Associate Professor of Education, University of Illinois, phone interview, December 12, 2008.

⁵⁹Paul Teske and Mark Schneider, “What Research Can Tell Policymakers about School Choice,” *Journal of Policy Analysis and Management*, Vol. 20, No. 4, 2001, pp. 609-631.

⁶⁰Howell, p. 20.

⁶¹National Association of Charter School Authorizers, “Charter School Authorizers and Oversight: Where is the Line between Effectively

Holding Schools Accountable and Overregulation?" *Authorizer Issue Brief*, Number 5, October 2004, p. 1.

⁶²See John Merrifield, "Charter Laws: Disaster, Detour, Irrelevant, or Reform Tool?" *Journal of School Choice*, Vol. 1, No. 1, 2006, pp. 3-22. Merrifield warns, for example, that "Pursuit of charter laws could crowd out superior reforms" (p. 4). Tentative conclusions that draw upon economic analysis "...suggest that strong charter laws will reduce private school enrollment, prompt little change in traditional public schools, and yield less autonomy as chartered school enrollments grow, but still replace existing schools at a very low rate, and divert resources and attention from other reform option" (p. 19). So there is the ironic fear that too strong of a charter law might have more negative effects than positive.

⁶³Good, p. 750.

⁶⁴Ibid.

⁶⁵Robin J. Lake, "Holding Charter Authorizers Accountable: Why It is Important and How it Might be Done," National Charter School Research Project White Paper Series, No. 1, University of Washington, Seattle, WA, February 2006, pp. 1-9.

⁶⁶Paul T. Hill and Robin J. Lake, with Mary Beth Cailo, *Charter Schools and Accountability in Public Education*, Brookings Institution Press, Washington, D.C., 2002, pp. 47-62.

⁶⁷Center for Education Reform, "Charter School Laws across the States: Rankings and Scorecard," 10th edition, 2008, pp. 37-38 (Illinois); pp. 41-42 (Iowa); pp. 43-44 (Kansas); pp. 53-54 (Minnesota); pp. 57-58 (Missouri); and pp. 91-92 (Wisconsin).

⁶⁸Bryan C. Hassel, *The Charter School Challenge: Avoiding the Pitfalls, Fulfilling the Promise*, The Brookings Institution Press, Washington, D.C., 1999, p. 17.

⁶⁹Ibid., p. 18.

⁷⁰Ibid., pp. 21-24.

⁷¹Ibid., p. 29.

⁷²Cited in Paul T. Hill, "Realizing Chartering's Full Potential," in Paul T. Hill, *Charter Schools: Against*

the Odds, Hoover Institute, San Francisco, CA, 2006, p. 186.

⁷³Rebecca Gau, "Trends in Charter School Authorizing," Thomas B. Fordham Institute, Washington, D.C., May 2006, pp. 1-38.

⁷⁴Ibid., pp. 186, 189, and 191.

⁷⁵A sound chartering system includes quality applications, strong authorizing process, effective oversight, strong support, and fair renewal process. For more detailed information on these various elements, see Bryan Hassel and Dana Brinson, "'Working the Curve' for North Carolina's Charter Schools," Public Impact, Raleigh, NC, December 2007, pp. 16-34.

⁷⁶See National Association of Charter School Authorizers at www.qualitycharters.org.

⁷⁷Greg Richmond, "Four Guidelines for Charter School Monitoring," *Authorizer Issue Brief*, No. 5, October 2004, pp. 1-2.

⁷⁸For the 2006-2008 periods, 80.5 percent of Iowa's fourth-grade student population was labeled "proficient" in math. This compares with 75 percent for the 2001-2003 periods. (Elaine Watkins-Miller, "Iowa Department of Education Releases Condition of Education Report," News Release, State of Iowa, Department of Education, November 20, 2008.) For more detailed testing information for fourth-grade students, see the Iowa Department of Education's *The Annual Condition of Education Report*, 2008 edition, pp. 154-165.

⁷⁹The statistics are based on data provided by the National Education Association, as reported on Iowa's Department of Education website, <www.iowa.gov/educate/content/blogcategory/410/1003/> (November 18, 2008).

⁸⁰Staci Hupp, "Iowans' SAT scores in math, reading rank No. 1 in country," *DesMoinesRegister.com*, August 27, 2008, <www.desmoinesregister.com/apps/pbcs.dll/article?AID=/20080827/NEWS/8082703...> (August 27, 2008).

⁸¹Ibid.

⁸²Register Editorial, "More rigor needed in Iowa schools," *The Des*

Moines Register, August 19, 2008, p. 6A.

⁸³Pat Kossan, "Juniors in 8 districts must take college-entry exam," *The Arizona Republic*, October 18, 2008, <www.azcentral.com/arizonarepublic/news/articles/2008/10/18/20081018aims1018> (December 17, 2008).

⁸⁴Register Editorial, "'We've got to think differently,'" *The Des Moines Register*, August 3, 2008, p. 3OP; Register Editorial, "As education in Iowa slips, where's the public outcry?" *The Des Moines Sunday Register*, July 20, 2008, p. 3OP.

