

## CLASS STRUGGLE

Accessibility has been a central tenet of charter schools, but Reuters has found that many aggressively screen applicants

# (Not so) open to all

BY STEPHANIE SIMON

FEBRUARY 15, 2013

Getting in can be grueling. Students may be asked to submit a 15-page typed research paper, an original short story, or a handwritten essay on the historical figure they would most like to meet. There are interviews. Exams. And pages of questions for parents to answer, including: How do you intend to help this school if we admit your son or daughter?

These aren't college applications. They're applications for seats at charter schools.

Charters are public schools, funded by taxpayers and widely promoted as open to all. But Reuters has found that across the United States, charters aggressively screen student applicants, assessing their academic records, parental support, disciplinary history, motivation, special needs and even their citizenship, sometimes in violation of state and federal law.

"I didn't get the sense that was what charter schools were all about - we'll pick the students who are the most motivated? Who are going to make our test scores look good?" said Michelle Newman, whose 8-year-old son lost his seat in an Ohio charter school last fall after he did poorly on an admissions test. "It left a bad taste in my mouth."

Set up as alternatives to traditional public schools, charter schools typically operate under private management and often boast small class sizes, innovative teaching styles or a particular academic focus. They're booming: There are now more than 6,000 in the United States, up from 2,500 a decade ago, educating a record 2.3 million children.

In cities and suburbs from Pennsylvania to Colorado to Arizona, charters and traditional public schools are locked in fierce competition - for students, for funding and for their very survival, with outcomes often hinging on student test scores.

Charter advocates say it's a fair fight because both types of schools are free and open to all. "That's a bedrock principle of our movement," said Jed Wallace, president of the California Charter Schools Association. And indeed, many states require charter



schools to award seats by random lottery.

But as Reuters has found, it's not that simple. Thousands of charter schools don't provide subsidized lunches, putting them out of reach for families in poverty. Hundreds mandate that parents spend hours doing "volunteer" work for the school or risk losing their child's seat. In one extreme example, the Cambridge Lakes Charter School in Pingree Grove, Illinois, mandates that each student's family invest in the company that built the school - a practice the state said it would investigate after inquiries from Reuters (see page 4).

And from New Hampshire to California, charter schools large and small, honored and obscure, have developed complex application processes that can make it tough for students who struggle with disability, limited English skills, academic deficits or chaotic family lives to even get into the lottery.

Among the barriers that Reuters documented:

- Applications that are made available just a few hours a year.
- Lengthy application forms, often printed only in English, that require student and parent essays, report cards, test scores, disciplinary records, teacher recommendations and medical records.
- Demands that students present Social Security cards and birth certificates for their applications to be considered, even though such documents cannot be required under federal law.

“When Philadelphia officials examined 25 charter schools last spring, they found 18 imposed ‘significant barriers.’”

- Mandatory family interviews.
- Assessment exams.
- Academic prerequisites.
- Requirements that applicants document any disabilities or special needs. The U.S. Department of Education considers this practice illegal on the college level but has not addressed the issue for K-12 schools.

Many charters, backed by state law, specialize in serving low-income and minority children. Some of the best-known charter networks, such as KIPP, Yes Prep, Green Dot and Success Academy, use simple application forms that ask little more than name, grade and contact information, and actively seek out disadvantaged families. Most for-profit charter school chains also keep applications brief.

But stand-alone charters, which account for more than half the total in the United States, make up their own admissions policies. Regulations are often vague, oversight is often lax - and principals can get quite creative.

When Philadelphia officials examined 25 charter schools last spring, they found 18 imposed "significant barriers," including a requirement from one school that students produce a character reference from a religious or community leader.

At Northland Preparatory Academy in Flagstaff, Arizona, application forms are available just four and a half hours a year. Parents must attend one of three information sessions to pick up a form; late arrivals can't get in. "It's kind of like a time share (pitch)," said Bob Lombardi, the superintendent. "You have to come and listen."

Traditional public schools have their own built-in barriers to admission, starting with zip code: You don't have to write an essay to get into a high-performing suburban school, but you do have to belong to a household with the means to buy or rent in that neighborhood. Many districts also operate magnet or exam schools for gifted students, some of which admit disproportionately fewer low-income and minority students.

