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**Politics
halts
growth of
top-notch
schools**

Boston and the **Charter School Cap**

Imagine you live in a city with a set of open-enrollment public schools, serving predominantly low-income children of color, where students learn at twice the rate of their peers in neighboring schools. And what if those high-performing schools were ready, willing, and able to enroll more students, maybe even double or triple in size? Sounds too good to be true, huh?

Well, that city actually exists, and it's Boston. But, remarkably, the powers that be are blocking the city's best schools from growing for the simple reason that they are charter schools.

Conflict between charter schools and their local school districts is nothing new, having persisted since the first charter school opened in 1992. Although the level of vitriol ebbs and flows, there has rarely been a lasting rapprochement (see "Competition with Charters Motivates Districts," *features*, Fall 2013). Over the past several years, the Bill and Melinda Gates Foundation has boldly attempted to broker nonaggression pacts and facilitate genuine cross-sector partnerships. There are now 15 such "district-charter collaboration compacts" in place, many of which promise to accelerate the development of "portfolio" school systems, with a mix of district-run and charter schools. Although the degree of alignment and cooperation varies from city to city, each district that has signed onto a compact adopts (at least on paper) a "theory of change" that includes charter schools as an integral part of a broader school-reform strategy.

Some "compact cities" have fully embraced charters as reform partners. Not surprisingly, New Orleans stands out as the leading example. As is now well known, after Hurricane Katrina, Louisiana's newly created Recovery School District (RSD), which operated on a small scale before the storm, rapidly expanded its footprint in New Orleans.

by JAMES A. PEYSER

Using its authority to intervene directly in low-performing schools, the RSD took over 63 more New Orleans schools after the flood in 2005 (see “New Schools in New Orleans,” *features*, Spring 2011). While initially operating most of these schools itself out of necessity, the RSD began systematically replacing direct-run schools with charters. In 2013, more than 80 percent of New Orleans public school students attend charter schools, including 12 charters that are authorized by the Orleans Parish School Board, which still operates six of its own schools as well. Under the auspices of the district-charter compact, New Orleans has an integrated student-enrollment system, a common report card for all schools, and a transparent process for allocating facilities to school operators. New Orleans is not alone. Other urban districts, including Denver, Hartford, New York, and Spring Branch in Houston, have also embraced a school portfolio strategy with meaningful cross-sector collaboration.

The Charter Scene

Boston is also a “compact” city. The agreement between Boston Public Schools (BPS) and the Boston Alliance for Charter Schools, signed in September 2011, was billed as a shared commitment to “providing *all* Boston students and families with improved schools and broader choice, [through] a new culture of collaboration between the district and charter schools.” As a result of the compact, BPS and the local charter sector have established several school-to-school partnerships (some including local parochial schools) in order to share and develop effective instructional practices. In addition, the compact created joint initiatives to better align the student enrollment process, deepen the pipeline of well-prepared school leaders, and address the unique challenges of African American and Latino boys. Notably, discussions held under the auspices of the compact led Boston Public Schools to lease three empty school buildings to charter school tenants, and the district is planning to lease one more before the end of 2013.

Compared to the antagonism that defined the district-charter relationship in Boston before the compact, these are truly significant steps forward that have served to build trust across the divide and establish productive working relationships between senior district personnel and various charter-school leaders. Compared to some other compact cities, however, Boston is still in the early stages of developing a meaningful cross-sector partnership. According to an interim report from the Center on Reinventing Public Education, BPS

Two types of charter schools operate in Massachusetts: Horace Mann charters and Commonwealth charter schools.



and the city’s charter schools are still “getting to know each other.”

The Boston compact stops short of committing the district to supporting expansion of charter schools in the city. Two types of charter schools operate in Massachusetts: Horace Mann charter schools are effectively “in-district” charters whose applications must first be approved by a host school district and, with a few exceptions, the local teachers union. Teachers in Horace Mann charter schools must belong to the local union, but they may be subject to a thin contract that waives most of the provisions not associated with compensation. Horace Mann charter schools are authorized by the state Board of Elementary and Secondary Education (BESE) and receive their funding through the state, but the amount they can keep and use at their discretion is usually a subject for negotiation with their sponsoring district.

