

CERTIFICATED TEACHERS

Charter legislation frees charter schools from many state regulations, but teacher certification is one area in which the state charter laws vary in terms of how much freedom they allow charter schools. More than half of the charter states require charter schools to hire certificated staff. In the other states, charter schools are free to hire non-certificated teachers.

- Legislation in 14 of the charter states requires teacher certification. In most of those states, the percentage of certificated teachers in charter schools was similar to the percentage in all public schools. Four states — Delaware, Louisiana, North Carolina, and Pennsylvania — were exceptions to this statement. Each of these states has at least 10 percent fewer certificated teachers in charter schools than in all public schools.
- Legislation in 10 of the charter states either does not require teacher certification or does not specify whether teacher certification is required. Charter schools in six of these states — Arizona, Florida, Illinois, Massachusetts, Texas, and the District of Columbia — hired at least 10 percent fewer certificated teachers than all public schools in these states.

ESTIMATED PERCENTAGE OF CERTIFICATED STAFF IN CHARTER SCHOOLS AND ALL PUBLIC SCHOOLS IN THE 24 CHARTER STATES

State	State law requires teacher certification for charter school teachers ¹	% of certificated instructional staff	
		Charter schools	All public schools
Alaska	Yes	86.7%	91.5%
Arizona	No	72.7%	87.5%
California	No	79.5%	87.3%
Colorado	Yes(1)	82.8%	91.4%
Connecticut	No	83.7%	85.5%
Delaware	Yes	79.2%	89.6%
District of Columbia	No	50.6%	85.8%
Florida	No	71.0%	89.8%
Georgia	Yes(1)	92.5%	92.4%
Hawaii	No	90.1%	83.0%
Illinois	No	49.3%	93.6%
Kansas	Yes	100.0%	98.4%
Louisiana	Yes(2)	67.3%	89.4%
Massachusetts	No	73.4%	93.7%
Michigan	Yes	86.6%	87.3%
Minnesota	Yes	87.4%	95.5%
New Jersey	Yes	91.2%	96.3%
New Mexico	Yes	90.6%	93.5%
North Carolina	Yes(3)	64.7%	90.2%
Pennsylvania	Yes(2)	70.0%	93.8%
Rhode Island	Yes	100.0%	93.9%
South Carolina	Yes(4)	86.7%	93.8%
Texas	Not specified	70.2%	90.9%
Wisconsin	No(5)	97.2%	95.7%

NOTE: This exhibit is based on responses from 608 of the 619 open charter schools that responded to the telephone survey. Percentage of certificated staff is computed by dividing total number of certificated classroom and special education teachers by the total number of instructional staff including certificated classroom and special education teachers, non-certificated classroom and resource teachers, and other instructional staff, excluding aides and assistants.

SOURCE: U.S. Department of Education, National Center for Education Statistics, *Schools and Staffing in the United States: A Statistical Profile, 1993-1994*. Certificated instructional staff include teachers with advanced, regular, and alternative certification.

¹ "Yes" means that the state law required the same level of certification as in other public schools; waiver provisions in effect for other public schools also apply to charter schools. (1) In Georgia and Colorado, certification requirements may be waived. (2) In Louisiana and Pennsylvania, at least 75 percent of the staff must be certified. (3) In North Carolina, 75 percent of grade K-5 teachers and 50 percent of grade 6-12 teachers must be certificated. (4) In South Carolina, in new schools at least 75 percent must be certified while in pre-existing schools, at least 90 percent must be certified. (5) In Wisconsin, certification is not required if certified staff are not available.

Medler, Alex

From: Medler, Alex
Sent: Friday, May 21, 1999 6:05 PM
To: Corwin, Thomas
Cc: Johnson, Judith; Wilhelm, Susan; Cohen, Mike; O'Leary, Ann; Kristy, Jack; Riddle, Paul; Dozier, Terry; Cook, Sandra; Rosenfelt, Phil; Fiegel, John; Wright, Sylvia; Grimes-Miller, Cathy
Subject: RE: Teacher Accountability Requirements and Charter Schools

Thanks for moving the discussion along. I have a suggestion as well as some information to share on

1. the proportion of certified staff in charters
2. state laws regarding the issue
3. state policy "fights" over this topic

1. Certified Staff in Charters

We now have some research on the numbers of certified staff in charter schools. In most cases it is not drastically different than the traditional public schools. In two states it is actually higher in the charters than the traditional schools. But in some places, the proportion of certified staff is in the 60% range. For a complete breakdown, see page 24 of the 1999 national evaluation report. Here are some illustrative numbers in the more active charter states.

state	certified in charters	% of state's students in all public schools	% of state's students enrolled in charters (note this is not % of teachers)
AZ	72.7	87.5	3.4
CA	79.5	87.3	1.0
CO	82.8	91.4	1.6
MA	73.4	93.7	0.7
MI	86.6	87.3	1.1
MN	87.4	95.5	0.3
NC	64.7	90.2	0.4
TX	70.2	90.9	0.1
WI	97.2	85.7	0.2

When you combine these rates of certification with the low proportion of the state's total enrollment attending charter schools, this may be less of an issue substantively. However, as states move to the 95% we are advocating, I suspect that state leaders from the traditional public schools will not want the charter school teachers' qualifications held against their non-chartered schools. In addition, the relatively small proportion of a state's total teaching force that work in charters, does not take away from reasonable concern that students in charters with non-certified staff may suffer educationally.