Yet most of the charter schools that

screen do not set themselves up as elite academies for the gifted. They bill themselves as open to all. For two decades, that promise of accessibility and equity has been the mantra of the charter school movement. It's proved a potent political argument as well, as advocates have pressed to expand the number of charters and their share of public funding.

Open access "is an easy and popular talking point," said Frederick Hess, director of education policy studies at the conservative American Enterprise Institute. There's just one problem, Hess said: It's not true.

"There's a level of institutional hypocrisy here which is actually unhealthy," said Hess, who is a strong advocate of charter schools. "It's a strange double game. Charter advocates say, 'No, no, no, we don't believe in (selective admissions),' but when you see a successful charter school, it's filled with families who are a good fit and who want to be there, and that's not possible when you have a random assortment of kids."

Five states – Florida, Louisiana, New Hampshire, Ohio and Texas - explicitly permit certain charter schools to screen applicants by academic performance. Most others do not. Yet schools have found loopholes.

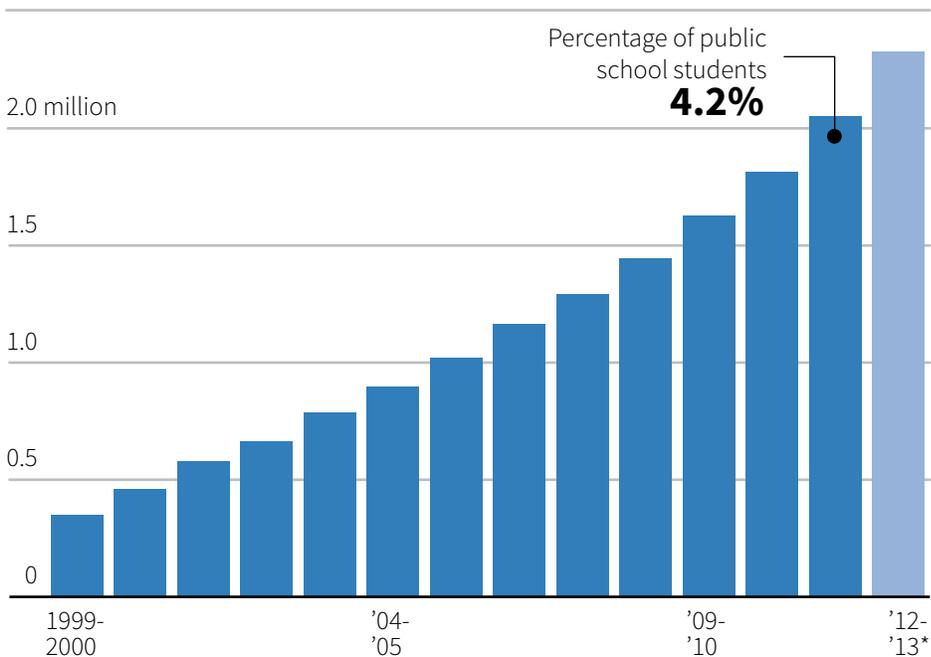
Alaska, Delaware and North Carolina, for instance, permit charter schools to give admissions preference to students who demonstrate interest in their particular educational focus. Some schools use that leeway to screen for students who are ready for advanced math classes or have stellar standardized test scores.

In California, the law sounds straightforward enough: "A charter school shall admit all pupils who wish to attend the school," with seats awarded by lottery if demand exceeds capacity.

Yet Roseland Accelerated Middle School, a charter school in Santa Rosa, California, won't even enter applicants into the lottery until they have proved their mettle by writing a five-page autobiography (with no errors in grammar or spelling,

## Upward Course

Total number of students in charter schools



Source: The National Alliance for Public Charter Schools

\*estimate

the form warns), as well as a long essay and six short essays. Applicants also must provide recommendations, report cards and statements from their parents or guardians and submit a medical history, including a list of all medications they take.

Gail Ahlas, superintendent of the public school district that oversees the charter, says the process isn't meant to exclude anyone, but to "set the tone" for the school as a rigorous college-prep environment. The form does not offer any accommodation for students with special needs or limited English skills, but Ahlas said she is confident the process "has not been a gatekeeper" and "absolutely" complies with state law.

