

RESEARCH BRIEFS

March 2015

What are Charter Schools?

The idea for charter schools was introduced in the late 1970s by Ray Budde, professor of education at the University of Massachusetts, Amherst. It gained recognition with publication of his 1988 book: *Educating by Charter: Restructuring School Districts*. His idea was simple: teachers should be granted contracts or “charters” by local school boards to develop innovative educational experiences for children within the public school system. Until his death in 2005, Budde opposed efforts to have private charters replace public schools as a new standalone form of education.

A charter school is a publicly funded, tuition-free, nonsectarian school that does not have to adhere to many of the state laws governing traditional public schools. Because charter schools are given this autonomy, supporters claim they can develop innovative and successful teaching methods and academic programs that might serve as models for improving traditional public schools. Advocates also hope they can create alternative environments in which non-traditional students succeed.

The first charter school was created in St Paul in 1992, and Wisconsin passed its first charter school law in 1993, allowing for the creation of 20 such schools. In 1995 these restrictions were lifted and public schools were allowed to create an unlimited number of schools. Wisconsin presently has 244 charter schools serving more than 45,000 students.

The vast majority of charter schools in Wisconsin are run by public school districts. In many states this is not the case, and charter schools are controlled by non-profit and for-profit corporations. There is a patchwork quilt of different state laws governing charter schools nationally. Today Educational Management Organizations (EMOs) are proliferating as they gain control of converted public schools and newly created charter schools—most often in urban centers.

Wisconsin has two types of charter schools

There are two types of charter schools in Wisconsin: the most common is authorized by a public school district and is said to be an *instrumentality* of the district, meaning it remains

RESEARCH BRIEFS

a public school; the second type is called an independent charter school. With instrumentality charters, the school board continues governance responsibility and employs charter school staff.

In 1997, legislation allowed for the first time the creation of “independent charters,” schools that are not governed by school boards and do not employ school district employees. Wisconsin today has 23 “independent” charters, mostly in the Milwaukee area.

The Wisconsin Department of Public Instruction notes that independent charters are non-instrumentality schools because the governing board has the authority to make decisions that normally are made by elected school boards. In this regard we might consider them to be *privately* controlled.

Instrumentality charter schools are funded just like other public schools in the district: the same per pupil funding formulas and dollar amounts that the district receives from local, state and federal sources are used for charter school students.

Independent charter schools, however, are funded in a different manner as they are awarded a legislatively predetermined per-pupil amount. This per-pupil amount is totaled for all independent charter schools in the state and subtracted from state aid for public schools. As the number of independent charter schools increases statewide, the amount of state aid for public schools goes down in direct relation.

Proposals in the 2015-2017 state budget could vastly expand independent charter schools by creating a new state authorizing board. The board would be unelected, comprised of handpicked appointees. It would have broad powers to create new independent (private) charter schools anywhere in the state whether local communities and democratically elected school boards wanted them or not. Whether or not a private entity has the constitutional authority to control development of publicly funded schools is an important question confronting the state.