

# Waiting for School Reform: Charter Schools as the Latest Imperfect Panacea

by [Alan R. Sadovnik](#) — March 17, 2011

*This commentary uses the documentaries "The Cartel" and "Waiting for Superman" to critique the current neo-liberal agenda of over-emphasizing the success of charter schools and painting traditional public schools for low-income children as dismal failures. The author provides empirical evidence to the contrary and argues that a more balanced agenda that supports the replication of excellent models of urban schools, both charter and traditional, be adopted.*

In the *Imperfect Panacea* (1995), historian of education Henry Perkinson analyzed the never-ending quest of Americans to use the schools to improve society and the limits and possibilities of these efforts. During the past year, charter schools have received significant attention as the latest solution in policy discussions of urban school reform. Documentaries such as “The Cartel” and “Waiting for Superman” have portrayed charter schools as successful alternatives to failing traditional urban public schools, whose failures are attributed to teacher unions and their support of teacher tenure and layoffs based on seniority. This critique has been part of an over two-decade conservative and neoliberal celebration of market based choice reforms, with reformers arguing that school choice through charters and vouchers are necessary to destroy the public school monopoly and to provide the competition required to improve urban schools. Borrowing from the logic of Diane Ravitch’s *Left Back* (2000), neo-liberals turned the progressive left’s argument about equity on its head, suggesting that traditional public schools rather than providing equality of opportunity for low-income children have systematically reproduced inequalities through failing schools for these students, a claim reminiscent of Bowles and Gintis’s *Schooling in Capitalist America* (1976).

This neo-liberal agenda has become an important feature of official federal, state, and local policy. At the federal level, Secretary of Education Arne Duncan’s signature program, Race to the Top (RTT), requires states to expand the number of charter schools and to implement Valued Added Models (VAM) of teacher evaluations based on student achievement to qualify for RTT funding. At the state level, Republican New Jersey Governor Chris Christie has pledged to eliminate teacher tenure and seniority based layoffs, increase the number of charter schools, and pass voucher legislation. At the local level, Democratic Newark Mayor, Cory Booker, with the influx of a \$100 million dollar gift from Facebook Founder Mark Zuckerberg and another \$100 million in matching funds, has initiated a school reform process that includes an expansion of charter schools. Also in Newark, the two-year-old Newark Charter School Fund, with over \$20 million in funding from among others the Walton, Broad, and Gates Foundations, has embarked on increasing the number of charter schools in Newark.

In response to the neo-liberal claims about the superiority of charter schools, a variety of researchers have critiqued such claims. These empirical researchers include Margaret Raymond at the Center for Research on Education Outcomes at Stanford (2009a), Martin Carnoy and his colleagues at the Economic Policy Institute (2005), Bruce Baker (2010b) at Rutgers University and most interestingly, Diane Ravitch (2010a), whose most recent book provides a scathing analysis of reforms that she originally supported, including standards based reforms and charter schools. Their critiques have included empirical evidence demonstrating that charter schools are not superior to traditional public schools in educating low-income children and that their intense support is related to the overall neo-liberal agenda of privatizing public education. Given the complexity of the charter school and school choice debates, this essay will use the films “The Cartel” and “Waiting for Superman” to examine the efficacy of school choice in general and charter schools in particular, their role in the privatization, and their place, if any, in improving urban schools.

### *Charter Schools*

Charter schools are public schools that are independent from their local school districts and free from many of the regulations applied to traditional public schools; in return, they are held accountable for student performance. In essence, they swap red tape for results, also referred to as an “autonomy for accountability” trade within the movement. The “charter” itself is a performance contract that details the school’s mission, program, goals, students served, methods of assessment, and ways to measure success. It is a formal, legal document between those who establish and run a school (“operators”) and the public body that authorizes and monitors it (“authorizers”). Charter schools are, in theory, autonomous. They work in the ways they think best, for charter schools are self-governing institutions with wide control over their own curricula, instruction, staffing, budget, internal organization, calendar, and so on.

As a public school, a charter school is paid for with tax dollars (no tuition charges) and must be open to all students in the district. And whereas charter schools can be started by virtually anyone (teachers, parents, nonprofit agencies, for-profit organizations, community members, etc.), charters are supposed to demonstrate results to the public agencies that review and approve their charters as well as monitor and audit their progress. Authorization may be handled by a single agency, such as the state Department of Education, or a state may have multiple authorizing agencies, including local school boards, community colleges, state colleges, and universities (Hill et al., 2001). Accountability is a critical component of the charter movement; if a charter school fails to meet the provisions of its charter, it can lose its funding and be forced to shut its doors.

