BRINGING EQUITY BACK

Research for a New Era in American Educational Policy

Edited by

JANICE PETROVICH
AMY STUART WELLS

Foreword by Alison Bernstein
Afterword by Wendy Puriefoy

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Charter School Reform and the Shifting Meaning of Educational Equity

Greater Voice and Greater Inequality?

AMY STUART WELLS
JANELLE T. SCOTT
ALEJANDRA LOPEZ
JENNIFER JELLISON HOLME

Perhaps one of the best sites in which to explore the changing meaning of educational "equity" is a currently popular reform known as charter schools. Clearly, in so many ways the charter school movement, which provides public funds for schools to operate autonomously from the education system, attempts to address parents' and educators' frustration with the traditional public school system. In many instances, these frustrated parents and educators are advocates for low-income students and students of color. Their dissatisfaction with "regular" public schools often is grounded in experiences with an inherently unequal education system and a set of so-called "equity" reforms—mostly created in the 1960s and 1970s—that attempt to provide disadvantaged students with additional resources or greater access to services and opportunities. These reforms,

as helpful as they have been in terms of targeting resources, have, for the most part, failed to deal with the cultural aspect of schooling—namely, whose knowledge and experiences were valued and whose cultural capital was rewarded in the schools (see, for example, Shujaa, 1996).

Through charter school reform, therefore, advocates for poor students and students of color have been able to create schools that speak to some of these cultural and social needs. It has given some members of disenfranchised communities greater voice in how their children are educated and how their history and culture are presented and discussed within school curriculum. Yet, at the same time, these charter schools, with their progressive agendas and their more ethnocentric curriculum, exist within a policy framework and political context that is highly regressive in terms of redistributing resources, access, and services (see Wells, 2002; Wells, Lopez, Scott, & Holme, 1999).

In other words, charter school reform provides the policy space to create community-based schools that respond to the needs and desires of children who often have not been well served in regular schools. Yet, at the same time, most state charter school laws offer little support or reward for groups creating such schools. In fact, in most instances, charter schools receive less public funding than regular public schools because they must pay for their facilities out of their per-pupil money. Meanwhile, the greatest demand for such charter schools is often in those communities where the public, per-pupil funding is low compared with more affluent suburban communities. In some states charter schools receive a statewide average per-pupil amount, which, obviously, is lower than the average for the wealthiest districts. In other states the per-pupil funding is tied to local, district per-pupil expenditures, which vary a great deal across district lines.

This means that while charter schools may have the potential to meet the cultural and curricular needs of low-income students and students of color in ways the reforms of the 1960s and 1970s often failed to do, they frequently lack the resources that the prior policies provided. As the history of education has taught us, this lack of material support too often undermines the pedagogical promise of schools.

This policy framework of greater freedom but fewer resources means that poor communities struggling to make charter school reform work for them must choose between either running under-resourced schools or connecting with private for-profit or nonprofit corporations—called "educational management organizations"—to support them (see Scott, 2002). Often, these educational management organizations, or EMOs, are owned, operated, and staffed by people who are not from the schools' local communities. Furthermore, while charter school founders and educators have greater freedom to shape their curriculum around the culture and

experiences of their students, in the end they are supposed to be evaluated by the same state-mandated standardized tests, which reward adherence to a more traditional curriculum.

This chapter provides a bit of insight into these layers of complicated and thorny equity issues. Essentially, we argue that charter school reform may well provide educators, parents, and students the opportunity to shape their own school communities, but they will be forced to try to make these schools work within a reform that pushes the education system toward greater inequality in term of resources. Meanwhile, in most states, charter schools are being held accountable to high-stakes and narrowly defined tests, further minimizing their autonomy in terms of curriculum.

Our deep understanding of these complex dilemmas emerged from our 2½-year study of charter schools in 10 school districts, housing 39 charter schools, in California—the state with the largest charter school enrollment (UCLA Charter School Study, 1998). Furthermore, other, more recent studies confirm these findings in other states.

In the end, we fear that while charter school reform may help empower some parents, students, and educators in low-income communities by allowing them to engage in a politics of identity, it simultaneously may lead to greater inequality and stratification in the education system overall by forcing greater reliance on private resources. Such resources are generally more plentiful in wealthy as opposed to low-income communities. Thus, even as low-income communities can gain more community control via charter school reform, such control, in some instances, may be a pyrrhic victory as these schools are forced to survive with inadequate funds or rely on benefactors and management companies from outside their communities for necessary resources (see Scott, 2002).

And finally, there are important equity issues related to student access in the midst of a reform that offers no outreach or recruitment of students and gives charter schools a great deal of autonomy in whom they admit. This means that because charter schools have more autonomy to create their own communities through admissions criteria and selective recruitment, even when they serve low-income students they tend to exclude those low-income students who have the least-involved parents.

This chapter also will discuss some of the inherent contradictions between the themes of free-market, deregulatory reforms such as charter schools and the cry for local, community control of schools in poor neighborhoods. We argue that such contradictions may well lead to a fracturing of the fragile political coalition of right-wing ideologues and low-income desperate parents supporting efforts to increase school "choice" or alternatives, while increasing inequality in the education system. Using charter school reform as a lens through which these themes are explored, we

raise important issues about how equity is defined and advanced in an era of greater deregulation and school choice. We begin with an historical overview of equity-based reform efforts and place charter schools within this context.

