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# Making Waves or Treading Water? An Analysis of Charter Schools in New York State

Urban Education  
XX(X) 1–32  
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DOI: 10.1177/0042085912449840  
<http://uex.sagepub.com>



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## Abstract

This article compares charter schools and other public schools in New York State. School Report Card (SRC) data measuring student, teacher, and school characteristics from the state's 16 urban school districts with charter schools were examined. Descriptive and multivariate analysis was used. The findings suggest that there are more similarities in student outcomes between charter schools and other public schools than differences. Although charter schools had higher sixth- and eighth-grade math scores, outcomes were comparable along other measures. Systemic issues, such as poverty, suspensions, and poor attendance had relatively stronger effects on student performance regardless of school type.

## Keywords

academic achievement, charter school, school reform, urban

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## Introduction

### *Putting Charter Schools to the Test*

Scholars have taken note of the exponential growth in the number of charter schools across the United States (Brouillette, 2002; Buckley & Schneider, 2007; Leonard, 2002; Lubienski & Weitzel, 2010; Ravitch, 2010). Scholarly examinations of the charter school movement have traced its history and begun to critically assess its impact on public education. The first charter school law was passed in Minnesota in 1991. Since that time, 39 other states and the District of Columbia have adopted similar legislation. Charter schools are independent, publicly funded schools. They are often managed by nonprofits, government agencies, or universities. They are typically granted a charter under a state's enabling legislation. Principals and teachers often have greater flexibility in determining how curriculum is delivered, and parental involvement is sometimes more pronounced. In most states, charters are renewable if benchmarks for student achievement and other requirements are met. In essence, a charter school's continuation is not guaranteed, but performance based. Because charter schools are publicly funded, enrollment is free of charge and open to all students in a school system. When the demand for a charter school exceeds the available number of seats, admission is often determined by a lottery or other system of random assignment.<sup>1</sup>

In New York, the focus of this analysis, the state's charter school law was adopted in 1998. Collectively, urban school districts in the United States have had over two decades of experience with charter schools, and New York has been in the charter school business for more than 12 years. According to the National Alliance for Public Charter Schools ([www.publiccharters.org](http://www.publiccharters.org)), there were 5,277 charter schools in the United States in the 2010-2011 school year. They represented 5.4% of all public schools. In New York there were 171 charter schools in 2010-2011. These schools represented 3.7% of all public schools and they were located in 16 urban school districts. Table 1 compares national trends in the growth of charter schools to New York. Although New York began to establish charter schools in 1999, several years after other states, growth trends are comparable. At the national and state level, there has been steady growth in the numbers and percentage of charter schools.

Contemporaneously, charter schools have received increased coverage by the popular media. This coverage has influenced the development of charter school models in New York and other states. Although some media accounts have been critical of the charter school movement, much of this coverage has

**Table 1.** Charter Schools in the United States and New York 1999-2011

School Year	Charter Schools in the United States (% of All Schools)	Charter Schools in New York (% of All Schools)
1999-2000	1,542 (1.7%)	5 (0.1%)
2000-2001	1,941 (2.1%)	23 (0.5%)
2001-2002	2,313 (2.1%)	32 (0.7%)
2002-2003	2,559 (2.7%)	37 (0.8%)
2003-2004	2,959 (3.1%)	50 (1.1%)
2004-2005	3,383 (3.6%)	58 (1.3%)
2005-2006	3,689 (3.9%)	79 (1.7%)
2006-2007	3,999 (4.2%)	92 (2.0%)
2007-2008	4,299 (4.4%)	96 (2.1%)
2008-2009	4,640 (4.8%)	115 (2.5%)
2009-2010	4,921 (5.0%)	140 (3.0%)
2010-2011	5,277 (5.4%)	171 (3.7%)

Source: National Alliance for Public Charter Schools ([www.publiccharters.org](http://www.publiccharters.org)).

advocated for the expansion of this type of school reform. Examples of such coverage can be found in publications as disparate as the *Nation* (Schorr, 2000), the *National Civic Review* (Finn, Manno, & Vanourek, 2000) and the *National Review* (Finn, Manno, Bierlein, & Vabourek, 1997). Charter schools have been offered as a remedy for the problem of failing public schools in inner-cities across the United States. In one of the most extreme example, charter school expansion was successfully pushed through in New Orleans during the posthurricane Katrina era (Morris, 2008). In recent years, charter schools emerged as the dominant model for public education in that city. By the 2010-2011 school year, 64.5% of all New Orleans public schools were charter schools ([www.publiccharters.org](http://www.publiccharters.org)). The story of this transition has been documented in the print media (Tisserand, 2007) and documentary films like *ReBorn: New Orleans Schools* (Cooper, 2008).

