

philadelphia school advocacy partners



Better Isn't Good Enough:

The Path to Improving Philadelphia's Charter School Sector

Position Paper
Philadelphia School Advocacy Partners
Philadelphia Charters for Excellence
September 2015

Executive Summary

Philadelphia's public charter school landscape

In Philadelphia and across the country, thousands of students—many low-income and minority—are receiving an excellent education from public charter schools. In fact, a recent study found that charter students in Philadelphia receive the equivalent of 43 additional days of math and reading instruction each year.¹ Given that success, it should surprise no one that the charter sector continues to grow. Since the 2007 school year, charter enrollment has doubled nationally to 2.57 million,² and it's estimated that over one million students are on charter waiting lists.³ Philadelphia's charter enrollment has also more than doubled to over 64,000 students, with approximately 22,000 more on waiting lists.⁴

Yet as is the case with traditional district-run schools, performance among charter schools falls along a bell curve. Though 25% of charter schools nationwide posted significantly better results than traditional public schools in reading and 29% in math, 19% did worse in reading and 31% in math.⁵ Furthermore, there are between 900 and 1,300 charter schools nationwide that are among the lowest 15% of schools within their state.⁶

Charter performance in Philadelphia mirrors the national trend. While many charters achieve impressive results, others fall short, struggling to outperform even low-performing District schools. Thus, while Philadelphia should redouble efforts to replicate or expand charters that are working, we also must close or transform those that consistently underperform. Doing so would improve outcomes for students: a recent study found that implementing any one of several strategic charter school closure efforts could lead to charter students gaining anywhere from 13 to 36 additional days of learning per year compared to students in traditional public schools.⁷

The reality, however, is that closing charter schools is difficult in Philadelphia. The process often requires years of costly hearings, reviews and appeals. Historical unwillingness on the part of the authorizer to pursue these efforts, combined with a lack of capacity for the required workload, has meant that underperforming charters remain open. Furthermore, closing schools is hard on the city, and especially hard on affected families and communities. However, there is nothing more important than ensuring that all public schools are fulfilling their responsibility to provide a quality education to all children and carefully stewarding public resources. Key policy changes aligned with a renewed focus on closing underperforming charters can improve the quality of Philadelphia's charter sector—and create new opportunities for thousands of students.

“We must close or transform charters that consistently underperform.”

¹ “CREDO Study Finds Urban Charter Schools Outperform Traditional Public School Peers,” accessed June 3, 2015

<http://urbancharters.stanford.edu/news.php>

² “Get the Facts,” accessed June 3, 2015 <http://www.publiccharters.org/get-the-facts/>

³ “Students Names on Charter Schools Waiting Lists Top 1 Million for the First Time,” accessed June 3, 2015

<http://www.publiccharters.org/press/waiting-list-2014/>

⁴ There is no way to determine an exact unduplicated wait list figure in Philadelphia, but this figure represents the best estimate. In Boston—one of the few cities that has calculated this—the unduplicated charter wait list was 53% of the duplicated wait list. Applying this to our recently compiled duplicated wait list of 42,301, we arrived at approximately 22,000. <http://www.mass.gov/auditor/docs/audits/2014/201351533c.pdf>

⁵ Center for Research on Education Outcomes. (2013). *National Charter School Study 2013*. Stanford University: Stanford, CA.

⁶ “A Call for Quality: National Charter Schools Authorizers Group Says More Failing Schools Must Close For Reform to Succeed,” accessed June 3,

2015 http://www.qualitycharters.org/assets/files/images/stories/One_Million_Lives/Final_OML_Press_Materials_11281215.pdf

⁷ Center for Research on Education Outcomes. (2013).

The Original Vision for Charter Schools

Public schools receive additional autonomy in exchange for accountability.

In many respects, the emergence of public charter schools represents a bargain between taxpayers, families and school operators: autonomy in exchange for accountability. Charter schools are bound by fewer rules and regulations than traditional public schools, allowing for innovation and a more dynamic approach. But as originally envisioned, they also are required to meet clearly defined goals on student outcomes and stewardship of taxpayer resources. Experimentation is welcomed, but results are ultimately what matter.

