

# The Approval Barrier to Suburban Charter Schools

**by Pushpam Jain**

SEPTEMBER 2002

# **The Approval Barrier to Suburban Charter Schools**

**Pushpam Jain**

**University of Maine**

**September 2002**



## Foreword

Why have charter schools been largely confined to urban areas and not taken hold in suburban areas in most states? In this paper, Pushpam Jain, a professor of education policy at University of Maine, takes a close look at three states with high proportions of charter schools in the suburbs—Colorado, New Jersey, and Connecticut—to see how they have managed to introduce charter schools there. He then examines one state with only a few suburban charter schools—Illinois—to see what is blocking the spread of charter schools there.

His main finding is simple: if a state sets up a system for authorizing charter schools where the only authorizing body really doesn't want charter schools, there won't be many charter schools. Local districts tend to view charter schools as unwanted competition, so one shouldn't be surprised when they reject practically every charter application they receive. Where local districts are the primary, or sole authorizers, there won't be many charter schools, particularly in the suburbs.

When state policymakers want charter schools, and when the state retains a role in the charter approval process—either as primary authorizer or as appellate authority—one is likely to see more charter schools in the suburbs, as in Colorado, New Jersey, and Connecticut.

Local school boards often oppose charter schools because they fear losing students and funds. Of course, one goal of the charter movement is to inspire traditional school districts to compete for students, but if there is no state appeals process to keep them honest, the local approval process can enable districts to thwart prospective competitors.

In the course of explaining why some states have more charter schools in the suburbs than others, Jain picks out a handful of suburban charter schools and explains how they came about, who created them and why, and what they look like today. These stories shed welcome

light on why some suburban parents want charter schools and how they got them.

Chester E. Finn, Jr.

President, Thomas B. Fordham Foundation

Washington, DC

September 2002

## **The Approval Barrier to Suburban Charter Schools**

During the last decade, charter schools have spread across the country. Since 1992, 37 states and the District of Columbia have passed charter school-enabling legislation, resulting in the creation of more than 2,400 charter schools around the United States, serving more than 580,000 students.<sup>1</sup> Proponents believe that charter schools can facilitate stronger education outcomes and ease some of the bureaucratic problems that hinder school improvement.<sup>2</sup> Charter schools may also prompt innovation in largely monolithic public school systems, and provide parents with more options for their children's education.<sup>3</sup>

Charter schools have primarily taken hold in cities, partly because cities face the most dire education problems, though perhaps also for other, less constructive, reasons.<sup>4</sup> In a few states, however, charter schools have established a significant presence in the suburbs. In this paper, I examine why some states have had greater success in fostering suburban charter schools, focusing on the charter school application approval process.

### **Presence of Suburban Charter Schools**

To identify which states have had success in attracting suburban charter schools, I created a database of all charter schools in the United States in 2000–2001 and categorized them as urban, suburban, or other.<sup>5</sup> For the purposes of this paper, suburban charters are defined as schools located in the metropolitan region surrounding a central city of 100,000 or more residents, regardless of the suburb's actual distance from the city or its socioeconomic characteristics.

Based on this classification scheme, Colorado, Connecticut, Florida, Georgia, and New

Jersey have the highest proportions of suburban charter schools, ranging from 47.4 percent in Colorado to 31.3 percent in Connecticut (See Table 1). In several of these states (Florida, New Jersey, and to a certain extent, Connecticut), a relatively large share of the state population resides outside of cities, which may explain why more charter schools in these states are also located outside of urban area.

**Table 1. Suburban Charter Schools in Selected States, 2000-01**

State	Charter Schools				% of State Population in City	Strength of Charter Law (CER rating)	% Enrolled in City Schools
	Total number	% Urban	% Suburban	% Other <sup>†</sup>			
Colorado	76	21.1%	47.4%	31.6%	25.3%	B	14.4%
New Jersey	67	46.3%	38.8%	13.4%	9.5%	B	8.3%
Georgia	35	14.3%	34.3%	51.4%	11.6%	C	4.6%
Florida	155	38.7%	32.9%	26.5%	18.8%	A	††
Connecticut	16	37.5%	31.3%	31.3%	18.7%	C	8.7%
Arizona	366	37.4%	28.1%	33.1%	45.8%	A	11.1%
Massachusetts	43	37.2%	23.3%	37.2%	6.9%	A	11.8%
Michigan	179	37.4%	21.8%	40.8%	18.9%	A	14.9%
California	252	30.2%	19.8%	48.4%	44.1%	A	29.5%
Alaska	17	23.5%	17.6%	58.8%	41.6%	C	37.5%
Texas	187	70.1%	17.6%	12.3%	40.4%	A	24.4%
New York	25	84.0%	16.0%	0.0%	46.1%	B	41.8%
North Carolina	94	31.9%	13.8%	53.2%	16.5%	B	††
Idaho	9	22.2%	11.1%	66.7%	13.2%	C	10.9%
Oregon	19	31.6%	10.5%	57.9%	23.2%	B	21.5%
Pennsylvania	69	63.8%	10.1%	26.1%	16.9%	B	13.8%
Illinois	20	75.0%	10.0%	15.0%	23.0%	C	21.1%
Minnesota	70	47.1%	8.6%	44.3%	13.4%	A	10.7%
Wisconsin	59	11.9%	8.5%	79.7%	17.4%	B	14.0%

\* - Total may not add up to 100 because some of the schools could not be classified.