Advocacy for charter schools has not been confined to places like post-Katrina New Orleans. There has also been sustained advocacy for charter schools in urban school districts. Stories of high profile schools that have made waves in America's inner-cities have propelled these efforts. Perhaps the best known example of this phenomenon revolves around Geoffrey Canada's work in the Harlem Children's Zone. Canada entered the limelight in 2004 when he was featured in the *New York Times Magazine* (Tough, 2004).

Most recently, Canada's work and other successful charter schools have been showcased in documentaries like *The Lottery* (Sackler, 2010) and *Waiting for Superman* (Guggenheim, 2010).

In contrast to the well-publicized cases where charter schools have produced extraordinary results, many remain indistinguishable from other public schools in terms of their learning environments and academic outcomes (Buckley & Schneider, 2007; Heaggans, 2006; Miron, 2010). Some studies have found evidence for improved academic outcomes, but differences disappeared after controlling for demographic and socioeconomic characteristics of students (Okpala, Bell, & Tuprah, 2007). This begs the question of whether New York's charter schools are making waves or treading water in urban school districts.

The research question examined in this article asks if charter schools represent viable and sustainable vehicle for educational reform in New York. In this context, sustainability entails the long-term prospects for individual charter schools to remain opened and the ability of these schools to produce enhanced outcomes for students. The research is based on a comparison of school performance in charter schools and other public schools.<sup>2</sup> First, a number of school performance measures are examined using descriptive statistics and *t* tests. Then, multivariate linear regression models are used to examine charter school and other public school performance after controlling for other school characteristics. The sample and data analysis procedures are elaborated on in the article's method and data section. After comparing charter schools to other public schools, the potential for scaling up charter schools is considered. Scaling up would entail the potential for the proportion of charter schools to expand in the broader public school system and serve a broader cross-section of students. Tied to this issue, the ability of the charter school model to produce equitable outcomes for students regardless of race and class is considered.

## **Past Research on Charter Schools**

### *Comparing Academic Outcomes is Problematic*

A considerable amount of research has accumulated, which examines curriculum and academic outcomes in charter schools. Nathan (2004) identified some of the difficulties that researchers have encountered when analyzing charter school performance. He pointed out that, "[c]harter schools differ markedly from each other and consequently there is no single charter school

effect on student achievement” (Nathan, 2004, p. 1061). In this respect, charter schools parallel the diversity of curriculum models and outcomes found in other public schools. Despite the difficulty scholars confront in disentangling charter school outcomes, much can be gleaned from existing research.

In terms of academic outcomes, researchers have had two foci that are particularly relevant to the analysis in this article. First, studies have examined the degree to which charter schools outperform public schools. In a recent analysis, Miron (2010) reviewed empirical studies of this topic and concluded that charter schools perform at levels similar to other public schools. He went on to point out that noticeable differences existed within and between schools. Miron also indicated that methods varied across studies, but the general direction of findings was consistent. Other studies, like Okpala et al. (2007), added that when performance differences are identified between charter schools and other public schools, they can be partially attributed to the demographic and socioeconomic profile of students. Similarly, Bifulco and Ladd (2005) suggested that such differences may be linked to the self-selection of more engaged parents into charter schools.

### *Ambiguity About Charter Schools Creating a More Competitive Environment*

In addition to examining the degree to which charter schools outperform other public schools, a second stream of research asks whether the presence of charter schools prompts other public schools to improve. This line of reasoning is based on the assumption that charter schools add an element of competition to public education, and this produces overall system improvements. Ni and Arsen (2010) reviewed 11 studies of the effects of competition from charter schools on overall school system performance. They found mixed evidence for positive effects of competition. Bohte’s (2004) analysis also found modest positive effects from charter school competition. He added that these effects were partially explained by changes in the allocation of program dollars and other resources in traditional public schools, which came about in response to the introduction of charter schools. Lubienski (2003) built on this idea in his application of new institutionalism theory to the charter school phenomenon. He argued that competition and markets were not the principal drivers in the development of charter schools. Instead, innovations in curriculum occurred in response to public policy mandates. Moreover, these mandates were often system wide in nature, applying to charter schools and other public schools.

## *The Political and Ideological Underpinnings of the Charter School Movement*

Some scholars have reflected on the quagmire over the analysis of innovations in curriculum and student achievement and concluded that the proliferation of charter schools is the product of an ideologically based movement. Vergari (2007) linked the charter school movement to a general trend toward public-private partnerships in society. She argued that education reform coalitions composed of actors from private and nonprofit educational management companies, sympathetic public officials, and disillusioned parent groups sustain this movement. These reform coalitions can be contrasted with traditional education coalitions that are heavily influenced by locally elected school boards and teachers unions. From this perspective, charter school reform is primarily focused on which institutions in society will deliver publicly funded education. Zhang and Yang (2008) made a similar argument about what drives the proliferation of charter schools, concluding that reforming the structure and content of curriculum was a secondary consideration to altering the educational delivery system.

