

spotlight

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ZERO TOLERANCE FOR CHARTER SCHOOLS

The State Board of Education should regard all public schools as equals

KEY FACTS: • Under the new “Revocation of Charter for Lack of Academic Performance” policy, only low-performing charter schools are subject to closure by the NC State Board of Education. There is no equivalent policy for district schools.

• This study asks the question: How many public schools would close if the state instituted the policy three years ago and applied to charter and district schools alike?

• According to state testing results for the last three years, the State Board of Education would be forced to close 164 public schools.

• Of the 164 total schools, 155 of the closed schools would be district schools, three of them would be alternative district schools, and six of them would be charter schools. Overall, the state would close 6.5 percent of the total district and district alternative schools in North Carolina and 6.2 percent of the state’s charter schools.

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● In August 2009, the State Board of Education created the Ad Hoc Charter School Task Force “to improve the academic accountability of charter schools and to clarify existing procedures for charter applicants to follow.”¹ By December, State Board of Education unanimously adopted three new policies for charter schools, including a policy that allows the State Board of Education to close charter schools that do not meet performance standards on state tests for two out of three years.

The new “Revocation of Charter for Lack of Academic Performance” policy is one of the most punitive policies ever approved by the State Board of Education. It states the following:

The State Board of Education shall revoke the charter of any charter school when, for two of three consecutive school years, the charter school does not meet or exceed expected growth and has a Performance Composite below 60%.

For purposes of this policy, the first year test scores will

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be from the 2009-2010 school year.

This policy does not prohibit the State Board from taking any action against a charter that is otherwise legal and appropriate pursuant to G.S. 115C-238.29G.²

Both district and charter schools are public schools. Charters receive state, local, and federal funds and are subject to many of the regulations established for district schools. For example, all charter school students are required to take state standardized tests, regardless of the academic focus of the school. Scores from these tests determine if the school meets or exceeds growth expectations set by the state and the Performance Composite.

Under the “Revocation of Charter for Lack of Academic Performance” policy, only low-performing charter schools are subject to closure. There is no equivalent policy for district schools. District schools that do not meet or exceed expected growth and that have a Performance Composite below 60 percent for two of three consecutive school years are not subject to closure. Instead, the Department of Public Instruction deploys additional resources and support to these schools.

But what if we leveled the playing field and subjected district schools to the same kinds of policies imposed on charter schools? Specifically, how many public schools would close if the “Revocation of Charter for Lack of Academic Performance” policy were instituted three years ago and applied to charter and district schools alike? Of course, this is purely a theoretical exercise, albeit a useful one because it exposes the way that the State Board of Education systematically created privileged (district) and disadvantaged (charter) classes of public schools.

Glossary

Charter school – Charter schools provide parents a choice in the education of their children. They are public schools but are subject to less regulation and oversight than conventional or district schools.

1. Public tax dollars are the primary funding sources for charter schools
2. Local, state, and federal dollars follow the child to a charter school
3. Charter schools are tuition free
4. Schools have open enrollment with no discrimination and no religious associations
5. If they have more applicants than available slots, the school must use an open lottery
6. The state requires 75% of charter school teachers in elementary school to be certified
7. The state requires 50% of charter teachers in middle and high school to be certified
8. All charter school students are required to take the state mandated tests
9. The state caps the number of charter schools at 100 schools statewide³

Performance Composite – The percentage of the test scores in the school at or above a set standard of proficiency.⁴

Growth – An indication of the rate at which students in the school learned over the past year. The standard is equivalent to a year’s worth of growth for a year of instruction.⁵

According to testing results for the last three years, the State Board of Education would close 164 public schools under the “Revocation of Charter for Lack of Academic Performance” policy (See Tables 1, 2, and 3, following pages). Of the 164 total schools, 155 of the closed schools would be district schools, three of them would be alternative district schools, and six of them would be charter schools. Overall, the state would close 6.5 percent of the total district and district alternative schools in North Carolina and 6.2 percent of the state’s charter schools.

The tables of the following pages are not lists of schools that the State Board of Education *should* close or sanction. Ideally, the state would base these decisions on an independent review of performance data and extensive input from school personnel, parents, and members of the community. It is reasonable for state education officials to establish policy exceptions for alternative district and charter schools. This report’s only recommendation is that the State Board of Education regard all regular public schools – district, charter, and charter-like without charters – as equals.⁶ Substantive policies should apply to all of them or none of them.