Gail Ahlas is hardly alone in interpreting California law as flexible. One charter high school in the state will not consider applicants with less than a 2.0 grade point average. Another will only admit students who passed Algebra I in middle school

with a grade of B or better.

Julie Russell, who runs the state's Charter Schools Division, said she is not sure how, or whether, such policies square with the open-admissions law. "It's not real, real clear," she said. She relies on each school's overseer to make sure it is in compliance, she said.

In California, as in most states, oversight of charter schools primarily rests with local "authorizers" - typically a school district, a university, or a community group. Authorizers review policies, monitor academic progress and make sure the schools under their jurisdiction comply with state and federal law.

The National Association of Charter School Authorizers informs members that one of their core responsibilities is making sure schools are open to all, said Alex Medler, a vice president of the group.

*Text continues on page 5*

# Putting parents to the test

Charter schools pride themselves on asking a lot of their students. Many ask a great deal of parents, too.

Nearly 40 percent of charters nationwide do not participate in the federal subsidized lunch program, often because they don't have space for a kitchen or don't want to deal with the paperwork, according to the pro-charter Center for Education Reform.

That can leave low-income parents scrambling to find a way to feed their children. Nearly half of American school kids are eligible for subsidized meals, and more than 90 percent of traditional public schools provide them.

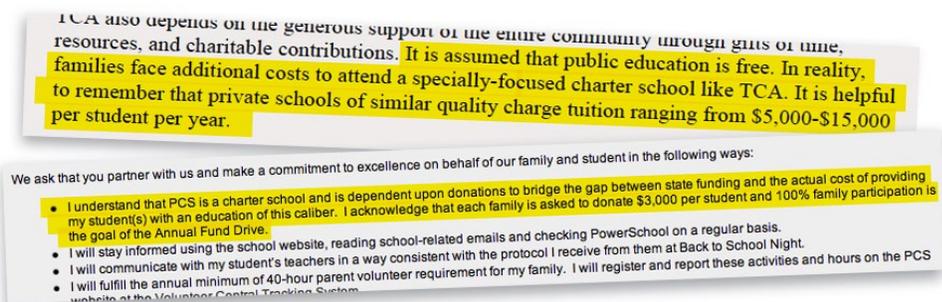
Most states don't require charter schools to offer transportation, so that's often up to parents, too.

And then there's the forced volunteerism. Traditional public schools can and sometimes do ask parents to help out, but they can't force the issue. Scores of charter schools, however, require parents to work up to 40 hours a year - or forfeit their child's seat. To meet the mandate, parents might chaperone field trips, keep order at lunch or direct traffic in the parking lot.

State laws on the practice vary. Florida allows volunteer mandates. California, Georgia and North Carolina do not. Illinois looks at each policy case by case.

The patchwork of laws created confusion for Charter Schools USA, a for-profit company that manages schools in five states.

Spokeswoman Colleen Reynolds initially told Reuters all families in the network were required to volunteer at least 20 hours per school year, except for rare waivers. Later, Reynolds said the company told parents in its Georgia and Illinois schools that volunteering was, in fact, strictly voluntary - even though parent handbooks and school websites described it as mandatory. Reynolds said



HANDS OUT: In their enrollment packets, The Classical Academy (top) and Pacific Collegiate School ask parents to pony up thousands of dollars.

the company was rewriting that material.

Another tricky issue: suggested donations. Traditional public schools now charge fees for extracurricular activities and materials used in academic courses - everything from workbooks to test tubes to copy paper. An honors English class might come with a \$50 fee, and chemistry might cost \$40.

As public schools, charter schools are subject to the same guidelines - and sometimes face even tighter budgets, since they often get less money from the state per student than traditional public schools. To make up the gap, some charters charge a lump-sum supply fee, which varies by grade.

A few go further, telling parents they're expected to make big donations.

"It is assumed that public education is free. In reality, families face additional costs to attend a specially-focused charter school like TCA," reads a letter from The Classical Academy, a charter school in Colorado Springs, Colorado, which makes clear that all families are expected to make a financial contribution sizable enough to feel like a "sacrifice." All parents are required to sign the letter. The administration declined to comment.