CHARTER SCHOOL REFORM—AN ALTERNATIVE TO WHAT?

Charter school legislation, perhaps the most popular education reform of the past decade, has been passed in 40 states, the District of Columbia, and Puerto Rico, opening the door for more variation in educational services while letting malcontents exit the regular public schools. Thus, libertarians in Arizona, members of the religious right in Colorado, home schoolers in California, progressive educators in Minnesota, Afrocentric scholars in Washington, DC, and teachers' union activists in Hawaii are all drawn to this new form of independence from state-run schools. Yet each group sets out to accomplish dramatically different educational ends. Indeed, with 42 distinct pieces of charter school legislation and more than 2,700 charter schools across the country enrolling more than 600,000 students, there is no single "grand narrative" of charter school reform.

Therein lies both the beauty and the central tension of charter school reform. It delivers autonomy to people choosing to design and run unconventional schools, but does not bind them to any shared set of principles regarding which conventions they shun or why.

According to the fourth-year report of a federally funded study of charter schools in 27 states, the number one reason why people start charter schools is to "realize an alternative vision" different from that of existing public schools. The second most-cited reason for starting a charter school, according to this survey of 971 charter school operators, is to gain more flexibility and greater autonomy from laws and regulations governing regular public schools (U.S. Department of Education, 2000).

What makes the study of charter schools highly significant, therefore, is that it allows researchers to better understand not only what new and different approaches to education charter schools provide, but also what aspects of the traditional public system charter school founders disfavor. Such dissatisfaction, however, must be examined in light of efforts in the past 4 decades by the federal and state governments to create policies that alleviate inequalities within the education system. Obviously, many of these policies have received a great deal of criticism, and these critiques often come from the very people the policies are supposed to help (e.g., Bell, 1987; Dempsey & Noblit, 1996; Shujaa, 1996). Other times, the criticism comes from more advantaged groups that do not benefit directly from such policies and that are fed up with government equity-based interventions that they see as fostering "reverse discrimination" or providing an "unfair advantage" for people not like them (Edsall, 1991; Lelyveld, 2001).

To the extent that charter schools present a thoughtful critique of the shortcomings of these decades-old equity policies and demonstrate more successful ways of serving disadvantaged children, there is a great deal to be learned from these new and innovative schools. But we also must consider whether, at the same time, charter school reform opens the door for an era of educational policies in which the government does not play a role in redistributing resources and educational opportunities in the direction of those who have the least. We have evidence from our research and other studies to suggest that both phenomena are occurring.

Therefore, we discuss what we call "established" conceptions of equity issues within educational policies of the 1960s and 1970s. These conceptions have led to the identification of disadvantaged or at-risk students on the basis of broad categories—for example, poverty, race, and disability. We also examine some of the educational policies developed over the past 40 years to ensure that these categories of disadvantaged students receive extra resources and better educational opportunities. We juxtapose these more broadly accepted categories of "disadvantaged" students with other, alternative and more contextualized ways of understanding who is "at risk" in the education system and why.

ESTABLISHED CONCEPTIONS OF EQUITY: THE REDISTRIBUTIVE POLICY PARADIGM

In the 1960s and much of the 1970s, the policy discourse surrounding equity issues in education was grounded in the belief that the public schools should provide opportunities to learn and excel for all students, regardless of race, poverty, language, disability, gender, or the educational level of their parents (see Chapter 1, this volume; Wise, 1979).

Thus, categories of students defined as at risk or disadvantaged were identified in these equity-minded policies as needing extra services or support from their schools or court-enforced access to educational institutions. Those categories include race, social class, disability, language, and gender. For instance, U.S. Supreme Court rulings such as *Brown* v. *Board of Education* and federal legislation such as the Civil Rights Act of 1964 strengthened the role of the federal government in ensuring equal protection of all citizens and thus denied local educators, parents, and politicians their "rights" to segregate and discriminate against Black children.

In terms of poor students, the Elementary and Secondary Education Act of 1965 provided school districts serving students from low-income families, compensatory education funds under Title I. It also provided the "carrot"—namely, federal funding—to coerce schools to comply with the Civil Rights Act of 1964 (Cross, 2004). Many states also developed compensatory education programs to supplement the federal dollars. In addition, several state-level finance equity cases have attempted to redistribute public funding for education toward school districts serving the poorest students. Furthermore, bilingual education services were created to serve children from households in which English is not the first language and who would be at-risk of failure in an English-language-based education system and society. Other categorical programs that grew out of a combination of equity-based court cases and legislation include special education for students with special needs and Title IX programs to help create equal opportunities for female students (see Cross, 2004; Rabe & Petterson, 1988; Yudof, Kirp, & Levin, 1992).

Lawyers and advocates called on the federal government to force local educators to provide more equal educational opportunities for these various "categories" of students who faced discrimination in the public system. This movement led to federal court rulings and legislation designed to ensure that powerful political actors at the school and district level were impeded from systematically denying poor and minority students, in particular, educational opportunities (Guthrie, 1996; Wise, 1979). In other words, the federal response to inequality under this old policy paradigm was to mandate top-down reforms and create targeted programs designed to infuse resources to support students who traditionally were denied educational opportunities within a more decentralized education system.

