



LEGISLATORS GUIDE TO EDUCATION REFORM

Dear Policymaker:

From last fall's election and the 2008 presidential race already underway to recent headlines about American competitiveness, education reform remains a top priority among your constituents. Regardless of the region or terrain, the views being heard from state capitals all over the country suggest a more active and informed populace about education issues than ever before. We are pleased to provide you with this easy and interactive tool to help you in your remaining weeks in this session of your legislature and beyond.

Since 1993, The Center for Education Reform (CER) has been providing lawmakers with the tools they need to make smart decisions about our schools and our children. With an unparalleled rapid response capacity to address local challenges, CER's work with local leaders has impacted scores of improved laws, new schools, grassroots action, greater awareness of reform and more.

CER advocates reforms that produce high standards, accountability, proven instructional programs, local freedom, and common sense teacher initiatives. Those lawmakers bold enough to challenge the status quo know how important it is to adopt critical reforms that are most conducive to helping students succeed in school.

We hope you find this brief "tool kit" helpful and encourage you to use CER's expertise as a resource in your efforts to improve American education. We look forward to working with you in the future.

Best regards,

Jeanne Allen
President



CAN AMERICAN EDUCATION SURVIVE ON A JUNK FOOD DIET?

America continues to face a severe crisis in education. It has been 23 years since the National Commission on Excellence in Education warned President Reagan and the nation of a “rising tide of mediocrity” in American schools with its report a *Nation at Risk*. The following is only a small snapshot of the problems facing American education and some of the reasons why parents, educators and activists are calling on you as a leader in your state to bring about significant systemic change

- Consider that the U.S. ranks 21st out of 29 Organization for Economic Cooperation and Development (OECD) countries in [mathematics](#) scores with nearly one-quarter of students unable to solve the easiest level of questions.
- Despite taxpayer spending of **\$11,000** per student on K-12 education (2nd most in the world), American businesses and institutions of higher learning dedicate approximately \$16.6 billion each year to [remedial education](#) for millions of high school graduates who still lack basic skills.
- In average communities, proficiency hovers around 60 percent, meaning fully 40 percent of high schoolers have not mastered what they need to know in a given grade.
- Among those who need good schools the most – those from the most at-risk demographics—proficiency is still far less than 50 percent in most conventional education systems.
- Between [1990 and 2005](#), federal, state, and local education spending for grades K-12 has more than doubled from \$248.9 billion to \$538 billion. In that same time period SAT scores have remained flat. Results are similar with spending on teacher salaries. According to [Education at a Glance: OECD Indicators 2005](#), **American teachers have the 6th-highest salaries in the world, but their students have the 6th-lowest achievement in the world.** More money clearly does not have an effect on student achievement!
- An estimated **1.2 million teenagers failed to earn a high school diploma** in 2005. Among all public school students in the class of 2002-03, the average freshman [graduation rate](#) was 73.9 percent. The worst graduation rate belonged to Washington, D.C. (59 percent), but ten states had graduation rates below 70 percent: Alaska, Florida, Alabama, Louisiana, Tennessee, New Mexico, Mississippi, New York, Georgia, and South Carolina.

For more information and a complete list of resources, you may download CER’s full report, [The American Education Diet: Can U.S. Students Survive on Junk Food?](#)



AND THE SURVEY SAYS...PUBLIC OPINION AND AMERICAN EDUCATION

Americans' Remain Concerned About Quality

For nearly forty years, The Phi Delta Kappa (PDK) and the Gallup Organization have been surveying the American [Public's Attitudes Toward the Public Schools](#). The survey is well known for asking respondents to grade schools from A-F, and for boasting that the public gives high marks to conventional public schools in its community. Contrary to this claim, the American public has a very different opinion on the subject.

- Of those surveyed by PDK in 2005, 43 percent graded the schools in their community no more than a C, D or F; hardly a ringing endorsement of business as usual.
- When asked to grade schools in the nation, the low marks increased.
- The 2002 [Joint Center for Political and Economic Studies](#) poll found that only 35.2 percent of African Americans rated their school “Excellent/Good,” versus 53.7 percent of the general population.
- Showing how widely views vary depending on numerous factors, [Black America's Political Action Committee](#) (BAMPAC) reports that 56 percent of African Americans gave their schools a C or below.
- CER's [1997 Survey on American Attitudes](#) found that 78 percent of Americans feel that all children, particularly those in inner cities are not receiving the education they need.
- Nearly eight-in-ten (78 percent) Americans indicated that they would move their children to a better school if they felt unsafe and were given the opportunity to do so according to a 2005 survey conducted by [the polling company, inc.](#)
- That same poll found 92 percent of respondents agree that public schools should be held accountable and 90 percent believe public schools need to emphasize standards.

