

# Charter School "Flexibility" Linked to Major Failures; More Than \$3.3 Billion in Taxes Spent

Monday, 18 May 2015 00:00

By Jonas Persson (</author/itemlist/user/50035>), PR Watch (<http://www.prwatch.org/news/2015/05/12834/lack-oversight-charter-schools-designed-plus-33-billion-spent-part-3>) | Report



The fact that authorizers enjoy almost complete autonomy - not only from state regulations but also from public control through elected school boards - is a feature of the anti-regulatory environment in which charters have grown, rather than a bug. (Photo: Empty Classroom ([http://www.shutterstock.com/pic-246435406/stock-photo-empty-classroom-with-large-windows-and-old-furniture.html?src=QAWdEjBJ5c5g\\_pAsryeyGQ-1-57](http://www.shutterstock.com/pic-246435406/stock-photo-empty-classroom-with-large-windows-and-old-furniture.html?src=QAWdEjBJ5c5g_pAsryeyGQ-1-57)) via Shutterstock; Edited: LW / TO)

Also see Part I: *Feds Spent \$3.3 Billion Fueling Charter Schools but No One Knows What It's Really Bought* (<http://www.truth-out.org/opinion/item/30706-feds-spent-3-3-billion-fueling-charter-schools-but-no-one-knows-what-it-s-really-bought>)

Also see Part II: *Lack of Oversight of Charter Schools Designed as a Plus; More Than \$3.3 Billion Spent* (<http://www.truth-out.org/news/item/30799-lack-of-oversight-of-charter-schools-designed-as-a-plus-more-than-3-3-billion-spent>)

Arne Duncan is calling for a 48% increase

(<http://www2.ed.gov/about/overview/budget/budget16/summary/16summary.pdf>) in the US Department of Education's (ED) quarter-billion-dollar-a-year (\$253.2 million) program designed

to create, expand, and replicate charter schools - an initiative repeatedly criticized by the Office of the Inspector General (OIG) for suspected waste and inadequate financial controls.

The Center for Media and Democracy (CMD) has issued a series of Freedom of Information Act requests for information about charter spending from ED as well as from states, and the findings shed new light on the deep flaws in the design, implementation and oversight of the federal program.

## **For ED "Accountability" Means Very Little Real Accountability**

CMD's review of state applications for the federal charter schools program shows that, in some cases, states are rewarded precisely because they lack statutory authority to hold charter school and their authorizers accountable as these states tend to score high on one of the rubrics used to evaluate applications: "flexibility offered by state law."

But grant applications are also judged based on the degree of "authorizer accountability" afforded by the state. How does this paradox play out in practice?

One ED reader reviewing a 2010 application from Florida notes how schools and authorizers are held to the highest standards of accountability in the state: "[Florida] provides ample examples to illustrate its commitment to continuously improve upon its already strong processes and procedures to hold accountable their authorizing LEAs ... No weaknesses noted [Score] 20/20." Another reader joins in the chorus by remarking how the Florida Department of Education "has taken smart steps to oversee the authorizers in the state."

Strikingly, a 2012 OIG audit ([http://www.sourcewatch.org/images/5/55/OIG\\_2012\\_audit.pdf](http://www.sourcewatch.org/images/5/55/OIG_2012_audit.pdf)) exposed a total lack of oversight and accountability in Florida:

None of the three SEAs we examined [Florida, Arizona and California] monitored the authorizing agencies responsible for granting charter school licenses and monitoring charter school progress ... without proper monitoring of authorizing agencies, SEAs have limited ability to ensure authorizers were approving and granting charters to quality charter schools and providing adequate monitoring to them after they opened.

Florida could not even "provide a reliable universe of charter schools that received SEA grants nor an accurate list of charter schools that received onsite monitoring, desk audits, or closed during the grant cycle."