Thus, one of the consequences of the equity-based policies of the Civil Rights era was a centralization of decision making and power within an otherwise highly decentralized education system (Elmore, 1993). Through this new federal presence, the Civil Rights era brought about greater centralization of educational governance in the name of democratic principles such as liberty and justice (Lewis & Nakagawa, 1995; Plank & Boyd, 1994). In other words, in many cases these court rulings and laws wrestled control away from local schools and districts to correct the history of negligence of at-risk students in a more decentralized system (Tyack, 1990).

Still, it is important to note that despite this movement toward greater centralization, the U.S. education system has a far more fragmented governance structure than that of most Western nations. Yet even after the increased influence of the federal government in the 1960s and 1970s and the growth of state departments of education in the 1980s, local school districts are still the fundamental governance agencies in education, by

tradition and practice. Indeed, many important decisions about how equity-based policies are implemented, and which schools and students have access to the federal and state resources, are made at the school district level (Elmore, 1993).

The major programs targeting federal and state resources toward broad categories of disadvantaged students have been in place for the past 30–40 years. Yet, as the focus of educational policy discourse shifted in the 1980s toward issues of excellence and away from an emphasis on equity, many of the equity-based policies, such as bilingual education, were scaled back or reconfigured to fit the new policy emphasis on so-called "excellence." For instance, Title I funding for poor students is now the main "carrot" in the No Child Left Behind Act, which supports harsh accountability measures and sanctions. Many of the old equity-minded policies of the 1960s and 1970s have endured in some shape or form and have continued to be directed, for the most part, toward the same groups of students—for example, students with special needs, poor students, and limited-English speakers. Still, inherent in the more recent deregulatory reforms such as charter schools is the ongoing critique of the old policies.

Criticisms of Redistributive Equity Policies

There are at least two sides to the critique of these aging equity-based policies. The first comes from more-advantaged people who are not the targets of these reforms, and the second comes from educators and less-advantaged people, who are supposed to benefit from these programs. The criticism that more-advantaged people tend to espouse is rooted in a long history of demand for local control and less government interference to support disadvantaged people. For instance, in the 1950s and 1960s the call for greater local control usually came from White southerners who strongly resisted the federal government's effort to desegregate their schools or to ensure African Americans the right to vote. Since that time, the relationship between local control and the constitutionally guaranteed rights of Blacks and other disenfranchised groups has been suspect as the federal government periodically has used its power to push for greater access and equity (Orfield, 1988; Plank & Boyd, 1994).

The current popularity of deregulatory reforms such as charter schools that restore greater local control is, to a large extent, a backlash against the federal and state governments' more interventionist role of the 1960s and 1970s. Many White working-class and wealthy Americans have become increasingly critical of the cost of federal policies and programs designed to create greater equality. Furthermore, some more-advantaged Americans do not want to pay taxes to support services for other people's children,

and thus they shun the government's redistributive role (Brands, 2001; Edsall, 1991; Sniderman & Piazza, 1993). According to Edsall (1991), in a very important book on this topic, "The race and tax agenda effectively focused majority public attention onto what government takes, rather than onto what it gives" (p. 11).

This focus has in turn fueled a powerful and pervasive sentiment—particularly among Americans who are not the beneficiaries of these programs—that the government should not be in the business of redistributing resources and opportunities (Brands, 2001). Recent court cases challenging race-based admissions to magnet schools and university affirmative action programs are good examples of how more White Americans have grown tired and disillusioned with such policies.

The second critique of equity-based policies comes from some educators and advocates who represent less-advantaged students—the intended beneficiaries of these policies. Thus, at the same time that whiter and wealthier members of society have embraced an anti-government message, poor parents of color who live in the inner city are voicing their demands for greater local control of schools as a pathway to community empowerment.

This criticism often centers around the more subtle, cultural aspects of schools and schooling—what happens, for instance, inside desegregated schools when African American and Latino students get off the bus (Shujaa, 1996). Indeed, rarely do equity-based policies such as desegregation court orders deal with the fact that students often are tracked into racially distinct and unequal classes or that they encounter teachers who hold significantly lower expectations for them than for White students. Similarly, court orders cannot mandate that teachers value the life experiences and cultural understandings that non-White students bring with them to school (Bell, 1987; Schofield, 1989; Wells & Crain, 1997).

Similar criticisms exist of Title I compensatory education programs as well as bilingual education and special education. These critics argue that poorly designed pull-out or add-on programs often fail to address cultural equity issues and generally are not used to ensure that all students are achieving (see Shujaa, 1990; Darling-Hammond, 1997).

ALTERNATIVE CONCEPTIONS OF EQUITY: THE CULTURAL PARADIGM

This second, advocacy-based critique of traditional equity policies targeting specific categories of students with programs that may or may not affect their classroom experiences is shaped by recent and long-running ar-

guments over reframing the concept of "equity." Overlapping and intertwined with policies that redistribute educational resources toward the most disadvantaged students, via categorical programs and court orders, are alternative and often more subtle conceptions of what constitutes equity in education. These more cultural understandings of equity are less focused on broad categories of students and more interested in how particular categories of at-risk factors play out in the lives of individual students.