† - Other could be rural or not adjoining a major city (part of metro area)

†† - North Carolina and Florida have a county school system, so city school enrollment cannot be computed.

Source: Center for Education Reform School Directory, 2000.

Population measures: Census Bureau. Enrollment: Digest of Education Statistics

Suburban, Urban, and Other classifications are my own.

The sixth column in Table 1 shows the strength of a state's charter school law, as categorized by the Center for Education Reform.<sup>6</sup> It does not appear that the presence of suburban charters in certain states is linked to the strength of the charter law, as the six states with the highest percentages of suburban charter schools have widely varying charter laws: Arizona and Florida have strong laws, Colorado and New Jersey medium-strong laws, and Connecticut and Georgia weak laws.

Of the six states with the most suburban charter school activity, I selected Colorado, New Jersey and Connecticut for further investigation.<sup>7</sup> In this paper, I examine why these three states have had greater success in establishing suburban charter schools than has Illinois, which has almost no suburban charters, even though the charter laws and regulations of these four states are roughly equal.<sup>8</sup>

### **A Parent-Driven Movement in Colorado**

Colorado has the largest suburban charter school presence. The state's charter schools enrolled some 24,500 students in 2001, and 36 of Colorado's 76 charter schools in 1999 were located in suburban Denver.<sup>9</sup> Under Colorado law, the local school district is the first party to consider a charter school application, but charter applicants can appeal a local rejection to the state Board of Education.

Colorado's charter law differs from Illinois' in some important ways.<sup>10</sup> Colorado makes any unused district facility available to charter schools, and the state's Educational and Cultural Facility Authority can issue bonds on behalf of charter schools. However, Colorado provides no state-level assistance for facilities or start-up, whereas in Illinois charter schools can access low-interest loans for start-up expenses through the Illinois Facilities Fund. In addition, Illinois districts receive Transition Impact Aid, to soften the revenue loss from students attending charter

schools.

### *State Advocates Charter Schools*

Colorado's present governor, Bill Owens, steered the charter school law into existence when he was a state Senator in 1993, and has been a strong supporter of charter schools ever since.<sup>11</sup> The state does not allow the conversion of religious or private schools to charter status. Only recently has Colorado allowed the conversion of conventional public schools into charters.<sup>12</sup> The Colorado Department of Education (CDE) generally has been supportive of charter schools, serving as a resource center for interested applicants and assisting them with charter proposals.<sup>13</sup>

Since the beginning of Colorado's charter program, the state Board of Education has approved several applications that had been rejected by local districts. In the first such case, the state board forced a charter school upon a major suburban district.

Who applies for charters in Colorado? To understand this, I looked at 12 schools in urban, rural, and suburban areas. Several were based on the Core Knowledge curriculum developed by E.D. Hirsch, which is popular in Colorado. Thirty percent of Colorado's charter schools, and half of those in the suburbs, are Core Knowledge schools (See Table 2).

**Table 2. Core Knowledge Charter Schools in Colorado , 2000**

Location	All Schools		Core Knowledge Schools	
	#	%	#	%
<i>Urban</i>	16	21.1%	1	4.3%
<i>Suburban</i>	36	47.4%	18	78.3%
<i>Rural</i>	13	17.1%	4	17.4%
<b>Total</b>	76	100.0%	23	100.0%

Sources: The Core Knowledge Foundation, Colorado, and the *1998-99 Colorado Charter Schools Evaluation Study*.



### *Urban Charter Schools in Colorado*

Until 1999, only three of Colorado's 70-plus charter schools were in Denver, as that city's school board was hostile to the concept. The smaller city of Colorado Springs had more charter schools than Denver did. Denver's first three charter schools also were small, each enrolling fewer than 100 students.

When the state board approved a charter school application that the Denver school board had rejected, Denver challenged the state board's authority in court, but the judge ruled in the board's favor.<sup>14</sup> The attitude of the Denver school board has since changed, and in 2000 Denver approved four of a current total of seven charter schools. The threat from the state board may have encouraged Denver to change its attitude toward charter schools.<sup>15</sup>

Colorado's urban charter schools generally target at-risk students. One focuses on students at a high risk of dropping out, while another seeks to introduce minority students to technology at an early age. Both schools are managed by community groups involved in education or other local issues, which saw charter schools as a natural extension of their previous activities.

