

Archived Information

Objective 1.6: Greater public school choice will be available to students and families.

National Need

National Concerns. Public school choice represents one important strategy to provide options to students with different learning needs. Some public school choice programs have been used to ease a disproportionate increase in minority group student isolation. Other options encourage greater flexibility in school offerings to address the needs of students, families, and communities. Another goal of public school choice may be to allow students to transfer out of schools identified for improvement. Ultimately, public school choice is meant to promote options for students to attend a school other than their assigned neighborhood school. According to a 1999 survey of parents, approximately 15 percent of all U.S. students in grades K-12 attended a public school that their families chose. Public school choice operates through various mechanisms, including charter schools, magnet schools, open enrollment policies, and postsecondary options.

Our Role. The Department of Education's (ED) goal is to promote and support public schools of choice that equitably serve all children, improve academic performance, and provide valuable lessons that can be used to improve public education generally. ED strives to support well designed public school choice—defined as any approach to improve teaching and learning that:

- Provides new, different, high-quality choices to families and students in public schools—choices in educational courses, activities, programs, or schools—to better meet their different learning styles, interests, and needs
- Holds schools and programs accountable to the public for results
- Stimulates educational innovation for the continuous improvement of all public schools, contributes to standards-based school reform efforts, and promotes high expectations and high achievement for all students
- Results in options that are voluntary and accessible to all students, including those who are poor, are members of a minority group, or have limited English proficiency or disabilities
- Promotes educational equity and increases opportunities for students to receive the educational benefits that diversity provides
- Increases family involvement in the education of their children

ED promotes choice in public education primarily by supporting new or significantly expanded charter schools and magnet schools through ED's Public Charter Schools Program (PCSP) and Magnet School Assistance Program (MSAP), respectively. PCSP provides startup funds for charter schools and for evaluating the effects of the charter school on other schools and students. MSAP provides funds to help school districts establish new magnet schools. The purpose of these magnet schools is to reduce, prevent, or eliminate minority group isolation and to promote diversity by creating programs that attract students from diverse backgrounds. In addition to ED's current support for public school choice, the Administration's reauthorization proposal also includes a new program called OPTIONS: Opportunities to Improve Our Nation's Schools. This program would identify and support innovative approaches to high-quality public school choice within school districts and states.

Our Performance

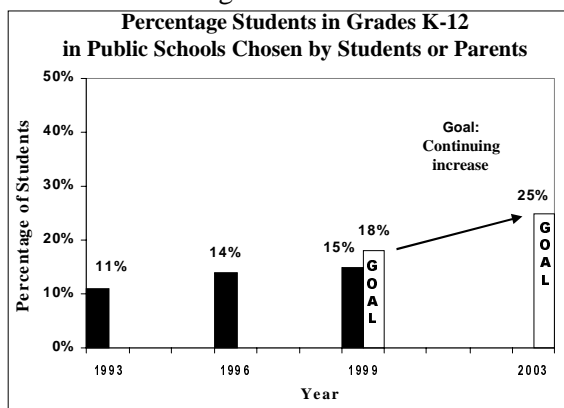
How We Measure. ED measures its progress toward meeting the objective of increased public school choice by tracking (1) the percentage of students in public schools of choice, (2) the number of states with charter school authorizing legislation, and (3) the number of charter schools operating nationwide.

Indicator 1.6.a. By 2003, 25 percent of all public school students in grades K-12 will attend a school that they or their parents have chosen.

Assessment of Progress. The 1999 target was not met; however, there was a positive trend toward that target. The 1999 data show that 15 percent of students in grades K-12 attend public schools of their choice (including a neighborhood school to which a student was assigned, but would have chosen anyway). These performance data show that some progress was made, but we fell short of the target by 3 percent.