⁸⁵Linda Lantor Fandel, "Alberta keeps pushing to improve its schools," *The Des Moines Sunday Register*, December 7, 2008, pp. 2OP-8OP.

⁸⁶Linda Lantor Fandel, "An Academic Star: Finland's focus on education translates into top achievement," *The Des Moines Sunday Register*, November 23, 2008, pp. 2OP-8OP.

⁸⁷Michael V. Gershowitz, "Ghana offers some lessons in discipline, teacher quality," *The Des Moines Register*, November 17, 2008, p. 7A.

⁸⁸Bob Zientara, "Educators look to adapt to Iowa Core Curriculum," *Ames Tribune*, November 30, 2008, pp. A1, A7.

⁸⁹Del Hoover, Iowa Department of Education, email correspondence with author, January 9, 2009.

⁹⁰Iowa Department of Education, "Iowa Core Curriculum: Overview," Department of Education, Des Moines, IA, September 5, 2008, pp. 2, 4.

⁹¹Judy Jeffrey, "Guidance on House File 2679 and Senior Year Plus," Memorandum to Public School District Administrators, Accredited Nonpublic School Administrators, Community College Presidents, and AEA Administrators, September 25, 2008.

⁹²Staci Hupp, "Four-day school week suits Nebraska district," *The Des Moines Register*, November 17, 2008, p. 1A.

⁹³Register Editorial, "Set guidelines for Iowa's online courses," *The Des Moines Register*, November 17, 2008, p. 6A.

⁹⁴Candice McMains, "Use arts to nurture a global outlook," *The Des Moines Register*, September 22, 2008, p. 7A.

⁹⁵Register Editorial, "Ease career switch into teaching ranks," *The Des Moines Register*, September 22, 2008, p. 6A.

⁹⁶Iowa Department of Education, "Competent Private Instruction Handbook," 2008-2009, Department of Education, Des Moines, IA, pp. 4-7.

⁹⁷Stephen M. King, "School Choice in America and Iowa: Examining the Roots and Policies of Education Reform," *POLICY STUDY*, Public Interest Institute, Mount Pleasant, IA, No. 08-7, September 2008, pp. 26, 27.

⁹⁸Iowa Department of Education, Charter Schools, <http://www.iowa.gov/educate/index.php?option=com_content&task=view&id=487&Itemid=1334> (December 17, 2008).

⁹⁹Del Hoover, Department of Education official, phone interview, November 6, 2008.

¹⁰⁰King, p. 19, 20.

¹⁰¹For a complete overview of the nine charter schools, see Iowa Department of Education, "Charter Schools in Iowa: Progress Update, 2007," (December 2007). The names of the charter schools and the administrator follows: Northeast Iowa Charter High School, John Johnson, Superintendent; Lincoln Academy of Integrated Arts, Mary McMeekin, Principal; Iowa Central Charter High School, Dr. Mike Jorgensen, Superintendent; Elma Elementary Charter School, Robert Hughes, Principal; Storm Lake/Iowa Central/Buena Vista Early College Charter High School, Paul Tedesco, Superintendent; Northwest Iowa Charter High School, Mark Peterson, Principal; Prescott Elementary Charter School, Christine McCarron, Administrator; Panorama Charter School, Mark Johnston, Superintendent; and eSigourney Entrepreneurial Academy for Leadership (eSEAL), Todd Abrahamson, Administrator.

¹⁰²For more detailed description of Iowa charter schools, see Stephen M.

King, "School Choice in America and Iowa: Examining the Roots and Policies of Education Reform," *POLICY STUDY*, No. 087, September 2008, pp. 19-24.

¹⁰³Iowa Public Charter School, Application for Public Charter School Status, Jeff Kirby, applicant, pp. 1-42.

¹⁰⁴Todd Abrahamson, eSEAL administrator, phone interview with author, October 15, 2008.

¹⁰⁵Ibid., p. 6.

¹⁰⁶Ibid., p. 10, 11.

¹⁰⁷The following summary and analysis is drawn from two main sources: Center for Education Reform, "Charter School Laws Across the States: Rankings and Scorecard, 10th edition, 2008, pp. 37-38 (Illinois); pp. 41-42 (Iowa); pp. 43-44 (Kansas); pp. 53-54 (Minnesota); 57-58 (Missouri); and pp. 91-92 (Wisconsin); and Education Commission of the States, "State Profiles: Charter Schools," <<http://mb2.ecs.org/reports/Report.aspx?id=65>> (September 19, 2008).

¹⁰⁸Center for Education Reform, 10th edition, 2008.

¹⁰⁹Iowa Code, 256F.4 "General Operating Requirements."

¹¹⁰Linda A. Renzulli and Vincent J. Roscigno, "Charter School Policy, Implementation, and Diffusion Across the United States," *Sociology of Education*, Vol. 78, October 2005, pp. 344-366.

¹¹¹Ibid., p. 346.

¹¹²Ibid., pp. 347-350.

¹¹³Ibid., p. 358.

¹¹⁴Center for Education Reform, pp. 10-11.

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