

Senior Contributor to Forbes Magazine Suggests That Proposed Federal Regulations for Charter School Grants Raise a Fundamental Question About Charters

In an April 6 article Peter Greene, senior contributor to Forbes, says that proposed new federal regulations on the federal Charter Schools Program (CSP) raise a fundamental question about the nature of charter schools. He poses basic questions: “Should charter schools behave like public schools or should they be operated by private businesses? And how much taxpayer support should they receive for either option?”

The charter school industry is fighting proposed new regulations that would require the industry to actually justify grant funds in terms of whether or not communities really have a need for charters. The opponents of these proposed regulations seem to view charters as profitable businesses in competition with authentic public schools, rather than allies associated to improve educational opportunities for children.

EDUCATION

New Grant Regulation Proposal Raises A Fundamental Question About The Nature Of Charter Schools

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The federal Charter Schools Program (CSP) is one source of funding for charter schools. Founded in 1994, the program has dispensed an estimated \$4 billion taxpayer dollars to charter school operators, not always resulting in useful outcomes. The Biden administration has proposed some regulatory changes to grant guidelines.

The regulations close a long-standing loophole in the charter world. Politicians (e.g. Hillary Clinton in 2016) have long threaded the needle on charter policy by saying that while charter schools are great, they reject for-profit charter schools (in which the interests of those making a profit and the students being served would obviously be at odds). The problem has long been that there are many ways to run a non-profit charter for serious profit, most notably by simply handing most or all of the money that a non-profit charter collects to a for-profit charter management company. The new regulations would forbid this kind of arrangement.

Charter supporters have not voiced many objections to this change, but have addressed another set of proposals that highlight some basic debates about what charter schools should be. The disagreements center on a set of regulatory proposals that lay out grant “priorities,” that is, not hard and fast rules about who may or may not get grants, but how applicants for the grants can earn “points.”

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The regulations call for charters to start with a community needs assessment study, to see if the community wants or needs a new school, and to continue with regular engagement with the community. Says the proposal, “teachers, parents, and community leaders have expressed concerns about not being included as active participants in charter school decision-making.”

Charter supporters see this as barring charters from opening in communities with declining public school enrollment, yet it is not hard to imagine how those communities would react if their local school district announced it was going to use tax dollars to open another school. Charter advocates also complain about a requirement that charters mirror the racial and socio-economic diversity of the communities in which they operate, but a body of research suggests that charters increase segregation.

Charter fans are particularly unreceptive to a priority that asks charters to collaborate with at least one traditional public school or school district. That collaboration could include transportation, curricular and instructional resources, professional development, or other practices that could benefit students. In other words, team up with public schools in ways that make both school better.

“That’s like getting Walmart to promise to partner with the five and dime down the street,” says the Washington Post editorial board.

Charter schools were originally conceived as a creative way to bring growth and variety to the public education ecosystem. But somewhere along the way, charter schools were subsumed into a vision of bringing free market forces to public education. There is no inherent reason for charter schools to be the direct competition of traditional public schools, and yet here we are, with charter advocates offering arguments based on the conception of charter schools as businesses competing for customers, instead of partners in a varied education system.

Charters were once touted as laboratories of education, with the notion that they would develop great teaching ideas that could be shared with other schools; now the very idea of collaboration is rejected in world where charters protect their trade secrets and require non-disclosure from staff even after they leave.

Network for Public Education chief Carol Burris sums up a reaction to the proposed regulations this way:

The regulations are sensible. All they ask is that applicants do some analysis to make sure there is a need for the school, a check to make sure the school won't increase segregation, better supervision on how the money is spent and a stipulation that funds go to the school not through the school to profiteers. Isn't that what every taxpayer should want?

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The charter school sector could have responded to all this by saying, “We look forward to collaborating with communities and schools and strengthening them all.” And there are charter schools out there that already do everything these regulations ask them to do.

But many charter supporters are pushing back. They argue, not unreasonably, that while the big charter chains will be able to manage these new hoops, mom-and-pop charter schools will have more trouble. Various op-eds repeat the charge that this “flagrantly wrongheaded policy” is made to “reflect the views of powerful teachers’ unions” because “the Biden administration is deep in the tank for teachers’ unions.” On Wednesday, charter supporters are planning a Tweet storm to tell the Biden administration to “back off.”

The debate is about guidelines for a single source of funding for charter schools, and it would seem like a small hill for folks from all sides to fight on, but it speaks to a basic question that we should have been asking about charter schools, and mostly haven’t. Should charter schools behave like public schools, or should they be operated like private businesses? And how much taxpayer support should they receive for either option?

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