



# Position Statement Charter Schools



*Based on the NEA Policy Statement.*

Charter schools were initially promoted by educators who sought to innovate within the local public school system to better meet the needs of their students. Over the last quarter of a century, charter schools have grown dramatically to include large numbers of charters that are privately managed, largely unaccountable, and not transparent as to their operations or performance. The explosive growth of charters has been driven, in part, by deliberate and well-funded efforts to ensure that charters are exempt from the basic safeguards and standards that apply to public schools, which mirror efforts to privatize other public institutions for profit.

Charters have grown the most in school districts like St. Louis City and Kansas City that were already struggling to meet students' needs due to longstanding, systemic, and ingrained patterns of institutional neglect, racial and ethnic segregation, inequitable school funding, and disparities in staff, programs and services. The result has been the creation of separate, largely unaccountable, privately managed charter school systems that undermine support and funding of local public schools in those districts. Such separate and unequal education systems are disproportionately located in communities of color and harm students by depriving them of the high quality public education system that should be their right.

As educators, we believe public education is the cornerstone of our social, economic, and political structure, the foundation of good citizenship, and the fundamental prerequisite to every child's future success. The growth of separate and unequal systems of charter schools that are not subject to the same basic safeguards and standards that apply to public schools threatens our students and our public education system.

Charter schools in Missouri are publicly-funded schools operated by the board of a non-profit corporation. Charter schools must be authorized by a sponsor specified in state law. Most charter schools in Missouri are sponsored by a higher education institution and not by the elected school board of the community in which the school is located.

## **Sponsorship and Accountability to the Local School District**

Charter schools serve students and the public interest when they are authorized and held accountable by the same democratically accountable local entity that authorizes other alternative school models in a public school district such as magnet, community, educator-led or other specialized schools.

Such charters should be authorized only if they meet the substantive standards and are authorized and held accountable through a democratically controlled procedure as set forth below.

**Sponsorship:** Public charter schools should be authorized exclusively by a public school district and only if the charter is both



necessary to meet the needs of students in the district and will meet those needs in a manner that improves the local public school system.

**Standards for public charter schools:**

Public charters, like all public schools, must provide students with a free, accessible, non-sectarian, quality education that is delivered subject to the same basic safeguards and standards as every other public school, namely, in compliance with: i) open meetings and public records laws; ii) prohibitions against for-profit operation or profiteering as enforced by conflict of interest, financial disclosure and auditing requirements; iii) the same civil rights, including federal and state laws and protections for students with disabilities, employment, health, labor, safety, staff qualification and certification requirements as other public schools and iv) the same standards of accreditation, accountability, and academic assessment and performance as other public schools. When a charter is authorized in a public school district that has an existing collective bargaining agreement with its employees, the authorizer will ensure that the employees will be covered by a collective bargaining agreement. Those basic safeguards and standards protect public education as a public good that is not to be commodified for profit.

**Assessment of Impact:** Charter schools should be authorized or expanded only after a district has assessed the impact of the proposed charter school on local public school resources, programs and services, including the district's operating and capital expenses, appropriate facility availability, the likelihood that the charter will prompt cutbacks or closures in local public schools, and consideration of whether other improvements in either educational program or school management (ranging from

reduced class sizes to community or magnet schools) would better serve the district's needs. The district must also consider the impact of the charter on the racial, ethnic and socio-economic composition of schools and neighborhoods and on equitable access to quality services for all district students, including students with special needs and English language learners. The impact analysis must be independent, developed with community input, and be written and publicly available.

**Sponsorship by a board accountable to the community:**

Public charter schools should only be authorized by the same local, democratically accountable entity that oversees all district schools such as a locally elected school board or, if there is no school board, a community-based charter authorizer accountable to the local community. This will maintain local democratic control over decisions as to whether to authorize charters at all, and if so, under what conditions, and will safeguard community engagement in local public schools.