This critique focuses on school curriculum that reflects the history and culture of our diverse society and on instructional strategies that help students who traditionally have not succeeded in public schools. Rather than make universal claims about all African American students or all poor students, an alternative view of who is at risk and why would consider the sociocultural context of each student and question how these categories interact with a particular school environment to place some students at greater risk in spite of Title I funding or court orders (see, for instance, Boateng, 1990; Delpit, 1995; Faltz & Leake, 1996; Foster, 1997).

Proponents of this view argue that while the policy paradigm of redistributing resources and programs is important, it is only part of the answer to meeting the needs of at-risk students or ensuring that all students have equal educational opportunities and can achieve to a high standard. This discussion reflects recurring arguments in education that the concept of equity should include the more cultural dimensions of schooling—for example, the school curriculum, teachers' attitudes and understandings, and instructional styles and strategies—to help students who traditionally have not succeeded in public schools (see Delpit, 1995; Foster, 1997).

Freedom from federal, state, or school district regulation, from this perspective, means freedom to create a curriculum that reflects the history and culture of the students served, to create an environment that respects the integrity of the individual students and diverse cultures, and to create partnerships and bridges among educators, students, parents, and the local community. This also may mean the freedom to hire and train teachers who have high expectations for students who come to a school with different ways of knowing the world.

The demand for such freedom on the part of disadvantaged schools and communities is not new, of course. In fact, as history has taught us, this is an ongoing and recurring struggle within many communities. For instance, in the 1960s and 1970s, when the federal government was attempting to ensure that some rights of African Americans and other disenfranchised groups were protected through top-down policies and court orders, grassroots coalitions were demanding greater community control of the schools in their neighborhoods (see Fantini, Gittell, & Magat, 1970).

These community control movements, leveled against school boards and district administrators who were seen as unresponsive to the needs of low-income and minority students, led to "fragmented centralization" as local school districts were under attack from two sides—the federal government and community coalitions. Both efforts, in most cases, focused on empowering those who traditionally had been disenfranchised from the political power structure and giving them a greater say in how extra resources would be used (Lyke, 1970; Tyack & Hansot, 1982).

This fragmented centralization mirrored other War on Poverty efforts of that era as the government initiated policies promoting maximum feasible participation of low-income community members in federally funded programs such as Head Start and Community Action Programs. In this way, the federal government used public policy and tax dollars to try to increase the political, social, and economic power within poor, urban communities (Lewis & Nakagawa, 1995). Rather than anti-government in nature, this movement relied on the federal government to fight discriminatory practices through the courts and redistribute resources and opportunities by targeting poor, urban, and mostly African American communities with funded work and job training programs run by and employing people who lived there.

Thus, it is important to distinguish between those who call for greater local control from a Reagan-era new federalism perspective and the more liberal view of community control as a form of empowerment in the 1960s. The first standpoint is generally taken by those who already have social, economic, and political power and are thus resentful of the government's infringement on their right to exercise that power. Those who subscribe to the second view are generally people who have little power to begin with and thus seek public policies that will make local control more meaningful to them through the redistribution of resources.

Thus, while charter school reform offers the possibility of creating conditions for community control of schools in low-income communities, charter school policies, as they currently are constructed in most states, are more directly descended from an anti-government stance and related to the demand for local control (see Wells, 2002).

DECENTRALIZATION REFORMS: CHARTER SCHOOLS AS POSSIBILITIES AND THREATS

Charter school reform, therefore, has many historical and political roots, including critiques of equity-based policies from the 1960s and 1970s. Still, there are other, related but distinct roots of charter school reform,

including the so-called market metaphor for school improvement that captured the attention of so many policymakers in the 1990s (Wells, Grutzik, Carnochan, Slayton, & Vasudeva, 1999).

Briefly, the market metaphor, which is articulated most thoroughly in Chubb and Moe (1990), states that bureaucratic, regulated, "monopolistic," and socialistic public schools are the antithesis of so many core principles of this country—for example, free markets, competition, deregulation, and individualism. The argument is that education systems, particularly in large urban school districts, represent a form of inefficient and wasteful "big government" that competitive economies can no longer afford (see Frank, 2000; Torres, 1995). In this way, the market metaphor both echoes and incorporates the political backlash against the redistributive policies of the Civil Rights Movement.

Indeed, some of the most popular such free-market education reforms have been deregulation of the student assignment process via greater parental choice and privatization of the system via contracting out with private for-profit and nonprofit firms to run schools. Thus, much of charter schools' popularity and appeal derive from the fact that these autonomous schools of choice more strongly resemble competitive, deregulated institutions than other publicly funded schools (see Finn, Bierlein, & Manno, 1996).

Charter school reform is also a product of systemic reform, which promised greater school-level autonomy at a time when many states across the country were implementing new standards and assessments designed to hold all schools accountable. The concept of systemic reform, as it shaped federal legislation such as Goals 2000 and the 1994 reauthorization of the Elementary and Secondary Education Act (ESEA), was yet another effort to create fragmented centralization. In other words, the idea behind systemic reform was to centralize standards and assessments at the state and national level while decentralizing governance and decision making to the individual school level (O'Day & Smith, 1993). Thus, a central aspect of systemic reform is greater autonomy for individual schools. Similarly, a fundamental goal of this reform is to free local communities and their schools to maximize opportunities for their particular students. According to O'Day and Smith (1993), each school must be free to choose "the instructional strategies, language of instruction, use of curricular materials, and topics to be emphasized" (p. 263).