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End Notes

1. Minutes of the North Carolina State Board of Education (SBE), December 3, 2009, p. 10. The formation of the committee does not appear in the August 2009 SBE minutes.
2. State Board of Education Policy Manual, Revocation of Charter for Lack of Academic Performance (Policy ID Number TCS-U-010), December 3, 2009. There are two points of clarification that need to be made. First, the State Board of Education may revoke a charter if the school does not meet or exceed expected growth and has a Performance Composite below percent for *any two* of three consecutive years. For example, the two years of low performance may be the first and third of three consecutive years. Second, the school must fail to meet or exceed expected growth and have a Performance Composite below 60 percent in the *same year* in order for that year to be subject to the policy. Schools that, at minimum, meet or exceed growth *or* earn a Performance Composite above 60 percent in a given year are not subject to the policy.
3. Office of Charter Schools, North Carolina Department of Public Instruction (NC DPI), “Frequently Asked Questions,” at www.dpi.state.nc.us/charterschools/faqs.
4. Division of Accountability Services, NC DPI, “ABCs/AYP 2009 Accountability Report Background Packet,” 2008, p. 3.
5. *Ibid.*
6. In North Carolina’s Race to the Top application, the state calls North Carolina’s virtual, magnet, early college, and STEM schools “charter-like schools without charters.” The report gives Lt. Governor Walter Dalton credit for the phrase (p. 154). See Office of the Governor of North Carolina, “Race to the Top Application: State of North Carolina,” racetothetop.nc.gov, January 2010.
7. Consistent with the policy, the two years that the school does not meet growth expectations are also years that the school does not have a Performance Composite above 60 percent.
8. NC DPI, “The ABCs Accountability Model,” available at abcs.ncpublicschools.org/abcs/index.jsp?pYear=2006-2007.
9. NC DPI, “The ABCs Accountability Model,” available at abcs.ncpublicschools.org/abcs/index.jsp?pYear=2007-2008.
10. NC DPI, “The ABCs Accountability Model,” available at abcs.ncpublicschools.org/abcs.

Table 1. District School Closures under Charter School Policy (N=155)