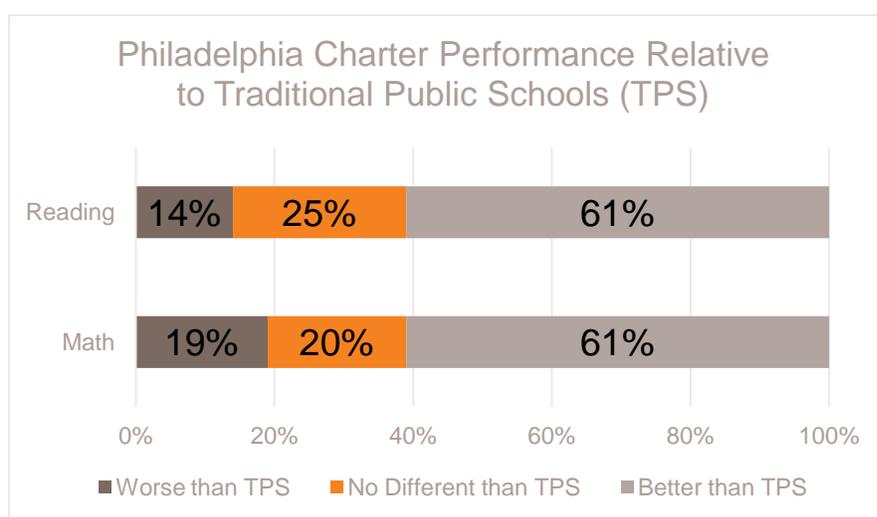
This principle is the foundation of effective charter school regulation both locally and nationally. Innovation is a means to better student outcomes, not an end in itself. When charter schools are effective, they should be encouraged to grow. But when they are ineffective, they should be closed or transformed, especially since the priority is to give as many students as possible access to high quality schools.

But this system only works if charter authorizers—the entities tasked with holding charter schools accountable—work to grow high performers and close low performers. In Philadelphia and across the country, the reality is that underperforming charters are too often permitted to remain in operation long after the evidence makes clear that they should be closed or transformed.

Public Charter Performance in Philadelphia

Overall, charters in Philadelphia perform well—but not universally so.

Education observers have a tendency to pit traditional public schools and public charter school sectors against each other—to argue about which sector is “better.” But that debate misses a central truth about charter schools: each school is distinct. Generalizations about whether “charters” as a group are succeeding or failing are no more helpful than arguing all district-run schools are effective or ineffective. Evidence shows that each sector has a range in school quality, with some low-performers, many middle performers and some high performers. The goal of good charter authorizing is to grow high performers while closing or replacing low performers, regardless of sector. Committing to this process is the most direct way to improve student outcomes.



Philadelphia’s charter sector shows tremendous variability in school quality. According to a recent study from the CREDO Institute at Stanford University, students in Philadelphia charters receive the equivalent of 43 days of additional math and reading instruction each year. Poor and minority students particularly benefit from attending

charters: black students in poverty receive the equivalent of an additional 50 days of reading and 43 days of math instruction, and Hispanic students in poverty receive the equivalent of an additional 21 days of reading and 43 days of math instruction.¹

But that doesn’t tell the whole story. Despite the impressive performance of many charters in Philadelphia, the most recent School Performance Profile (SPP) data from the Pennsylvania Department of Education shows some schools—serving thousands of students—struggling to outperform even low-performing District schools.² Moreover, 19% of charters perform worse than the District average in math, and 14% perform worse in reading.³

Philadelphia’s charters account for a relatively small portion of underperforming schools in the city: indeed, charters make up only 16% of seats in schools where less than one-third of the students are on grade level. What’s more, some of these same underperforming charters still perform better than other schools in their respective neighborhoods. But if the goal is to provide more Philadelphia children with a high-quality education, underperforming charters represent an opportunity to be aggressive in providing students with higher quality options.

¹ Center for Research on Education Outcomes. (2015). *Urban Charter School Study Report on 41 Regions*. Stanford University: Stanford, CA

² 2013-14 PA School Performance Profile, <http://www.paschoolperformance.org>

³ Center for Research on Education Outcomes. (2015)

Charter Closure In Philadelphia

Some progress, but much more to be done.