**Integrated oversight of all public schools:**

A single local authorizing entity also ensures comprehensive consideration of whether each option, and the mix of options offered in a district, meets the needs of students and the community as a whole given the resources and facilities in the district. A single entity also permits effective integrated oversight of all schools, including charter schools, and a central mechanism for identifying and sharing successful innovations throughout local public schools. The overall goal of the authorization and review process must be to improve the education offered to all students. That goal cannot be accomplished with a diffuse authorization system, comprised of multiple different entities, with differing partial views



of the students served by a district and the overall scope of its educational offerings.

**Transparency and school information:**

The local authorizer also must ensure that parents are provided with the same information about charters that is provided to parents about other district schools, as well as information about any significant respects in which the charter departs from district norms in its operations including the actual charter of the school.

**State role:** The state's role in charter authorization and oversight should be limited to ensuring that local school districts only authorize charters that meet the criteria specified in this paper and do so by way of a procedure that complies with the process outlined above. To that end, the state should both monitor the performance of districts as charter authorizers and hold districts accountable for providing effective oversight and reporting regarding the quality, finances and performance of any charters authorized by the district. In addition, the state must provide adequate resources and training to support high quality district charter authorization practices and compliance work, and to share best authorization practices across a state. States should entertain appeals from approvals or denials of charters only on the narrow grounds that the local process for approving a charter was not properly followed or that the approval or denial of a charter was arbitrary or illegal.

**Moratorium:** Unless both the basic safeguards and process detailed above are met, no charter school should be authorized or expanded. Further, the renewal of any existing charters should only be under the sponsorship of the school board of the district in which the school is located.

**Unaccountable privately managed charters.**

Charters that do not comply with the basic safeguards and standards detailed here in the MNEA Position Paper and that are not authorized by the local school board (or its equivalent) necessarily undermine local public schools and harm the public education system.

**Performance of current charters:** The notion that charter competition will improve public schools has been conclusively refuted. Charters have a substantial track record that has been assessed in numerous research studies. Those studies document that charters, on average, do no better than public schools in terms of student learning, growth or development. And those charters that do perform better are not incorporated into district-wide school improvement efforts.

**Impact of charter closures:** At their worst, charters inflict significant harms on both students and communities. Of the charter schools that opened in 2000, a full fifth had closed within five years of opening and a full third had closed by 2010. Because the very opening of charters often prompts cutbacks and/or closures in local public schools, these alarmingly high charter closure rates subject students and communities to cycles of damaging disruption. Such disruption can leave students stranded mid-year. Even closures that occur at the year's end disrupt students' education and unmoor communities that previously had been anchored by the local public school.

**Diversion of public funds:** Charters that are not subject to the basic safeguards and standards detailed above also open up the local public schools to profiteers. Such charters operate without any effective



oversight, draining public school resources and thereby further harming local public schools and the students and communities they serve.

**Virtual charter schools:** Fully virtual or online charter schools cannot, by their nature, provide students with a well-rounded, complete educational experience, including optimal kinesthetic, physical, social and emotional development. Accordingly, they should not be authorized as charter schools.

### **Organizing Communities for Quality Public Education**

MNEA stands for our students wherever they are educated. Relegating students and communities to unaccountable privately managed schools that do not comply with the basic safeguards and standards detailed above has created separate systems of charters that are inherently unequal. To counter the threat to public education of such charters, MNEA supports both

communities organizing for quality public education and educators working together to improve charter schools.

MNEA supports communities that are working to hold charters accountable, including reforms to state charter law, local school board resolutions and actions, and efforts to raise local awareness of the need for charters to comply with the basic safeguards and standards detailed above.

MNEA will also support efforts to preserve public school funding and services by eliminating such funding and services from unaccountable privately managed charters that do not comply with those basic safeguards and standards.

MNEA believes all educators deserve the right to collective voice and representation, and that an organized workforce is a better guardian of quality standards for students and educators alike. MNEA will support the efforts of locals that seek to organize charter school employees.

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