School District	School Name	Failed to meet growth for at least 2 years ⁷	2006-07 Performance Composite ⁸	2007-08 Performance Composite ⁹	2008-09 Performance Composite ¹⁰
Alamance-Burlington	Alamance-Burlington Middle College	Yes	23.8	37.4	34.8
Alamance-Burlington	Broadview M.S.	Yes	58.6	45.5	54.0
Alamance-Burlington	Graham H.S.	Yes	50.1	54.0	57.1
Alamance-Burlington	Haw River E.S.	Yes	50.0	35.3	44.6
Anson	Anson H.S.	Yes	39.5	38.8	36.6
Bertie	Windsor E.S.	Yes	56.5	36.8	54.7
Bladen	East Bladen H.S.	Yes	41.2	54.9	57.3
Cabarrus	Coltrane-Webb E.S.	Yes	54.7	50.6	57.3
Cabarrus	Royal Oaks E.S.	Yes	66.2	50.0	58.8
Caswell	Bartlett Yancey H.S.	Yes	48.4	54.9	55.6
Charlotte-Mecklenburg	Allenbrook E.S.	Yes	50.0	41.2	41.4
Charlotte-Mecklenburg	Ashley Park E.S.	Yes	54.6	32.8	41.3
Charlotte-Mecklenburg	Briarwood E.S.	Yes	50.0	38.2	50.0
Charlotte-Mecklenburg	Cochrane M.S.	Yes	50.0	37.3	49.5
Charlotte-Mecklenburg	Garinger H.S.	Yes	50.0	43.0	56.6
Charlotte-Mecklenburg	Hickory Grove E.S.	Yes	56.2	39.6	49.4
Charlotte-Mecklenburg	Morgan School	Yes	13.0	15.0	30.9
Charlotte-Mecklenburg	Paw Creek E.S.	Yes	63.7	51.0	50.2
Charlotte-Mecklenburg	Phillip O Berry Academy of Technology	Yes	57.4	58.6	76.3
Charlotte-Mecklenburg	Ranson M.S.	Yes	51.3	38.6	52.1
Charlotte-Mecklenburg	Reid Park E.S.	Yes	53.6	27.9	36.6
Charlotte-Mecklenburg	Sedgefield M.S.	Yes	51.6	42.6	59.6
Charlotte-Mecklenburg	Spaugh M.S.	Yes	39.4	22.6	30.3
Charlotte-Mecklenburg	Walter G Byers E.S.	Yes	50.0	26.6	41.6
Cumberland	Douglas Byrd H.S.	Yes	40.4	47.9	55.1
Cumberland	Ferguson-Easley E.S.	Yes	57.4	46.4	50.0
Cumberland	Hillsboro Street E.S.	Yes	50.0	36.5	50.0
Cumberland	Lillian Black E.S.	Yes	53.5	40.3	41.5
Cumberland	Seventy-First H.S.	Yes	54.5	58.0	57.0
Cumberland	Teresa C Berrien E.S.	Yes	53.3	36.2	54.5
Cumberland	Walker-Spivey	Yes	12.6	14.6	20.7
Cumberland	Westarea E.S.	Yes	58.1	49.8	57.7
Cumberland	Westover H.S.	Yes	63.8	45.2	42.6
Cumberland	William H Owen E.S.	Yes	51.6	40.4	42.0
Cumberland	William T Brown E.S.	Yes	60.5	50.0	57.9
Duplin	James Kenan H.S.	Yes	38.5	46.6	54.8
Duplin	Warsaw E.S.	Yes	43.7	48.6	50.0
Durham	C C Spaulding E.S.	Yes	52.1	29.8	42.7
Durham	Chewning M.S.	Yes	50.5	34.0	40.6
Durham	Hillside H.S.	Yes	40.9	40.2	45.0
Durham	Holt E.S.	Yes	60.9	42.3	51.3
Durham	Lowe's Grove M.S.	Yes	58.9	35.5	42.7
Durham	Merrick-Moore E.S.	Yes	58.8	45.5	44.9
Durham	Neal M.S.	Yes	44.8	30.9	44.1

School District	School Name	Failed to meet growth for at least 2 years ⁷	2006-07 Performance Composite ⁸	2007-08 Performance Composite ⁹	2008-09 Performance Composite ¹⁰
Durham	Oak Grove E.S.	Yes	58.6	45.7	57.7
Durham	Southern School of Engineering	Yes	55.3	55.3	50.0
Edgecombe	C B Martin M.S.	Yes	63.5	50.0	47.4
Edgecombe	South Edgecombe M.S.	Yes	59.4	42.3	54.8
Forsyth	Ashley E.S.	Yes	56.3	48.0	51.1
Forsyth	Carter Vocational H.S.	Yes	50.0	28.6	27.9
Forsyth	Carver H.S.	Yes	36.7	34.7	41.0
Forsyth	Children's Center	Yes	50.0	5.3	3.1
Forsyth	Easton E.S.	Yes	53.6	39.5	46.4
Forsyth	Forest Park E.S.	Yes	35.5	26.7	39.4
Forsyth	Hospital/Homebound Education Center	Yes	16.7	14.3	45.5
Forsyth	Kimberley Park E.S.	Yes	61.7	35.6	50.0
Forsyth	Middle Fork E.S.	Yes	52.9	33.6	43.8
Forsyth	North Forsyth H.S.	Yes	52.5	50.7	52.1
Forsyth	Parkland H.S.	Yes	42.6	50.8	54.4
Forsyth	Petree E.S.	Yes	50.1	31.4	30.3
Forsyth	Philo M.S.	Yes	50.0	30.0	37.8
Forsyth	School of Computer Technology at Atkins H.S.	Yes	33.2	38.6	44.4
Forsyth	School of Biotech at Atkins H.S.	Yes	33.1	32.5	38.4
Forsyth	School of Pre-Engineering at Atkins H.S.	Yes	28.5	35.6	41.3
Forsyth	Wiley M.S.	Yes	57.4	47.7	59.5
Forsyth	Winston-Salem Prep Academy	Yes	45.4	38.1	45.4
Franklin	Louisburg E.S.	Yes	58.0	48.5	56.3
Gaston	Bessemer City H.S.	Yes	46.9	50.5	56.4
Gaston	Edward Sadler E.S.	Yes	52.2	37.3	46.1
Gaston	Rhyne E.S.	Yes	38.3	29.4	35.8
Gaston	Southwest M.S.	Yes	57.0	43.5	57.7
Gaston	Woodhill E.S.	Yes	54.5	38.9	44.3
Greene	West Greene E.S.	Yes	56.9	45.8	52.9
Guilford	Andrews H.S.	Yes	47.4	44.3	47.8
Guilford	Ceasar Cone E.S.	Yes	50.5	40.9	53.7
Guilford	Dudley H.S.	Yes	44.5	51.3	44.8
Guilford	Eastern Guilford H.S.	Yes	54.9	54.7	48.4
Guilford	Fairview E.S.	Yes	54.2	45.1	40.9
Guilford	Gateway Education Center	Yes	28.6	4.3	8.9
Guilford	Gillespie Park E.S.	Yes	53.6	35.3	45.0
Guilford	Laurin Welborn M.S.	Yes	67.9	50.0	59.3
Guilford	Montlieu Avenue E.S.	Yes	60.7	32.3	40.2
Guilford	Northeast Guilford H.S.	Yes	43.5	45.0	50.1
Guilford	Oak Hill E.S.	Yes	58.4	24.9	29.7
Guilford	Parkview Village E.S.	Yes	51.2	40.1	37.9
Guilford	Southeast Guilford H.S.	Yes	59.8	59.2	68.2
Guilford	Union Hill E.S.	Yes	53.4	51.6	55.7
Halifax	Brawley M.S.	Yes	42.6	33.1	36.5
Halifax	Dawson E.S.	Yes	50.0	32.1	32.8

