



### Why study charter schools in Louisiana

K-12 public education in Louisiana has long remained a source of concern and contention for many different groups: parents, teachers, politicians and advocates. Over the years, education reform has taken on many iterations; the most recent has been that of public school choice. Following the leadership of the federal government, the Louisiana legislature created the state's first charter schools in 1995. Charter schools serve the school choice movement in very important ways. They eliminate residential enrollment zones, limit government regulation and oversight, and facilitate an exchange of private and public dollars.

As of the 2017-2018 school year, there were 1,303 public schools in Louisiana, of which 146 were charter schools, making up 11% of the state's public schools.<sup>1</sup> In the 2015-16 school year, just over 10% of Louisiana's school children were enrolled in a charter school, ranking Louisiana 5<sup>th</sup> in charter enrollment in the US out of 45 states and the District of Columbia.<sup>2</sup>

Initially, charters were expected to act as laboratories for classroom and administrative innovation that would influence progress in traditional school settings by creating more autonomy for parents, teachers and administrators. In practice, legitimate concerns have emerged regarding competition between charter systems and locally governed schools for limited tax dollars. Additional concerns include the ability for a dispersed, or decentralized, system of education delivery to ensure that all students' needs are met and discrimination of students based on rural versus urban residence, ability, disability, general behavior, ethnicity, socio-economic status, or gender does not occur. These are side effects of the introduction of both the profit motive into a public system and parental preferences.

LWVUS does not have a national charter school policy and LWVUS education policy defers to states to develop policies related to public education. Charter schools are not the same across the states, as the authorizing law and subsequent laws made by each state legislature vary widely. Similarly, the positions of other state leagues who have studied charter schools in their states also vary in response to each state's charter school authorizing and funding laws.

Outlined in the study's **Issues** section are existing national and state league policies as they pertain to public education. The 2017 League of Women Voters' convention called for a thorough examination of charter schools in Louisiana in order for League members across the state to advocate at the local and state levels for public schools that work for all children. The scope of the study has encompassed governance, finance, accessibility and equity. The study committee outlines various concerns related to the charter school movement in Louisiana. Where appropriate we have indicated what we view to be specific policies, legal disputes, and critical research pertinent to discussion by study participants as they conduct their local studies. In particular, the study committee asks Louisiana's league members to consider the following:

---

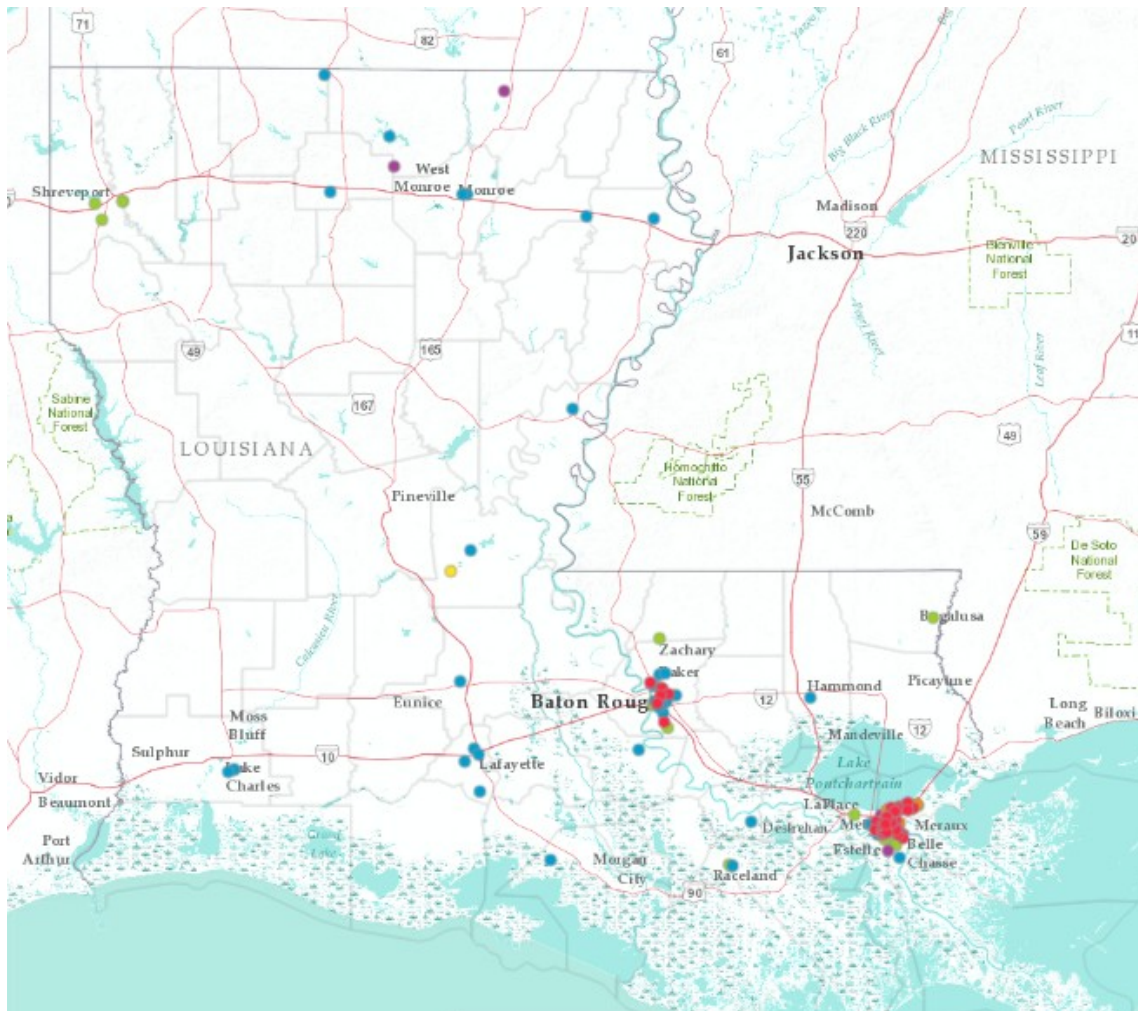
<sup>1</sup> *Louisiana Believes, Louisiana Department of Education*