### *Parental Pressure in Suburbs*

In Colorado's suburbs, parents are the primary force behind charter schools, usually pursuing this route after failing to bring about a desired change in the local public school. The CDE plays a strong role in facilitating their efforts, as it makes the application process relatively simple, undertakes major outreach efforts, and helps parent groups to apply for charters. Local districts in high-growth suburban areas have also become more receptive to charter schools, which can alleviate acute overcrowding in district schools by accommodating additional

students.

All three of the suburban Core Knowledge schools examined grew out of parental dissatisfaction with their local schools.<sup>16</sup> Many parents attempted to work with the district school before pursuing the charter route, but they generally reported frustration. One parent said that her local principal told her “it did not matter what parents said.” Faced with this indifference, parents came together to create an alternative, and were attracted to the Core Knowledge concept, in which they saw “something that taught fundamental skills and was content rich.”<sup>17</sup> When the first group of parents put together an application for a Core Knowledge charter school, the district rejected it, but the state board overrode that decision. After that, Core Knowledge schools received extensive positive coverage in the local media, and the general view was that their students performed better than students in local public schools,<sup>18</sup> a claim that has been disputed by some. The suburban Core Knowledge schools serve few minority students, but it is possible that they reflect the racial makeup of the suburbs in which they are located.

The other three suburban Colorado charter schools studied for this paper featured such approaches as experiential learning, multi-age classrooms, year-round schooling, and multicultural curricula. Parent groups created two of them; in the third, a consortium of parents, teachers, and community groups led the charter effort.<sup>19</sup> In the two parent-led schools, minority students comprise less than 10 percent of enrollment, whereas the third school—the one with a multicultural curriculum—contains 50 percent minority students.

Colorado’s rural charter schools, on the other hand, came about for more varied reasons. The rural Core Knowledge charter schools resulted from parental dissatisfaction with local schools; the rural charter schools founded on other educational principles came about as a part of community efforts to preserve local town schools and avoid consolidation into a larger regional

system.<sup>20</sup> One of these latter rural schools adopted an experiential learning approach after it was granted charter status.<sup>21</sup>

In Colorado, the key to the growth of charter schools in the suburbs seems to be the supportive role played by state government—in assisting with the application process to be sure, but more importantly, in overruling local boards when they rejected charter proposals on grounds that seemed unwarranted.

### **Targeting Equity in New Jersey**

Thirty-nine percent of New Jersey's charter schools are located in suburbs (See Table 1), but many of these serve a student population usually characterized as urban. These schools are located in resource-poor districts known in the state as “Abbott” districts, jurisdictions that won a lawsuit against the state over school finance equity.<sup>22</sup> One estimate suggests that 80 percent of New Jersey's charter schools are located in Abbott districts, and hence target at-risk students.<sup>23</sup> In New Jersey, most charter schools in both urban and suburban areas were started by community groups and social service agencies, which saw the schools as an extension of their original activities. The few additional charter schools in wealthier areas tend to be parent-led.

### *Consensual and Supportive State Role*

Several major groups supported New Jersey's charter legislation. The state had faced a decades-long lawsuit related to inequity in school funding, and the remedy has been interventions aimed at raising the quality of education provided in the property-poor Abbott districts. The state administration, which had already increased funding in these districts but had not yet seen much improvement, perceived charter schools as a way to offer children in these

districts better educational opportunities.<sup>24</sup> Former governor Christine Todd Whitman also recognized charter schools as a potential solution to the problem of unequal educational opportunity. Consequently, her state education department played a highly supportive role.<sup>25</sup>

In New Jersey, the state commissioner approves all charter schools in consultation with local districts, and charter applicants do not have a higher authority to which to appeal the commissioner's decision. New Jersey also does not provide charter schools with automatic waivers from regulations or with any start-up or facilities funding beyond what the federal government provides.<sup>26</sup> The law in these respects is less charter school-friendly than in Illinois, but having a state-level approval process in a charter-friendly state at least allows charter schools to avoid some of the local opposition that applicants may face in small suburban districts in other states.<sup>27</sup>

### *New Jersey's Urban and Suburban Schools*

This report examined four charter schools in New Jersey, two in urban areas and two in non-Abbott suburbs. Local social service agencies established both urban schools to serve at-risk students, while both suburban schools were parent-led charters seeking to employ alternative educational theories. In one, parents were dissatisfied with the local public school; in the other, discontented parents joined with teachers to create a school offering experiential learning.

The charter school in Princeton has attracted national attention. It resulted from the work of several parents, two of whom had served on the town school board. Before the charter school was founded, there was disagreement among parents and the school board over the appropriate balance between academics and socializing. In addition, although the district schools performed well on assessments, Princeton's highly educated parents were concerned that students were not

learning enough, and that the performance of minority students lagged.<sup>28</sup> Unable to bring about change in the local public school, a group of parents organized to launch a charter school with “an atmosphere that promoted excellence and academic achievement.”<sup>29</sup>

Considering how much of New Jersey’s population resides in suburban areas, it is not surprising that most of its charter schools are also to be found there. New Jersey’s state-level approval process also may have mitigated some of the local opposition that charter applicants often face. New Jersey illustrates the fact that not all suburbs are wealthy or white, and that they also contain at-risk students whose needs can be addressed through charter schools.