2. State law regarding teacher certification in charters

required AK, AR, DE, GA, HI, MI, MN, MS, NJ, OH

not required AZ, CA, DC, FL, MA, TX

something in between, or some proportion may be uncertified staff allowed under various circumstances:
 CO, CT, IL, LA, NV, NH, NC, PA, SC, WI

3. Recent state-level "fights" and compromises over this issue

Initial comparisons of state charter laws, (particularly by Louann Bierlein, and later by the Center for Education Reform) described the aspects of charter school laws that made them "stronger" or better. These comparisons rated states more favorably if they generated larger numbers of schools with greater autonomy. These comparisons did not put much if any emphasis on quality or accountability. One indicator of these "stronger" laws was allowing at least some proportion of the teachers to be non-certified. Several states crafted compromises that fall in between, under which the state's charter school teachers participate in alternative certification programs, or which spell out in state law qualifications teachers must have that fall short of full certification. Other states allow more uncertified teachers in later grades, or in charters with different sponsors. Several states with significant charter programs require certification. For example, Michigan and Minnesota require certification in most cases. Colorado requires certification, but allows charters to apply for the same waivers for which districts could always apply. (However, the Colorado charters used the waiver provisions much more than the districts ever had.)

Recently, in Oregon a Republican-sponsored charter bill was proposed that was originally very expansive -- i.e. it would have made it easy to get a charter and granted these schools considerable autonomy with inadequate accountability. The Democratic Governor had nine points he needed changed before he would approve the bill. The legislature, after some bipartisan work and two years of wrangling, conceded to eight of his points. However, the bill's sponsors refused to give in on the certification issue. The Governor finally agreed to sign a bill that allows 50% of the teachers to be uncertified, but he is going to require the state to register non-certified teachers and he directed the legislators to revisit the issue in 2001. I don't know if the bill's conservative supporters were deliberate about which of the nine points they refused to give in on, or if it was only important to them to not concede on every point. But I suspect they were deliberate in choosing this point as one on which they were willing to risk a veto of the bill rather than give ground. Others might be similarly motivated to

act on this language in the ESEA reauthorization.

A suggestion

Perhaps we could underscore our support for better teachers, and still remain flexible by calling on the accountability that ought to be in charter school programs. Outside the 95% we are seeking for all schools, we could allow charter schools to continue to employ uncertified teachers when allowed by state law, and when the school has demonstrated high levels of performance by all students in meeting state standards and the school's own academic objectives (as measured by state assessments and the school's own measures). To ensure that this is not a blanket provision for states that would claim they held charters to this standard without really having the necessary accountability in place, perhaps it should be something that can only be arranged by a waiver from the secretary. This might even be another way to generate action to increase accountability for performance among the charters.

Tom, your suggestion could work instead, but the approach outlined above would be more in keeping with the spirit of both initiatives.

Alex

-----Original Message-----

From: Corwin, Thomas
Sent: Friday, May 21, 1999 4:51 PM
To: Medler, Alex
Cc: Johnson, Judith; Wilhelm, Susan; Cohen, Mike; O'Leary, Ann; Kristy, Jack; Riddle, Paul; Dozier, Terry; Cook, Sandra; Rosenfelt, Phil
Subject: Teacher Accountability Requirements and Charter Schools

Alex-- I've been thinking about the question you raised, at yesterday's "All-Hands" meeting, and continue to think it's a very good question that we don't yet have a complete answer to. I'm cc-ing others who have worked on the teacher accountability issue, in hopes of provoking a discussion and resolution.

Your question, if I can restate it correctly, goes like this. The Education Accountability Act requires each State to have a policy ensuring that, within 4 years, 95 percent of the State's teachers are certified. But, in a number of States, State charter schools laws explicitly allow charter schools to hire uncertified teachers. How do these two things fit together?

The actual language of the bill [at least as set forth in the draft that I have -- I'm expecting to receive the final bill any minute] would require each State to have:

"A policy to ensure ...that , within four years from the date of the approval of its accountability plan--

"(1) not less than 95 percent of the teachers in the public schools in the State are certified or--

"(A) have a baccalaureate degree and are enrolled in a program, such as an alternative certification program, leading to full certification in their field within three years; or

"(B) have full certification in another State and are establishing certification where they are teaching;

"(2) not less than 95 percent of the teachers in public secondary schools have academic training or demonstrated competence in the subject area in which they teach."

I don't think provision (2) should cause problems for charter schools -- at least I hope it wouldn't. But provision (1) may, if State law allows charter schools to hire teachers who have content expertise but not certification, and to continue employing them whether or not they embark on the process of obtaining certification.

One way of interpreting the requirements could be to read the language as saying that Federal law trumps State law and that 95 percent of teachers in the State (with the universe of teachers to include those in charter schools) required to become certified within 4 years, on penalty of the withdrawal of ESEA funds or some other sanction.

