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Chapter 11 Conclusions about Charter School Policy and Research

by Julian R. Betts and Paul Hill

Maturation, the subject of one of our chapters, is also the theme of this concluding chapter. Just as we argued above that individual schools mature, charter school research and policy are maturing, as are the public school system's response to charter schools.

As we will discuss:

-- Charter school research is improving slowly but steadily. Though many studies are still poor, the number using more advanced methods (which as Betts, Tang and Zau show in Chapter 2 are likely to give much more valid results) is growing. Moreover, the quality of data on student achievement and school characteristics is also growing, thus allowing good studies that simply were not possible before.

-- Charter school policy is becoming more stable and sophisticated, at least in some states and localities. States are, though with difficulty, raising the caps on the numbers of charter schools allowed, and are moving toward more rigorous charter school oversight.

-- Public school systems are treating charters as one among many legitimate ways of providing public schools. Some school districts (e.g. Chicago, New Orleans, Denver, and New York) are encouraging charters as a way to create options children in need. Under pressure from No Child Left Behind, the same localities

and others (e.g. Hartford and Baltimore) are also developing charter-like forms of performance-based oversight for all their publicly funded schools.¹

This is not to say that all the battles about charter laws and policy are over, or that questions about charter school performance are even close to being resolved. But it looks like charter schooling will play an increasingly important role in public education. The Obama Administration's apparent support for NCLB's accountability provisions is extremely important. It means that consistently underperforming schools must be restructured from a menu of options, including conversion of the school to charter status. These provisions are likely to accelerate the charter movement even further over the next five years.

Even more significant for the charter school movement, President Obama has directly signaled support for charter schools as an instrument of education reform. Speaking to the Hispanic Chamber of Commerce, President Obama stated in March 2009:

“One of the places where much of that innovation occurs is in our most effective charter schools. And these are public schools founded by parents, teachers, and civic or community organizations with broad leeway to innovate — schools I supported as a state legislator and a United States senator. But right now, there are many caps on how many charter schools are allowed in some states, no matter how well they're preparing our students. That isn't good for our children, our economy, or our country. Of course, any expansion of charter schools must not result in the spread of mediocrity, but in the

¹ On charter-style performance based oversight of regular public schools see Hill and Lake (2009).

advancement of excellence. And that will require states adopting both a rigorous selection and review process to ensure that a charter school's autonomy is coupled with greater accountability — as well as a strategy, like the one in Chicago, to close charter schools that are not working. Provided this greater accountability, I call on states to reform their charter rules, and lift caps on the number of allowable charter schools, wherever such caps are in place.” (Obama, 2009)

The call for an expansion in the number of charter schools is helpful to the prospects of the charter school movement. President Obama’s warning that we must not only open new charter schools, but close failing charters, raises serious questions about whether school districts and other authorizers of charter schools have the capacity to discern successful from failing charter schools.

Frankly, we don’t believe that at present district or state education policymakers typically have the data required to make accurate judgments about which schools are succeeding, because they tend to rely on test score levels rather than longitudinal measures of individual student progress. This problem encompasses both charter and traditional public schools. Under NCLB we have equated the quality of a school with the percentage of students who are proficient on state tests. But because students embark on their public school education with markedly different preparation, socioeconomic status of students remains the best predictor of a school’s average test scores. Low test scores are no more a sign of poor teaching than high scores guarantee excellent teaching. We will need more sophisticated value-added measures of student learning to identify schools that are truly successful.

The remainder of this chapter elaborates our conclusions about charter school research, charter school policy, and charter schooling's consequences for the future of public education.

On Charter School Research

Despite the noisy fights over specific studies, research on charter schools is showing the normal development of a new scientific inquiry. Dueling findings are normal even in more mature fields like medicine and environmental policy. Disputes over methods and interpretation of mixed findings normally advance, rather than retard, understanding.

Thus, in charter school research we are coming to understand that mixed findings have important uses. They produce clues about how things really work (e.g. that charter schools become more effective after a tough first year, and that charter schools are heterogeneous) and lead researchers to seek understanding about what causes variations in outcomes. Mixed findings can also point out the need for changes in governmental policy and oversight, e.g. as Betts and Tang suggest, more rigorous pruning of the lowest performing charter schools.

Later studies often show that earlier ones were wrong (e.g. they missed an important factor that explains differences in outcomes). However, the later studies would not have been done so well if the earlier ones had not sparked controversy and gone down some blind alleys.

At the same time, further progress in our understanding of the effects of charter schools is far from automatic. It requires that researchers eschew weaker methods of inquiry that predominated in the early studies, in favor of stronger methods. In particular it means abandonment of crude comparisons between all children in charter schools and all children in a set of traditional schools, without controls for student attributes and prior levels of performance.