### **Desegregating by Means of Charter Schools in Connecticut**

Connecticut’s 1996 charter school law permits as many as 24 charter schools, all state-approved and -funded. The charter law was supported as part of a compromise among interest groups active at the state level.<sup>30</sup> The state looked to charter schools as a means to meet a state supreme court mandate for interdistrict desegregation.<sup>31</sup> Since 1997, Connecticut has required all new charter schools to incorporate desegregation plans and to enroll equal numbers of students from urban and nonurban areas.

Connecticut’s first 10 charter schools (approved prior to the 1997 revision of the charter school law) promoted such educational strategies as smaller class size and excellence in teaching. Of these, eight were designed for at-risk urban students, while two were in suburban areas.<sup>32</sup> Six charter schools established since 1997 have combined innovative educational practices with the goal of desegregation. These schools are all located in suburban areas, although they are obliged to serve a mix of urban and suburban students.

Three of the post-1997 charter schools studied offered different curricular options or had

adopted alternative learning approaches, such as experiential learning. These suburban charters appealed to residents committed to desegregation, to multiracial suburban families interested in raising their children in a diverse environment, and to people who described themselves as concerned about social justice, thus providing the critical mass necessary for desegregated suburban schools.<sup>33</sup> It remains to be seen whether using charter schools as a means of desegregation will have a significant impact,<sup>34</sup> since today the effort consists only of six charter schools serving a few hundred students.

Connecticut's state approval and state funding process may help explain the relatively high percentage of suburban charter schools in the state, as does the explicit state requirement that all charter schools enroll students from both urban and nonurban areas.

### **Why Suburban Charter Schools?**

Why have Colorado, New Jersey, and Connecticut been relatively successful in attracting or establishing suburban charter schools? A significant portion of suburban charter schools in these three states was facilitated by a powerful state education administration that combined outreach efforts with support for interested applicants. The state administrations either directly approved charter proposals or provided viable appeals mechanisms for charter applicants rejected by local authorities.

### **Charter Schools in Illinois**

Illinois' charter school law permits only 45 charter schools in the entire state: 15 each in Chicago, suburban Chicago, and downstate. Local districts review all charter applications; since 1997, rejected applicants have been able to appeal to the state Board of Education. By 2001, the

city of Chicago had approved all 15 of its allotted charters, whereas the five suburban counties surrounding the city had approved only three, and the downstate region had approved six.<sup>35</sup>

Chicago likely would have many more charter schools were it not for the state-imposed cap.

### *Who Applies and Who Is Accepted?*

Chicago's charter school applicant pool varies from the rest of Illinois. Urban Chicago applicants have included social service agencies, teachers, and foundations, but no parents (See Table 3).

**Table 3. Composition of Charter School Applicants and Charter Holders in Illinois**

<i>Groups</i>	<b>Chicago</b>						<b>Rest of Illinois</b>			
	1997-1998*		2000-2001		All Years		1997-2001			
	Applied		Applied		All Approved		Applied		All Approved	
	#	%	#	%	#	%	#	%	#	%
Business/Developers	1	2.8%								
Community Devel. Councils	3	8.3%			3	14.3%	1	3.7%		
Community/Neighborhood Groups	4	11.1%	5	71.4%	2	9.5%	3	11.1%		
Cultural Groups/Foundations/Social Service Agencies	14	38.9%			8	38.1%	5	18.5%	1	
Ed Management Org (e.g., Edison)	3	8.3%			1	4.8%	4	14.8%		
Educators	8	22.2%	1	14.3%	2	9.5%	1	3.7%	1	14.3%
Parents							8	29.6%	3	42.9%
Reform Group (National)	1	2.8%			1	4.8%	1	3.7%		
Social Service Agencies										
Universities/Colleges	2	5.6%			2	9.5%	3	11.1%	2	28.6%
Others	3	8.3%	1	14.3%	2	9.5%	1	3.7%		
<b>Total</b>	36		7		21		27		7	

Note: \* There were 39 applicants in 1997-1998, but information is available on only 36 applicants. More than 15 schools were approved, but not all approved applicants opened a school.

Source: Applications archived at Leadership for Quality Education, Chicago Public Schools, and Illinois State Board of Education.