But my guess is that we won't want things to happen that way. As the process continues, we may want to promote the insertion of a new clause (C) under (1), reading something like, "teaches in a charter school and meets the requirements of State law for teaching in such a school." This, of course, would provide a different "playing field" for charter schools, but no more than some of the State charter schools laws already do and no more than Federal law now does with regard to formula allocations.

Others may wish to weigh in.

Tom



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09/07/99 10:25:08 AM

Record Type: Record

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cc: "Hankerson, Leslie" <Leslie_Hankerson@ed.gov>, "Morton, Mikel" <Mikel_Morton@ed.gov>, "Hoblitt, Donna" <Donna_Hoblitt@ed.gov>

Subject: letter from charter friends regarding ESEA proposal on teacher certification

John Fiegel and I recently received copies of letters from a large group of grass roots organizations that support charter schools. They wrote the President and key members of congress to protest portions of the ESEA reauthorization proposal. They are concerned about the proposed requirements for states to have 95% teacher certification and the potentially narrow interpretation of the language on secondary school teacher competency in the appropriate field.

If you would like hard copies of the letters as well as their press release and news letters from the charter friends national network, let me know and I can forward hard copies. To review the text of letters and the release on-line, you can visit their website at:

<http://www.charterfriends.org/cfi-fedpolicy.html#charter>

Their basic concern is that the requirement for states to have 95 percent of their teachers certified will lead states to take action to require certification for charter school teachers. This could affect states without charter laws yet that may be writing new laws, or states may amend existing laws. The organizations fear that states will consider their charter teachers that are not certified a drain on the state's allotment and take steps to erode the flexibility allowed charter schools. They argue that their flexibility has come with the heightened accountability, so that if their school's aren't performing they face closure anyway. Restrictions on processes and inputs that states have released them from, they argue, should not be undercut by federal incentives or requirements of state-wide education systems.

They are also concerned that the language about competency for secondary school teachers would be interpreted to mean that they must also be certified to be competent.

The organizations represented in the letters include many significant organizations with legitimate representation of the charter schools in their area. The same group will also be following/advocating on behalf of the charter school program's funding level.

Alex

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CHARTER FRIENDS NATIONAL NETWORK

connecting and supporting state-level charter school initiatives

President Bill Clinton
The White House
Washington, D.C. 20500

Dear Mr. President:

As leaders of 42 grassroots charter school support organizations in 29 states, we are writing to express our strong opposition to creating a new federal teacher certification mandate. We strongly support your goal of improving teacher quality. But, by equating conventional teacher *certification* with teacher *quality*, the Administration's ESEA reauthorization proposal threatens to roll back the critical staffing flexibility that many charter schools now have in exchange for unprecedented accountability for improving student achievement.

Specifically, the proposed new mandate would require states to ensure that "within four years, at least 95 percent of all public school teachers are: (1) fully certified; (2) working toward full certification through an alternative route that will lead them to full certification within three years; or (3) are fully certified in another state and working toward meeting state-specific requirements."

Although this proposed mandate is not explicitly aimed at charter schools, its adoption would likely undermine this important opportunity to more generally improve student achievement and demonstrate effective practices.

As leaders in the grassroots charter school movement, we share the your strong commitment to strengthening the quality of teaching in our nation's public schools. We are concerned, however, that this new federal mandate would obstruct the kind of creative initiatives needed to improve academic achievement for all students in all public schools.

Thanks in part to your leadership, the charter school movement is one of the fastest-growing initiatives across the states for raising student achievement and strengthening accountability in public education. Thirty-six states and the District of Columbia now have charter legislation, and grassroots efforts are under-way to pass charter laws in most other states. This fall, more than 1,700 public charter schools will be serving an estimated 350,000 students. Hundreds of additional schools are in various stages of development. In most states, the demand for these new, performance-based public schools is overwhelming. And charter schools are not only offering important new opportunities to the students they serve. They are beginning to leverage broader improvements in *local district schools*, as well.

Beyond their immediate benefits, charter schools offer states an important opportunity to pilot new, more flexible personnel policies. In exchange for the flexibility they receive in staffing and other areas of school management, charters are held to unprecedented accountability for improving student achievement. Indeed, charters are the only genuinely performance-based public schools in our country today. Quite simply, charter schools that fail to perform as promised may be closed.

A project of the Center for Policy Studies in cooperation with Hamline University

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Over two-thirds of the states with charter legislation (representing over 80 percent of all charters) offer charter schools some degree of flexibility in hiring educators from outside the conventional teacher-certification pathway. In these states, non-certified teachers must demonstrate their qualifications by alternative measures, and their schools are *accountable* for student performance in ways unseen elsewhere in public education.

These jurisdictions include Arizona, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Kansas, Louisiana, Massachusetts, Michigan, Mississippi, Missouri, Nevada, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Utah, Texas and Wisconsin.

