

**Kentucky Board of Education Study Session on Charter Schools
November 28, 2016**

SUMMARY MINUTES

The Kentucky Board of Education held a special meeting on November 28, 2016, in the State Board Room (514), 300 Sower Boulevard, Frankfort, Kentucky. The board conducted the following business:

I. Call to Order - 9:00 a.m. (ET)

Chair Bill Twyman called the meeting to order at 9:00 a.m.

II. Roll Call

Chair Twyman asked Mary Ann Miller to call the roll. All members were present except Robert King.

Attendance Taken at 9:00 AM:

Present Board Members:

Mr. Grayson Boyd
Mr. Ben Cundiff
Mr. Richard Gimmel
Mr. Samuel Hinkle
Mr. Gary Houchens
Ms. Alesa Johnson
Mr. Roger Marcum
Ms. Nawanna Privett
Mr. Milton Seymore
Mr. William Twyman
Ms. Mary Gwen Wheeler

III. Setting the Stage for the Presentations and Discussion - Dr. Stephen L. Pruitt, Kentucky Commissioner of Education and Dr. Wayne D. Lewis, Executive Director of Educational Programs, Kentucky Education & Workforce Development Cabinet and Associate Professor, Educational Leadership, University of Kentucky (30-minute presentation/15-minute discussion)

Commissioner Stephen Pruitt from the Kentucky Department of Education and Dr. Wayne Lewis, Executive Director of Education Programs for the Education and Workforce Development Cabinet, came forward to provide the background information for this special meeting of the board. Using a PowerPoint presentation that can be found on the board's online materials site, they talked about the history of charter schools, defined what is meant by a charter school, provided an explanation of charter authorizes with examples, and discussed funding options for charters. Questions from board

members were taken during the presentation. Commissioner Pruitt then noted that the board would now hear from several speakers to provide more background as well as research on charter schools.

Gary Houchens asked if the discussion could cover the best charter school laws.

Dr. Lewis replied that he really did not know of a "best" law state but said that some states had done a good job in certain areas. He felt that Washington, D.C. and Indiana's approaches to charters were worth a look.

Mary Gwen Wheeler added that the board needs to learn what the best practices are as related to charter schools and why these are best practices. She stated that she hopes the researchers will address this.

Then, Milton Seymore asked how things in Tennessee are going as related to charter schools.

Dr. Lewis replied that it is a combination approach in Tennessee.

Rich Gimmel inquired about why Washington, D.C.'s approach is attractive.

Lewis responded that it holds charter schools to high standards and went on to explain that Indiana approaches these schools differently in that many authorizers are allowed including higher education and the mayor's office of large cities.

Nawanna Privett reminded the board that its number one goal is closing the achievement gap and she commented that she is interested in whether charters can be a tool used to accomplish this.

Dr. Lewis replied that the greatest success of charters seems to be in areas of high poverty.

IV. Environmental Scan Relative to Charter Schools - Micah Wixom, Education Commission of the States (30-minute presentation/15-minute discussion)

The first speaker to address the board was Micah Wixom from the Education Commission of the States. She used a PowerPoint to present an environmental scan of information available on charter schools. Some of the highlights included:

The topics to be covered in this presentation would be Charter School Basics, Authorizing, Governance and Management, Finance, Accountability and Rural Considerations. 43 states and Washington, D.C. have charter school laws.

- Charter schools have a contract that allows the school to have autonomy and exempts the school from most state rules.
- Typical contract provisions include governing requirements, operations, teacher issues, performance standards and expectations.