Commonwealth charter schools, in contrast, are fully independent of the local school district. Although Commonwealth charters are authorized by BESE and subject to most state laws and regulations governing public schools, they are exempt from certain regulations related to teacher certification and tenure, and they are free from the confines of any preexisting collective-bargaining agreements.

Not surprisingly, most Massachusetts school districts, including Boston’s, tend to support more Horace Mann charter schools but oppose any increase in the Commonwealth variety, since Horace Mann charters provide host districts with a great deal of discretion and ongoing oversight authority. Boston has made particularly effective use of Horace Mann charters, especially as a vehicle for turning around its lowest-performing district schools. Most notably, BPS has supported Horace Mann charter applications for the non-profit school-management organization Unlocking Potential to operate two such schools. BPS has also gone a long way in providing Unlocking Potential with broad discretion over its staffing and budget policies. So far, Unlocking Potential’s results have been impressive, especially in terms of annual student-learning gains.

No Room to Grow

The current city administration has strongly opposed expansion of Commonwealth charters in Boston. State law specifies the number of Commonwealth charter schools that are allowed statewide and, via spending limits, the number of students who can be enrolled in charter schools in any given

district. In 2010, the law was amended to double the number of charter students permitted in the state’s lowest-performing districts, from about 9 percent to 18 percent of public school students. Since then, seven “proven” school operators have been granted charters to expand their operations in Boston.

As of early 2013, virtually all of the new seats authorized for Boston under the 2010 amendment have been approved by BESE, leaving no room for additional growth in city charters. The first casualty of the 18 percent cap was Edward Brooke Charter Schools, one of the highest-performing elementary-school operators in Massachusetts, which was denied a charter to open a fourth school in Boston.

Facilities are a particular pain point for charter schools, and their access to underutilized BPS school buildings is one of the core concerns of the compact. As noted above, BPS took an important step in 2012 by leasing empty buildings to charter operators for the first time. Additional leases have been hard to come by, with few if any prospects for another round of long-term leases. While BPS staff has expended significant time and political capital in order to make this limited space available to charters, the district’s primary concern is a growing number of young students entering Pre-K programs and elementary schools. Compounding the facilities planning challenge is the upcoming launch of a new student-enrollment system, which will reallocate students among BPS schools. Notwithstanding these valid considerations, there appears to be a significant amount of underutilized space, which is unevenly and often thinly spread throughout BPS schools. According to data published on the district’s web site, Pre-K–8 capacity in BPS is more than 55,000 seats, while enrollment in these grades is only about 40,000. Actual excess capacity at these grade levels is probably much smaller than 15,000 seats, given the unique constraints in many of the buildings and the extra space requirements of specialized programs; but it’s clear that there is significant slack. There are almost 3,000 empty seats in the district’s high schools, where enrollment is dropping.

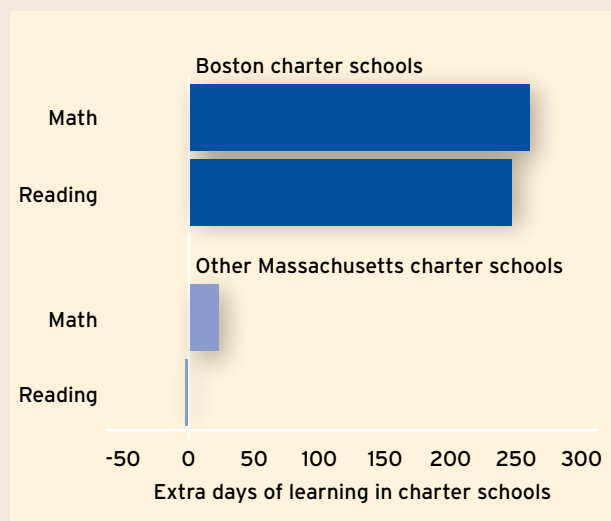
Even with a small risk to the district of ending up with too few seats, all the internal incentives at BPS are to hedge against unexpected enrollment increases, overall or in particular neighborhoods. This bias is compounded by the pain of closing or consolidating schools. The result is a strong reluctance to cede any more seats to charters, even though projected charter enrollment growth, based on schools that have been authorized but not yet filled, will almost certainly generate even more excess capacity in BPS buildings.