If passed, the Administration's proposed teacher certification mandate would jeopardize the staffing flexibility that allows charter schools to creatively harness a variety of community-wide resources and expertise to improve student achievement. We believe it would:

- **Obstruct** recent federal and state initiatives to offer states, districts and schools more flexibility in exchange for accountability for *results*. This proposal is inconsistent with the nation's more general shift away from input-focused regulations that have historically failed to improve student achievement.
- **Severely pressure** most states with charter legislation to roll back the flexibility they have given charter schools to hire teachers with qualifications other than conventional certification. The proposed mandates would encourage states to view charters as a "drain" on each state's quota of non-traditionally qualified teachers.
- **Effectively preclude** the passage of more flexible, results-oriented legislative changes in states that don't now allow charters to hire alternatively qualified teachers or haven't yet passed charter laws.

In summary, we strongly object to this proposed new mandate because it would perversely curtail the ability of states, districts and individual schools to build educational quality through staffing flexibility and accountability.

In addition to opposing the certification mandate, we are urging key members of Congress to clarify a related mandate in the Administration's ESEA reauthorization proposal. This provision would require states to ensure that *"at least 95 percent of all secondary school teachers have academic training or demonstrated competence in the subject area in which they teach."*

Again, we support the intent of this proposal to improve the quality of teaching. We are concerned, however, that its vagueness would encourage states to use conventional teacher certification as the sole measure of subject-matter competence, thereby excluding many alternatively (and highly) qualified candidates from our nation's teaching pool. To minimize this risk, we are urging Congress to make it clear that, in enforcing this regulation, states should not default to conventional certification requirements, but should use diverse and rigorous means to ensure that only well-qualified teachers reach our classrooms.

As House and Senate Committees continue to debate these issues in the larger context of ESEA reauthorization, we would like to work with your Administration to safeguard the flexibility and accountability of charter schools – allowing them to continue serving as a testing ground for practices that can strengthen teaching and other aspects of *all* public schools.

Mr. President, we thank you for your historic strong support for charter schools and for your leadership in creating a positive federal role in improving educational opportunities for *all* of America's students.

(Signed by the following leaders of grassroots charter school support organizations)

many
states
will
re-act
to get
around
this.

Barb Gerard
Alaska Charter School
Association

Donna Watson
Arkansas Policy Foundation

Vicki Jo Anderson
Arizona Charter School
Association

Mary Gifford
Arizona Charter School Resource
Center

Sue Bragato
California Network of Educational
Charters

Eric Premack
California Charter Schools
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Jim Griffin
Colorado League of Charter
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Bill Jawitz
Connecticut Charter School
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Shirley Monastra
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John Ayers
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Nancy Smith
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Laura Friedman
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Rhonda Stuberg
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Ricci Elkins
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Jim DeLaney
New Jersey Charter School
Resource Center

Gerry Vazquez
New York Charter School
Resource Center

Thelma Glynn
North Carolina Charter School
Resource Center

Liz Morey
North Carolina League of Charter
Schools

Vernon Robinson
North Carolina Education Reform
Foundation

Roger Gerber
Association of North Carolina
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Tom Baker
Lucas County Education Service
Center, Toledo

Clint Satow
Ohio Community Schools Center

Donald Thompson
Alliance for Education, Dayton

Rob Kremer
Oregon Charter School Service
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Chenzie Grignano
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Phil Esbrandt
Drexel/FOUNDATIONS Technical
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Ramon Dourado
Urban League of Pittsburgh
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Dale Berryhill
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Jim Spady
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Wisconsin Charter School
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CHARTER FRIENDS NATIONAL NETWORK

NEWS RELEASE

Connecting and supporting state-level charter school initiatives

FOR IMMEDIATE RELEASE

August 27, 1999

Contact: Jon Schroeder

651-649-5479

Grassroots charter school leaders oppose new federal teacher certification mandate

Strengthen teacher quality, but use increased accountability for improving student achievement

(St. Paul, MN) -- Grassroots charter school leaders from around the country today announced their opposition to a new federal teacher certification mandate included in the Clinton Administration's proposal for reauthorizing the federal Elementary and Secondary Education Act (ESEA).

The new proposed mandate would require states to ensure that, within four years, at least 95 percent of all public school teachers are either fully certified or working toward becoming certified within the following three years.

In a letter to the President and key members of Congress, the grassroots charter school leaders expressed strong support for the Administration's goal of improving teacher quality. But the letter -- signed by leaders of 42 charter school organizations in 29 states -- rejected the proposal's strategy equating traditional teacher certification with teacher quality.

"If passed," the charter leaders said, "this new mandate would jeopardize the staffing flexibility that allows charter schools to creatively harness a variety of community-wide expertise in improving student achievement."

The letter noted that more than two-thirds of the nation's charter laws -- in states with over 80-percent of all charters -- offer charter schools some degree of flexibility in hiring teachers from outside the conventional teacher certification process. Those states include Arizona, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Kansas, Louisiana, Massachusetts, Michigan, Mississippi, Missouri, Nevada, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Utah, Texas and Wisconsin.

Charters trade flexibility for unprecedented accountability for improving achievement

"In exchange for the flexibility they have in staffing and other areas of school management," the grassroots leaders noted, "charters are held to unprecedented accountability for improving student achievement."