School District	School Name	Failed to meet growth for at least 2 years ⁷	2006-07 Performance Composite ⁸	2007-08 Performance Composite ⁹	2008-09 Performance Composite ¹⁰
Halifax	Enfield M.S.	Yes	52.7	32.5	35.2
Halifax	Everetts E.S.	Yes	50.0	39.6	40.6
Halifax	Hollister E.S.	Yes	67.5	50.0	51.6
Halifax	Inborden E.S.	Yes	71.2	33.0	31.8
Halifax	McIver E.S.	Yes	55.3	41.0	33.1
Halifax	Northwest H.S.	Yes	30.9	34.3	36.1
Halifax	Southeast Halifax H.S.	Yes	38.3	35.9	28.4
Halifax	William R Davie M.S.	Yes	55.5	36.5	37.5
Harnett	Angier E.S.	Yes	67.7	50.0	59.6
Harnett	Johnsonville E.S.	Yes	70.2	50.4	59.9
Hertford	Riverview E.S.	Yes	54.3	41.3	50.0
Hyde	Mattamuskeet H.S.	Yes	50.0	50.0	50.0
Lenoir	C H Bynum E.S.	Yes	42.1	28.3	29.0
Lenoir	Kinston H.S.	Yes	44.4	43.9	51.3
Lenoir	North Lenoir H.S.	Yes	59.3	59.0	60.2
Lenoir	Rochelle M.S.	Yes	55.1	40.4	42.8
Lenoir	Southeast E.S.	Yes	50.7	31.2	38.6
Nash-Rocky Mount	D S Johnson E.S.	Yes	56.3	36.7	42.9
Nash-Rocky Mount	James C Braswell E.S.	Yes	50.0	34.9	40.8
Nash-Rocky Mount	Nash Central M.S.	Yes	62.5	50.1	57.6
New Hanover	A H Snipes Academy of Arts/Design	Yes	58.2	38.4	40.3
New Hanover	Edwin A Alderman E.S.	Yes	81.2	55.3	56.9
Newton/Conover	Conover Special Education	Yes	57.8	31.9	28.0
Northampton	Northampton H.S. East	Yes	44.2	50.0	55.2
Northampton	Northampton H.S. West	Yes	57.9	43.9	27.9
Pasquotank	P W Moore E.S.	Yes	65.6	42.8	50.0
Pasquotank	Pasquotank County H.S.	Yes	50.0	59.3	62.1
Pitt	Farmville Central H.S.	Yes	58.2	52.0	55.2
Pitt	North Pitt H.S.	Yes	51.1	54.7	57.8
Pitt	Northwest E.S.	Yes	63.4	39.3	50.0
Pitt	Pactolus E.S.	Yes	52.0	41.0	50.0
Pitt	Pitt Memorial Hospital	Yes	28.0	10.0	11.9
Pitt	Wellcome M.S.	Yes	54.1	39.7	50.0
Richmond	Ashley Chapel E.S.	Yes	50.0	33.1	38.6
Richmond	Hamlet M.S.	Yes	59.0	51.3	59.6
Richmond	Rohanen M.S.	Yes	66.4	51.3	53.6
Robeson	Fairgrove M.S.	Yes	55.0	38.8	44.6
Robeson	Orrum M.S.	Yes	59.8	42.4	52.6
Robeson	Pembroke M.S.	Yes	64.1	43.3	53.4
Robeson	Red Springs M.S.	Yes	50.0	49.4	38.3
Robeson	Saint Pauls E.S.	Yes	55.8	41.6	51.8
Rockingham	Dalton McMichael H.S.	Yes	55.3	55.0	65.0
Rowan-Salisbury	E Hanford Dole E.S.	Yes	50.0	33.9	45.8
Rowan-Salisbury	H D Isenberg E.S.	Yes	59.7	40.6	48.7
Rowan-Salisbury	Knox M.S.	Yes	56.0	43.2	50.0