As the indicator states, the target for 2003 is that 25 percent of students in grades K-12 will attend a school of their choice. This ambitious target reflects the Administration's priority of expanding public school choice, the continuation of MSAP and PCSP, and the Administration's reauthorization proposal for expanded choice options funded by the Opportunities to Improve Our Nation's Schools (OPTIONS) program. There is also the expectation that other non-Federally supported public school choice programs will increase in numbers that will result in increasing percentages of students enrolled in schools that they and their families choose. It is therefore likely that there will be progress made toward future targets (see Figure 1.6.a.1).

Figure 1.6.a.1

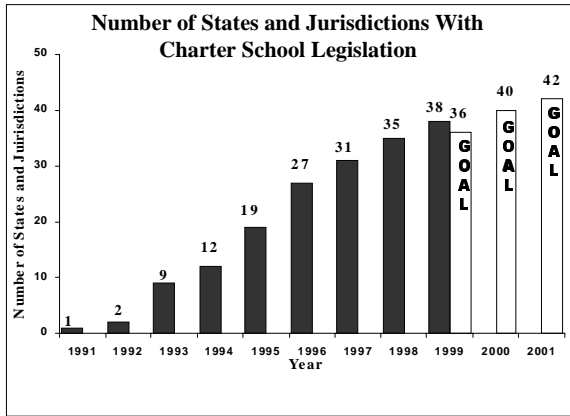


Source: NCES, National Household Education Surveys, 1993, 1996, and 1999 National Center for Education Statistics (NCES). *Frequency:* periodic (1993, 1996, 1999, and 2003) *Next Update:* 2003. **Validation procedure:** Data validated by NCES review procedures and *NCES Statistical Standards*. **Limitations of data and planned improvements:** No known limitations.

Indicator 1.6.b. By 2000, a minimum of 40 states will have charter school legislation.

Assessment of Progress. Target exceeded and positive trend toward 2000 target. Since Minnesota became the first state to enact legislation authorizing charter schools in 1991, 38 states have followed suit as of 1999. [All references to the number of "states" with charter school legislation or with operating charter schools include the District of Columbia and Puerto Rico.] President Clinton set the target for 2000 at 40 states with charter school legislation, and the target for 2001 is 42 states with charter school legislation (see Figure 1.6.b.1).

Figure 1.6.b.1

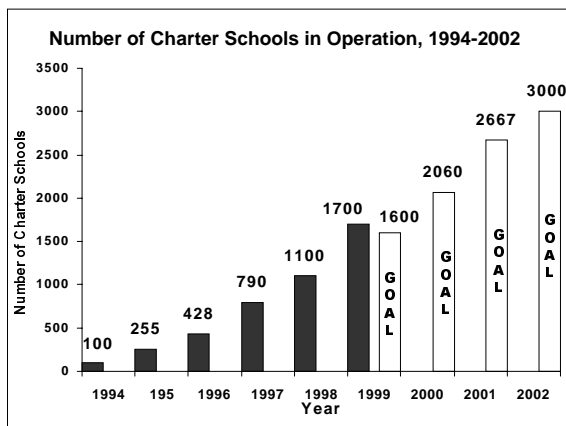


Source: State Educational Agencies; State legislatures. *Frequency:* Quarterly. *Next Update:* Summer 2000. **Validation procedure:** Data validated by the ED staff and corroborated by information from other sources. **Limitations of data and planned improvements:** The definition of state charter school legislation varies.

Indicator 1.6.c. By 2002, there will be at least 3,000 charter schools in operation around the Nation.

Assessment of Progress. Target exceeded and positive trend toward 2002 target. The target that at least 3,000 charter schools will be in operation by 2002 was set by President Clinton. The number of charter schools has been increasing rapidly since the first charter school opened in Minnesota in 1992. More than 1,700 charter schools are in operation in the current 1999-00 school year, which exceeds the goal of 1,600 charter schools in operation that was set in last year’s Annual Plan. The performance target for the 2000-01 school year is 2,060 schools in operation, and the target for the 2001-02 school year is 2,667 schools (see Figure 1.6.c.1).