Such a shift will not occur automatically. Scholarly exchanges and debates will move research in this direction. But it will also require better data, and a fuller understanding of the relative strengths and weaknesses of different research approaches among policymakers and the public. State and federal government must play a key role in mandating both better data systems and better evaluations. The media will also need to work at teasing out the most accurate interpretations of the research on charter schools as it develops.

Because charter research does not and should not take place in a vacuum, we return to the roles of key constituencies at the end of this chapter.

On the research front, we are also starting to understand the strengths and weaknesses of different approaches to charter school performance assessment. As Julian Betts, Emily Tang and Andrew Zau show in Chapter 2, more sophisticated non-experimental approaches which use students as their own controls are more likely to register positive charter school effects. Even more convincing than the best non-experimental methods, but still too rare, are analyses of lottery data. As Patrick McEwan and Rob Olsen show in Chapter 6, there are ways to improve lotteries and thereby increase the numbers of studies that can use randomization. The availability of computer-

adaptive testing is allowing some states to test students multiple times each year. As Dale Ballou, Bettie Teasley and Tim Zeidner (2006) have demonstrated, this will allow studies that compare learning rates for children who switch between charters and other public schools, and for students who stay in charter schools.

Zimmer, Gill, Booker, Lavertu, Sass and Witte (2009) have also demonstrated the importance of measuring outcomes other than test scores, especially for charter high school students who apparently stay in school longer and are more likely to graduate and enter college than students who apply for but lose in charter lotteries. Chapter 4 by Julian Betts summarizes this and other recent evidence on non-achievement outcomes.

Charter school research might eventually gain the degree of nuance and complexity now typical of research in medicine in the hard sciences. But even if it improves to that point there will still be disputes about methods, data, and generalization, just as there are in other fields. Future controversies over charter schools' effects on test scores will be better grounded but they will be about the same issues as now.

We are also just starting to look more deeply into charter school outcomes other than test scores. Test scores are important because they measure results while children are still in school, while something can still be done for students who are falling behind. But there is no substitute for direct measures of long-term results. Research has shown positive but weak associations between test scores and longer term outcomes such as students' earnings decades after they have left school.

Charter schools offer (or at least can claim to offer) safer and more serene environments² whose full effects might be evident only in the long run, e.g. on student

² See Hill and Christensen (2007).

persistence in school and avoidance of course failures. If charter schools motivate students to stay in school longer, work harder, and take more rigorous courses, these results might be visible only at near or after the end of high school. The same would be true of important outcomes like college application and attendance, and ability to avoid remedial courses in college. Some effects of charter schools might not appear until students are further than college into their adult lives. In Chapter 3, Laura Hamilton and Brian Stecher identify some of these longer term and subtler outcomes, which charter schools might or might not produce. As research takes greater account of such outcomes, it is likely to reflect what Americans care about most, which is how charter schools affect their students' ultimate life chances.

Chapter 4 by Julian Betts shows that recent work that goes beyond test scores is still in its infancy. However, a small number of studies strongly suggest that at least in some areas attending a charter school may boost a student's chances of graduating from high school, of graduating from college, and may also increase attendance and reduce disciplinary incidents. We will need many more studies to conclude that these patterns apply generally, though.

The shallowness of outcome measures for charter schools could help explain Jeff Henig's findings that elected officials are slow to use research on charter schools; and as other chapters show, to date that is probably a good thing. Many of the earlier studies would have led officials to draw the wrong and overly pessimistic conclusion about charter schools' effects on test scores, and even the best studies available could over- or under-estimate charter schools' ultimate consequences for the children who attend them.

Even though policymakers rightly avoid using test score-based research as the sole ground for decisions, in fact the charter community takes it very seriously. Charter operators and funders might not have been totally convinced by earlier mixed and negative findings, but they were worried. As a result they formed new national and state associations focused on providing assistance to schools and limiting new schools' growing pains. Funders also supported independent technical assistance organizations and charter school mutual support networks to improve school quality, and charter management organizations to reproduce higher quality schools. Charter advocates also joined with government agencies responsible for charter authorization and oversight to raise standards for approval of charter applications and increase the likelihood that low-performing charters would be transformed or closed.

Indeed, operators of charter schools have become aware that the phrase "charter school" is a brand name to be guarded jealously. The implication is that competing charter school operators will increasingly view their reputations as intertwined with one another. This encourages charter school administrators to band together, for instance, by providing know-how and other assistance to new schools. More dramatically, we may increasingly see charter school associations acting as de facto regulators, for instance exposing and correcting financial irregularities at a specific charter school. If necessary charter school associations may increasingly even lobby for the closure of a charter school if it is palpably failing in its mission to educate students.