And while the systemic reform vision of standards-based accountability systems has been compromised by the reauthorization of ESEA—the No Child Left Behind Act—with its more punitive and test-driven focus, charter school reform still provides hope of more autonomy for individual schools. Accordingly, this movement reflects both historical frustrations

and more recent initiatives aimed at addressing inequities in the education system.

Charter Schools and the Cultural Paradigm

Grounded in and supported by both free-market and systemic reform ideology, charter school reform promises to release talented educators and community members to address the needs of students by moving the decision making down to the school level. Theoretically, this will allow educators the freedom to use public funds in new and different ways to better meet the needs of their students.

Indeed, in our study of charter schools in 10 California school districts, we saw some evidence that this was happening. For instance, within the urban, ethnocentric, and grassroots charter schools we studied, we saw the potential for educators, parents, and students to create sites of resistance where they could question and reject Eurocentric culture and historical perspectives (see Haymes, 1996; Wells, Lopez, Scott, & Holme, 1999).

For example, a woman who helped to found one such ethnocentric charter school in our study explained that the decision to start the school was made at a community meeting when "speaker after speaker—older adults as well as young—thought that maybe we need to have our own schools. We need to decide our own curriculum. We can decide how our children are going to learn, what they are going to learn" (see Wells, Lopez, et al., 1999, p. 193).

Some of these localized urban schools create "homeplaces" for those who have been disconnected from and disempowered within the traditional, state-run system (hooks, 1990). For instance, a founder of a charter school serving a Latino community explained that one of the motivating forces behind the effort to start the school was the way in which Latino students with limited English were being treated in the public schools. She noted that some students were put into English as a Second Language (ESL) programs with huge classes, even when they were close to fluency in English, and sometimes they never progressed out of ESL (see Wells, Lopez, et al., 1999).

Furthermore, as with the community control movement of the 1960s, urban grassroots charter schools have the potential to be politically empowering for formerly disconnected and disempowered parents. The process of organizing and founding a charter school can help low-income parents and community members of color create and sustain new social networks that can be used for political organizing and political voice within the larger society. This process also promises to forge connections between disempowered parents and the education system by enhancing their participation in their children's education in ways that are enriching for both

the parents and students. But our research found that the community involvement potential of charter schools was not always realized for a whole host of reasons, including the fact that there was often a huge gap between the educators and the parents in terms of know-how about running a school, or because the educators had to rely so heavily on people from outside the community to support the school. Thus, the extent to which charter schools are parent-run and locally controlled varied greatly from site to site.

For instance, in one of the urban charter schools serving low-income students that we studied, parents sat on every decision-making committee or council in the school. The most involved parents, in particular, were able to voice their opinions and influence the course of the school. Yet, in two other urban charter schools in poor communities, parents said they had less voice than they had hoped because the educators were still seen as the experts making the decisions (Wells, Lopez, et al., 1999). In one urban charter school, it was mostly the representatives of corporations that supported the school, and not the parents from the nearby low-income community, who made the most important decisions about resources, growth, and staffing.

Still, many teacher-led charter schools offer the possibility of a liberatory and even emancipatory reform to the extent that these educators have embraced curricular and pedagogical practices that are more successful with and inspirational to the students they serve. For instance, some charter school educators saw the need to develop a more culturally relevant curriculum for low-income students of color, thereby offering a critique of a more Eurocentric curriculum (Wells, Lopez, et al., 1999).

Indeed, many of the charter school educators we interviewed spoke of the power of the autonomy they gained through charter school reform, including the ability to restructure their school year and day. Furthermore, founders and leaders of every charter school we studied stressed the significance of being able to hire their own teachers outside their districts' personnel policies (see UCLA Charter School Study, 1998).

Others talked about being able to make democratic and collaborative decisions at their school sites. These were educators who valued the autonomy they gained through charter school reform to use their professional knowledge and background to make decisions about serving children. Of course, not all the charter schools were as democratic or collaborative, but still it appears that in general the governance processes in charter schools are a bit more inclusive in terms of teacher voice—but not always parent voice—than many traditional public schools (UCLA Charter School Study, 1998; Wells, Lopez, et al., 1999). Still, as Scott's (2002) work demonstrates, it is quite possible that this is less true for most charter schools operated by EMOs.

To the extent that charter schools lived up to their potential to be culturally more relevant and politically more inclusive, they could, theoretically, play a significant role in overcoming some of the inequalities that exist in the public education system. Yet there are several other issues that threaten the potential contribution of charter school reform to alleviating current and prevalent inequalities. Indeed, it is where the promise of community-controlled charter schools meets the harsh reality of an educational free market in a highly unequal society that things become much more complicated.

Charter Schools in a Highly Unequal Free Market

What the proponents of charter schools and other deregulatory reforms do not talk about is that the education system is circumscribed by highly unequal economic, social, and political conditions. Moreover, thanks to active lobbying on the part of conservative organizations such as the Center for Education Reform, most charter school laws in this country do nothing to try to counteract this inequality. In other words, most state charter school laws emphasize the quantity of charter schools over quality, force charter schools to rely heavily on private resources and to operate outside the public education system, and lack equity provisions to redistribute funds and support to charter schools in low-income communities. Thus, as these more autonomous schools arise, they exist, in many circumstances, outside the system of old equity-based policies and procedures intended to enhance disadvantaged students' access to schools, programs, and resources.