During the years immediately following the passage of Pennsylvania’s charter school law in 1997, there was little effort to close underperforming charters. From 1997 to 2012, only three charter schools were closed by the District despite poor performance from several others. For

School	Year of Closure Vote
ARISE Academy Charter School	2014
Community Academy of Philadelphia	2013
Delaware Valley Charter High School	2015
Hope Charter School	2012
Imani Education Circle Charter School	2013
New Media Technology Charter School	2014
Truebright Science Academy	2013
Universal - Bluford	2015

example, in 2008 there were 14 charters where less than a third of students performed on grade level in reading and math.¹

Over the past three years, the School Reform Commission has demonstrated an improved commitment to charter accountability. From 2012 to 2014, the SRC initiated the closure process for six charters.² Additionally, in July 2015 the SRC voted to close Universal-Bluford and Delaware Valley Charter High School, while transferring management of Young Scholars – Frederick Douglass to Mastery Charter Schools.

That suggests progress, but as a District report recently stated, “too many poor-performing charter schools continue to operate without SRC or District action.”³ This is due at least in part to a needlessly onerous closure process. The typical steps are below:

- (1) A notice of nonrenewal or revocation is issued by the SRC;
- (2) A public nonrenewal/revocation hearing is held before a hearing officer;
- (3) The public is given a 30-day comment period;
- (4) The hearing officer presents a recommendation to the SRC;
- (5) The SRC votes on whether to nonrenew/revoke the charter or to renew the charter/allow the charter to remain open; and
- (6) The charter school may appeal the SRC’s decision to nonrenew/revoke to the Charter Schools Appeal Board (CAB).

The charter school has a right to remain open while the CAB deliberates—which can take more than a year⁴—and then it can appeal an adverse decision to the Commonwealth Court, and ultimately to the Pennsylvania Supreme Court.⁵ This complete process can take two to three years or more. All the while, students attending these low-performing schools continue to receive a substandard education.

¹ “Authorizing Quality Initiative – Charter School Background and Context,” accessed June 3, 2015

<http://webgui.phila.k12.pa.us/uploads/Vk/6z/Vk6zB6YX1P7uPPnq5I6lqw/AQI-Background-and-Context.pdf>

²These were ARISE Academy, Community Academy, Hope Charter School, Imani Education Circle Charter School, New Media Technology Charter School, and Truebright Science Academy Charter School. “Pending Nonrenewals/Revocations,” accessed June 3, 2015

http://webgui.phila.k12.pa.us/offices/c/charter_schools/pending-nonrenewals/revocations

³“Authorizing Quality Initiative – Charter School Background and Context”

⁴ For example, the SRC voted not to renew Truebright Science Academy’s charter on October 17th, 2013. The CAB upheld the decision on December 9th, 2014.

⁵“Pending Nonrenewals/Revocations”

Past and Current Reform Efforts

A growing awareness of chronically underperforming charters in Philadelphia and Pennsylvania.

SDP's Authorizing Quality Initiative

The good news is that practices and policies in Philadelphia are beginning to improve, particularly since the launch of the District's Authorizing Quality Initiative (AQI) in 2012. The AQI is a "comprehensive effort to improve the quality, clarity, transparency, and consistency" of the District's charter authorizing.¹ This effort is driven by three principles: maintaining high standards for charter schools; upholding charter school autonomy; and protecting student rights and the public interest.² This includes a commitment to nonrenewal or revocation of chronically underperforming charters. Though still new, the AQI provides a framework for charter authorization that can help to improve the charter sector. However, state law—namely the appeals process required before closing the lowest-performing charters—challenges and continues to impede the AQI's intent.

NACSA's *One Million Lives* Campaign

The National Association of Charter School Authorizers (NACSA) recently launched a campaign called *One Million Lives*, focused on the issue of low performance in the charter sector. They argue that "it is time for the charter community to fix the failings of the sector so that more children have the chance to attend a great school."³

By engaging charter authorizers, lawmakers, educators, and policy advocates to lead the way in closing failing charter schools and opening or expanding better ones, NACSA hopes to dramatically improve the education of underserved students. And it's working: since the program started, 491 new charter schools have opened and 206 low performers have closed.