Proponents of charter schools have long argued that they provide a more effective and efficient alternative for low-income children, especially in urban areas. Often tied to the school choice and voucher movements, advocates believe that charter schools, freed from the bureaucratic constraints of traditional urban public schools, will provide a better education at lower cost. However, in 2004, the American Federation of Teachers (AFT), long a skeptic if not an opponent of charter schools, issued a statistical report finding that district public schools outperformed charter schools nationally (Nelson, Rosenberg, & Van Meter, 2004). Immediately following the

release of this document, a group of education researchers, some long associated with the school choice and voucher movements, were signatories to a full-page advertisement in *The New York Times* condemning the AFT study for sloppy research. It argued that the study failed to control sufficiently for student background variables, used one year of data rather than multiyear data sets, and did not measure the value-added effects of charter schools on their students, many of whom came to charters far below state proficiency levels.

In 2006, the National Center for Educational Statistics released its report on charter schools. Its study design satisfied some of the criteria for acceptable research outlined in the *Times* ad and concluded that, after controlling for student demographic characteristics, students in traditional public schools had higher overall achievement in fourth grade reading and mathematics. These differences were not statistically significant for charter schools affiliated with a public school district, while unaffiliated charter schools scored significantly lower than traditional public schools (U.S. Department of Education, 2006). These findings were confirmed by a comparison of achievement in public, private, and charter schools (Lubienski & Lubienski, 2006).

Charter school advocates (see Center for Educational Reform, 2005), however, argued that charter schools often admit students who have not performed well in public schools and that it takes time for charter schools to have an impact. Given the lack of statewide student-level data, however, the Department of Education and Lubienski studies could not examine the value-added effects of district and charter schools when controlling for student background factors. Hoxby (2004), a leading proponent of charter schools and school choice, released studies that compared charter schools nationally with their neighboring district schools (as a way of controlling for student background factors and comparing them to the schools where the charter school students would have remained if they did not have choice) and of students on waiting lists for charter schools who remained in the neighboring district schools. Both studies indicated that students in charter schools showed higher achievement than those who remained in the neighboring district schools, even after controlling for student background variables. Miron and Nelson (2001, 2002) argue that we still do not know enough about student achievement in charter schools and often do not have the type of data needed to effectively evaluate charter school performance. In 2009, The Center for Research on Educational Outcomes (CREDO) at Stanford released its national charter school report, which indicated that there were wide variations in the quality of charter schools in the United States and that, on the whole, charter school students performed below district public school students (Center for Research on Educational Outcomes, 2009a). At the same time, Hoxby (2009) issued a report on New York City charter schools that, while controlling for a variety of variables including family background, showed that the students in these schools outperformed students in New York City district schools. Additionally, she issued a critique of the CREDO study, which resulted in a series of written debates between CREDO and Hoxby (for these, see CREDO, 2009b website: <http://credo.stanford.edu/>).

*The Attack on Urban District Public Schools and the Glorification of Charter Schools: Waiting for Superman and The Cartel*

“The Cartel” by Bob Bowdon, is a documentary on the “failure” of public education in the United States, and uses New Jersey and its 31 low-income urban Abbott districts as evidence for this failure, especially in cities. Davis Guggenheim’s “Waiting for Superman,” which has

received far more national distribution, attention, and critical acclaim, uses the experiences of a number of families attempting to gain acceptance for their children in a number of high quality charter schools, with few available seats. The film provides contrasts to these high quality charter schools, including KIPP (Knowledge is Power Program) and those parts of the Harlem Children's Zone (HCZ), including its Promise Academies, with failing traditional public schools and presents heart-wrenching scenes of families who do not win the lottery for admission. Both films make the argument that zip code should not be destiny and that school choice is the alternative to the problem. Guggenheim portrays former D.C. Chancellor Michelle Rhee and HCZ's founder Geoffrey Canada as its heroes, and teacher unions and especially AFT President Randi Weingarten as its villains.