Record of Success

What makes Boston’s resistance to expanding charter schools so remarkable is that the city’s charter sector includes some of the best urban public schools in the country, of any kind.

High Achievers (Figure 1)

The CREDO study found that while charter school students in other Massachusetts cities and towns show greater average gains in math and perform on par with their local peers in reading, charter students in Boston show far greater average learning gains than their BPS peers.



NOTE: The figure shows the average extra learning gains of students attending charter schools compared to demographically matched students with similar achievement attending feeder traditional public schools in the years 2007-2011.

SOURCES: “Charter School Performance in Massachusetts,” and “National Charter School Study,” Center for Research on Education Outcomes (CREDO), Stanford University (2013)

Over the past few years, several studies of charter school performance in Boston have been conducted by a variety of researchers using different methodologies. Regardless of the sponsoring organization or the research design, these studies all reach the same conclusion: Commonwealth charter schools in Boston are exceptionally high performing.

A 2009 study by a team of Harvard and MIT researchers, under the direction of Thomas Kane of the Harvard Graduate School of Education, examined the differing effects on middle-school academic achievement (as measured by the Massachusetts Comprehensive Assessment System or MCAS, the statewide testing instrument) of Boston Public Schools, Commonwealth charter schools, and “pilot” schools. Pilot schools are autonomous schools, analogous to in-district charters, which were created shortly after the Massachusetts charter-school law was enacted. The study, which compared students who “won” and “lost” charter-school admission lotteries, found that achievement gains among Boston charter-school students were

significantly higher than those of their peers in either BPS or pilot schools, especially in math. The impact of Boston charters was so large over the course of middle school that they effectively closed the math achievement gap between students in Boston and those in Brookline, its wealthy suburban neighbor.

In February 2013, the Center for Research on Education Outcomes (CREDO) published its findings from an analysis of matched student pairs, comparing MCAS gains of Boston charter-school students with demographic “twins” from BPS. The results were even more dramatic than the Harvard-MIT study (see Figure 1). The CREDO report found that students in Boston charter schools gain the equivalent of 259 additional days of instruction in math and 245 days in reading compared to their counterparts in traditional district schools. In other words, Boston charter-school students are learning at more than twice the rate of their district-school peers. “The average growth rate of Boston charter students in math and reading is the largest CREDO has seen in any city or state thus far,” the authors write. “The Boston charter schools offer students from historically underserved backgrounds a real and sustained chance to close the achievement gap.”