A common thread linking these diverse applicants is that "...almost all of them, had some existing activity dealing with children," according to Greg Richmond, the director of Chicago's Charter Schools Office. In contrast, applicants in the suburbs and downstate tended to be parents, educational management organizations, and universities. In suburban Chicago, eight of 11 applicants were parents or parent groups.<sup>36</sup>

Chicago attracted 67 charter applications, compared to 11 in the suburbs and 16 downstate (See Table 4). Chicago's 30 percent approval rate (20 of 67 applicants, though five of the 20 approved schools did not open) was also higher than the suburban rate of 9 percent (only one of 11 applicants). Chicago's clearly defined approval process<sup>37</sup> may have attracted stronger applications in the first place, which may in turn have resulted in a higher approval rate.

Downstate Illinois' approval rate was the highest of all, with local boards approving 38 percent of the 16 proposals.

**Table 4. Status of Charter School Applications in Illinois, 1997-2001**

<i>Location</i>	Applied	Approved		Appealed to State		Successful Appeal		Target At-Risk Students	
		#	%	#	%	#	%	#	%
Chicago	67	20	29.9%	6	12.8%	0	0.0%	64	95.5%
Suburbs	11	1	9.1%	6	60.0%	2	33.3%	0	0.0%
Downstate	16	6	37.5%	5	50.0%	0	0.0%	14	87.5%
<b>Total</b>	94	27	28.7%	17	25.4%	2	11.8%	78	83.0%

Note: Schools that applied more than once are counted multiple times. In suburban areas, Thomas Jefferson applied three times and Prairie applied twice. In downstate areas, Alliance applied four times, and S. Illinois applied twice.

Source: Illinois State Board of Education.



Beginning in 1997, locally rejected charter applicants could appeal to the state. Thirteen percent of rejected Chicago applicants, 60 percent of rejected suburban applicants, and 50 percent of rejected downstate applicants did so. The lack of open charter slots may have inhibited appeals from Chicago. In contrast, the suburbs and downstate didn't attract as many applicants, the suburbs approved almost no schools, and both locales faced more state-level appeals.

Of urban Chicago charter school applications, 96 percent targeted at-risk students (See Table 4). The definitions of "at-risk" varied, including students who were performing poorly, those who had dropped out, those who were considered to be at an increased risk of dropping out, and substance abusers. This is partly due to the state charter law, which until 1997 required charter schools to serve at-risk students, and partly the result of Chicago's immense at-risk student population—one indicator of which is the city's 86 percent low-income student population in 2001. This may have given an impression around the state that charters are only for at-risk urban students, and aren't relevant to the suburbs. Indeed, some districts outside of Chicago used the legislation's at-risk requirement to move difficult students out of district schools—"kids that the district [did] not want," according to an activist involved with charter schools in Chicago—and into charter schools.

Parents dissatisfied with local public schools and those seeking an enhanced curriculum or experimental pedagogical approaches (such as an environmental curriculum or a dual-language program) are the primary applicants for charter schools in suburban Illinois, as in the other three states studied. However, while suburban applicants in Colorado, New Jersey, and Connecticut may have succeeded in gaining charter school approvals because of the state-dominated approval process, parents in suburban Illinois cannot count on state board support.

*Politicizing the Approval Process*

In Illinois, suburban districts approved only one of 11 applications,<sup>38</sup> and the state approved two more upon appeal. The stories of the approved and rejected charter applications are revealing. The one locally approved charter school was sponsored by the Governors State University School of Education. It is a K-4 school in a newly constructed building on the university's campus, where faculty members can implement their experimental ideas. It may be that the district was less hostile to this application because it came from a school of education, and because the charter school would ease a district space crunch.

In 1997, Illinois initiated a process to provide an appeal mechanism for locally rejected charter applications. The state Board of Education approved two suburban charter schools in 1998, the Thomas Jefferson and Prairie Crossing charter schools. Thomas Jefferson's previous charter application had been rejected locally three times, Prairie Crossing's twice. The teachers' unions and traditional education groups opposed both schools. The local boards rejected them mainly because of their potential negative financial impact on the district.<sup>39</sup> It is widely believed that the state board approved these applications largely because of the applicants' political influence and partly to demonstrate the effectiveness of the state appeals process.<sup>40</sup>

The first school, Thomas Jefferson, was created by a parent-led group united by a vision of a school where the children "read classic books, wore uniforms, and learned virtues," according to one of the founders. Jack Roeser, an influential conservative political activist, supported the school and purchased land for its site, although it was not built there because of zoning issues.<sup>41</sup> Current U.S. Senator and then-state Senator Peter Fitzgerald, Illinois Senate President James Philip, and state Representative Mary Lou Cowlishaw strongly backed Thomas Jefferson's appeal.<sup>42</sup> This political influence led to intervention by State Superintendent Joseph

Spagnolo, who assisted with the charter application.<sup>43</sup>

Thomas Jefferson, a Core Knowledge school, enrolled 60 students in the fall of 1999 and has faced persistent problems finding a permanent site. The school continues to face local hostility. The district unsuccessfully appealed the state's decision in court and, after the school was established, regularly sent brochures to parents urging them not to enroll in the charter. A large number of students at Jefferson are the children of recent immigrants, who say they find the back-to-basics Core Knowledge curriculum appealing.