Although the research certainly indicates that traditional public education has significant problems, or that teacher unions are free from blame, these films are often simplistic, biased, non-research-based and polemical. As skilled documentary filmmakers, both are careful to point out that there are exceptions to its cases, that is, there are excellent district public schools and excellent public school teachers; however, they never provide examples of such schools or teachers nor do they provide examples of poor private and charter schools or their teachers. To those committed to the improvement of educational opportunities for all children, but even more so for children from low-income backgrounds, in both district and charter schools, these films are one-sided and fail to present a comprehensive analysis of the complex issues that are addressed. Some examples:

1.

Both films perpetuate the "No Excuses" ideology of Abigail and Stephen Thurnstrom, Whitney Tilson of Democrats for Educational Reform, and others who accuse those who believe poverty affects student achievement of being racist, having low expectations for low-income students, and believing that schools alone cannot reduce the achievement gap. As sociologists of education have consistently argued, for example in *No Child Left Behind and the Elimination of the Achievement Gap* (2007), a collection of articles by some of the most respected sociologists of education in the country, this is a simplistic argument that ignores four decades of research. Although schools have the potential and obligation to close the achievement gap, it is also the case that poverty matters. It is not an excuse, but it is an important factor in school success and failure. Schools must be part of the solution, but families, communities, and the creation of economic and occupational opportunities are also central. Even Diane Ravitch, whose work was responsible for this point of view has now rejected it in her new book, *The Death and Life of the Great American School System: How Testing and Choice Are Undermining Education* (2010).

2.

Bowdon's reporting on school choice presents as fact that students who receive vouchers are more successful than those left behind in the public schools. Further, he asserts that vouchers have improved the achievement of students in voucher schools and through competition have the potential to improve zoned public schools. To support this, he interviews Paul Peterson of Harvard, a long-time supporter of vouchers. However, he does not interview John Witte (2001), the original evaluator of the Milwaukee voucher program, whose findings are more nuanced and less clearly supportive of the positive effects of vouchers than Peterson's, nor Emily Van Dunk, whose book on Milwaukee vouchers (2003) is far more comprehensive and argues that, given the

lack of accountability in the Milwaukee voucher program, it is difficult, if not impossible, to make the kind of claims that Peterson makes. He also does not interview Kim Metcalf (2004), whose studies of the Cleveland voucher program found that there was no significant difference in achievement between voucher students and their public school peers, after controlling for socioeconomic and other background variables.

3.

With respect to charter schools, both Bowdon and Guggenheim correctly illustrate that many are highly successful and some are on par with the best public and independent schools in the U.S. Bowdon features North Star Academy and Robert Treat Academy in Newark, both of which are featured in Abigail and Stephen Thernstrom's book *No Excuses* (2003) along with KIPP Academies, and Guggenheim features KIPP and HCZ schools among others. Although they both parenthetically point out that there are less successful charter schools, they do not chronicle any of them. Jason Barr (2006) at Rutgers-Newark and Bruce Baker (2010b) at Rutgers-New Brunswick have independently compared charter and district-operated public schools in all of New Jersey's low-income Abbott districts and found that there was little or no overall difference in student achievement and that, on the whole, charters schools are among the highest and lowest-performing schools in the state. Gary Miron (2010) at Western Michigan University has conducted the most statewide studies of charter schools and his views are balanced and thoughtful but neither film provides an interview with him. Bowdon interviews Norman Atkins, co-founder of North Star and founder of the Uncommon School Network, but does not interview heads of some of the struggling charter schools in New Jersey about the challenges they face.

4.

Both films provide a simplistic and non-researched based comparison of zoned, charter, and private schools, incorrectly painting a picture that choice schools are good and zoned schools in urban areas are bad, although they tangentially cite exceptions to the latter claim. They ignore the research of Christopher and Sally Lubienski, whose article in the *American Education Research Journal* (2006) found that when family background is controlled, district public schools outperform both private and charter schools.

5.

They both argue that competition improves everything and infer that market based solutions to educational problems are the best approaches to school improvement. One of the interviewees in "The Cartel" supports this by asserting that higher education, with its open competition among state, private, and for-profit institutions is evidence to support the claim. However, over the past 25 years there is little evidence to support this. Rather, market competition among colleges and universities may have improved elite public and private colleges and universities. However, a significant number of non-elite public, private, and for-profit institutions have often engaged in a "Race to the Bottom" as they have lowered admissions and graduation standards, eliminated programs and courses in the humanities and social sciences, reduced full time faculty to barely 30% of all faculty (for all colleges and universities), and often debased the intellectual foundations of a traditional university education. The creation of a consumer culture in higher education at most colleges and universities has transformed professors into customer service representatives who often are forced to entertain rather than educate their students. So much for the market!