"Indeed, charters are the only genuinely performance-based public schools in our country today. Quite simply, charter schools that fail to perform as promised may be closed."

Although not specifically aimed at charters, the state leaders said, the Administration's proposal threatens charter schools in both states that now allow charters some flexibility in setting teacher qualifications and those that don't.

A Project of the Center for Policy Studies in Cooperation with Hamline University

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"The proposed mandate would encourage states to view charters as a 'drain' on their five-percent quota of non-traditionally-qualified teachers," the state charter leaders said. "And it would effectively preclude the passage of more flexible, results-oriented legislative changes in states that don't now allow charters to hire alternatively qualified teachers or that haven't yet passed charter laws."

Loss of flexibility has implications beyond its impact on teacher hiring in charters

Beyond its impact on charters, the state leaders said the proposed new mandate could discourage changes in district schools that are looking to charters to pilot creative new strategies for improving student achievement.

The letter also points out that the Administration's proposal runs counter to recent federal and state initiatives that offer states, districts and schools more flexibility in exchange for accountability for results.

"The proposal," the state charter school leaders said, "is inconsistent with the nation's more general shift away from the kind of input-focused regulation that has historically failed to improve student achievement. It would undermine the opportunity to demonstrate effective practices in charter schools that could eventually be applied to all public schools."

Concerns also raised on "demonstrated competency" mandate for secondary teachers

In addition opposing the 95 percent certification mandate, the grassroots charter school leaders urged clarification of a related mandate in the Administration's proposal relating to teacher qualifications. The proposal would require states to ensure that at least 95 percent of all secondary school teachers have "academic training or demonstrated competence in the subject area in which they teach."

"Again, we support the intent of this proposal to improve the quality of teaching," the charter leaders said in their letter. "But, we are concerned that the vagueness in this second mandate would encourage states to use conventional teacher certification as the sole measure of subject-matter competence, excluding many alternatively (and highly) qualified candidates from our nation's teaching pool."

"To minimize this risk, we urge Congress to make it clear that, in enforcing this regulation, states should not default to conventional certification requirements, but should use diverse and rigorous means to ensure that only well-qualified teachers reach our classrooms."

The charter school movement is one of the fastest-growing initiatives across the states for raising student achievement and strengthening accountability in public education. Thirty-six states and the District of Columbia now have charter legislation and grassroots efforts are underway to pass charter laws in most other states. This fall, more than 1,700 public charter schools will be serving an estimated 350,000 students across the country. Hundreds of additional schools have been approved to open in the fall of 2000 or are in various earlier stages of development.

The Charter Friends National Network was established in early 1997 as a project of the Center for Policy Studies in cooperation with Hamline University in St. Paul. Its mission is to connect and support state-level charter school organizations, including non-profit resource centers and membership-based charter operators associations. CFNN's 1999 work program includes initiatives on facilities financing, accountability, special education and federal policy development.

NOTE: A copy of the letter and list of signers is attached. Similar letters were sent to Representative William Goodling, chairman of the House Committee on Education and the Work Force, and to President Clinton and other key members of the House and Senate committees that have jurisdiction over reauthorization of the Elementary and Secondary Education Act (ESEA).

CHARTER FRIENDS NATIONAL NETWORK

connecting and supporting state-level charter school initiatives

August 27, 1999

The Honorable James Jeffords, Chairman
Committee on Health, Education, Labor and Pensions
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

As leaders of 42 grassroots charter school support organizations in 29 states, we are writing to express our strong opposition to creating a new federal teacher certification mandate. We strongly support the goal of improving teacher quality. But, by equating conventional teacher *certification* with teacher *quality*, the Clinton Administration's ESEA reauthorization proposal threatens to roll back the critical staffing flexibility that many charter schools now have in exchange for unprecedented accountability for improving student achievement.

Specifically, the proposed new mandate would require states to ensure that "*within four years, at least 95 percent of all public school teachers are: (1) fully certified; (2) working toward full certification through an alternative route that will lead them to full certification within three years; or (3) are fully certified in another state and working toward meeting state-specific requirements.*"

Although this proposed mandate is not explicitly aimed at charter schools, its adoption would likely undermine this important opportunity to more generally improve student achievement and demonstrate effective practices.

As leaders in the grassroots charter school movement, we share the Administration's commitment to strengthening the quality of teaching in our nation's public schools. We are concerned, however, that this new federal mandate would obstruct the kind of creative initiatives needed to improve academic achievement for all students in all public schools.

As you know, the charter school movement is one of the fastest-growing initiatives across the states for raising student achievement and strengthening accountability in public education. Thirty-six states and the District of Columbia now have charter legislation, and grassroots efforts are underway to pass charter laws in most other states. This fall, more than 1,700 public charter schools will be serving an estimated 350,000 students. Hundreds of additional schools are in various stages of development. In most states, the demand for these new, performance-based public schools is overwhelming. And charter schools are not only offering important new opportunities to the students they serve. They are beginning to leverage broader improvements in *local district schools*, as well.