- Initial charters are typically granted for 3-5 years, are renewed periodically and authorizers are part of the approval and renewal process.
- Most states allow many groups to apply; some do not allow for-profit organizations to apply.
- Most states allow conversion charters, which are existing public schools that apply to become charters. Some restrict this to low-performing schools.
- Different rules apply to who may attend.
- Some states put a limit on the number of charters that can be granted.
- Statistics were presented as to the kinds of authorizers that exist across the states. NACSA's 12 Essential Practices for Authorizers were presented and discussed.
- Governing boards exist in some states made up of volunteers to oversee the school or multiple schools.
- Charter management organizations (CMOs) exist in some states that are nonprofit entities that manage multiple schools, provide back office functions for economies of scale and may also provide training, professional development, etc.
- Education management organizations (EMOs) are also used in some places and are similar to CMOs, but are for-profit entities.
- Three basic charter school funding types exist. Some states fund charters entirely with state funds. Others use a combination of state and local funds. Still others use a hybrid model that phases in local funding.
- Other funding considerations include facilities, transportation and start-up planning grants.
- Regarding accountability, performance-based contracts are used, annual reporting is required and a process for renewing or revoking charters is defined.
- NACSA's Principles & Standards for Quality Charter School Authorizing were presented.
- Rural considerations include limited abilities for choice, community buy-in and virtual charter schools seem to be like the "Wild West."

V. Presentation of Prichard Committee for Academic Excellence's Exploring Charter Schools in Kentucky Report - Prichard Committee Staff (30-minute presentation/15-minute discussion)

The next speakers were from the Prichard Committee: Brigitte Ramsey and Cory Curl. They summarized the findings of their report that is titled "Exploring Charter Schools in Kentucky, An

Informational Guide” that came out in November 2014. The report suggests the following eight questions be asked about any charter school bill:

- What results will charter schools be expected to deliver?
- Which public school requirements will be waived and which requirements will charter schools have to follow?
- How will students be assigned or admitted to charter schools?
- Who will authorize charter schools?
- Who will be able to apply to run charter schools?
- Will charter school numbers and enrollments be subject to caps?
- How will charter schools be closed if they do not deliver?
- What funding will charter schools receive?

Answers to these questions were discussed along with Kentucky's current routes to innovation.

Gary Houchens asked for the longitudinal effect of charters on students of poverty.

Ms. Ramsey replied that the group doing their study did not dig into the data on this.

Alesa Johnson inquired as to whether use of a for-profit or a nonprofit to manage the charter was better.

Ms. Ramsey said that the Stanford study speaks to this and the next speaker could be asked about the issue.

VI. Presentation of Research Studies on Charter Schools

VIA. Dr. Margaret (Macke) Raymond, Director, Center for Research on Education Outcomes (CREDO), Stanford University (30-minute presentation/15-minute discussion)

The next presenter was Dr. Margaret Raymond, Director, Center for Research on Education Outcomes (CREDO), Stanford University. She pointed out that the CREDO study focuses on academic growth and used data from 27 states as the basis of its study sample. Raymond indicated that overall, charter performance is strong in urban areas and the vast majority pursue a higher quality education for underserved populations. She noted that reading performance showed substantial gains with similar results for math. Dr. Raymond used a slide presentation found on the board's online materials system to make the following points:

- Today, there are 6700+ charter schools across the country.

- The questions to be addressed in this presentation were: How well do charter schools educate students?; Do charter schools improve over time?; Is the sector as a whole getting better?; Do policy factors drive quality? and Are CMOs a reliable path to quality?.
- The conclusions put forth were: Charter schools best serve students in historically challenged communities; Charter school quality is set early in the operating life of schools; The charter sector is improving by small amounts--quality is controlled and driven by authorizing; and CMO quality is a function of flagship quality.
- The data from the CREDO studies was summarized.
- Other conclusions presented were: The charter school sector has improved since 2009; Some improvement is driven by individual schools getting better, but larger gains come from closures; There is a significant benefit for disadvantaged students; The same variation in quality applies to CMOs and For state policy, the authorizer performance matters.

Then, Rich Gimmel asked if Raymond supported automatic criteria as a trigger for closures.

Dr. Raymond indicated that she did not support this because sometimes it takes time for the school to be successful.

Bill Twyman then asked if you should look at growth versus achievement for these schools.

Raymond replied that both measures should be examined.

Mary Gwen Wheeler asked Dr. Raymond if she studied funding and teacher preparation.

Dr. Raymond stated that funding was not studied but relative to teachers, they are motivated to teach in charters due to the mission of the school and are willing to take a lesser package of benefits. She reported that seven years is the average length of time that teachers stay in charter schools.