6.

Both documentaries dismiss the view that money is essential to school improvement, but cite no evidence other than that some charter schools do better for less. As a film on New Jersey, “The Cartel” fails to acknowledge the evidence in New Jersey of the effects of the landmark *Abbott v. Burke* decisions on student achievement in the Abbott districts. Contrary to what the state’s voucher proponent E3 (Excellent Education for Everyone) (2009) and the Lexington Institute (2010) have argued, New Jersey student achievement data indicate significant improvements in the Abbott districts, especially at the fourth grade level (Sadovnik, 2011). While such improvements have not occurred at the same rate at the eighth and eleventh grade levels, and significant problems remain to be dealt with in our urban schools, this evidence should have been reported. To recognize both the successes achieved and the work yet to be done hardly makes one an apologist for what Bowdon terms the public school cartel and monopoly. Bowdon interviews individuals who are long time voucher and charter supporters and critics of the need for increased school spending, but fails to interview Paul Tractenberg, Founding Director of Rutgers-Newark’s Institute on Education Law and Policy (2010) or David Sciarra, Director of the Education Law Center in Newark (2010) (both of whom have decades of experience representing children in New Jersey’s urban districts in *Abbott v. Burke*), or Michael Rebell (2009), former Executive Director of the Campaign for Fiscal Equity in New York City, now at Teachers College, Columbia University, about the effects of additional spending, particularly in low-income districts, or Stanford Professor Linda Darling-Hammond, whose new book *The Flat World and Education*, (2010) makes a powerful case that New Jersey in general and *Abbott v. Burke* in particular represent the successful effects of school funding on student achievement in low-income students. Bowdon’s calculations of Abbott school spending using per class costs, rather than the conventional per-pupil costs are obviously used for shock value. He failed to interview school finance experts such as Rutgers’s Bruce Baker (2010a) and Penn’s Margaret Goertz (2009) on the veracity of these calculations.

7.

The individuals interviewed in both films are long-time advocates of school choice and vouchers or they are affiliated with the Center for Education Reform, The Black Alliance for Educational Options, and Educational Excellence for Everyone, the leading voucher and choice organizations in the U.S. and New Jersey. They did not interview individuals with a more balanced position on school choice such as Henry Levin, Director of the Institute on the Study of School Privatization at Teachers College and one of the leading economists of education in the U.S. (2010), or Peter W. Cookson, former Dean of the Graduate School of Education at Lewis and Clark College, one of the leading sociologists of education in the U.S., who has written extensively on school choice (2003). “The Cartel” asserts that all other countries have the type of school choice Bowdon wants: but this is simply not true as school choice programs internationally are different. They also have not all had the positive effects the films imply. Bowdon did not interview Helen Ladd at Duke University and Ted Fiske, former *NY Times* education writer, whose work on New Zealand does not support the film’s claims, or Geoffrey Walford (2007) at the University of Oxford and Geoff Whitty (2002), former Director of the Institute of Education at the University of London, whose separate works on international school choice also provide results contrary to the film’s claims, or David Plank (2003) at UC-Berkeley whose work on international school choice presents a more objective and complex story, or Martin Carnoy (2009) of Stanford

University whose work on the effects of tuition vouchers in Chile does not support the claim that competition necessarily improves education for low-income children.

8.

“The Cartel’s” demonization of teacher unions is unfortunately too much a part of the current political and ideological debates. From Democrats for Educational Reform to Governor Christie in New Jersey, taking on the alleged low quality of teachers and the unions that protect their incompetence has become an effective political argument. Serious researchers on teacher unions understand that the picture is far more complicated. Bowdon interviews both New Jersey politicians and educational reformers who attack NJEA, but offers no balanced commentary. He does not interview NYU historian Harold Wechsler or University of Alabama historian Wayne Urban, two of the foremost experts on the history of teacher unions in the U.S. for a more balanced and research based analysis.

9.