Taking the research seriously, charter operators and funders have also encouraged increasing the number and quality of studies. The National Charter School Research Project, of which this book is one product, directly resulted from a determination among

charter schools and philanthropic organizations to get a better handle on what works, and what does not.

On Charter School Policy

In most states, the public has moved on from the debate about whether to have charter schools at all. Now the question is how to make charters an effective contributor to children's welfare and to the overall performance of public education.

Some might think this an odd development: after all the charter schools that have arisen since the first laws were enacted are highly variable in quality. Though some students attending charter schools are arguably better off, many others may have benefited only slightly or not at all. Yet the state laws that allow charter schools to exist offer something that other methods of providing public education do not – and the possibility of continuous improvement through competition, imitation of successful exemplars, and abandonment of models that do not work.

Four key features of charter school policy are developing rapidly.

The first is performance oversight. The government agencies and nonprofit organizations that state laws make responsible for authoring and overseeing charter schools are working hard to develop the capacity to distinguish promising from poor charter applicants, and to identify weak charter schools soon enough to intervene before the children in them are hurt. These efforts depend in part on the improvement of charter school performance data and research. Authorizers are also working on ways of closing poor performing charter schools and finding better alternatives for children. Some school

districts (e.g. Oakland, Chicago, New York, and New Orleans) are adopting kindred approaches like contracting and performance based funding to oversight of the schools they run directly.

Charter schools have highlighted the need to judge the performance of individual schools, but they have not created the need out of nothing. It was present all along but few states or localities had the motivation to pursue it. Now chartering and NCLB school choice options requirements put school effectiveness research on the front burner. The need to study and authorize charter schools depends on data and methods that would also enable valid and informative conclusions about district-run schools.

Policymakers in district and state offices could noticeably improve the quality of charter school evaluations by taking steps to make data from application lotteries more readily available to researchers and/or official evaluators. For instance, Hill and Betts (2006) suggest that charter schools should be required, in return for relative autonomy, to submit lists of lottery winners and losers by year and grade both to the chartering authority (typically a district) as well as the state department of education.

The second area in which policy is evolving concerns caps on the numbers of charter schools. Early state laws put strict limits on the numbers of charter schools allowed in particular states and localities. Due to the popularity of charter schools, and to struggling urban districts' need to create new schools to provide options for children trapped in consistently unproductive schools, these caps are being lifted in one state after another, most recently after a prolonged fight, in New York State. It is far too soon to say whether every state will continue to lift its cap on charter schools, but the trend is upward. President Obama's March 2009 call for states to ease their numerical caps on the

number of charter schools will only strengthen this trend. The policy of numerical caps is likely to evolve along with performance oversight: if performance oversight becomes more rigorous and reliable, there will be less reason for arbitrary limits on charter school numbers.

A third area of charter policy that is changing rapidly involves regulations that affect the supply of new charter schools. Policy decisions in these areas could equally well choke off or accelerate growth of charter schools. Betts, Goldhaber and Rosenstock (2005) emphasize the idea that opening new charter schools will remain difficult until these schools have adequate access to the credit markets, to unused school district sites, or preferably both. The short period for which a school is granted its charter scares off financial institutions from making the loans that are typically required to obtain land and build a school on it. Alternatively, charter school operators need access to unused public schools so that they can be spared the costs of building from scratch.

There are a few hopeful signs on both fronts. As discussed by Betts in Chapter 5, new federal policy has made it possible for charter school sites to be developed through the New Markets Tax Credit. And in California, a new state law requires districts to rent unused district school sites to charter school operators for nominal fees. This law seeks to put charter schools on a more equal financial footing with traditional public schools, which do not have to bear the costs of building new facilities.

A fourth policy area that deserves close scrutiny by policy researchers and state policymakers is institutional factors that limit the mobility of teachers between regular public school schools and charter schools. For example, we know of several charter schools that have lost, or come close to losing, some of their most senior teachers when

the sponsoring district refused to allow teachers “on leave” from traditional public schools in the district to continue as a regular member of the state teacher’s retirement system. In states and urban districts whose teachers and other employees get generous defined benefit pensions, the inability of charter school teachers to accrue service time in the state retirement system creates a powerful deterrent for senior teachers to remain at charter schools. As Dominic Brewer and June Ahn show in Chapter 8, there is a great deal to learn, both about charter school teachers today and about the future labor market response to charter schools’ needs for teachers with particular values and skills. However, lack of good data from states and the federal government now inhibit research on teachers in charter schools.