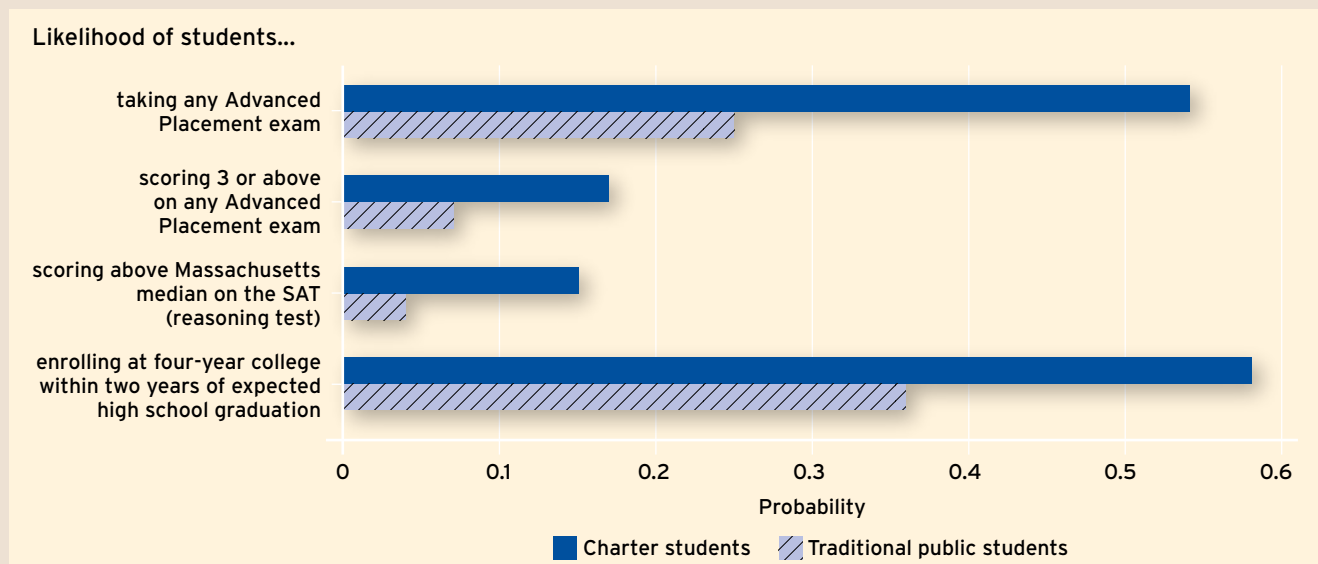
Another research team, led by Josh Angrist and Parag Pathak, directors of the School Effectiveness and Inequality Initiative at MIT, compared “long-term outcomes” of Boston charter-school students to outcomes for BPS students who had entered charter-school admission lotteries (see Figure 2). Unlike previous studies, which focused on MCAS results, the MIT report tracked performance on Advanced Placement and SAT tests. It also looked at the number of students qualifying for scholarships to state colleges, along with postsecondary enrollment data. The study found that Boston charter schools doubled the rate of AP test-taking, boosted composite SAT scores by more than 100 points, and increased enrollment in four-year colleges by almost two-thirds. The MIT authors conclude that previous findings of strong MCAS performance in middle school are consistent with later measures of academic success, specifically those that are indicators of improved college readiness. “The effects of Boston’s charters are remarkably persistent,” they write.

A Matter of Politics

Boston charter schools are also wildly popular. NewSchools Venture Fund commissioned a poll of 625 Boston voters in

Enduring Impact (Figure 2)

The MIT long-term study found that attending a charter school in Boston improves students’ chances of earning high scores on SAT and Advanced Placement tests and of enrolling in a four-year college.



NOTES: The figure illustrates the estimated effects of attending one of six oversubscribed Boston charter high schools rather than a traditional public school for students entering charter school admission lotteries in the years 2002-2008. Charter students include all students attending a charter school at any time after entering an admission lottery. Differentials in effects shown are statistically significant at or above the 90 percent confidence level.

SOURCE: Joshua D. Angrist et al., “Charter Schools and the Road to College Readiness: The Effects on College Preparation, Attendance and Choice,” The Boston Foundation and NewSchools Venture Fund (2013)

March 2013. “Increasing the number of students who can attend charters in Boston is a popular idea, with 64 percent in favor and just 23 percent saying the limit should stay,” according to MassINC, which conducted the poll. “Voters [are] especially supportive of the idea of allowing schools with a proven record of success to expand, with 73 percent in favor of this proposal.” The city’s two competing newspapers, the *Boston Globe* and the *Boston Herald*, which cater to the left and right of the political spectrum, respectively, have both given Boston charters consistent and full-throated editorial support. A broad cross-section of business, community, and philanthropic leaders has come together in support of lifting the charter cap, both in Boston and statewide.