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EDUCATION IN AMERICA: STATE-BY-STATE SCORECARD

State-by-state	Inputs and Outputs			Education Reform Action		
	Per Pupil Spending ¹ Lowest (1) to Highest (51)	Achievement ² Rank	Graduation Rate Rank ³ (Graduation Rate %)	Charter School ⁴ Law CER Grade	School Choice ⁵	Accountability Policy ⁶ post NCLB (point change pre-NCLB)
Alabama	4 (\$6,843)	47	43 (62%)	No Law	none	4.0 (+0.7)
Alaska	47 (\$11,382)	27	38 (67%)	34 (D)	public	n/a
Arizona	9 (\$7,120)	30	47 (59%)	4 (A)	public, tax credits	3.4 (+1.1)
Arkansas	8 (\$7,005)	42	29 (72%)	30 (C)	public	3.4 (+1.1)
California	25 (\$8,556)	41	37 (68%)	7 (A)	public*	n/a
Colorado	21 (\$8,336)	21	36 (68%)	8 (B)	public	3.8 (+0.7)
Connecticut	48 (\$12,104)	12	22 (75%)	31 (C)	public	n/a
Delaware	46 (\$10,834)	32	27 (73%)	3 (A)	public	n/a
District of Columbia	51 (\$15,489)	51	48 (59%)	1 (A)	public-private	3.7 (+0.8)
Florida	12 (\$7,588)	44	49 (59%)	9 (B)	public, public-private, tax credits	n/a
Georgia	28 (\$8,623)	45	51 (54%)	16 (B)	public	4.1 (+1.2)
Hawaii	16 (\$7,787)	46	34 (69%)	35 (D)	public	3.3 (+1.7)
Idaho	5 (\$6,851)	25	14 (78%)	23 (C)	public*	3.4 (+1.2)
Illinois	35 (\$9,573)	29	15 (78%)	28 (C)	public, tax credits	3.8 (+0.6)
Indiana	33 (\$9,257)	23	26 (74%)	6 (A)	public	n/a
Iowa	24 (\$8,405)	6	1 (93%)	40 (F)	public, tax credits	n/a
Kansas	17 (\$8,143)	11	17 (76%)	37 (D)	public	n/a
Kentucky	6 (\$6,900)	34	30 (71%)	No Law	public	3.8 (+0.5)
Louisiana	10 (\$7,317)	48	35 (69%)	26 (C)	public	n/a
Maine	36 (\$9,692)	19	13 (78%)	No Law	public-secular	3.3 (+1.5)
Maryland	39 (\$9,903)	26	19 (75%)	36 (D)	none	n/a
Massachusetts	45 (\$10,813)	2	20 (75%)	10 (B)	public*	3.8 (+0.7)
Michigan	43 (\$10,431)	28	21 (75%)	5 (A)	public	3.9 (+1.0)
Minnesota	37 (\$9,697)	1	7 (82%)	2 (A)	public, tax credits	3.8 (+1.0)
Mississippi	1 (\$5,890)	50	44 (62%)	41 (F)	public	n/a
Missouri	20 (\$8,283)	20	23 (75%)	14 (B)	public	n/a
Montana	14 (\$7,625)	4	6 (83%)	No Law	public	3.3 (+1.4)
Nebraska	32 (\$9,148)	13	4 (85%)	No Law	public	n/a
Nevada	18 (\$8,162)	37	50 (58%)	27 (C)	public	n/a
New Hampshire	31 (\$9,007)	3	31 (71%)	29 (C)	public	3.4 (+1.0)
New Jersey	50 (\$12,959)	18	18 (75%)	20 (B)	public*	n/a
New Mexico	19 (\$8,170)	49	41 (65%)	17 (B)	public	3.9 (+0.8)
New York	49 (\$12,498)	24	32 (70%)	13 (B)	public	4.1 (+0.5)
North Carolina	13 (\$7,610)	33	42 (63%)	15 (B)	none	4.5 (+0.2)
North Dakota	11 (\$7,319)	9	2 (88%)	No Law	public*	3.3 (+1.7)
Ohio	34 (\$9,423)	14	16 (77%)	12 (B)	public-private (Cleveland), public*	4.1 (+0.9)
Oklahoma	3 (\$6,779)	36	25 (74%)	21 (B)	public	n/a
Oregon	30 (\$8,951)	17	39 (67%)	18 (B)	public	n/a
Pennsylvania	41 (\$10,024)	31	9 (82%)	11 (B)	public, tax credits	4.0 (+0.8)
Rhode Island	42 (\$10,049)	35	28 (72%)	39 (D)	public	3.4 (+1.1)
South Carolina	29 (\$8,627)	43	45 (62%)	24 (C)	public	n/a
South Dakota	15 (\$7,769)	7	12 (80%)	No Law	public	3.4 (+1.7)
Tennessee	7 (\$6,973)	40	46 (60%)	32 (C)	public*	n/a
Texas	23 (\$8,404)	39	40 (67%)	22 (C)	public	4.3 (+0.5)
Utah	2 (\$5,942)	22	10 (81%)	25 (C)	public-private, public	n/a
Vermont	44 (\$10,603)	5	5 (84%)	No Law	public-secular, public	3.5 (+1.4)
Virginia	27 (\$8,612)	15	24 (74%)	38 (D)	none	4.1 (+1.0)
Washington	22 (\$8,374)	16	33 (70%)	No Law	public*	3.4 (+1.0)
West Virginia	26 (\$8,585)	38	8 (82%)	No Law	public	3.4 (+0.9)
Wisconsin	40 (\$9,919)	8	3 (85%)	19 (B)	public-private (Milwaukee), public	3.6 (+1.0)
Wyoming	38 (\$9,784)	10	11 (81%)	33 (D)	public	n/a