Pacific Collegiate School, a top-ranked charter in Santa Cruz, California, requires parents to sign a "Commitment to Excellence" acknowledging that the school

will ask for a \$3,000 donation and push for 100 percent compliance. In Arizona, the Great Hearts Academy network asks parents at most of its charter schools - all but the two campuses with the greatest concentration of low-income families - for \$1,500 donations.

Administrators at both schools said they make clear contributions are voluntary, as required by state law.

They're not voluntary, however, at Cambridge Lakes Charter School in Pingree Grove, Illinois. Families pay registration fees of \$210 to \$225 per student; on top of that, the parent handbook informs them they must invest in Northern Kane Educational Corp., which built the school, or risk losing their child's seat. The minimum investment is \$120 a year - or families can pay \$5,000 for a lifetime stake.

Northern Kane CEO Larry Fuhrer said the requirement was put into place at the request of investors who backed the school's bonds. He acknowledged it could be a "minor barrier" to enrollment, but said: "That's the nature of the free market."

A spokeswoman for the Illinois Department of Education said the state was not aware of the mandatory investment and would investigate.

*Stephanie Simon*

## CLASS STRUGGLE (NOT SO) OPEN TO ALL

“That’s non-negotiable,” he said.

Medler acknowledged that many authorizers have fallen down on the job. They may approve vague admissions policies without demanding details. They may not have the expertise to spot problems. Or they may relax supervision over time, so they don’t even notice when a school adds criteria that can help charters weed out less-than-desirable students.

Hawthorne Math and Science Academy, a top-rated charter school outside of Los Angeles, uses a multistep application that requires assessment exams in math and English and a family interview.

Principal Esau Berumen said he does not screen prospective students for academic ability. But, he said, the process is demanding enough that about 10 percent drop out before the lottery - leaving him with a pool of kids he knows are motivated to embrace the rigors of his curriculum.

“If there’s any skimming off the top, it’s on effort and drive,” Berumen said.

The academy’s authorizer, the local school district, did not return calls and emails seeking comment.

To some parents, screening applicants makes sense, given the limited number of seats at top charter schools. “Where do we want to put scarce resources? Find the kids who will benefit most,” said Judy Bushnell, a San Diego mother who is seeking to get her 12-year-old daughter into a charter school.

Other parents, however, feel unfairly shut out.

Shortly after the school year began this fall, Michelle Newman got a call from The Intergenerational Charter School in Cleveland, Ohio. A spot had opened up in a third-grade classroom, and her 8-year-old son, Lucas, was first on the waiting list. Administrators said he could enroll after he took an exam.

The exam, part of a two-hour assessment, included questions drawn from state standardized tests. It didn’t go well. Lucas was still in summer vacation mode and balked at



HIGH HURDLES: Heather Davis-Jones (right) encountered “insane” obstacles to getting her daughter, Shakia, into the lotteries for charter-school admissions, but eventually succeeded. **REUTERS/TIM SHAFFER**

some math problems, his mother said.

Still, she said she was shocked when the principal called a few days later to say Lucas could not enroll because staff had determined that he wasn’t academically or developmentally ready for third-grade - even though he was enrolled in the third grade at his local public school, where he remains.

Charter schools say they take everyone, “but they didn’t take him,” Newman said. “It’s not really about educating all children.”

Eric McGarvey, admissions coordinator for Intergenerational, said the school assesses applicants through testing, an interview and a report-card review because “we don’t want to accept a child into a grade level that they’re not ready for. It doesn’t do them any justice.” Students who are rejected, he said, go to the top of the waiting list for the grade teachers deem appropriate.

A spokesman for the Ohio Department of Education said charter schools are obligated to admit students into the grade they

would attend at their neighborhood school, regardless of skill. The community authorizer that supervises Intergenerational Charter said that it is confident the school’s admissions policy is legal but that it will review the policy.

Though admissions barriers most directly affect individual students, the stakes are high for public education nationwide. Funding for charter schools comes primarily from the states, so as charters expand, less money is left for traditional public schools. Teachers unions have fought the proliferation of charters because they see the schools, which typically employ non-union teachers, as a drain on traditional public schools.