## *Charter Schools and the Perpetuation of Race and Class Inequality*

In addition to examining curriculum and performance outcomes, others have studied charter school reform in relation to race and class equity. Among the concerns raised in this stream of scholarship is the potential for charter school reforms to reinforce historic patterns of racial segregation in the public schools. Renzulli and Evans (2005) found that in school districts that were relatively integrated, Whites had a tendency to enroll their children in charter schools at higher rates than minorities. This had the effect of increasing levels of racial segregation between charter schools and other public schools. In a subsequent study, Renzulli (2006) found that in urban school districts that were segregated before charter school reforms were adopted, charter school enrollment for Blacks increased. This effect was enhanced when state enabling legislation included clauses to augment minority enrollment in charter schools. This suggests that in terms of race, achieving equity in access to charter schools is a function of historic patterns of segregation in districts as well as proactive public policy to curb discrimination. Levy (2010) added to the discussion of racial equity in charter schools. Similar to other researchers, he concluded that charter school reforms were more likely to be adopted in states with historic patterns of segregation in their schools and

this led to greater numbers of Blacks leaving other public schools and enrolling in charter schools. He elaborated that because many charter schools are located in inner-cities where minorities are concentrated:

[I]t is likely that parents of students in inner city schools are not worried as much about integration as they are about the quality of their public schools. Charter Schools are an alternative to the failing inner city schools for many inner city families. Since minorities attend more failing public schools they have a higher propensity to switch to charter schools even if those inner city charter schools are segregated as well. (Levy, 2010)

Race is not the only area where equity becomes a concern in relation to charter school reform. Social class has also been identified as an important differentiating characteristic between students enrolled in charter schools versus other public schools. Saporito and Sohoni (2007) found that poor children were more concentrated in traditional public schools in districts where private, charter, and magnet schools were present. In essence, the presence of charter schools led to higher rates of segregations along the lines of social class. This outcome, coupled with more engaged, resource-endowed parents self-selecting to enroll their children into charter schools (Bifulco & Ladd, 2007), contributed to the increased isolation of the poor in other public schools.

The presence of race and class disparities between charter schools and other public schools entails a number of challenges. Among them is the question of whether the charter school model can be scaled up in a manner that serves the needs of all students, particularly the poor, minorities, and students with cognitive or behavioral problems. Past research suggests that charter schools attract a more homogeneous and less impoverished student population than traditional public schools (Bifulco & Ladd, 2007; Glenn, 2011; Levy, 2010; Renzulli, 2006; Renzulli & Evans 2005; Saporito & Sohoni, 2007). Although state enabling legislation typically mandates that all students have equal access to enroll in charter schools, this outcome does not always materialize. The literature suggests that poor and minority students face barriers to charter school enrollment. Moreover, public perceptions which are heavily influenced by media accounts and documentary films about charter schools do not always acknowledge the contradictions between the agenda of reform coalition members and the broader public interests served by public schools (Dutro, 2011; Tate, 2011). These accounts emphasize the market driven, competitive nature of the charter school model and

pay less attention to areas where charter schools may be ill equipped to meet the needs of a more diverse student body.

### *Disincentives to Serve the Needs of Troubled Students*

The shortcomings and contradictions inherent in the charter school model become apparent when areas such as special education are examined. Estes (2006), and Drame and Frattura (2011) identified difficulties that charter schools confront when attempting to design curriculum for students with learning disabilities and behavioral disorders. Although charter schools are public and obligated to accommodate all students, some did not have adequate staff or resources to provide curriculum and services tailored to special needs students in a manner comparable to other public schools. Moreover, many charter schools were under pressure to demonstrate student achievement to be recertified. In most states, charter schools that fail to meet performance benchmarks based on standardized testing are decertified and closed. Consequently, charter school administrators may perceive disincentives to serving the needs of troubled students. In some respects this may be a byproduct of efforts to apply a business model to a public good like education, and it raises questions about the potential for scaling up charter schools.

### *In Sum, Charter Schools Are Not a Panacea*

It is important to recognize that despite discrepancies across studies, there is a general consensus among researchers that charter schools are not a panacea. Evidence of charter school performance outstripping traditional public schools is limited. Concerns remain about charter schools aggravating existing patterns of race and class segregation in school systems. Yet, public dialogue about these substantive issues is often muted by the broader ideological debate between members of reform coalitions and traditional education collations. Against this backdrop, it is imperative to initiate a discussion about the sustainability of the emerging system composed of charter and other public schools. One step in this process is to compare charter schools to other public schools at the state level and ask whether the charter school model is making waves or treading water. This article moves in this direction by examining charter schools and other public schools in New York.