¹ National Center for Education Statistics, http://nces.ed.gov/programs/digest/d04/tables/d04_1_65.asp;

² American Legislative Exchange Council Report Card on Education 2004 by Andrew T. LeFevre, page 5. Ranking based on 2003 test scores on the SAT, the ACT Assessment, and the NAEP 8th grade mathematics and reading tests. http://alec.org/meSWFiles/pdf/Report_Card_on_American_Education.pdf;

³ High School Graduation Rates in the United States by Jay P. Greene, Ph.D., The Manhattan Institute for Policy Research, Revised April 2002, http://www.manhattan-institute.org/html/cr_baeo.htm;

⁴ The Center for Education Reform, www.edreform.com, Raising the Bar on Charter School Laws: 2006 Ranking and Scorecard.

⁵ School Choice Key: public = states that have enacted open enrollment laws, *indicates states that offer open enrollment but districts are not required to participate; public-private = publically funded voucher law including public, private, and parochial schools; public-secular = publically-funded voucher law that does not include parochial schools. (reference: The Heritage Foundation; Choices in Education <http://www.heritage.org/research/education/schoolchoice/schoolchoice.cfm>, Education Commission of the States: School Choice State Laws <http://mb2.ecs.org/reports/Report.aspx?id=207>)

⁶ The Guide To State Standards, Tests, And Accountability Policies, published by Thomas B. Fordham Foundation and AccountabilityWorks. Evaluated accountability systems across 30 states, looking at six broad measures for each state's K-12 accountability system, including accountability policies both before and after No Child Left Behind, included here. Ratings were assigned on a 1-5 scale, with 5 as "outstanding," 4 as "solid," 3 as "fair," 2 as "poor," and 1 as "very poor." The authors note, "Prior to the passage of the No Child Left Behind act, [the 30 evaluated] state accountability policies on average were only fair, bordering on poor; NCLB, if properly implemented, would increase the average accountability ranking significantly."

NO CHILD LEFT BEHIND: WHAT'S REALLY AT STAKE?

You probably read it daily in the newspapers or hear it from the education bureaucracy, “[No Child Left Behind \(NCLB\)](#), testing, and standards are ruining our lives,” and “We need more money to fix our schools.” Unfortunately, that is not the whole truth and research has proven that money has nothing to do with student achievement. The real issue lies with what is actually being taught in the classroom and how well our schools are being held accountable for results.

The federal NCLB law provides a framework to improve education in America. Sure it's got flaws, and we'd like to see some changes during reauthorization next year, but it provides the accountability our system desperately needs. As a policymaker you should be concerned and prepared for a full assault on NCLB by the unions and who want to see it go away. That would be a mistake and a big step backwards.

What exactly is NCLB?

A few years ago, Congress and the President worked together to pass a law that required school districts to be accountable for teaching children in order for those districts to continue receiving federal funds. Those funds are known as the Title 1 program, which for over 35 years has provided schools nearly \$1,000 per child in high-poverty areas.