Charter-school advocates say the shift in resources is warranted because charters often excel where traditional schools have failed, posting stellar test scores even in impoverished neighborhoods with little history of academic success.

## CLASS STRUGGLE (NOT SO) OPEN TO ALL

But a growing number of education experts - including some staunch fans of charter schools - see that narrative as flawed. They point to application barriers at some charter schools and high expulsion rates at others as evidence that the charter sector as a whole may be skimming the most motivated, disciplined students and leaving the hardest-to-reach behind.

That, in turn, can drive down test scores and enrollment at traditional public schools. In Washington, D.C., Philadelphia, Chicago and other cities, officials have cited just such trends as justification for closing scores of neighborhood schools to make way for still more charters.

“At some point, the slow leak of the most motivated students and families can put traditional schools in a downward spiral they can’t recover from,” said Jeffrey Henig, an education professor at Teachers College at Columbia University in New York.

Even when charter schools use simple applications, the fact that parents must submit them months before the start of school means that “these students are in some ways more advantaged, come from more motivated families” than kids in nearby district schools, education analyst Michael Petrilli said.

“We’re talking about different populations,” said Petrilli, executive vice president at the conservative Thomas B. Fordham Institute and longtime advocate of charter schools.

A federal report released last summer found that charter schools across the United States enroll significantly fewer special-needs students than district schools.

In New York City and Newark, New Jersey, high-achieving charter networks enroll markedly fewer poor, severely disabled and English-as-a-second-language students than district schools, according to an analysis by Bruce Baker, an education professor at Rutgers University.

Such differences are visible in San Francisco, at a charter school and a district

school less than a mile apart.

At Gateway High, a well-regarded charter, 36 percent of students qualify for subsidized lunch because of low income. At the district high school, 66 percent do, according to state data. Just 5 percent of Gateway’s students are still learning English, compared with 14 percent at the district high school. And the parents at Gateway are better educated: Nearly half are college graduates, compared to 29 percent at the nearby school.

Gateway requires applicants and their parents to answer four pages of questions, responding to prompts such as “My best qualities are ...” and “When I graduate from high school, I hope ...”

“The slow leak of the most motivated students and families can put traditional schools in a downward spiral they can’t recover from.”

**Jeffrey Henig**

Teachers College, Columbia University

Gateway’s executive director, Sharon Olken, said the point is to get families thinking about whether the school is right for them; applicants are not judged by their writing skills or even the content of their essays. The application does not explain that, however, and even though they’re allowed to write in their native language, some families with limited English skills are intimidated.

“Oh my God, it was a nightmare!” said Daisy Hernandez, a native Spanish speaker who made it through the forms only with help from her son, who was determined to apply. He got in.

The school’s authorizer, the San Francisco Unified School District, has reviewed the application and is confident Gateway “maintains a consistent effort to reach and serve a diverse population,”

spokeswoman Gentle Blythe said.

It can be hard, however, to assess with any rigor whether application barriers deter students from applying. Education lawyers in several cities said parents shut out of the process rarely go public with their complaints out of concern for their children’s privacy. Others see obstacles as deeply frustrating - but hardly a reason to file a lawsuit or lodge a formal protest with the state.

When Heather Davis-Jones sought to enroll her eight-year-old daughter, Shakia, in a charter school in Philadelphia last year, she found it much harder than she expected to get into admissions lotteries.

One school made its application available just one night a year; Davis-Jones had to leave work early, forfeiting income, to pick it up. Others demanded birth certificates and other records that Davis-Jones, who adopted her daughter from foster care, did not have and could not get.

Yet it never occurred to Davis-Jones to complain. “I was like, ‘This is insane,’” she said. “But I felt like I needed to do whatever it took to get her into a better school. If they want me to stand on my hands for 10 days, I’ll do it.” Her daughter got into one of the charter schools and loves it.

Another Philadelphia mother, Erika Trujillo, did find the courage to call a charter school and seek clarification when the application required a Social Security card to get her son in the lottery. An immigrant, she did not have that document.