<sup>2</sup> *School Year 2015-2016, Table 216.90, Digest of Education Statistics, National Center for Education Statistics*

## INTRODUCTION TO LOUISIANA CHARTER SCHOOL STUDY

- The rapid growth of charter schools in Louisiana
- Increasingly greater costs to the state and larger role of state government in local district affairs.
- Multiple legal questions prompted by complex layers of regulation
- The competition for resources created between charter systems and traditional public school systems
- Degree of oversight and regulation by BESE, The Department of Education and local school boards.
- The effects of market-based charter schools and for-profit management companies
- The barriers of class and race that segregate children by where they live and their caregivers earn a living.

### Charter Schools by Type



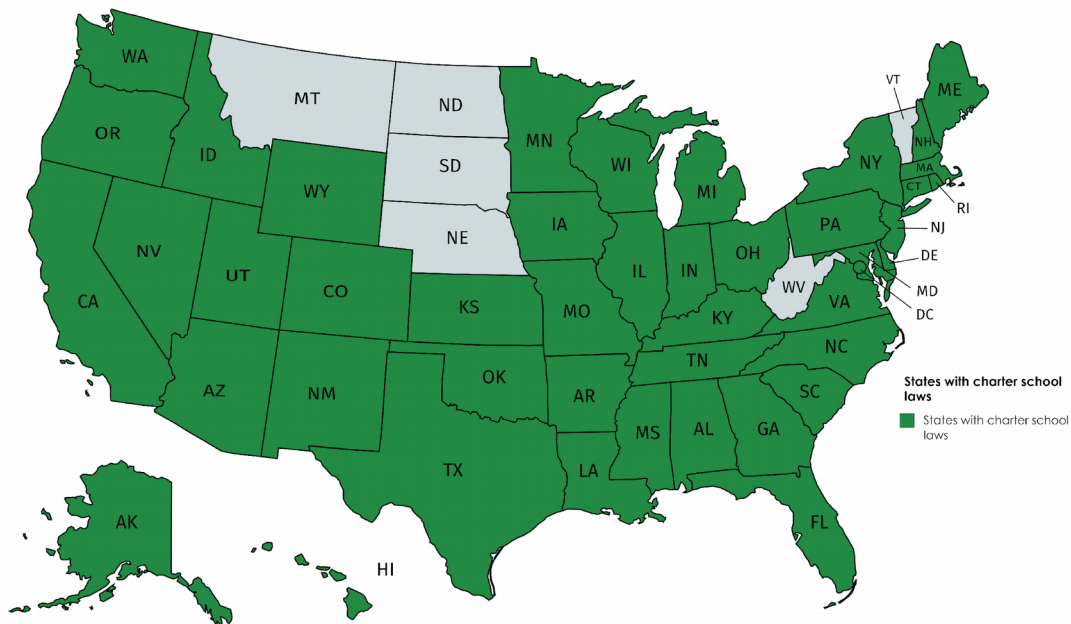
**Charter Schools by Type:** 1=Green, 2=Blue, 3=Brown, 3B=orange, 4=yellow, 5=Red  
*Espinoza, Generated 6/01/18, Louisiana Department of Education database*

## Understanding Charter Schools in Louisiana

The League of Women Voters of Louisiana charter school study team recognizes specific challenges facing an adequate evaluation of the charter school movement in Louisiana. Understanding the state’s constitutional foundation for charter schools and state law is just the beginning. Federal legislation that enables and guides the charter school movement is put into context in the **Historical Outline** attached to this study.