Their good vs. bad comparisons of zoned and choice schools fail to acknowledge, except in passing, the existence of excellent urban public zoned schools throughout the nation. The Newark Public Schools, which “The Cartel” paints as one of the worst systems in the country, has numerous excellent schools, including Abington Avenue, Ann Street, Harriet Tubman, Lafayette School and others, none of which are magnet or charter schools. Do the Newark Public Schools still have a long way to go? Certainly, but “The Cartel” ignores three decades of effective school research that has chronicled the existence of what the Rutgers University-Newark’s Institute on Education Law and Policy has termed “pockets of excellence” (2009). The film fails to interview Katy Haycock, the Executive Director of the Education Trust, whose website is filled with examples of excellent district public schools with low-income children.

The journalistic bias of both films suggests that interviewing those with evidence contrary to their conclusions would have muddied the waters and made their critique of U.S. public education and that in the Abbott districts less credible. At the very least both filmmakers should have made their viewers aware that there are serious researchers and educational reformers who disagree with their conclusions. Rather than do this, both present the presidents of teacher unions, in “The Cartel” the president of the NJEA, and in “Waiting for Superman” AFT President Randi Weingarten, who represent the official union position as the alternative. This is just bad journalism and, given the number of viewers who have watched these films, especially “Waiting for Superman,” they have done a disservice to those of who take improving our nation’s public schools seriously and devote their lives to it.

The biases and overgeneralizations of both films contribute to the neo-liberal agenda to transform traditional public education through the expansion of school choice and reform teacher evaluation practices by arguing that successful charter schools are often non-unionized and like private schools can remove ineffective teachers more easily and quickly. As Diane Ravitch points out, although there are many highly effective charter schools, at least with respect to student achievement, they also may benefit from the “selection bias” of their admissions process, often serve fewer students with special needs or who are second language learners, and have higher mobility and attrition rates (Ravitch, 2010). The overall research evidence indicates that there are few significant differences between charter and traditional public schools, when

controlling for family background, and that both sectors have their share of excellent, average, and low-performing schools. If this is the case, why has the charter school movement continued to have such saliency in educational policy circles?

One answer may lie within the composition of those supporting charter school expansion, many of whom are hedge fund million and billionaires. As Barbara Miner (2010) argues in the *Rethinking Schools* website, *Not Waiting for Superman*, the charter school movement is currently part of a larger effort to privatize public education, with hedge fund entrepreneurs attempting to gain entry into the billion dollar public school pie and politicians attempting to shift public school costs to lower funded charter schools, which rely on private philanthropic contributions to make up the differences, or to private schools through lower per pupil tuition vouchers. Miner connects the dots between the charter schools and their wealthy, mostly white and male trustees, to argue that their zealotry goes past their noble statements about educational equity being the Civil Rights issue of the 21<sup>st</sup> century into the realm of advancing their business model for school improvement. The private contributions to Mayor Booker's matching fund, the Fund for Newark's Future, contain many of the same foundations and individual contributors.

Years ago in *Radical Teacher*, I argued that Diane Ravitch initiated the critique of progressive education as reproducing the very inequalities it purported to eliminate (2004). It is especially ironic that in her *New York Review of Books* review of "Waiting for Superman" she decries the charter school movement's threat to the common school purpose of public education in the United States and argues for the need to protect public education from this new brand of school reformers (2010b).

Based on the evidence, however, it would be ill advised to argue for the abolition of charter schools. The successes of many in producing significant gains in the achievement of low-income students should make them one of a number of options for the improvement of urban schools. However, as Jeanne Powers (2009) points out, there still is a wide difference between rhetoric and reality. Given the fact that there are "pockets of excellence" in traditional public and charter schools, policy makers need to explore how to replicate the best of both worlds into a network of effective urban schools, with adequate public funding going to all types of public schools. These networks of different types of options, sometimes called portfolio models, may provide a more balanced approach to school improvement, but as the recent book by Buckley, Henig and Levin (2010) suggests, such models are not without significant problems.

In conclusion, the current wave of school reform debates omits at their peril, the central lessons of social science research over the past four decades, from James Coleman onward, that family background remains the most important predictor of school success, and as both Jean Anyon (2005) and David Berliner (2006) have consistently demonstrated that unless the 800 pound gorilla of poverty is addressed simultaneously, school reform will be doomed to failure. And this is not an excuse, but a reality.

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