This is truly unfortunate from an equity perspective because resources appear to be an important factor in efforts to empower low-income parents and communities through decentralization. In the 1960s and 1970s, for instance, community control models in low-income Black communities, in particular, often failed in part because of inadequate funding (Fantini & Gittell, 1973). According to Cohen (1990):

> If decentralization is to work, the schools and neighborhoods most sorely in need of improvement will need a major, long-term infusion of new political and organizational resources. Lacking that, some opportunities will languish, and others will be seized by existing political agencies. Those agencies that already have power will accumulate more. This too has happened before. (p. 366)

We certainly found this to be true in our study of California charter schools, which varied tremendously in terms of both the public and private resources they garnered and required. For instance, in terms of public funding, we learned that although the California state law is pretty straightforward in stating that charter schools should be funded on a per-pupil basis, exactly how that per-pupil amount is calculated varied tremendously across and within school districts (see Slayton, 2002). This was due in large part to the political context of the school districts, including the attitude of board members toward charter schools, and the savvy and knowledge—or lack thereof—of charter school administrators. Thus, the more well-connected—especially with school district officials—and well-informed charter school administrators we studied used their knowledge of the law and available resources, or their ability to apply political pressure, to ensure that their schools received all of the public funding to which they theoretically were entitled (Slayton, 2002).

Furthermore, some of these well-connected educators were able to draw additional revenue or benefits from their host districts. Meanwhile, other, less well-informed or less politically powerful charter school administrators were unable to claim the same level of support from their districts. This finding demonstrates that this is not simply an issue of charter schools in different school districts receiving different amounts of public support. We found that sometimes charter schools within the *same* school district can and do receive different amounts of public support. Indeed, these findings raise concerns about whether charter schools are being funded equitably in relation to one another or in relation to other public schools (Slayton, 2002).

In addition to these issues of operating costs, charter schools in most states do not receive capital funding or building space from their district or state. Instead, most are required to borrow or raise money to purchase or lease buildings and space. As the federal study of charter schools demonstrates, the number one barrier to success cited by charter school operators in 27 states is lack of start-up funds. The second most-cited barrier is inadequate operating funds; inadequate facilities ranked fourth (U.S. Department of Education, 2000).

Obviously, well-connected charter schools and those serving more-affluent communities will be in a better position to raise these private resources. For instance, some charter schools actually may have buildings and equipment donated by wealthy people or corporations. Other charter schools may lack the political or social connections to such individuals or institutions. Clearly, we saw such discrepancies in our study of California charter schools (UCLA Charter School Study, 1998).

Using data from the UCLA Charter School Study, Scott and Holme (2002) argue that the processes charter schools use to garner private resources are circumscribed by the social status and the social networks of their local school communities. In fact, these authors contend that the high-status networks—personal and professional connections to people with

money and political power—are even more critical to private resource accumulation than the particular strategies used to acquire resources.

Thus, Scott and Holme (2002) argue that understanding the social context of schools is critical to understanding why the same processes or strategies of private resource accumulation net such disparate results for different charter schools. More specifically, they see vast, disturbing inequities emerging within and across charter school reform—inequities that mirror the wealth and poverty of the communities that house these schools. For instance, they note that at many urban charter schools serving low-income students in our study, there was no time or staff to pursue grants and fund raising, and yet the schools were greatly in need of resources. They cite a principal from one such low-income charter school serving students of color within an extremely old and dilapidated facility that regularly was without heat in the winter.

> Our biggest challenge right now is finding a site. This is not a good area. It isn't. We need to find a site that's safer for our students, plus we need our own gym. We need to meet those needs for the students as well as, we need to work on a lot of things. Our problem now is because we are so limited with money, and people are literally betting on us closing. It's kind of hard, but we're hoping that some rich, wealthy person will say, "Hey, I'll give you a couple of million dollars." And then at least some of our challenges will be met and settled, and somehow, it doesn't look like it. (p. 121)

Scott and Holme (2002) conclude that policymakers should attend to these inequities by targeting start-up funds and technical assistance to charter schools in low-income communities. In the absence of such government efforts to further support charter schools in poor neighborhoods, many charter schools in low-income communities will be forced to partner with private, for-profit or non-for-profit EMOs because of the financial support these groups offer. While these organizations provide necessary financial support, they may or may not allow the schools to be truly community-based or grassroots (see Scott, 2002).

In addition to the problems associated with resources, there are also important student access issues. Charter schools, for instance, generally have a great deal of autonomy in terms of admitting students. Granted, most state charter school laws stipulate that charter schools must be nonsectarian, may not charge tuition, and may not discriminate on the basis of race, ethnicity, national origin, religion, or gender. Still, most states do not specifically prohibit charter schools from instituting admissions requirements based on such criteria as students' prior achievement, expressed interest in the charter school's theme, or parental involvement requirements.