After reviewing the program, the federal government found that this money did not seem to be making a difference, or was even being spent on the students in which it was intended to help. NCLB is a reauthorization of that law and was an attempt to get school districts to start making a difference. For the first time in federal law, school districts are required to show that they are making progress each year toward goals. Those goals are set by the state and each state differs, but what rings true throughout the country is that NCLB is raising the bar with a few key components not well understood by many:

Report Cards: States are required to issue report cards to inform parents about a school's progress and to share specific performance information including how students in each grade are performing and how well the teachers are doing. It is these report cards that tell parents whether or not their child's school is on a “needs improvement” list. Do you know how your state stacks up? Visit CER's [School Report Cards](#).

Testing: Testing is intended to raise student achievement and level the playing field for all children. States must establish standards for reading and math and EVERY child is expected to be able to read, write, add and subtract at their grade level, regardless of their families socio-economic status.

Teacher Quality: School districts are required to notify parents of their “right to know” about the qualifications of their child's teacher. That means they should have a degree in their field and have obtained a state-approved certificate.

Choices: NCLB gives parents of children in ailing schools some important options. Once they learn that they live in a failing district and their child is not learning, parents may transfer their child to a higher performing school in the district, including charter schools.

Safety: Not only must students be in schools that teach effectively, but they must also be in safe, non-threatening environments. The law gives parents the “Unsafe School Choice Option.”

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“CERTIFIED” DOES NOT NECESSARILY MEAN “QUALIFIED”

Teacher certification has gained national attention in state legislatures all across the country. While conventional wisdom has always dictated that certification equals quality for America’s educators, the research and data do not support that claim. Qualified versus certified is now the main concern of most policymakers trying to help schools find and reward the best talent.

While No Child Left Behind (NCLB) reinforces that teachers must have either an approved certification or demonstrated qualifications in their subject field, many states are interpreting this requirement to mean that only certification is acceptable. The shortage of qualified teachers in core subjects is not the result of a lack of interested, qualified individuals but rather a slowdown in traditional certificates being earned. Rather than look at this as bad news, lawmakers should embrace new ways to qualify, and hold accountable, all teachers.

Because the [data](#) shows that factors such as a person’s literacy and the strength of his or her undergraduate institution are more important than the seal received from a school of education, it’s important to offer individuals who wish to enter teaching through non-traditional routes the opportunity to do so. Programs such as the following can:

- Although many states have **alternative teacher certification** policies, not all alternative paths to certification are created equal. Some states, like Delaware or Georgia, have multiple alternative paths for teacher certification; others, like Maryland or Arkansas, only have one. Some programs concentrate on turning returning troops into teachers, while others allow for college graduates with business experience to enter the teaching profession. What is important to see here is that 46 states have implemented alternative teacher certification routes recognizing that a requirement for a traditional teacher certificate precludes many capable teachers. Alaska, Indiana, North Dakota and Rhode Island offer no alternatives. For more detailed information on the programs offered state-by-state visit <http://www.teach-now.org/map.cfm>.
- Pennsylvania, Florida, New Hampshire, Idaho, Mississippi and Utah have adopted the *Passport to Teaching* model of the [American Board for Certification of Teacher Excellence](#).
- [Troops to Teachers](#) is a U.S. Department of Education and Department of Defense program that helps eligible military personnel begin a new career as teachers in public schools where their skills, knowledge and experience are most needed.
- *The Teacher Advancement Program* (TAP) is dedicated to attracting, developing, motivating and retaining high-caliber educators in order to raise achievement levels for all students. Visit the [National Institute for Excellence in Teaching](#) (NIET) to learn more.
- [The National Council on Teacher Quality](#) (NCTQ) offers a wealth of information on quality debate and is slated to release the “State Teacher Policy Yearbook” this spring, a state-by-state report. For more information visit

For more detailed data and statistics on the teacher certification debate check out [“The Teacher Certification Debate: Certified and Qualified are Not the Same”](#)

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IMPROVING AMERICAN EDUCATION WITH SCHOOL CHOICE

While most states once almost exclusively offered only the traditional models of education to families, increasingly today states offer a wide variety of options that allow choices of schools other than those to which the families are assigned by school district zones. Both state and federal laws emphasize options at various levels. Following is some quick data and facts about school choice options in the U.S.

Almost every state has enacted “school choice” programs, which means giving parents the power and opportunity to choose the school their child will attend. Some grant parents more freedoms than others. The most successful and commonly adopted forms of school choice are public charter schools ([in 40 states and DC](#)) and full school choice programs or opportunity scholarships (active in 6 states). Additionally, [46 states and DC](#) have adopted public school choices like open enrollment among all public schools in a district.