The Educational Opportunity and Accountability Act (SB 6/HB 1225)

This legislation, introduced in May 2015 by Senator Lloyd Smucker and Representative John Taylor, includes provisions to expedite the closure of charter schools that are in the bottom 5% statewide as measured by the state's School Performance Profile. If enacted, the bill would allow Philadelphia and other districts to ask a newly-created state entity—the Achievement School District (ASD)—to become the authority over low-performing charter schools. The ASD could then close or force the transformation of those charters without the possibility of appeal to the Charter Appeals Board, eliminating the bulk of the appeals process. By focusing exclusively on chronically underperforming schools, this bill preserves due process for charter schools while prioritizing the needs of Pennsylvania students and families.

¹"Authorizing Quality Initiative," accessed June 3, 2015 http://webgui.phila.k12.pa.us/offices/c/charter_schools/authorizing-quality-initiative

²School District of Philadelphia Proposed Charter Schools Policy accessed June 3, 2015

http://webgui.phila.k12.pa.us/uploads/vw/kq/vwkqRbEojoZq8_Z_ZrtspQ/AQI-charter-policies---final-draft---4.22.2014.pdf, 3

³"One Million Lives Overview," accessed June 3, 2015 <http://www.qualitycharters.org/one-million-lives/one-million-lives.html>

Case Study: The D.C. Public Charter School Board’s Strategic Authorizing **Rigorous, quality-based authorizing – including closing low-performing charters – benefits students.**

Strategic, high-quality authorizing ought to have one primary goal: increasing the number and percentage of students attending high quality schools. This is accomplished with an intentionally limited set of tools:

- Approving new charters from outstanding applicants;
- Replicating or expanding existing high-performing schools;
- Closing low quality schools;
- Transitioning management of low quality charters to high quality operators; and
- Rigorous evaluation—but not diagnosis—of a school’s weaknesses.

By consistently adhering to this strategy, the District of Columbia has created a national model for charter authorizing.

D.C. Charter Performance

Charter performance in D.C. has not always been strong: in 2007, barely 40% of charter students scored proficient or advanced in math and reading. Yet by 2013, nearly 59% of students scored proficient or advanced in math, and 53% scored proficient or advanced in reading. Today, D.C. charter school students receive on average the equivalent of 99 extra days of school per year relative to their peers in traditional public schools. Moreover, these results cannot be explained away by demographics: D.C. charters have a *higher* percentage of minority and low-income students than traditional public schools in the city.¹

This progress is due in no small part to the D.C. Public Charter School Board’s (PCSB) dedication to strategic authorizing. D.C. rates its schools in one of three tiers based on performance: Tier 1 is highest performing, Tier 2 is in the middle, and Tier 3 is lowest performing. Out of 33 Tier 1 charters, 18 have expanded; out of 23 Tier 3 charters, 13 have closed and six have risen to a higher performance tier.² This has led to significant improvement in the quality of the charter sector overall. Between 2011 and 2013, Tier 1 charter seats increased by 25%, while Tier 3 seats declined by more than 30%.³

It is also worth noting that the improvement of the charter sector has not come at the expense of traditional public schools—in fact, precisely the opposite is true. From 2008-2013, student proficiency in traditional D.C. public schools increased by 10.5 percentage points in math and 4.4 percentage points in reading.⁴ Furthermore, on the 2013 National Assessment of Educational Progress Trial Urban District Assessment, D.C. traditional public school students had the highest achievement gains in the country in both reading and math.⁵

¹ FSG (2014) *Transforming Public Education in the Nation’s Capital*, 7

² “DC PCSB Data Portal,” accessed July 22, 2015 <https://data.dcpsb.org/>

³ FSG. (2014) 8

⁴ “2014 District of Columbia Comprehensive Assessment System Results,” accessed August 20th, 2015

http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2014%20DC%20CAS%20Result%20July%2031%202014...FINAL_.pdf

⁵ “District Results for the 2013 Mathematics and Reading Assessments,” accessed June 3, 2015

http://www.nationsreportcard.gov/reading_math_tuda_2013/#/executive-summary

Best Practices in D.C.