School District	School Name	Failed to meet growth for at least 2 years ⁷	2006-07 Performance Composite ⁸	2007-08 Performance Composite ⁹	2008-09 Performance Composite ¹⁰
Rowan-Salisbury	Landis E.S.	Yes	59.4	49.6	53.0
Rutherford	Chase H.S.	Yes	54.0	55.1	53.8
Sampson	Hobpton H.S.	Yes	57.2	58.3	59.3
Scotland	Scotland High School of Business	Yes	42.8	37.2	47.7
Scotland	Scotland High School of Health	Yes	50.2	54.1	57.8
Scotland	Scotland High School of Leadership	Yes	30.3	50.0	53.3
Scotland	Scotland High School of Visual Arts	Yes	39.9	50.0	50.3
Scotland	Shaw E.S.	Yes	60.5	45.3	50.3
Stanly	Albemarle H.S.	Yes	51.8	59.7	64.4
Wake	Barwell Road E.S.	Yes	65.0	40.6	50.7
Wake	Creech Road E.S.	Yes	76.2	50.4	50.9
Wake	East Wake School of Integrated Technology	Yes	51.2	43.1	50.0
Wake	Longview	Yes	22.7	16.2	18.9
Warren	Northside E.S.	Yes	63.7	50.0	50.2
Warren	Warren County H.S.	Yes	41.9	36.9	40.8
Wayne	Goldsboro Intermediate	Yes	51.1	34.4	40.9
Wayne	Southern Wayne H.S.	Yes	58.6	56.9	57.3
Weldon	Weldon E.S.	Yes	57.7	48.2	50.0
Weldon	Weldon H.S.	Yes	42.1	42.4	30.9
Wilkes	Moravian Falls E.S.	Yes	57.0	57.0	59.3
Wilson	Beddingfield H.S.	Yes	50.1	57.9	67.8

Table 2. District Alternative School Closures under Charter School Policy (N=3)

School District	School Name	Failed to meet growth for at least 2 years ⁷	2006-07 Performance Composite ⁸	2007-08 Performance Composite ⁹	2008-09 Performance Composite ¹⁰
Nash-Rocky Mount	W L Greene Alternative	Yes	28.2	25.9	22.3
New Hanover	Lakeside	Yes	33.4	28.1	24.4
Wake	River Oaks M.S.	Yes	44.4	31.5	44.0

Table 3. Charter School Closures under Charter School Policy (N=6)

School Name	Failed to meet growth for at least 2 years ⁷	2006-07 Performance Composite ⁸	2007-08 Performance Composite ⁹	2008-09 Performance Composite ¹⁰
Community Charter School	Yes	54.1	51.2	58.3
Haliwa-Saponi Tribal School	Yes	52.6	43.0	55.7
Healthy Start Academy	Yes	40.9	28.3	44.8
Kestrel Heights School	Yes	52.1	58.6	67.8
PreEminent Charter	Yes	50.0	33.0	45.5
The Academy of Moore County	Yes	53.4	35.8	46.1