Next, Gary Houchens asked about growth over time in charters and stated he thought by the 4th or 5th year, students are ahead of their peers in public schools.

Raymond responded that where students are doing well, the school has a consistent program over time and relative to the student performance, you would only be looking at those who can stay four or five years.

VII. Lunch - 12:00 p.m. to 1:00 p.m. ET (Lunch provided for KBE members and invited guests)

VIII. Presentation of Research Studies on Charter Schools (Continued) (Tentative Start Time - 1:00 p.m. ET)

VIII.A. Dr. Joseph Waddington, Assistant Professor, Educational Policy Studies & Evaluation, University of Kentucky (30-minute presentation/15-minute discussion)

After lunch, Dr. Joseph Waddington, Assistant Professor, Educational Policy Studies & Evaluation, at the University of Kentucky presented to the board. He used a PowerPoint found on the board's online materials system. Highlights of the presentation included:

- Kentucky is one of seven remaining states to pass legislation authorizing charter schools.
- Kentucky also has a strong tradition of public schooling.
- The idea of charter schools stirs passionate debate from supporters and detractors alike.
- The responses are passionate, but perhaps not always evidence-based perspectives.
- When talking about implementing large-scale programs and policies, we must move beyond beliefs, ideals, dispositions, anecdotes, or simple correlation/association.
- Not every study meets important thresholds of methodological rigor.
- Often, it is difficult to assess causal effects of educational programs or policies due to implementation and/or selection bias.
- When examining the findings of empirical studies, consider the validity of the results. Internal Validity asks the question: How valid are the estimates of the program's/policy's effects? External Validity asks: How can we generalize these results?
- Often times, there is a tradeoff between internal and external validity. My approach is to place a premium on internal validity (get estimates correct) and then recognize the limitations of generalizability.
- There is a growing body of rigorous research on the causal effects of charter schools.
- Charter schools (and school choice, more broadly) are not a panacea.
- When a charter school is oversubscribed that is, number of applicants exceeds open seats schools are required to hold an admissions lottery.
- This presentation will focus on eight peer-reviewed, lottery-based charter school studies. The ones conducted in Boston/Massachusetts showed these charter schools were strongest for Black/African American students, English Language Learners, special education students, and lowest-achievers upon entry. These schools showed increases in the likelihood of sitting for AP exams, attending a four-year college, and higher SAT scores. No effect on high school graduation rates was shown.
- In the Harlem/New York City studies, the schools were strongest for Black/African American students and increases in achievement and on-time graduation/college enrollment indices were seen.

- Nationwide, null gains in English/language arts and Math were seen. Positive gains were evident for low-SES and urban charter schools in math. Losses were seen for white, higher achieving, and non-urban students in both subjects.
- Positive effects from these studies were limited to urban areas and certain types of charter schools.
- Quasi-Experimental Research Studies were discussed as well as meta-analysis and virtual charters.
- Policy considerations should be the following: Decisions should be evidence-based; Determine how decision-makers will use evidence; A growing consensus exists about localized charter school impacts; Consider proceeding with caution on virtual charter schools; and Policies are not widely accepted when targeted to specific populations.

VIII.B. Other Materials Provided to the Board for Background

Commissioner Pruitt pointed out that members had been provided with additional materials, research and court cases related to charter schools on the online system and asked if there were any questions on these resources. None came forward.

VIII.B.1. Are High Quality Schools Enough to Close the Achievement Gap? Evidence from A Social Experiment in Harlem by Will Dobbie and Roland G. Fryer, Jr. (Harvard);

VIII.B.2. Accountability and Flexibility in Public Schools: Evidence from Boston's Charters and Pilots by Atila Abdulkadiroglu, Joshua Angrist, Susan Dynarski, Thomas J. Kane and Parag Pathak (Harvard); and

VIII.B.3. 4 Court Cases Related to Charter Schools

IX. Guided Discussion on Possible Board Position on Charter Schools in Kentucky - Stephen L. Pruitt, Commissioner of Education (60-minute discussion)

At this point, Commissioner Pruitt asked each board member to summarize what was learned today as well as what else is needed for moving the discussion forward on charter schools. The following statements were shared:

- Sam Hinkle - There is difficulty in the moving of the needle. We need a deeper analysis of a selected slice of charters.
- Milton Seymore - Nobody really discussed the gap. We need more information on this in regard to charters.
- Ben Cundiff - The gap is more of an early education issue than a charter question. There are not positive results for white students outside of urban areas. Perhaps we need to look at whether you get a better charter school with the community rather than the local board as an authorizer.