The second charter school approved by the state on appeal, Prairie Crossing, was okayed by a close 5-3 vote under interim State Superintendent Robert Mandeville, who supported the school. Located in a newly developed area, the charter school was part of a plan for an integrated community devoted to conservation. The community's developers are generally perceived as influential in the state.<sup>44</sup>

The brief window of charter support closed when State Superintendent Max McGee held office from 1998 to 2001. He was concerned about the loss of revenue to the local district when dollars follow a student to a charter school; under his tenure no charter schools were approved at the state level.<sup>45</sup> This route of approval has since remained closed. In May 2002, the state board rejected an appeal by a downstate charter school, even though the state Appeals Panel and State Superintendent Respicio Vazquez recommended granting the charter. The state board expressed concern about overturning a local decision and about the charter's potential financial impact on the district.<sup>46</sup> Not long afterward, the state board revoked the charter of the Governors State charter school, which ranks among the state's most successful schools academically, in a move that was viewed by many as purely political.<sup>47</sup>

Eight of 11 suburban charter school applications were rejected by both the local district

and the state. The political nature of the process is evident in one of these cases. Evanston, a suburban district outside Chicago, had initially solicited charter proposals from two parent groups, and supported them up to the application stage. The Sin Fronteras (Without Borders) charter school proposed a dual-language immersion program in which native Spanish speakers would learn English and vice versa. This program was modeled on Chicago's successful Inter-American Magnet School. The other application, by Evanston Advantage, proposed a direct-instruction approach.

When the time came for the district to review the charter applications, however, the school board got cold feet and marshaled its resources to find defects in the proposals, employing lawyers and consultants to argue its case.<sup>48</sup> Again, the main reason for rejection was that the two charter schools would drain the district of 4 percent to 12 percent of its budget. The district also contended that "the potential site borders on a major traffic route," though such factors are not part of the charter school legislation. (Also, it would be difficult to locate a traffic-free site in an urbanized area like Evanston.)

The district disputed Sin Fronteras' budget, even though Beacon Education Management, a nationally recognized school management organization, had helped to prepare it. The district selectively cited Jay Greene's research to discredit the dual-language program, though Professor Greene, then at the University of Texas-Austin, had concluded that the evidence supported dual-language programs.<sup>49</sup> Later, in the fall of 2000, the district adopted a dual-language program in one of its own schools.

The state board, prompted by McGee, rejected both appeals largely because they were "weak in addressing how the curriculum was aligned with the recently-adopted Illinois Learning Standards." Though viewing the flaws "as correctable and somewhat routine," the board

nonetheless rejected the appeals.<sup>50</sup> These issues could have been negotiated if the district or state had wanted to approve a charter school.

Suburban charter applicants in Illinois, whether at the state or local level, seem to be most successful when they can rely upon political strength rather than the merit of their applications. Of Illinois' three approved suburban schools, one was backed by influential state politicians (Thomas Jefferson), one had strong rapport with the local district (Governors State), and the third was squeezed through a more supportive state administration by politically influential applicants (Prairie Crossing). This is apparently what it takes for suburban charter schools to get approved in Illinois. The two applicants in Evanston that lacked these political resources were never approved.

### *A Complacent State Board*

The Illinois State Board of Education (ISBE) is not nearly as supportive of charters as the state boards in Colorado, New Jersey, and, to a certain extent, Connecticut. ISBE has neither an outreach program to attract charter applicants nor a supportive structure to assist them. ISBE reports that it receives several hundred calls a year from interested parents, but these calls have led to only eight parent-driven applications in Illinois' suburban areas.<sup>51</sup> By contrast, Colorado has 36 established suburban charter schools, most of which are parent-led. ISBE shows itself to be hesitant to override local rejections, approving only two of 17 appeals, even though that would seem to be the function of a state-level appeals process.

### **Conclusion**

Why do some states have more suburban charter schools than others? Illinois' charter

school law is similar to laws in Colorado, New Jersey, and Connecticut. However, the interpretation and implementation of that legislation has resulted in fewer charter schools in suburban Illinois than Colorado, New Jersey, and Connecticut.

Nationally, the second biggest barrier to charter school approval—after facilities and funding—is state or local opposition.<sup>52</sup> The greater numbers of suburban charter schools in Colorado, New Jersey, and Connecticut are associated with a supportive state administration and the availability of an alternative approval process above the local district.

The charter school applicant pool varies between cities and suburbs, and this has important ramifications. Established agencies and groups in the cities have organizational and political resources upon which they can draw to develop charter proposals and secure approval. Such organized groups can interact skillfully with state and local governments. By contrast, parent groups active in the suburbs are seldom as well organized and thus may need greater support. The states that have attracted more suburban schools have had active departments of education or other agencies that support these parent groups.