Beyond their immediate benefits, charter schools offer states an important opportunity to pilot new, more flexible personnel policies. In exchange for the flexibility they receive in staffing and other areas of school management, charters are held to unprecedented accountability for improving student achievement. Indeed, charters are the only genuinely performance-based public schools in our country today. Quite simply, charter schools that fail to perform as promised may be closed.

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These jurisdictions include Arizona, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Kansas, Louisiana, Massachusetts, Michigan, Mississippi, Missouri, Nevada, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Utah, Texas and Wisconsin.

If passed, the Administration's proposed teacher certification mandate would jeopardize the staffing flexibility that allows charter schools to creatively harness a variety of community-wide resources and expertise to improve student achievement. It would:

- **Obstruct** recent federal and state initiatives to offer states, districts and schools more flexibility in exchange for accountability for *results*. This proposal is inconsistent with the nation's more general shift away from input-focused regulations that have historically failed to improve student achievement.
- **Severely pressure** most states with charter legislation to roll back the flexibility they have given charter schools to hire teachers with qualifications other than conventional certification. The proposed mandates would encourage states to view charters as a "drain" on each state's quota of non-traditionally qualified teachers.
- **Effectively preclude** the passage of more flexible, results-oriented legislative changes in states that don't now allow charters to hire alternatively qualified teachers or haven't yet passed charter laws.

In summary, we strongly object to this proposed new mandate because it would perversely curtail the ability of states, districts and individual schools to build educational quality through staffing flexibility and accountability.

In addition to opposing the certification mandate, we urge clarification of a related mandate in the Administration's ESEA reauthorization proposal. This provision would require states to ensure that "*at least 95 percent of all secondary school teachers have academic training or demonstrated competence in the subject area in which they teach.*"

Again, we support the intent of this proposal to improve the quality of teaching. We are concerned, however, that its vagueness would encourage states to use conventional teacher certification as the sole measure of subject-matter competence, thereby excluding many alternatively (and highly) qualified candidates from our nation's teaching pool. To minimize this risk, we urge Congress to make it clear that, in enforcing this regulation, states should not default to conventional certification requirements, but should use diverse and rigorous means to ensure that only well-qualified teachers reach our classrooms.

As your Committee debates these issues in the larger context of ESEA reauthorization, we would like to work with you to safeguard the flexibility and accountability of charter schools – allowing them to continue serving as a testing ground for practices that can strengthen teaching and other aspects of *all* public schools.

Mr. Chairman, we thank you and your Committee for your historic strong support for charter schools and for your leadership in creating a positive federal role in improving educational opportunities for *all* of America's students.

(Signed by the following leaders of grassroots charter school support organizations)

Barb Gerard
Alaska Charter School
Association

John Ayers
Leadership for Quality Education,
Chicago

Vernon Robinson
North Carolina Education Reform
Foundation

Donna Watson
Arkansas Policy Foundation

Joni Gardner
Maryland Coalition for Education
Reform

Roger Gerber
Association of North Carolina
Charter Schools

Vicki Jo Anderson
Arizona Charter School
Association

Linda Brown
Massachusetts Charter School
Resource Center

Tom Baker
Lucas County Education Service
Center, Toledo

Mary Gifford
Arizona Charter School Resource
Center

Nawal Hamadeh
Metro Detroit Alliance for Charter
Schools

Clint Satow
Ohio Community Schools Center

Sue Bragato
California Network of Educational
Charters

Dan Quisenberry
Michigan Association of Public
School Academies

Donald Thompson
Alliance for Education, Dayton

Eric Premack
California Charter Schools
Development Center

Nancy Smith
New Twin Cities Charter School
Project

Rob Kremer
Oregon Charter School Service
Center

Jim Griffin
Colorado League of Charter
Schools

Steve Dess
Minnesota Association of Charter
Schools

Chenzie Grignano
Charter School Project, Pittsburgh

Bill Jawitz
Connecticut Charter School
Association

Laura Friedman
Missouri Charter School
Information Center

Phil Esbrandt
Drexel/FOUNDATIONS Technical
Assistance Center for Charter
Schools, Philadelphia

Shirley Monastra
DC Public Charter School
Resource Center

Rhonda Stuberg
Nebraska Charter School
Coalition

Ramon Dourado
Urban League of Pittsburgh
Charter School

Joan Nelson
Florida Association of Charter
Schools

Ricci Elkins
Nevada Charter School Project

Dale Berryhill
Charter School Resource Center
of Tennessee

Lynn Lavelly
Florida Charter School Resource
Center

Jim DeLaney
New Jersey Charter School
Resource Center

Patsy O'Neill
Charter School Resource Center
of Texas

Alexander Cyran
Hawaii Association of Charter
Schools

Gerry Vazquez
New York Charter School
Resource Center

Jim Spady
Washington Education Excellence
Coalition

Derek Redelman
Indiana Charter School
Association

Thelma Glynn
North Carolina Charter School
Resource Center

Cindy Zautcke
Wisconsin Charter School
Resource Center

Rosanne Freeberg
Color Education with Common
Sense Charter Schools, Cedar
Rapids

Liz Morey
North Carolina League of Charter
Schools

Tony Courtney
Wisconsin Charter School
Association

CHARTER FRIENDS NATIONAL NETWORK

FEDERAL POLICY UPDATE

A periodic update on federal legislation and policy of interest to charter schools

Jon Schroeder, Project Director

August 27, 1999

Grassroots leaders take a stand against proposed new federal certification mandate

Leaders of grassroots charter school support organizations in all the major charter states have co-signed a letter to Congressional and Administration leaders opposing a proposed new federal teacher certification mandate. The mandate is included in legislation proposed by the Clinton Administration that would reauthorize the federal Elementary and Secondary Education Act (ESEA).