Also, because individual charter schools in most states and districts are autonomous to run their own recruitment and admissions process, they are free to send out information and applications to whatever target audience they choose. Unlike magnet schools, which usually are advertised and applied to through a centralized district office where some effort is made to balance schools along racial/ethnic lines, charter schools make their own decisions about who will be allowed to attend.

What we have learned is that perhaps the most salient manifestation of charter schools' autonomy to create school communities is the freedom they have to allow their shared values and beliefs to shape their understanding of which students and parents "fit" into that school community and thus who should attend. Furthermore, charter school operators have much more power than most regular public school educators to act on these preferences. That is, through the use of several mechanisms that shape charter schools' recruitment, admissions, and disciplinary processes, charter school operators can exclude students who do not fit the culture or norms of the school. Thus, alongside the community-building and mission-shaping aspects of charter school reform, lies a set of more difficult issues related to student access (see Lopez, Wells, & Holme, 2002).

In our study, we documented many charter school operators' efforts to form distinct school communities grounded in shared values and beliefs—what we refer to as "identity-building" efforts—in terms of how they distinguish themselves within the context of their school districts and local communities. Furthermore, we discovered that these distinctions relate to which students and parents are "desirable" in the eyes of charter school operators. We also found that even though many charter school operators say they greatly value diversity in their schools, their distinctions about who is desirable and who is not are often related in subtle, cultural ways to the social class, race/ethnicity, disability, and/or primary language of the students. And finally, we described how charter schools, unlike most regular public schools, are able to act on these distinctions by using specific mechanisms to structure who attends and who remains (see Lopez et al., 2002).

In other words, our data suggest that charter schools are making as many—or more—choices about which students and parents will attend as parents and students are making choices about which charter schools they would like to attend. We argue, therefore, that while charter schools provide some families with new educational opportunities, they frequently add another layer of selectivity to an already highly stratified public education system. Indeed, even in cases where charter schools are located in predominantly low-income communities, they tend to recruit, attract, and

retain families who are relatively privileged, with greater resources compared with other families in these communities (Lopez et al., 2002).

For instance, we studied an urban elementary charter school located in a low-income community that had fairly strict parental involvement and student conduct contracts. Educators at this school regularly "counseled out" students who were not behaving in accordance with these contracts. At one of the school's governing board meetings, the staff and parents who were present voted to approve a strict attendance policy whereby students could be asked to leave the school if they were tardy to or absent from school more than a certain number of days in one semester. It is important to note that this charter school, like many others, did not provide its students with any transportation to and from school. Thus, parents must either drive the students every morning and afternoon or rely on mass transportation.

Still, many of the educators and most of the parents on this board said that the charter school was not for everyone, and if parents could not live up to the expectations, they needed to find another school. In this way, even though the school is in a low-income neighborhood, it probably is not serving the most needy students from that area of the school district. In fact, many of the parents we interviewed lived far from the school in a more working-class and middle-class section of the metropolitan area. As one person we interviewed put it, the parents who hear about and choose this charter school are not those on the "bottom of the barrel" in terms of involvement in and support of their children's education. Likewise, a teacher at this charter school pointed out that a child who was disruptive would not do well in that educational community (Lopez et al., 2002).

Although this phenomenon is not unique to charter schools, they, unlike other public schools, have the freedom to make requirements of students and parents—particularly in terms of behavior and school involvement—and these requirements affect admissions decisions. As a result, often even when charter schools are developed in low-income communities, they tend to serve students who are relatively privileged—that is, have the most involved parents, the greatest access to financial and in-kind resources, and so on—compared with others in the same community.

At another urban charter school that also served a low-income population, the parent contract is strictly enforced, helping to define who does not belong at that school. In fact, six families were asked not to re-enroll one fall because they had not fulfilled their required "volunteer" hours. Similarly, a parent at a suburban charter school told us that she was forced to take her children out of the school, in part because she could not fulfill the parent involvement requirement. She said, "The main thing was the time commitment, I did not have the time." This parent also pointed out that the parents who were most involved at the charter school were the stay-at-home moms. "They are very lucky. I wish I could do that, but I can't right now. It makes you wonder if charter schools can work in an inner city area where all the parents have to work" (Lopez et al., 2002, p. 138).

In other words, many of the shared values and beliefs that shape charter schools are strongly influenced by deep cultural and structural barriers. For instance, parents who can afford to be involved in certain ways or give more resources to the charter schools are often more highly valued simply because they have time and money. Furthermore, parents who historically have succeeded in school and thus have been treated well by educators probably have a more positive orientation toward involvement in schools than parents who have had fewer such positive experiences in the past (Lopez et al., 2002).

While 19 of 40 charter school laws have some form of racial/ethnic balance guidelines, these guidelines vary from specific mandates about charter school enrollment reflecting that of the local school district as a whole to requirements that charter schools abide by existing school desegregation orders (see Frankenberg & Lee, 2003). And while half of the states have no such racial/ethnic balance provisions, our study of California suggests that even when such provisions exist, they rarely are monitored and enforced (see UCLA Charter School Study, 1998). In addition, half of the states with charter school laws lack even basic provisions for charter schools to transport students from other neighborhoods. We are concerned that housing patterns that are segregated by race and social class, prevalent in most cities and towns in the United States, combined with the lack of transportation for charter school students in several states, make it difficult for charter schools to be multiracial or socioeconomically mixed, even when their organizers want them to be.