From there, it is important to keep in mind that under Louisiana law, charter school types vary considerably according to governmental jurisdiction, sources and methods of finance, and pathways for establishing a charter school. Placing Louisiana charter schools in the appropriate administrative context was important to the state League’s charter study group. The **Charter Schools 101** section of the study provides an overview of the operation of charter schools with respect to governance, funding and finance, and accessibility.

## Putting Louisiana’s Charter Schools in a national context



Created with mapchart.net

Generated using mapchart.net

As of 2017, Montana, North Dakota, South Dakota, Nebraska, West Virginia, and Vermont do not have charter school laws. Across the rest of the country charter laws vary significantly with respect to how schools are authorized, how charter schools are held accountable for student

outcomes, and certification requirements for educators. The committee’s review of sources was extensive. Often times, it was necessary for the committee to distinguish marketing material from legitimate academic evaluation of charter school activity. A complete list of sources is attached to the study materials.

In order to better understand the spectrum of charter laws and to better place Louisiana’s charter laws in that context, the committee evaluated several sources that present state charter legislation from the most restrictive operational environments to the least restrictive ones. The following analysis stems from an examination of four different types of national ranking systems, considering authorization, operational autonomy, and teacher certification. Presented here are what the League of Women Voters of Louisiana considers to be an example of the most restrictive state charter law (Maryland) to the least restrictive (Indiana). Louisiana is placed in this context.<sup>3</sup>

### **Indiana**

Indiana has multiple authorizers of charter schools: local school boards, certain universities, the mayor of Indianapolis, and the Indiana Charter School Board, an independent entity. Indiana also was ranked #1 nationally by the National Association of Charter School Authorizers for having authorizer accountability procedures in place. Virtual schools are allowed.

Regarding Operational Autonomy, Indiana’s charter schools are exempt from most state and local rules and regulations, according to edrereform.com, although The Educational Commission of the States does list many exceptions. Indiana is exempt from automatic collective bargaining agreements. There are no caps on the number of charter schools. A variety of charter schools are allowed. Indiana allows fiscally and legally autonomous schools with independent charter public school board and multi-school charter contracts and/or multi-charter contract boards. Teachers must eventually be certified.

### **Maryland**

In Maryland, “Local school boards are the only authorizers. The State Board of Education may authorize under limited circumstances involving the conversion of ‘restructured schools’ if the county board fails to act on an application within 45 days, but this has never occurred” (edrereform.com). There is an appeal procedure but it is non-binding. Virtual schools are not allowed.

Regarding Operational Autonomy, charter schools are not exempt from state and

---

<sup>3</sup>Each of the entities below, except the NACSA, focus on charter school laws, generally. The NACSA, the National Association of Charter School Authorizers, focuses on policies involved with charter school authorizers and their functions. Of the four entities, the Education Commission for the States is the only one that does not rank the states in line with a value system that is consistent with the organization’s mission statement. The ranking may be letter grades from A to F, or numeric listing with the state that the organization feels has the most favorable set of laws being number “1,” and so forth to the least favorable set of laws. Instead, the Education Commission for the States’ organizing system lists 30 questions concerning charter school authorizers, accountability, autonomy, finance, staffing, and virtual schools, with links to all the state’s laws on each question. [www.ecs.org](http://www.ecs.org) - Education Commission for the States  
[www.qualitycharters.org](http://www.qualitycharters.org) – National Association of Charter School Authorizers  
[www.edrereform.com](http://www.edrereform.com) - Center for Education Reform  
[www.publiccharters.org](http://www.publiccharters.org) - National Alliance for Public Charter Schools

local regulations although they may request waivers. Charter schools are supervised by local school boards. Thus, there is local control. There is no collective bargaining exemption and charter staffs are employees of the district with collective bargaining rights. Charter school teachers must be certified.

### **Louisiana**

The National Alliance for Public Charter Schools ranks Louisiana #5; the National Association of Charter School Authorizers ranks Louisiana # 10 as favorable to charter schools. The NAPCS says, "Louisiana's law does not cap charter school growth, includes multiple authorizers, and provides a fair amount of autonomy and accountability. However, it also provides inequitable funding to charters. The Center for Education Reform (CER) gives Louisiana a "C." While acknowledging the progress being made with charter schools in New Orleans, "Outside of the Recovery School District and New Orleans... traditional school districts neither encourage nor promote the creation of charter schools."