Geography and demography may also be important. In smaller suburban districts, where the financial impact of a charter school is more palpable, opposition tends to be greater. School districts in suburban Colorado are large and rapidly expanding. The financial impact of a few hundred students leaving the public schools is less painful in growing districts, and charter schools may face less opposition there. Charter schools may even benefit local school districts, as a means to alleviate facility shortages.

For many reasons, the idea of charter schools in the suburbs shouldn't be written off. Suburban charters can enable educators to adopt experimental learning approaches and provide parents with more alternatives for their children. Connecticut has achieved some small success in

pursuing racial desegregation through its charter schools. Public schools may also be inspired by the potential competition to try new things, such as in Illinois, where a suburban district rejected a dual-language charter school only to turn around and install a similar program in one of its own schools. But because local school districts may not welcome the competition, the power to approve charter schools should not be left exclusively in their hands.

## Acknowledgments

Part of the research for this report was supported by the Chicago Civic Committee's Leadership for Quality Education in Chicago, Illinois. Meridith Bolster provided research assistance.

## Endnotes

1. Center for Education Reform, 2001; U.S. Department of Education, 2000.
2. Finn, Manno, and Vanourek, 2000.
3. Hassel, 1998.
4. *Ibid.*
5. Information for this database was obtained from the Center for Education Reform's *National Charter School Directory*, 2000.
6. Center for Education Reform, 2001.
7. Arizona is generally considered as a special case in the charter school movement (Hassell, 1999; Finn, Manno, and Vanourek, 2000). Preliminary analysis revealed that Georgia's suburban charter schools are public schools that converted to charter status to receive additional state funding. According to one survey, 92 percent of Georgia's 25 charter schools are converted public schools (U.S. Department of Education, 2000). Florida is not well suited for the present study because it has a county-based district system that cannot be easily compared to Illinois' town based district system.
8. Center for Education Reform, 2001; U.S. Department of Education, 2000.
9. State department officials believe that more than half the charter schools in Colorado are suburban if the suburbs of Colorado Springs and Pueblo are included. Colorado State Personal Interview #5, July 17, 2000.
10. Center for Education Reform, 2001.
11. Colorado State Personal Interview #2, July 17, 2000.
12. Hassel, 1999.
13. Colorado State Personal Interview #1, July 7, 2000.
14. *Denver Post*, March 2, 1997.
15. Colorado Local Personal Interview #6, July 31, 2000.
16. Colorado Local Personal Interview #7, July 18, 2000; Colorado Local Personal Interview #8, August 11, 2000; Colorado Local Personal Interview #9, July 24, 2000; Colorado Local Personal Interview #10, July 27, 2000.
17. Colorado Local Personal Interview #6, July 31, 2000.
18. *Denver Post*, November 20, 1997.
19. Colorado Local Personal Interview #11, August 2, 2000; Colorado Local Personal Interview #12, July 28, 2000.
20. Colorado Local Personal Interview #13, August 29, 2000; Colorado Local Personal Interview #14, August 2, 2000.
21. Colorado Local Personal Interview #15, August 29, 2000; Colorado Local Personal Interview #16, July 26, 2000.
22. In *Abbott v. Burke* (100 N.J. 269, 301-02, 1985), the New Jersey Supreme Court ruled that the state's school aid formula was not adequate for many of its poorest children. Since then several funding reforms have been geared towards improving adequacy in the



- 30 poorest districts in the state, commonly referred to as “Abbott” districts.
23. New Jersey State Personal Interview #1, July 14, 2000.
  24. *Ibid.*
  25. New Jersey State Personal Interview #4, July 11, 2000.
  26. Center for Education Reform, 2001; Hassel, 1999.
  27. U.S. Department of Education, 2000.
  28. New Jersey Local Personal Interview #6, July 28, 2000.
  29. *Ibid.*; Nappi, 1999.
  30. Connecticut State Personal Interview #5, July 10, 2000.
  31. 238 Conn. 1, 678 A.2d 1267
  32. Connecticut Local Personal Interview #8, July 26, 2000.
  33. Connecticut Local Personal Interview #7, July 25, 2000; Connecticut Local Personal Interview #9, July 26, 2000.
  34. Orfield and Eaton, 1996.
  35. In charter school legislation passed in 1996, Illinois is divided into the city of Chicago, the five counties surrounding Chicago (McHenry, Lake, Will, Du Page, and Kane), and downstate.
  36. Illinois State Board of Education, 2000.
  37. Illinois Personal Interview #5, September 5, 2000.
  38. Thomas Jefferson Foundation applied three times and Prairie Crossing applied twice for a charter. Overall, there were eight applicants.
  39. Norbut, 1998b; Schwartz, 1998a.
  40. Illinois Personal Interview #5, September 5, 2000; Illinois Personal Interview #4, August 30, 2000; Illinois Personal Interview #1, August 29, 2000.
  41. Havelka, 1999.
  42. Norbut, 1998a.
  43. Munz, 1997.
  44. Schwartz, 1998b.
  45. *Ibid.*
  46. Center for Education Reform, 2002 (a).
  47. Center for Education Reform, 2002 (b)
  48. Berkowitz, 1998b.
  49. Illinois Personal Interview #3, August 23, 2000.
  50. Berkowitz, 1999.
  51. Illinois Personal Interview #1, August 29, 2000.
  52. U.S. Department of Education, 2000.