Given these cultural and structural issues and the fact that we live in a very unequal society, it is difficult to create "homogeneous" school communities without creating further separation along racial/ethnic, socioeconomic, linguistic, and other cultural dimensions. Indeed, Wells, Holme, Lopez, and Cooper (2000) demonstrate that early evidence from various states with large numbers of charter schools suggests that this is indeed the trend—charter schools are more segregated by race and social class than the already segregated public schools. In other words, although the national, aggregated data on the racial/ethnic makeup of charter school enrollments show that charter schools are similar to the general public school population overall in the states in which they exist, when the data are broken down to the state, district, local community, and school level, charter schools are seen to be highly segregated—even more so than the regular public schools. More recently, Frankenberg and Lee (2003) found in their study of data on 1,855 charter schools that 70% of all Black charter school

students attend "intensely" segregated minority schools. Results were more mixed for White and Latino students.

Yet, it is important to note that the greater autonomy charter schools have in terms of admissions does not always raise equity issues. Indeed, some charter schools are specifically designed to recruit and serve students who have not succeeded in the regular public education system. According to the U.S. Department of Education's (2000) Fourth-Year Report, the third most popular reason cited for starting a charter school was to serve a special population of students. Such special populations conceivably could include at-risk language minority, disabled, or ethnic and racial minority students. Still, we do not know enough about how the educational opportunities in charter schools for at-risk students vary from those in other charter schools or other public schools. We argue that there are significant pedagogical issues related to not only whether charter schools serve at-risk students but also how they define "at risk" and how they choose to serve these students. Our study of charter schools in California, as well as some research on Texas charter schools (School of Urban and Public Affairs, 2000), suggests that charter schools targeted toward the students that no other schools want to serve may have the lowest-quality programs and the least challenging curriculum.

Thus, to the extent that charter schools offer yet another layer in a highly unequal education system, they have not solved the problems faced by the students on the "bottom" in terms of access to a better-quality education. Furthermore, to the extent that exclusionary charter schools exist, it is important for research on charter schools to document this and raise questions about its implications for the rest of the education system.

Lack of Real Curricular Autonomy in an Age of High-Stakes Tests

One of the central paradoxes of the systemic reform movement that helped to foster charter schools is that it promises to give schools greater autonomy and freedom, while at the same time holding them accountable for student outcomes. Yet, as we witness the proliferation of state standards and assessment systems under systemic reform's central pieces of federal legislation—Goals 2000 and the No Child Left Behind Act—we see that in some ways schools have less autonomy over their curriculum and instruction because they must all, within a given state, teach to the same tests. It is difficult to imagine charter schools, which must administer those same state assessments as part of their accountability systems, having much freedom to devise their own anti-establishment curriculum. How far afield can these schools really afford to go when their success or failure is measured by a state-mandated exam?

Another argument states that wholesale deregulation has the potential of reintroducing social injustices if schools are controlled locally by political groups that do not choose to serve students with special needs or those who are politically disenfranchised and thus discriminated against (Tyack, 1990). According to Plank and Boyd (1994), "The withdrawal of federal or judicial supervision of policies aimed at improving the relative standing of minorities, in these and other instances, might lead to the reassertion of majority control and the reversal of policies that favor minority interests" (p. 269).

Wise (1979) writes that the centralization of educational policy in the 1960s and 1970s was designed to address equity issues and overcome problems that the local schools were unwilling or unable to solve, such as segregation or the rights of disadvantaged students. He argues that these equity problems of access to resources and programs should not be decentralized to the local level because "community control and citizen participation tend to serve the dominant political interests within the community" (p. 209).

In other words, images of grassroots autonomous charter schools with ample resources and the curriculum and pedagogy to serve the most-disadvantaged students in the public system in a culturally relevant way are very much pie in the sky unless charter school laws are amended to recreate some of the fragmented centralization we saw in the 1960s.

CONCLUSION

All of the issues discussed in this chapter suggest ways in which a more decentralized and deregulated education system could exacerbate instead of alleviate inequalities within the system. Given the history of educational policy in the United States, many civil rights advocates are skeptical that the empowerment of poor people will occur simply through granting greater autonomy to schools—especially in an era when equity rarely is mentioned in policy debates over education reforms.

In fact, the history of the community control movement of 30 years ago offers some interesting and important lessons—regarding not only resources but also empowerment—that should inform the current movement toward decentralization. Reformers of that era noted that "decentralization in and of itself is only an administrative device, a reaction to the inefficiency and unreality of a massive bureaucracy. It does not necessarily result in a more responsive system or one in which the community has a determining voice" (Fantini, Gittell, & Magat, 1970, pp. 97–98). Nor does decentralization alone necessarily force educators to focus on their

failure in dealing with the poor and, more particularly, with Black children (Fein, 1970, p. 85).

Indeed, our study of charter school reform in California suggests that this is the case today as it was more than 30 years ago. Despite its potential to allow the space and freedom for educators and communities to address the cultural issues related to oppression and inequity, charter school reform—born of an era of market metaphors and systemic reform and backlash against existing equity-minded programs—fails to address the growing gap between rich and poor schools. In fact, it may help to exacerbate it.

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