

OH lawsuit

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The Dispatch

Proceed with caution

State should continue backing charter schools with improvements

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The Oct. 25 Ohio Supreme Court ruling upholding the constitutionality of the state's charterschool law is good news on at least two counts: It reaffirms the legislature's authority to set educational policy, and it reassures the 72,000 Ohio students who have chosen charter schools that they can continue that choice.

Now, it's up to the General Assembly to make charter schools as good as they can be, by refining the law to encourage better performance and greater accountability.

A coalition of parents, teachers unions and school boards challenged the 1997 law that authorized charters. They said that the privately run, publicly funded schools violate the state constitution's requirement for "a thorough and efficient system of common schools" because they are funded by tax dollars but aren't held to all the same standards as traditional, districtoperated public schools.

But, as Justice Judith Lanzinger expressed on behalf of the majority in the 4-3 decision, the legislature's broad authority to provide schools gives lawmakers the latitude to experiment by creating a subset of schools with greater flexibility.

Along with this point of principle, it's important to note that charter-school students are hardly unregulated: They must pass the same proficiency tests and their schools must meet the same performance standards as traditional public schools. The schools simply have more flexibility in how to go about this.

The court also rejected the anticharter coalition's claim that, because per-pupil state aid goes with students who leave traditional schools for charter schools, district schools are forced to rely more heavily on local property taxes, so that, in effect, charter schools divert local property taxes from their voted use.

The high court's decision alone doesn't preserve the future of charter schools; as the court made clear, the legislature is in the driver's seat. Should the next General Assembly be less friendly to charter schools than lawmakers of the past decade, the playing field could change.

The next legislature would do well to continue supporting charter schools, especially considering their undeniable popularity: 305 schools are operating, 51 of them in Franklin County.

The willingness of parents to enter uncharted waters in search of an alternative to troubled public schools is a testament to how badly charter schools are needed.

But charter schools have to be held accountable for the promises they make. Ohio's charter-school system needs improvement in several areas.

Experience has shown that too many charters are

granted to would-be school operators who are incompetent or unprepared to run an effective school.

Rules about who can sponsor and operate charter schools should be examined so that the number of failures can be minimized.

Rules about sponsor-school relationships should be tightened to keep out unethical sponsors who would allow a failing charter to stay open without any attempt to improve it.

Much has been written about the poor standardized-test performance of charters. Some of the criticism is unfair, especially when directed at schools that were created expressly to give the weakest, least-prepared students, including dropouts, a chance to experience some academic improvement.

To give parents and the public a better basis for judging the performance of charter and traditional public schools, state and federal mandatory testing systems should include measures of how far students have progressed at a given school, as well as their proficiency.

Enough Ohioans have demonstrated faith in charter schools that the experiment should be nurtured further. The legislature should make sure it's done with utmost care.