The Scope of Charter Schools

By definition, charter schools are innovative, public schools designed by educators, parents or civic leaders that are open by choice, accountable for results, and free from most rules and regulations governing conventional public schools. Today, more than 4,000 charter schools serve more than a million children in forty states plus the District of Columbia.

The Growth of Full School Choice Programs

Full School Choice programs provide parents with a portion of the public educational funding allotted for their child to attend school and allows them to use those funds to attend the school of their choice. Such programs give parents the authority to choose with their tax dollars to send their child to the school that best fits their needs, whether it is a religious or parochial school, another private school, or any public school.

Full School Choice Programs operating today are:

- Nearly 17,500 children participate in the [Milwaukee Parental Choice Program](#) and each receives about \$6,500 for tuition.
- [Cleveland Scholarship and Tutoring Program](#), Ohio Department of Education
- [Ohio's Statewide Educational Choice Scholarship Pilot Program](#) provides up to 14,000 scholarships (between \$4,250 and \$5,000, depending on the grade levels) for students trapped in academically failing public schools. The scholarship is based solely on the performance of the sending public school.
- [Washington DC's Opportunity Scholarship Program](#) currently serves 1,800 families in the nation's capital. The program is based on income eligibility and each student can receive up to \$7,500 to cover the full cost of tuition.

Full Choice Programs for children with special needs:

- Florida's [McKay Scholarship for Special Needs](#)
- Utah's [Carson Smith Special Needs Scholarship](#)

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SUPPORT FOR SCHOOL CHOICE PROGRAMS

Survey research paints an important picture of the needs and desires of the general public Americans, especially parents, value educational options.

For example:

- More than three-quarters of Americans support the creation of charter schools, with single moms being more intensely supportive (85 percent compared to 78 percent) according to the polling company, inc. [survey produced for the Center for Education Reform in 2005](#). Several state polls show similar trends regardless of region:
 - A whopping 87 percent of Georgians; 81 percent in California; 71 percent of respondents in New Jersey and New York; 78 percent in Connecticut; and 73 percent of respondents in Missouri support the concepts of charter schools.
- By a 3:1 margin, respondents told CER they preferred “allowing the parent to choose from a number of public schools” versus assigning children based on where they live. Not-Yet-Moms and Southern & South Central dwellers were the most enthusiastic supporters of school choice and charter schools.
- A poll by [Black America’s Political Action Committee](#) (BAMPAC) in 2002 found 63 percent surveyed in support of the full range of choice options.
- According to an August 2005 [Friedman Foundation](#) poll, most Americans (64 percent) support using tax dollars already allocated to a school district for education to be used to help parents pay for the school of their choice, including private schools.
- About 60 percent of Americans would be more likely to vote for a candidate who supports school choice, according to the same Friedman poll.
- A [Zogby International poll for CER in August 2002](#) found widespread support for full school choice among African Americans, with 72 percent in support. Hispanics supported the same measure at 64 percent.
- The non-partisan [Joint Center for Political and Economic Studies](#) finds that 57 percent of African-Americans support vouchers.
- A [1991 PDK/Gallup Poll](#) found that 50 percent of respondents favored school choice, and a 1996 Gallup Poll reported 59 percent in support.
- 59 percent of respondents in a [2005 poll](#) supported the concept of “considering student performance when deciding how to compensate teachers,” and agreed with the idea that “a teacher whose students actually perform well would receive a higher salary and additional financial rewards.”

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MYTHS AND REALITIES ABOUT SCHOOL CHOICE

The following are some of the most common arguments and responses against all forms of school choice.

The “Undermining-America” Argument: Choice will destroy the American public school tradition, siphoning off needed funds and decreasing quality in public schools while leading to segregation and division.

- Numerous examples show how competition created by choice can motivate public schools to improve, and how higher funding levels without systemic reforms leave only microscopic changes, if any at all.
- According to Harvard researcher Caroline Hoxby, isolating the effects of competition on public school achievement levels shows that public schools where choice occurs improve. [Hoxby evaluated three programs](#): the Milwaukee Parental Choice Program and the charter school programs in Michigan and Arizona. In the 32 Milwaukee schools that faced the most competition – with two-thirds or more students eligible for vouchers – fourth-grade math achievement test scores exhibited what amounted to an annual gain of 6.3 National Percentile Rank (NPR) points over a four-year period. The 66 Milwaukee schools facing less competition (with less than two thirds of voucher eligible students) saw an annual gain of 4.8 points. In contrast, the schools facing no competition saw an annual gain of only 3.5 points.