## References

- Berkowitz, Karen. "D65 Ponders Charter-School Ruling." *Evanston Review*. October 8, 1998.
- Berkowitz, Karen. "Panel Blasts Charter-School Plans." *Evanston Review*. December 3, 1998.
- Berkowitz, Karen. "State Rejects Charter School Appeals." *Evanston Review*. April 15, 1999.
- Center for Education Reform. *Center for Education Reform School Directory*. Washington, DC: Center for Education Reform. 1999.
- Center for Education Reform. *Survey of Charter Schools, 2000–2001*. Washington, DC: Center for Education Reform. 2001.
- Center for Education Reform. *Education Reform Newswire*, vol. 4, no. 19. Washington, DC: Center for Education Reform. 2002 (a).
- Center for Education Reform. *Education Reform Newswire*, vol. 4, no. 31. Washington, DC: Center for Education Reform. 2002 (b).
- Chiara, Nappi. *Why Charter Schools? The Princeton Story*. Dayton, OH: The Fordham Foundation. 1999.
- Colorado Department of Education. *Colorado Charter Schools Capital Finance Study: Challenges and Opportunities for the Future*. Denver, CO: Colorado Department of Education. 2000.
- Colorado Department of Education. *1998–99 Colorado Charter Schools Evaluation Study: The Characteristics, Status and Performance Record of Colorado Charter Schools*. Denver, CO: Colorado Department of Education. 2000.
- Evaluation Center at Western Michigan University. *First Annual Report of the Evaluation of The Charter Schools and the Charter School Initiative in the State of Connecticut*. Kalamazoo, MI: Evaluation Center at Western Michigan University. 1998.
- Finn, Chester, Bruno Manno, and Gregg Vanourek. *Charter Schools in Action: Renewing Public Education*. Princeton, NJ: Princeton University Press. 2000.
- Hassel, Bryan. "The Case for Charter Schools," in Paul E. Peterson and Bryan Hassel (eds.). *Learning from School Choice*. Washington, DC: Brookings Institution Press. 1998.
- Havelka, Nicole. "Roeser's Donation Helps Pave the Way for Charter School." *Elk Grove Times*. September 2, 1999.
- Illinois State Board of Education. *Illinois Charter Schools: Seeds for Change. Annual Report on Illinois Charter Schools*. Springfield, IL: Illinois State Board of Education. 2000.
- Munz, Michele. "Spagnolo Willing to Help in Charter School Attempt." *Elk Grove Times*. July 24, 1997.
- Norbut, Mike. "District 59 Board Considers Response to Charter Ruling." *Elk Grove Times*. June 25, 1998.
- Norbut, Mike. "Third Strike for Charter School Group." *Elk Grove Times*. March 26, 1998.
- Orfield, Gary and Susan Eaton. *Dismantling Desegregation*. New York, NY: The New Press. 1996.
- Osborne, David. *Laboratories of Democracy*. Cambridge, MA: Harvard Business School Press. 1988.
- Peterson, Paul. *The Price of Federalism*. Washington, DC: Brookings Institution. 1995.
- Peterson, Paul E. and Bryan Hassel (eds.). *Learning from School Choice*. Washington, DC: Brookings Institution Press. 1998.
- Teske, Paul and Mark Schneider. "What Research Can Tell Policymakers About School Choice." *Journal of Policy Analysis and Management*, 20(4)609–31, 2001.

- Schwartz, Debra. "Fremont Elementary Nixes Charter School." *Grayslake Review*. August 27, 1998.
- Schwartz, Debra A. "Local Control Advocates Mobilize." *Grayslake Review*. December 24, 1998.
- U.S. Department of Education. *The State of Charter Schools 2000: National Study of Charter Schools. Fourth-Year Report*. Office of Educational Research and Improvement. Washington, DC: U.S. Department of Education. 2001.
- U.S. Department of Education. *A Comparison of Charter School Legislation*. Washington, DC: U.S. Department of Education. 2000.
- "Teacher's dream school tied up in court battle." *Denver Post*. March 2, 1997.
- "Charter students tested higher." *Denver Post*. November 20, 1997.



**The Thomas B. Fordham Foundation**

1627 K Street, N.W. • Suite 600 • Washington, D.C. 20006

Telephone: (202) 223-5452 • FAX: (202) 223-9226

<http://www.edexcellence.net>