Five best practices have driven the rapid improvement of D.C.'s charter sector:

1) *Fully-staffed charter office.* D.C. benefits from a fully funded and staffed charter office that is focused on oversight and accountability. In 2012, they began organizing staff by functional responsibilities—School Quality and Accountability, Equity and Fidelity Assurance, Charter Agreements, and Finance and Operations—instead of by individual school. This structure allows for deeper analysis of schools, as well as improved monitoring and more standardized performance management across the sector.¹

At present, the PCSB has 33 employees working under seven board members.² In contrast, Philadelphia's charter office has only eight dedicated employees, despite nearly twice as many students attending charters.³

2) *Favorable legal framework.* In contrast to Pennsylvania, the process to close a charter in D.C. operates on a greatly expedited schedule. Instead of a Charter Appeals Board, schools appeal closure decisions to the appropriate D.C. court. The courts, however, are instructed by law to largely defer to the discretion of the PCSB. As a result, no charter school has successfully appealed a charter revocation recommendation.⁴

3) *Rigorous, transparent reporting.* The PCSB takes an active approach to monitoring schools' academics, finances and legal compliance. It collects daily data from its schools, including attendance and truancy numbers.⁵ Such consistent oversight allows for problems to be discovered quickly and addressed. At the same time, regular communication with charters decreases the likelihood that schools will be blindsided by a PCSB decision to non-renew, thus reducing the likelihood of appeal.

Additionally, the PCSB takes great pains to be transparent in its reporting. The performance criteria, underlying data and actions taken in response are readily available to both school operators and the public. By holding itself accountable in this way, the PCSB bolsters the legitimacy of its own decisions.

4) *Clear definition of quality.* Regardless of whether a charter is up for renewal, the PCSB completes an annual review that includes academic, financial and legal compliance. This review includes clear and explicit expectations and definitions of quality, as well as the stakes attached to those definitions.

“This allows for deeper analysis of schools, as well as improved monitoring.”

¹ FSG. (2014) 42

² “PCSB Staff,” accessed June 3, 2015 <http://www.dcpsb.org/accreditation/pcsb-staff>

³ “Contact Us,” accessed June 3, 2015 http://webgui.phila.k12.pa.us/offices/c/charter_schools/contact-us

⁴ “D.C. charter school fights to stay open,” accessed June 3, 2015 <http://watchdog.org/187130/d-c-charter-school-fights-stay-open/>

⁵ FSG. (2014) 21

School operators that are eager to expand know that they must achieve Tier 1 status; on the other end of the spectrum, a Tier 3 rating makes closure likely.

5) *Culture of regulator/operator collaboration.* Though the PCSB is responsible for oversight and accountability, it maintains a deep respect for its schools and their autonomy. This creates a culture where schools and the PCSB are collaborators, not adversaries. Examples of this partnership include broad sector wide buy-in for the Performance Management Framework (PMF), regularly occurring operator input councils which are home to discussion, debate and compromise, and a clearly defined differentiated oversight process.

First, the development of the Performance Management Framework (PMF), D.C.'s school performance metric, was driven by collaboration. Initially, charter operators were resistant to the PMF because they did not have an opportunity to provide input. As a result, the PCSB delayed the rollout of the PMF for a year, and ultimately made substantial changes based on school feedback.¹

Second, the PCSB uses differentiated responses to school performance. If a school shows strong academic and financial performance while remaining legally compliant, the PCSB will encourage them to expand. If they struggle in one or more of those areas, expansion is not discussed. Delivering incentives along with punishment in a clear, transparent way has helped to build real buy-in from the schools.² PCSB is explicit in its commitment to increase the quality—rather than only the number—of charter seats in the city, and schools are willing participants.

Finally, the PCSB holds regular operator input councils to discuss and debate changes in their policies. This results in both stronger policy and more buy-in from schools and school leaders.

¹ FSG. (2014) 26

² FSG. (2014) 33

Recommendations

Philadelphia should act aggressively to improve the quality of its charter sector.

To increase the number of students in quality charter schools while simultaneously closing poor performing charters, state policymakers, the School Reform Commission and its Charter Office, and charter school leaders must commit to a series of reforms as recommended below.

State Policymakers:

1) *Enact laws to expedite closure of underperforming charters, including the Educational Opportunity and Accountability Act (SB 6/HB 1225).* This legislation would expedite closure for charter schools that are in the bottom 5% for academic performance statewide, allowing Philadelphia and other districts to more rapidly improve the performance of their charters. SB 6/HB 1225 is the only currently proposed legislation that includes aggressive closure provisions for underperforming charters.