Unfortunately, the growing chorus of charter supporters has had little influence to date on the one decisionmaker who really counts—the mayor. Boston’s public schools are governed by a school committee that is appointed by the mayor, so effectively Thomas M. Menino has had control over the Boston Public Schools for the past 20 years. In 2009, Mayor Menino tacitly supported an increase in the number of “proven” Commonwealth charter schools that could operate in Boston as part of a broader education-reform bill that invested school districts with greater authority to intervene in low-performing schools and permitted districts to establish a few Horace Mann charter schools without the required union sign-off. Equally important, Menino appointed a charter school leader to the school committee in 2012. Nevertheless, the Menino administration opposes any further growth of Commonwealth charter schools.

The mayor typically defends his opposition to charter growth by expressing concern over the impact on the BPS budget and his belief that Commonwealth charter schools “pick and choose” their students. The long track record of charter schools in Boston has produced a wealth of data that should dispel these criticisms once and for all. As I wrote in a recent op-ed for *Commonwealth* magazine, here’s what the data show:

The year before the first charter school opened, Boston Public Schools (BPS) enrolled just under 60,000 students. BPS now enrolls about 57,000 students, while almost 7,000 students attend charter schools. Meanwhile, the BPS budget has doubled from about \$405 million in FY 1995 to more than \$815 million last year. Accounting for enrollment changes and inflation, the district’s real per-pupil spending grew by

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more than 20 percent during this period (from \$6,747 per pupil to \$8,246 per pupil in 1995 dollars).

Opponents often accuse charter schools of serving a less-needy student population. While the demographic profiles of Boston’s charter schools do not perfectly mirror BPS, they are roughly similar. Recently released data show that 76 percent of BPS students are black or Hispanic, compared to about 84 percent of charter school students. Almost 72 percent of BPS students come from low-income families, virtually the same proportion as in the charter sector. About 19 percent of BPS students are classified as having special needs, while 14 percent of charter school students have disabilities. There is no doubt that charter schools have fewer students with severe or multiple disabilities, since charters generally lack the district’s scale and capacity for a full-range of highly specialized services and are not eligible for the extra funding these students require. For students with milder learning or behavioral challenges, the standard academic programs that many charter schools offer may help to reduce the need for special services and thus the number of students classified under federal and state special education rules.

The biggest demographic difference between BPS and charter schools involves students whose first language is not English. About 45 percent of BPS students come from

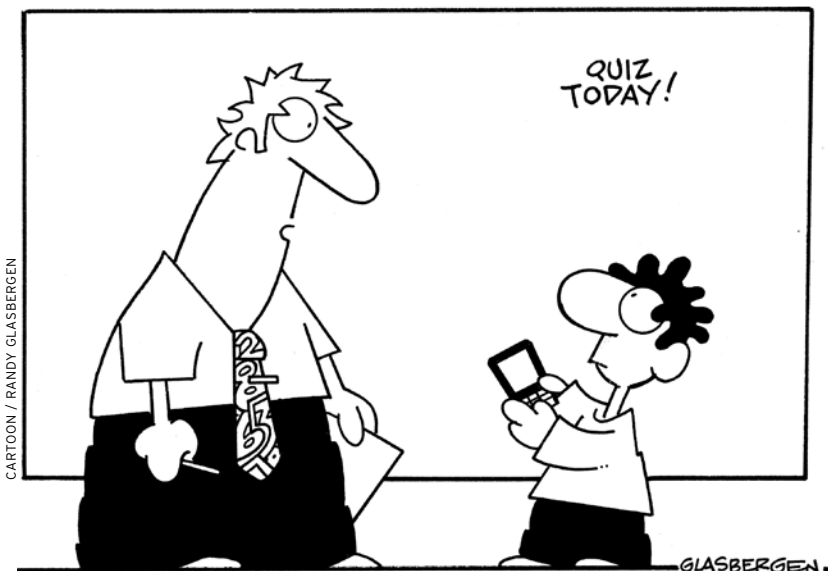
homes where a language other than English is spoken, compared to 21 percent in Boston charter schools. Part of this difference reflects the areas of the city in which charter schools are located and the racial and ethnic makeup of the surrounding neighborhoods, which supply most of the students. For example, less than 30 percent of Boston charter-school students are Hispanic, compared to almost 40 percent in BPS. This gap is declining, however. Recent recruitment efforts have drawn more English language learners to charter schools; the increase was nearly 3 percentage points last year alone. Among charter schools adding new campuses, the percentage of incoming students whose first language is not English shot up from just under 30 percent two years ago to 55 percent in 2013.