On Restructuring Public Education

Charters and charter-like arrangements are introducing the principle of performance contingency into our public education system. Competition with charters is forcing some districts to adopt features commonly associated with chartering, e.g. decentralization, greater site level control of resources, new niche schools, and family choice.³ We also see unions (e.g. the United Federation of Teachers in New York City) using chartering as a way to try out innovations that are attractive to teachers.⁴

Will chartering set the new pattern for all of public education? It is too soon to say. But it is clear that it is a pattern that is broadly imitated, even by people who do not

³ See, for example, Campbell and DeArmond (2006).

⁴ See <http://www.uft.org/chapter/charter/secondary/> downloaded April 17, 2009

like the title “charter.” Charters already clearly have broad influence that transcends their still relatively small share of enrollment nationwide.

The value of charter schools as public policy might ultimately be measured very differently than by the performance of the first few hundred charter schools. Charter schools might usher in an era of continuous improvement, where districts as well as charter authorizers are continually eliminating their lowest performing schools and opening more promising ones, including schools based on instructional models that have proven productive elsewhere. Broadening the frame in this way might look like a rhetorical retreat for charter proponents, and it is; but it is also a retreat to much firmer ground.

The emerging agreement in the research community that we must evaluate charter schools using methods that follow the progress of individual students over time has the potential to lead to better evaluations not only of charter schools but of traditional public schools as well. Many of the compelling lessons we have learned in the research and policy communities about the dangers of naively comparing average achievement at charter schools and traditional public schools, and about the advantages of following individual student progress over time, could do much to further our understanding of which traditional public schools truly offer the best (and the worst) education.

CONCLUSION

The future of the charter school idea, and charter schools’ influence on the broader public education system, depend on the quality of evidence and research

available. This book has laid the groundwork for strong recommendations about how states, localities, philanthropies and researchers can improve the quality of evidence about charter schools. Similarly, the analysis in these pages provides hints about how the media can best assess and popularize the results of charter school research.

Recommendations include:

To state legislatures and departments of education:

Assemble longitudinal student-linked data bases including test scores, teacher, and school information, including for charter students.

Clarify requirements for charter school lotteries so true randomly selected control groups can be identified for student outcome studies.

Require charter schools to submit lists of lotteries, and lists of students who won and who lost each lottery by grade and year, both to the chartering authority and the state.

Increase the ability to track students past high school graduation.

Commission evaluation as soon as charter school policy is enacted or amended, not post-hoc.

Seek independent analysis by making rich data available to university and other independent researchers.

Require ambitious quasi-experimental and experimental research designs, not simple comparisons of means.

Focus RFPs (Requests for Proposals) on a few questions about performance, not a grab-bag of issues.

To local district and city leaders:

Conduct rich studies of charter schools including measures of organizational growth and stability. Alternatively, partner with local universities or think tanks to have an independent agent conduct these studies.

Take advantage of localities' own longitudinal data bases.

Use the same data and methods to evaluate charters and all other public schools.

Assess competitive effects of charter schools on existing public schools, and teacher supply.

To researchers:

Use the most sophisticated methods possible given data availability.

Avoid study designs that inherently produce ambiguous results.

Present the results of both randomized and student value-added analyses whenever possible.

Return to an earlier tradition of modest claims and appropriate caveats for research findings.

Emphasize research approaches that focus on factors that make charter schools different from traditional public schools and from each other. In particular, focus on teachers' backgrounds, given that standard measures of teachers' credentials, education and experience have been shown time and time again to have at best weak positive relationships with student learning. Thus, determine whether charter schools produce better teachers by tapping unusual pools of talent and innovative forms of professional development.

To philanthropies:

Demand quality evaluations and refuse funding for naïve designs.

Support new research on charter school maturation.

To journalists and other members of the media should:

Regularly report on studies of the effect of charter schools on academic achievement.

Consult with two or more outsider researchers to obtain evaluations of the research quality underlying a given report before writing a story on the report.

Avoid providing undue publicity to poorly designed studies, most notably those that study a student's achievement – or average performance at the school -- at a single point in time without taking into account the student's achievement in earlier grades.

Though the future of charter schools is by no means certain, their growth and persistence has refuted predictions that they would soon be absorbed into mainstream public education and leave few traces. It now looks, to the contrary, that charter schools might set a new pattern for public education, especially in big cities, leading to fundamental changes in the missions and functions of school districts. That said it is by no means certain that future charter schools will all be effective in preparing children for higher education, success at work, or citizenship. No approach to education our nation's children has been effective enough to earn a free pass; it is essential that civic leaders,

elected officials, and scholars continue to measure, assess, and critique charter schools, and call attention to failures. There will always be a need for fair and perceptive assessment of charter school performance, and for improvements in methods of measurement and analysis. We hope this book, by summarizing then current state of the art, lays the groundwork for further progress.

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