“I was angry,” Trujillo said. “It’s my child’s right to receive an education even though he was born in Mexico.”

Federal law requires public schools to admit all resident children, including non-citizens and illegal immigrants. When Trujillo confronted them, school administrators acknowledged that right and said her son could enter the lottery without a Social Security card. But other parents have no way to know that; application forms at that school - and scores of other charter schools around the country - still indicate

## CLASS STRUGGLE (NOT SO) OPEN TO ALL

that a Social Security number is required.

When authorizers or regulators spot irregularities in a charter school's application process, they can demand changes.

In 2011, New York City put Academic Leadership Charter School on probation for irregularities, including leaving hundreds of applicants out of the lottery. (The school has changed its practices and is now acting with integrity, a spokesman for the city's education department said.) This fall, the charter school board in Washington, D.C., moved to shut down Imagine Southeast Charter School for various failings, including inappropriate questions about race and nationality on the application form.

Yet regulators are sometimes unclear on how to interpret the law.

Wyoming, for instance, expressly prohibits charter schools from discriminating against students with special needs in enrollment decisions. Yet Arapaho Charter High School in Riverton requires applicants to write eight short essays, on topics such as "What does the word 'commitment' mean to you?" Each student must also ask an adult mentor to answer another five essay questions.

Principal Mel Miller said he doesn't turn away any student who completes the application, no matter their skill level. He acknowledges, however, that some teens take one look at the form and decide the school is not for them.

Asked whether the process could be considered discriminatory against students with learning disabilities or limited English skills, Elaine Marces, a consultant to the state Department of Education on charter school issues, said she did not know. "That's actually a really good question," she said. "We've not monitored it in the past. Maybe it's something we should be looking at."

The superintendent of the local school district, which oversees the charter school,



HELPING HAND: Laritza Villanueva got into a highly regarded San Diego charter, but only after her mother, Teresa (right background), got advice on answering questions for the lottery application. **REUTERS/MIKE BLAKE**

at first said he was "100 percent confident" the application was permissible under state law. Yet asked whether disadvantaged students might be shut out, Superintendent Jonathan Braack said he was not sure. "This makes me want to look into it," he said.

Authorizers also plan to look closely at possible admissions barriers at the Preuss School at the University of California, San Diego.

Preuss has earned a reputation as one of the best charters in the United States, hailed by Newsweek magazine as a "miracle high school." It serves only low-income students whose parents don't have a four-year college degree.

Yet within that demographic, the school screens aggressively for aptitude, drive and parental support.

The 23-page application requires students to hand-write a long essay and several short-answer questions. They must submit a graded writing sample from their old school, and then explain what they learned from the assignment and how they could have done better. They must provide three recommendations.

And their parents must respond to a page of questions, including: "Describe what type of service you will contribute to

this school. Please be specific." If they don't speak English, parents are asked to secure help from a translator.

The school's charter is up for review this summer and its authorizer, the San Diego Unified School District, plans to scrutinize the application process, said Moises Aguirre, who oversees charter schools for the district. "We are interested in equity," he said.

Preuss School Principal Scott Barton said the application is designed to ensure that every child competing for scarce seats in the lottery has "the motivation and the potential to succeed."

Barton said he typically tosses out a few applicants before the lottery - those who have poor recommendations or show only lukewarm interest in Preuss. But he says everyone else who completes the packet goes into the lottery. "We don't cherry pick," he said. "We're certainly not judging the application by grammar or those kinds of things."

That wasn't clear to Teresa Villanueva.

Applying this past fall for a seat for her 11-year-old daughter, Villanueva, who speaks little English, couldn't understand some of the parent questions and was afraid she would disqualify her daughter with clumsy responses. She turned to staff at her daughter's after-school program to guide her through, line by line. To her joy, her daughter got in.

"Thank God I had the help," Villanueva said. "If I was on my own, I wouldn't have been able to do it."

*Edited by John Blanton*

### FOR MORE INFORMATION

#### Stephanie Simon

stephanie.b.simon@thomsonreuters.com

#### John Blanton, Enterprise Desk Editor

john.blanton@thomsonreuters.com

#### Michael Williams, Global Enterprise Editor

michael.j.williams@thomsonreuters.com