- Gary Houchens - I am not surprised that we do not see different results from charters than from public schools. It is encouraging to see positive results for minorities. We should look at more specifics from Indiana's approach and look at effective plans.
- Nawanna Privett - I am interested in learning more about authorizers and which ones are more effective. Also, more needs to be known about funding and how public schools will be impacted. Additionally, we need to look at poverty and learn from others as a Kentucky model is formed.
- Rich Gimmel - We were told that in certain cases charters work and maybe we can learn from that data. Dr. Raymond said that charters tend to make the best system better.
- Bill Twyman - I agree with Ben Cundiff that the gap should be addressed through early childhood education. As we try to craft a policy, could there be structures that are given gradual release?
- Mary Gwen Wheeler - Has any state addressed in its definition the approach for both urban and rural settings? The issue of charter schools has generated enormous interest, both in terms of excitement and fear. Charters are not a silver bullet and cannot be the full answer to all issues, but these can be one tool for some instances. What are some principles we could build into charters that could apply in all schools?
- Alesa Johnson - Thanks goes to all of the speakers and to staff for all of the materials we received before the meeting. Authorizers seem to be the key. Should there be a break-out between urban and rural?
- Roger Marcum - I hope we have high expectations for all students and I agree we should be devoting time to early childhood to close gaps. It looks like we will have charters come out of this session, so I am glad we can learn from others. I would like to see a draft policy that answers the eight questions from the Prichard study to consider at the December board meeting. It does bother me that young teachers are taken advantage of in some charters. Resources are an issue.
- Grayson Boyd - I learned a lot today. Authorizers is a new concept to me and financing charters is concerning. I am afraid it would cause other students in public schools to suffer. Transportation is another concern. I think we need to know more about virtual charters.

The floor was then opened up for discussion and comments.

Ben Cundiff noted that the study group from the Prichard Committee generated a charter draft, which might be a place for the board to start. He shared that charters in Tennessee pay 10% more but the teachers stay till 5:30 p.m. and are available by phone until 9:00 p.m.

Roger Marcum commented he wishes this could be provided to all schools. Cundiff added that he thinks it could improve public schools.

Commissioner Pruitt stated that authorizers are a key issue.

Roger Marcum said he does not see how multiple authorizers can work. Grayson Boyd agreed.

Then, Gary Houchens shared that he likes some multiple authorizers like universities. He also indicated he supports a dual application process with this board and at the local level.

Ben Cundiff went on to say that in some states, if the local board rejects the application, it is appealable to the state board.

Commissioner Pruitt relayed that in Georgia, a subcommittee of the state board focused on charters and it worked well.

Milton Seymore raised the concern that in large cities, there are too much politics with the local board as the authorizer and he would support the state board or universities as authorizers.

Roger Marcum felt that the state board does not need to be involved as an authorizer.

Rich Gimmel moved on to note that how to revoke a charter is a major concern expressed by some folks.

Bill Twyman went back to the authorizer conversation and said he leans toward caution with a single authorizer.

Nawanna Privett agreed with Bill Twyman on a single authorizer and with Ben Cundiff on the need for early education. She felt more flexibility also needs to be provided to public schools as well.

Sam Hinkle indicated a preference for one authorizer, the need to have a way to revoke a charter and a way to offer innovation as an opportunity.

X. Next Steps

To close out this segment of the agenda, Commissioner Pruitt said that staff will work on points for the board to agree on and bring these to the December meeting.

XI. Adjournment

Chair Bill Twyman asked for a motion, second and vote to adjourn.

Sam Hinkle moved to adjourn the meeting and Ben Cundiff seconded the motion. It carried.