The “Church-State” Argument: Allowing public funds to be used for tuition at religious schools is unconstitutional.

- The U.S. Supreme Court ruled in June 2002, that a school choice program must not have the “purpose” or “effect” of advancing or inhibiting religion. Thus, it ruled that the Cleveland, Ohio program *is* constitutional because public money can flow to religious schools as a result of a person’s independent choice.

The “Choice is Expensive” Argument: Vouchers don’t cover the cost of private schools. Poor families will be left behind.

- The issue is not whether or not Private schools cost more, but whether voucher amounts are on par with what is spent on public schools. Of the three programs enacted in the 90s, all spent half or less than the per pupil cost.
- Most private schools are affordable, though a few do charge high tuition. As the [U.S. Department of Education](#) reported in June 2003, 29 percent of all private schools charge tuitions less than \$2,500 and 76 percent of them cost less than \$5,000. The average private school tuition is \$4,689, while the average public school expenditure per pupil was \$7,392, more than 50 percent higher than average private school tuition costs.

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The “Failed Experiment” Argument: There is no evidence that school choice works.

- School choice gives more students access to private schools, charter schools and access to a better education. Numerous studies confirm that students enrolled in private schools, either through choice programs or independently do better academically compared to their peers in the public schools.
- After over a decade in operation, the Milwaukee Parental Choice Program showed that low-income students in the program made significant gains in math and reading after three years.

Endnotes, Bibliography, references and more on the arguments are available in CER’s report, [*Nine Lies About School Choice: Proving the Critics Wrong.*](#)



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PERFORMANCE BASED ACCOUNTABILITY OF CHARTER SCHOOLS

The hallmark of charter schools is performance-based accountability. As state test scores and various national studies demonstrate, the majority of charter schools are providing exceptional educational opportunities. Local and state measures offer depth and validity in studying charter school success. The following is a sampling of key findings from around the states:

- Charters across the country are [producing impressive achievement](#) results with minority and low SES students. Four recent studies highlighted the impressive achievement among Hispanics in charters. In one national study it was found that charters in highly Hispanic areas hold "proficiency advantages" over non- charters on 4th grade reading and math tests. And on the 2005 NAEP test Hispanic 4th graders in charters outperformed and improved their performance at a faster rate than non-charter students between 2003 and 2005.
- In **California**, *The Los Angeles Times* reported that [charter schools achieved](#) stronger year-to-year academic gains than conventional public schools. An analysis done by RAND found that CA charter schools, although receiving less resources, overall scored as well and in numerous instances better than the state's conventional public schools on the state comprehensive tests.
- In **Colorado**, charter school students generally made [larger gains in reading, writing, and science](#) than students in conventional public schools. Elementary charter students scored substantially better than conventional public school students.
- In **Connecticut**, the state's public school system is home to one of the largest achievement gaps between rich and poor students in the nation, and [its public charter schools are among the most effective](#) in the country in terms of closing the achievement gap. State testing results demonstrate that Connecticut's charter schools have delivered not only a higher percentage of students at goal or proficiency than local districts, but also outpace local districts in year-to-year growth in student achievement. Furthermore, the longer students stay in these schools the better they do on state tests.
- In the **District of Columbia**, charters not only serve a more diverse and economically disadvantaged population, but also [outperform the conventional public](#) school system. On the 2005 NAEP, average scale scores for charters were higher than the average scale scores for conventional public schools in EVERY math and reading category, for both 4th and 8th grades. Growth in scores, from 2003 to 2005, was also substantially higher among the district's charter schools.
- In **Florida** overall, the performance of [Florida's charter school students](#) on the FCAT is now on par with, and in some cases exceeds, the performance of students attending traditional public schools. Additionally, a greater percentage of charter elementary and middle schools students are reading at or above grade level as compared to their traditional public school counterparts. On average, the state's charter schools serve a slightly greater proportion of minority students than traditional public schools, with a significant increase in the enrollment of Hispanic students from 2 percent in 1996-97 to 29 percent last school year.