To understand how states with no statutory oversight of charter schools and authorizers could receive the highest score on the rubric it might help to realize that the Elementary and Secondary Education Act (ESEA) is a patchwork of conflicting provisions. The charter schools program was created as an amendment in 1994 with the purpose to incentivize states with charter school flexibility - that is, states where charters are exempt from democratic oversight and control.

The "accountability" criterion was added in 2010 following Obama's reauthorization of ESEA, after which Secretary Arne Duncan pledged in a blueprint on school choice (<http://files.eric.ed.gov/fulltext/ED514177.pdf>) that charter schools receiving funding under the

program would now be held to even higher standards of accountability than traditional public schools.

But for all the rhetoric, CMD's review shows that this new safeguard, which is flatly at odds with the original purpose of the program, was never more than a rubber-stamp rubric.

In fact, reader feedback on this section of the applications spans the gamut from the Orwellian (Florida) to the nonsensical. "To be an authorizer [in Minnesota] you must show capacity and commitment to quality chartering not chartering because it politically correct," one reviewer remarks, and scores the rubric 20/20.

### **Lack of Oversight Is a Design Feature Rather Than a Bug**

The fact that authorizers enjoy almost complete autonomy - not only from state regulations but also from public control through elected school boards - is a feature of the anti-regulatory environment in which charters have grown, rather than a bug.

For decades, a small group of millionaires and billionaires, like the Koch Brothers, have backed a legislative agenda to privatize public education in America. Lobbying groups funded by them, like the corporate bill mill ALEC (the "American Legislative Exchange Council"), have been pushing states to create and expand charter schools outside of the authority of the state public school agencies and local school boards, confining the state to limited oversight of whether authorizers have adequate policies, not over how charters spend tax dollars.

This includes pushing bills to "stomp out local control

(<http://www.progressive.org/news/2014/05/187687/alec-otherworld>)," as stated by a member of ALEC's Education Task Force - where charter school lobbyists vote with lawmakers on bills.

How? The keynote speaker to the California Charter Schools Association in 2014, Netflix CEO Reed Hastings elaborated (<http://www.washingtonpost.com/blogs/answersheet/wp/2014/03/14/netflixs-reed-hastings-has-a-big-idea-kill-elected-school-boards>):

[T]he fundamental problem with school districts ... is that they don't get to control their boards ... Now, if we go to the general public and say 'Here's an argument why you should get rid of school boards' of course no one is going to go for that. School boards have been an iconic part of America for 200 years. So what we have to do is to work with school districts to grow steadily.

By waging a war of attrition, Hastings hoped that elected school boards would be eliminated within 20 years.

*This piece was reprinted by Truthout with permission or license. It may not be reproduced in any form without permission or license from the source.*

---

**JONAS PERSSON (/AUTHOR/ITEMLIST/USER/50035)**

Jonas Persson is a writer at the Center for Media and Democracy, focusing on education policy.

---

## RELATED STORIES

*Charter Schools: the Segregation of Latino and African-American Students* (</speakout/item/28591-charter-schools-the-segregation-of-latino-and-african-american-students>)

By April Marie Lavoie, SpeakOut (<http://truth-out.org>) | Op-Ed

*Feds Spent \$3.3 Billion Fueling Charter Schools but No One Knows What It's Really Bought* (</opinion/item/30706-feds-spent-3-3-billion-fueling-charter-schools-but-no-one-knows-what-it-s-really-bought>)

By Jonas Persson, PR Watch (<http://www.prwatch.org/news/2015/04/12799/new-documents-show-how-federal-taxpayer-money-wasted-charter-schools>) | Op-Ed

*Lack of Oversight of Charter Schools Designed as a Plus; More Than \$3.3 Billion Spent* (</news/item/30799-lack-of-oversight-of-charter-schools-designed-as-a-plus-more-than-3-3-billion-spent>)

By Jonas Persson, PR Watch (<http://www.prwatch.org/news/2015/05/12831/feds-spent-33-billion-charter-schools-few-controls-part-2>) | Report

---

Show Comments