Figure 1.6.c.1



Source: State Education Agencies; State legislatures; Center for Education Reform (as a cross-reference). *Frequency:* Annual. *Next Update:* Summer 2000. **Validation procedure:** Data verified by the U.S. Department of Education data quality attestation process and the *ED Standards for Evaluating Program Performance Indicators*. **Limitations of data and planned improvements:** Cross-referencing sources has helped validate figures received from various sources. The nature of state laws significantly influences the growth of charter schools; although 38 states have authorizing legislation, the majority of charter schools are located in seven states (Arizona, California, Colorado, Florida, Michigan, North Carolina, and Texas).

How We Plan to Achieve Our Objective

How ED's Activities Support the Achievement of this Objective. ED supports the objective of greater public school choice in several ways: by providing financial support for public school choice; by promoting Federally funded magnet and charter schools through outreach and networking; by providing high-quality, timely technical assistance; and by supporting research and evaluation.

- **Provide financial support for public schools of choice.** ED will support the planning and startup costs of up to 2,200 charter schools (serving about 420,000 students) in the 2001-02 school year, funded with the fiscal year 2001 (\$175 million) budget request by Public Charter Schools Program. It will also support new magnet school projects in 60 school districts (with an average of seven or eight magnet schools per district) in the 2001-02 school year funded, with the fiscal year 2001 (\$110 million) request by the Magnet Schools Assistance Program. The fiscal year 2001 MSAP budget request also supports the final year of the Innovative Programs projects.
- **Support school choice within Title I.** Title I, Section 1115A of the Elementary and Secondary Education Act, currently allows school districts to use Title I funds, in combination with other funds, to implement choice programs that allow parents of students served by Title I to select an appropriate public school for their children. In addition, the fiscal year 2000 Consolidated Appropriations Act (P.L. 106-113) provides \$134 million for districts with schools identified as needing improvement under Title I, Section 1116(c). Districts receiving these funds must provide the option to students in those schools to transfer to another public school of their parents' choice that has not been identified as needing improvement.
- **Promote Federally funded magnet and charter schools through outreach and networking.** ED provides information to grantees about PCSP and MSAP and facilitates networking at national conferences and regional outreach meetings. Networking among charter schools is increased through the continually updated and improved charter schools Web site (averaging 6,000 hits per week, most of which are from practitioners). PCSP promotes the use of dissemination grants by successful charter schools to spread best practice strategies to other charter schools and to traditional public schools.
- **Provide high-quality and timely technical assistance.** ED provides ongoing technical assistance and training to magnet and charter schools through the Equity Assistance Centers, the Comprehensive Regional Assistance Centers, and the Regional Education Laboratories. PCSP and MSAP staffs conduct regional and national technical assistance meetings for grantees and prospective applicants to inform them about program requirements, performance indicators, and successful approaches to implementing charter and magnet school programs.
- **Support high quality research and evaluation.** A three-year evaluation of MSAP will provide a baseline picture of the extent to which grantees are meeting Federal statutory objectives. ED is also supporting a three-year evaluation of PCSP, which will examine the roles of PCSP, state educational agencies, and charter-granting entities in promoting the development of charter schools. Several other research studies that are being conducted about charter schools include the National Study of Charter Schools (in its final year), a charter school finance study, a charter school accountability study, and a study on charter schools and students with disabilities.

How We Coordinate with Other Federal Agencies

We coordinate with many other Federal agencies to provide the latest research news and technical assistance to guide the development of high-quality charter schools.