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- Recently, the Georgia Department of Education found [charter schools to be outperforming their conventional public school counterparts](#). In 2006 88 percent of Georgia’s charters made Adequate Yearly Progress (AYP) compared to 78 percent conventional publics. In 2006 Georgia charter schools outpaced the conventional publics across every competency on the Criterion Referenced Competency Test (CRCT). Also in 2006, Georgia charters celebrate an 84 percent graduation rate, compared to 70 percent.
- In Massachusetts between [2001 and 2005](#) there was a significant difference between charter school and Charter School Districts performance, favoring charter schools, for approximately 40 percent to 50 percent of the charter schools. In both English Language Arts and Mathematics, at least 30 percent of the charter schools performed significantly higher than their CSD in each year with the exception of 2001. In 2001, 19% of the charter schools performed significantly higher than their CSD in English Language Arts and 26% in Mathematics.
- In Ohio, the study “[Using the Ohio Proficiency Test to Analyze the Academic Achievement of Charter School Students](#),” researchers found charter schools’ year-to-year improvements on the Ohio Performance Test actually exceeded those made by public schools, despite spending less money per pupil and having less-experienced teachers.
- In Texas, academic gains for elementary and middle school students, who have remained in charter schools for several years, are [significantly higher](#) than their matched counterparts in traditional public schools. At-risk students enrolled in charter schools have larger achievement gains than their matched counterparts in conventional public schools.

Charters serve a higher percentage of African-American students (33 to 18), a higher percentage of Hispanic students (15 to 13), and a lower percentage of white students (62 to 47) than conventional public schools.

- Additionally charters serve a higher percentage of students eligible for free-and reduced lunches than conventional public schools (54 to 46).
- [CER’s 2005 Survey](#) of charter schools found that 63% of charter schools serve student populations with 60% or more students eligible for free and reduced price lunches.



UNDERSTANDING CHARTER SCHOOL LAWS: A STRONG LAW YIELDS SUCCESSFUL SCHOOLS

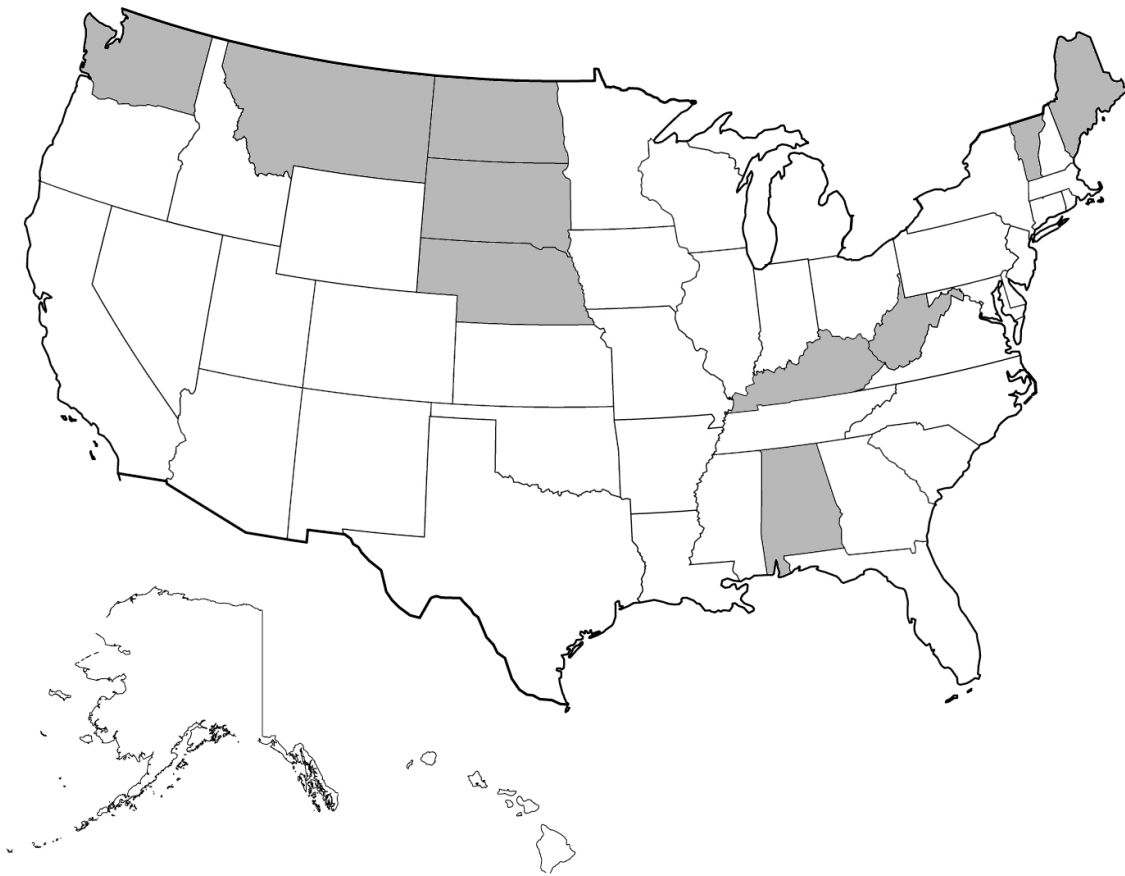
Since 1996, The Center for Education Reform has been [ranking the nation's charter school laws](#) using a grading scale of A-F. Very few of the 41 charter school laws have earned themselves an “A.” The following criteria are necessary for a strong charter school law:

1. *Number of schools:* States that permit an unlimited or substantial number of autonomous charter schools encourage more activity than states that limit them.
2. *Multiple chartering authorities/binding appeals process:* States that permit a number of entities, in addition to or instead of local school boards, to authorize charter schools or that provide applicants with a binding appeals process, encourage more activity.
3. *Variety of applicants:* States that permit a variety of individuals and groups both inside and outside the existing public school system to start charter schools encourage more activity than states that limit eligible applicants to public schools or public school personnel.
4. *New starts:* States that permit new schools to start up encourage more activity than those that permit only public school conversions.
5. *Schools may start without third-party consent:* States that permit charter schools to form without needing consent from competing districts or the general public encourage more activity than those that do not.
6. *Automatic waiver from laws and regulations:* States that provide automatic blanket waivers from most or all state and district education laws, regulations, and policies encourage more activity than states that provide no waivers or require charter schools to negotiate waivers on an issue-by-issue basis.
7. *Legal/operational autonomy:* States that allow charter schools to be independent legal entities that can own property, sue and be sued, incur debt, control budget and personnel, and contract for services, encourage more activity than states in which charter schools remain under district jurisdiction. In addition, legal autonomy refers to the ability of charter schools to control their own enrollment numbers.
8. *Guaranteed full funding:* States where 100 percent of per-pupil funding automatically follows students enrolled in charter schools encourage more activity than states where the amount is automatically lower or negotiated with the district.
9. *Fiscal autonomy:* States that give charter schools full control over their own budgets, without the district holding the funds, encourage more activity than states that do not.
10. *Exemption from collective bargaining agreements/district work rules:* States that give charter schools complete control over personnel decisions encourage more activity than states where charter school teachers must remain subject to the terms of district collective bargaining agreements or work rules.

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THE LAST 10 STATES WITHOUT CHARTER SCHOOL LAWS



For details on your state's charter school law, or if you happen to be in one of the "Last 10 States" and would like more detailed information visit:

[State-by-state Charter School Laws Profiles](#)

[The Final Ten: How the states without charter schools can make it to the goal line](#)



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STRATEGIES AND RESOURCES FROM THE CENTER FOR EDUCATION REFORM

The Center is committed to supporting policymakers with the research and tools necessary to help make schools work better for all children. We provide lessons and unique insights from other states to suit your needs. In addition to personalized support, the following are just a few tools CER has to offer you:

Research and Data Analysis: The Center for Education Reform offers lawmakers access to more than 12,000 data points and research reports on issues from teacher education to class size to school choice. Publicly available issues are broadcast daily via the Internet at <http://www.edreform.com>.

CER Newswire: Leaders from Florida to Oregon depend on this weekly e-newsletter to get the latest information on education policy and politics, updates from the research world, and stories from the frontlines of reform. <http://www.edreform.com/newswire>.

Scorecard of Charter School Laws: A sought-after resource for lawmakers across the country, this annual scorecard ranks the states' charter laws, tracks the legislative evolution of the movement, and provides a road map for crafting strong charter legislation.

Tool Kits: Parents, policymakers or pundits can obtain the latest data and information to allow them to learn and act upon critical education issues.

Charter Schools Today: Stories of Inspiration, Obstacles & Success: Award-winning author and journalist Joe Williams chronicles over 100 inspiring stories of charter school struggles and successes that have transformed the American public school system. Contact CER today at 1-800-521-2118 to request a FREE copy. (*just mention this toolkit*) <http://www.edreform.com/stories/>

Education Reform and Election 2008: What happens at the national level always affects the states, and the opportunity for education to be aired at significant levels is unprecedented with the upcoming presidential race. CER has started a feature that allows commentary and feedback to be offered through its new Web 2.0 Blog. Help us explore the issue of education and push to make it a leading issue in 2008 by joining us at <http://www.edreform.com/election2008/>

*For More information and to keep us posted on
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