The proposal would require states to -- within four years -- have 95 percent of their public-school teachers certified. The issues in this debate are spelled out in greater detail in the enclosed press release, text of the letter and list of the grassroots charter support organization leaders who signed it.

Follow-up includes contacts with key Members; coordination with other groups

With this letter as general evidence of concern in the charter community, individual contacts will now be made with the staffs of key members of the House and Senate Committees that are considering the ESEA reauthorization. Particular targets are Senator James Jeffords (R-VT), chair of the Senate Committee and Representative William Goodling (R-PA), Chair of the House Committee. Other key members of both committees are also being identified for individual contacts, as are key advisors to President Clinton, Education Secretary Richard Riley and other Washington-based education reform organizations that oppose the proposed certification mandate.

Assistance in making these contacts is being provided by Richard Wenning, a DC-based charter consultant and former Senate staff member. Wenning has also been providing substantive and strategic advice on the proposed legislation to the grassroots charter school organization leaders that are working together through the Charter Friends National Network.

Charter operators, leaders, supporters urged to make individual contacts, as well

In addition to co-signing the letter to key Congressional and Administration leaders, the grassroots charter organization leaders, charter operators and other charter supporters are encouraged to make direct contacts with individual House and Senate members -- especially those on the Education Committees that have been favorable to charters in the past. Key committee members are listed on the back side of this CFNN "Federal Policy Update" along with their states. Written communication should be addressed to:

Hon. (Member's Name)

OR

Hon. (Member's Name)

U.S. House of Representatives

U.S. Senate

Washington, D.C. 20515

Washington, D.C. 20510

Particularly persuasive would be specific information or stories about how flexibility in determining qualifications for teachers has been beneficial to your school, community or state. Correspondingly, how would your school, community or state be adversely affected if the flexibility that charters now have were taken away? Please send copies of any responses to either of the addresses below.

House Committee on Education and the Workforce

William F. Goodling, Pennsylvania, Full Committee Chairman

William (Bill) Clay, Missouri, Ranking Minority Member of Full Committee

Michael N. Castle, Delaware, Education Subcommittee Chairman

Dale E. Kildee, Michigan, Education Subcommittee Ranking Minority Member

Republican Members of the Full Committee

Thomas E. Petri, Wisconsin

Marge Roukema, New Jersey

Cass Ballenger, North Carolina

Bill Barrett, Nebraska

John A. Boehner, Ohio

Peter Hoekstra, Michigan

Howard P. "Buck" McKeon, California

Sam Johnson, Texas

James M. Talent, Missouri

James C. Greenwood, Pennsylvania

Lindsey O. Graham, South Carolina

Mark E. Souder, Indiana

David M. McIntosh, Indiana

Charlie Norwood, Georgia

Ron Paul, Texas

Bob Schaffer, Colorado

Fred Upton, Michigan

Nathan Deal, Georgia

Van Hilleary, Tennessee

Vernon J. Ehlers, Michigan

Matt Salmon, Arizona

Thomas G. Tancredo, Colorado

Ernie Fletcher, Kentucky

Jim DeMint, South Carolina

Johnny Isakson, Georgia

Senate Health, Education, Labor and Pensions Committee

James Jeffords, VT, Chairman

Edward Kennedy, MA, Ranking Minority Member

Republican Committee Members

Judd Gregg, NH

William Frist, TN

Mike DeWine, OH

Mike Enzi, WY

Tim Hutchinson, AR

Susan Collins, ME

Sam Brownback, KS

Charles Hagel, NE

Jeff Sessions, AL

Wenning Associates, LLC

Helping Public Schools of Choice Succeed

Fax Cover Page

Date: 9/1/99

Time: 5:40:04 PM

To: Andy Rotherham (Business Fax)

Company: Domestic Policy Council

Fax Number: 456-7028

From: Richard J. Wenning

Subject : Charter Friends Network Letter

For Info Call: 202-483-7763

Comments:

Andy & Bethany--

The following letter has been mailed to relevant House and Senate members, the President, Bruce Reed, and to you as well. Please call or email me anytime to discuss this. I would appreciate your reactions to the letter. I am handling governmental relations related to ESEA reauthorization and the Title X program for the Charter Friends National Network.