Charters’ Time Has Come

So, if the conventional arguments against more charter schools lack substance, why does the administration still support the cap? Other than the usual issues of self-interest

and bureaucratic inertia, Boston Public Schools presents one more, fairly unique obstacle to charter growth: the district's recent improvement. Boston is now widely recognized as among the best urban school districts in America. In 2006, BPS won the coveted Broad Prize for Urban Education. On the 2011 Trial Urban District Assessment of the National Assessment of Educational Progress (NAEP), Boston ranked third out of 21 comparable districts in 8th-grade math and seventh in reading. Boston's four-year high school graduation rates have risen consistently over the past six years, reaching almost 66 percent for the Class of 2012. College enrollment rates in the first year following high school graduation have also been going up, reaching 70 percent in 2010. Just over 49 percent of the Class of 2006 completed college within six years, up about 9 percentage points over the Class of 2000. As the recent comparative studies have shown, these results pale in comparison to Boston's high-performing charter sector but are stronger than those in most other urban public school systems.

Ultimately, the mayor of Boston cannot decide how large the city's charter sector can be; that is within the purview of state government. The state, through BESE, is also solely responsible for authorizing and overseeing charter schools. Unfortunately, the mayor is not alone in opposing charter growth, despite their proven benefits to students. The governor and the legislature are equally cautious about letting charter schools become a larger part of the public education landscape, even in the highest-need school systems, which includes Boston's.



"You have to attend classes. You can't just follow me on Twitter."

Nevertheless, a pro-charter mayor could shift the balance on Beacon Hill in favor of lifting the charter cap. In March 2013, Menino announced that he would not seek reelection in November 2013, ending an unprecedented 20-year run. About a month later, BPS superintendent Carol Johnson announced that she would leave her post at the end of July 2013. Vacancies in these two offices create an opportunity for resetting the district-charter relationship and moving Boston closer toward a reform strategy that takes full advantage of the city's remarkable charter schools.

The Boston story over the last two decades is a cautionary tale for charter school proponents everywhere. Even in a city with remarkably strong charter schools, supported by business, philanthropy, and the media, breaking through the political and bureaucratic barriers that limit growth is a persistent challenge. Mayoral control is often a blessing for education reformers, but it can also be a curse. In the end, mayors tend to follow, rather than lead, their constituents. In the absence of a sizable, well-organized and mobilized block of voters, the path of least resistance for most mayors is to focus on things that are within their control (like a school district), rather than on things are not (like independent education entrepreneurs). Ultimately, charter schools in Boston and throughout the country must wean themselves from dependence on a handful of friendly political and district leaders who come and go, and instead take control of their own destiny by becoming a more potent political force.

The last three mayors of Boston have served for an average of 15 years each, so establishing a positive working relationship with the new mayor will be a high priority for the city's charter schools during the transition to a new city administration. To be effective and sustainable, however, such relationships must be based on a reasonable balance of power. If a collaborative modus vivendi cannot be established with the new mayor, the sector will need to get much better at flexing its latent political muscle at both the state and local level. The popularity of charter schools among Bostonians and the growing number of families whose children attend them is potentially a huge political asset to a new administration; it can also be a credible threat. To date, the Boston charter sector has kept a fairly low political profile, in hopes of avoiding attacks while pursuing incremental growth. Given a well-entrenched mayor, that may have been the only viable option. But the status quo has changed.

What's wrong with Boston? As Shakespeare might say, "the fault, dear charter schools, is not in our politicians, but in ourselves."

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