- **Information dissemination and technical assistance.** ED coordinates with several Federal agencies to provide information and technical assistance to the field.
 - Equity Assistance Centers provide technical assistance to MSAP and PCSP grant recipients (e.g., the Centers collaborate with ED to disseminate information about successful magnet school strategies).
 - PCSP and the ED Office for Civil Rights staff have met with the Department of Justice staff to develop guidance for charter school developers. This guidance is designed to answer questions about civil rights obligations facing charter schools, including charters in areas with court-ordered desegregation or voluntary desegregation plans.
- **Partnerships to encourage program improvement.** ED supports cooperation with several Federal agencies to enhance the quality of charter schools.
 - The PCSP staff works with IRS representatives to discuss ways to ensure that charter school developers do not experience any undue delays in acquiring tax-exempt status.
 - To encourage the adoption of high-quality public charter schools in the District of Columbia, ED has an ongoing collaboration with other Federal agencies and the District of Columbia school system.
 - PCSP works closely with the Department of Agriculture on school lunch programs to facilitate cooperation (e.g., creating materials to inform school lunch program field staff about charter programs).

Challenges to Achieving Our Objective

- The extent to which public school choice is made available to students and families is considerably influenced by state and local decision making.
- The public does not always have a clear understanding of the terminology and the objectives of public school choice. ED's outreach efforts work to address this issue.
- Variation in state charter school laws, procedures, and oversight processes make it difficult to ensure quality in educational programs and complicate efforts to increase the quantity of charter schools.
- Some charter school authorizing agencies fail to implement charter school oversight and accountability initiatives in ways that match program goals (e.g., they may not have adequate rigor in the review process or may not ensure performance accountability).
- Many school districts are continuing to experience a disproportionate increase in minority group student isolation, making it more difficult for magnet programs to meet their desegregation objectives. School districts can consider interdistrict magnet programs that bring together students from both urban and suburban schools. Additionally, a proposed new program called OPTIONS: Opportunities to Improve Our Nation's Schools (described in ED's reauthorization proposal) would reduce barriers to effective public school choice, create new learning environments, and help decrease the isolation of students by racial, ethnic, and economic backgrounds.
- There are few incentives and many barriers (political, social, and financial) to regional or interdistrict approaches to reducing, eliminating or preventing minority group isolation.
- Changing legal standards constrict school districts' ability to use race as a criterion in selecting students to attend magnet programs.

- More teachers are needed with the skills to effectively teach in classrooms with children from diverse ethnic, economic, and educational backgrounds. A report on teacher quality by the National Center for Education Statistics (January 1999) states that only 55 percent of public school teachers feel very well or moderately well prepared to address the needs of students with limited English proficiency or from diverse cultural backgrounds. The latest study on the Eisenhower Professional Development Program (October 1999)—the Department of Education's only program devoted exclusively to the professional development of teachers—recommends that the program develop additional approaches to targeting teachers in high-poverty schools.

The GAO has several recommendations regarding charter schools:

- **Recommendation:** The secretary of education should direct states to include in their Title I plans information on the strategies, activities, and resources that the state educational agencies will use to ensure that Title I program resources serve eligible charter school students. **Response:** Nonregulatory guidance on this topic was issued by the ED in November 1997. In addition, this recommendation is being fulfilled through ED's implementation of the Charter School Expansion Act, which was signed into law on October 22, 1998. Among other provisions, this law requires the Secretary of Education and state educational agencies to ensure that every charter school receives the Federal funding for which it is eligible, not later than 5 months after the charter school first opens or significantly expands its enrollment. On May 18, 1999, ED published a notice of proposed rulemaking (NPRM) to implement that requirement. ED invited public comments on the NPRM for 60 days, reviewed those comments, and drafted final regulations. ED issued final regulations on December 22, 1999.
- **Recommendation:** The secretary of education should take the steps necessary to direct states to include charter school representation on states' Title I committees of practitioners that advise states on implementing their Title I program responsibilities. **Response:** The Department of Education does not have statutory authority to *direct* a state education agency (SEA) to include charter school representatives on the state Title I committee of practitioners. However, we strongly encourage SEAs to include representatives of the charter schools constituency and to consult closely with the charter school community.