The School Reform Commission/Charter Office:

1) *Commit to strategic authorizing practices, including closing low-performing charters and expanding high-performing ones.* Closing schools is only beneficial when displaced students are able to immediately transfer to a higher-quality option. The goal of closure should not be to shrink the charter sector, but rather be part of a strategy to improve it. Furthermore, closing underperforming charters is much more difficult without giving families better alternatives through the expansion of high quality charters. To hold itself accountable, the SRC could publicly set goals for charter sector performance (as measured by SPR) over a specific timeline.

2) *Rethink and revise timelines.* Today, the District votes to non-renew charters very late in the school year, which unduly burdens parents and makes appeals more likely. Instead, the District should put the needs of families first by making closure decisions earlier so that parents have more time to find a better educational option. All the same, such decisions require much thought and better data. Therefore, the District must also release its School Progress Reports (SPR) much earlier in the year so there is sufficient time for deliberation.

3) *Commit to a fully-staffed, professional charter office.* Currently, the District's charter office has only eight dedicated employees, making effective oversight and authorization virtually impossible. Adequate investment in a fully-staffed charter office is critical to ensuring improved charter performance.

4) *Increase transparency of portfolio performance.* Each year, the charter office should release reports on academic, financial and organizational performance of individual schools and the sector as a whole. This information is critical to determining new policies and other reforms.

5) *Establish operator input councils and other opportunities for collaboration between the District and charter operators.* Though a fully-staffed charter office can provide valuable insight into sector performance, it cannot replace the on-the-ground perspective of school leaders. Fostering a collaborative relationship between the charter office and schools will result in better policies and better student outcomes.

Charter Sector Leaders

1) *Release an annual State of the Sector Report.* Though charter operators run schools independently, they all have an interest in the sector's collective performance. A transparent, objective analysis of charter performance would help to hold the entire sector accountable.

2) *Encourage growth of high performers and advocate for closure of low performers.* Similarly, sector leaders must realize that the performance of individual schools can assist or damage the sector as a whole. Given this reality, sector leaders should advocate for the growth of all high performers, while holding low performers accountable.

3) *Increase transparency.* In order to establish a culture of continuous improvement within the sector, charter leaders should commit to sharing relevant academic and financial data with families, the SRC and the public at large. This data will provide up-to-date and accurate information to inform changes and choices that will benefit Philadelphia's students.

Conclusion

The results of Philadelphia's charter sector are impressive. But we should strive for continual improvement.

Philadelphia's charter sector is strong, and it provides great educational opportunities for students across the city. But not all charters are effective. Thus, continued expansion of high-quality charters must be paired with closing ineffective ones. By committing to change policies at both the state and local level, the School District of Philadelphia can focus on improving the charter sector—and improving the education of thousands of Philadelphia students in the bargain.

About Philadelphia School Advocacy Partners

Philadelphia School Advocacy Partners (PSAP) was formed to advocate for the policy and regulatory conditions, at both the state and local level, necessary for great urban schools of all types to thrive and grow.

The organization shares a vision with the Philadelphia School Partnership that every child in every neighborhood has access to a great school and graduates from high school prepared for college or a career. We believe that great schools come in all types and exist in all sectors, and every great school starts with a talented leader and the belief that all children can learn and achieve at high levels.

To contact us, please email info@philaschooladvocacy.org

For more information on PSAP, please visit <http://www.philaschooladvocacy.org>

About Philadelphia Charters for Excellence

Philadelphia Charters for Excellence (PCE) is an association of quality public charter schools committed to organizational transparency, public compliance, and academic excellence. The vision of PCE is to accelerate a Philadelphia public school system where all families can attend a high quality school of choice, charter or district. PCE provides effective, consistent and relevant support to schools, focuses on strategic and developed advocacy efforts, and is committed to high quality standards and transparency. PCE's ultimate goal is to transform Philadelphia public schools to a system of school choice based on academic, financial and organizational quality standards. This will enable every Philadelphia family to have a high quality school option.

To contact us, please email info@pcexcellence.org

For more information on PCE, please visit <http://www.philachartersforexcellence.org>