1801 16th Street, NW Suite 701 Washington, DC 20009

Phone: (202) 483-7763 Fax: (202) 483-4470

CHARTER FRIENDS NATIONAL NETWORK

connecting and supporting state-level charter school initiatives

August 27, 1999

President Bill Clinton
The White House
Washington, D.C. 20500

Dear Mr. President:

As leaders of 42 grassroots charter school support organizations in 29 states, we are writing to express our strong opposition to creating a new federal teacher certification mandate. We strongly support your goal of improving teacher quality. But, by equating conventional teacher *certification* with teacher *quality*, the Administration's ESEA reauthorization proposal threatens to roll back the critical staffing flexibility that many charter schools now have in exchange for unprecedented accountability for improving student achievement.

Specifically, the proposed new mandate would require states to ensure that *"within four years, at least 95 percent of all public school teachers are: (1) fully certified; (2) working toward full certification through an alternative route that will lead them to full certification within three years; or (3) are fully certified in another state and working toward meeting state-specific requirements."*

Although this proposed mandate is not explicitly aimed at charter schools, its adoption would likely undermine this important opportunity to more generally improve student achievement and demonstrate effective practices.

As leaders in the grassroots charter school movement, we share the your strong commitment to strengthening the quality of teaching in our nation's public schools. We are concerned, however, that this new federal mandate would obstruct the kind of creative initiatives needed to improve academic achievement for all students in all public schools.

Thanks in part to your leadership, the charter school movement is one of the fastest-growing initiatives across the states for raising student achievement and strengthening accountability in public education. Thirty-six states and the District of Columbia now have charter legislation, and grassroots efforts are under-way to pass charter laws in most other states. This fall, more than 1,700 public charter schools will be serving an estimated 350,000 students. Hundreds of additional schools are in various stages of development. In most states, the demand for these new, performance-based public schools is overwhelming. And charter schools are not only offering important new opportunities to the students they serve. They are beginning to leverage broader improvements in *local district schools*, as well.

Beyond their immediate benefits, charter schools offer states an important opportunity to pilot new, more flexible personnel policies. In exchange for the flexibility they receive in staffing and other areas of school management, charters are held to *unprecedented accountability* for improving student achievement. Indeed, charters are the only genuinely performance-based public schools in our country today. Quite simply, charter schools that fail to perform as promised may be closed.

A project of the Center for Policy Studies in cooperation with Hamline University

1745 University Ave., #110 • St. Paul, MN 55104 • 651-649-5479 • 651-649-5472 (fax)

info@charterfriends.org • www.charterfriends.org

-2-

Over two-thirds of the states with charter legislation (representing over 80 percent of all charters) offer charter schools some degree of flexibility in hiring educators from outside the conventional teacher-certification pathway. In these states, non-certified teachers must demonstrate their qualifications by alternative measures, and their schools are *accountable* for student performance in ways unseen elsewhere in public education.

These jurisdictions include Arizona, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Kansas, Louisiana, Massachusetts, Michigan, Mississippi, Missouri, Nevada, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Utah, Texas and Wisconsin.

If passed, the Administration's proposed teacher certification mandate would jeopardize the staffing flexibility that allows charter schools to creatively harness a variety of community-wide resources and expertise to improve student achievement. We believe it would:

- **Obstruct** recent federal and state initiatives to offer states, districts and schools more flexibility in exchange for accountability for *results*. This proposal is inconsistent with the nation's more general shift away from input-focused regulations that have historically failed to improve student achievement.
- **Severely pressure** most states with charter legislation to roll back the flexibility they have given charter schools to hire teachers with qualifications other than conventional certification. The proposed mandates would encourage states to view charters as a "drain" on each state's quota of non-traditionally qualified teachers.
- **Effectively preclude** the passage of more flexible, results-oriented legislative changes in states that don't now allow charters to hire alternatively qualified teachers or haven't yet passed charter laws.

In summary, we strongly object to this proposed new mandate because it would perversely curtail the ability of states, districts and individual schools to build educational quality through staffing flexibility and accountability.

In addition to opposing the certification mandate, we are urging key members of Congress to clarify a related mandate in the Administration's ESEA reauthorization proposal. This provision would require states to ensure that *"at least 95 percent of all secondary school teachers have academic training or demonstrated competence in the subject area in which they teach."*

Again, we support the intent of this proposal to improve the quality of teaching. We are concerned, however, that its vagueness would encourage states to use conventional teacher certification as the sole measure of subject-matter competence, thereby excluding many alternatively (and highly) qualified candidates from our nation's teaching pool. To minimize this risk, we are urging Congress to make it clear that, in enforcing this regulation, states should not default to conventional certification requirements, but should use diverse and rigorous means to ensure that only well-qualified teachers reach our classrooms.

As House and Senate Committees continue to debate these issues in the larger context of ESEA reauthorization, we would like to work with your Administration to safeguard the flexibility and accountability of charter schools – allowing them to continue serving as a testing ground for practices that can strengthen teaching and other aspects of *all* public schools.

Mr. President, we thank you for your historic strong support for charter schools and for your leadership in creating a positive federal role in improving educational opportunities for *all* of America's students.

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Steve Dess
Minnesota Association of Charter
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Laura Friedman
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Nebraska Charter School
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Patsy O'Neill
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Jim Spady
Washington Education Excellence
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