## **New York State's Charter School Act of 1998 (as Amended in 2010)**

In 1998, New York adopted the New York Charter School Act, known as New York State Education Law, Article 56 (New York State Education Department, n.d.). The Act was most recently amended in 2010. Under the Act, charter schools were established beginning in 1999. In the 2009-2010 school year there were 140 charter schools operating in the state. Under the original language of the Act, the number of charter schools was capped at 200. In 2010, the State raised the cap to 460 schools. With respect to filling the 260 new slots, the amendments to the Act set a cap on the number of new charter schools to be created per year at 65 between 2011 and 2014. State law further provides for no more than 114 of the new charter schools to be in New York City.

The Act further requires all charter schools to be organized as nonprofit organizations. This requirement was established in 2010 when the cap on the total number of charter schools was raised to 460. At that time, charter schools were also prohibited from contracting with for-profit educational management organizations (EMOs). Subsequently, all charter schools were required to be registered nonprofits and those that contracted out administrative services were required to do so with nonprofit EMOs. As nonprofit education corporations in New York, charter schools operate as independent and autonomous public schools. Their boards of trustees are autonomous and have powers that include the full set of rights of trustees under the not-for-profit corporation law of the State. In addition to being nonprofits and having access to tax exempt contributions and grants, charter schools have equitable access to capital funding and facilities from New York State.

When a charter school is created in New York, it is authorized to operate for 5 years. After that time has elapsed, a school's performance is reviewed and if it passes the review its charter is reauthorized for another 5 years. Schools that do not pass their performance review have their charters revoked and are closed. State law requires that charter school admissions be open to all students. If applications for admissions exceed available seats charter schools are required to conduct a lottery to determine admissions. State law requires charter schools to provide enrollment preferences to returning students, students residing in the school district where a charter school is located, and siblings of students already enrolled in a school. Charter schools are allowed to have a preference for students deemed "at risk of academic failure"

and students of a single gender. However this is an optional admission criterion and not mandated by the State.

In terms of teachers and staff, the State does not require charter schools to participate in collective bargaining processes unless enrollment at a new charter school exceeds 250 students within the first 2 years of operation. If a charter school's enrollment passes the 250 threshold, all employees of a school are considered members of the labor union that negotiates for the school district. In response to this requirement, most charter schools in New York projected their enrollment to be 249 or less by their 2nd year of operation or applied for a waiver to this provision.

### *Comparing Charter Schools to Other Public Schools*

Given this backdrop, a comparison of charter schools and other public schools in New York adds to our understanding of whether charter schools represent true reform in the public school system or fall short of expectations that has been generated in the popular media. It is important to understand where similarities and differences exist between students enrolled in charter schools and other public schools, since prior research suggests that charter schools are not a panacea. This is a particularly salient issue in New York, where charter schools are predominantly located in urban school districts with substantial low-income, minority populations. Proponents of charter schools argue that their expansion results in improved educational outcomes, particularly in urban school districts with underperforming schools. However, disparities in educational outcomes between charter schools and other public schools have not been easily identified in previous research. When disparities have been identified, they have been attributed to divergent socioeconomic characteristics of student populations in charter schools and other public schools.

Urban school districts in states like New York have become the battlegrounds for experiments with charter school reform. The process of scaling up charter schools in these locations has been accelerated by federal programs like No Child Left Behind (NCLB) and Race to the Top (RTTT). It is imperative to initiate a discussion about the sustainability of the emerging education system composed of charter and other public schools. One step in this process is to compare charter schools to other public schools in high profile locations like New York, and ask whether charter schools are making waves or treading water.

## Method and Data

### *The Sample*

This article is based on an analysis of data from 2009-2010 New York State School Report Cards (SRCs). These data were collected from local school districts by the New York State Education Department. The SRCs provide student, teacher, and school-level data for public and charter schools in the state. Data used in the analysis were aggregated at the school level.

Data from New York State was selected as the focus of this analysis because of the overwhelmingly urban composition of charter schools in the state. According to the National Alliance for Public Charter Schools ([www.publiccharters.org](http://www.publiccharters.org)), 94% of the charter schools in New York were located in cities as opposed to suburban or rural locations in the 2009-2010 school year. This was in sharp contrast to other states. For instance, during the same time period, the percentage of charter schools located in cities only reached 51% in California, 48% in Massachusetts, 44% in New Jersey, 32% in Florida, and 21% in Illinois. New York represents a critical case study for the analysis of charter school reform in urban school districts.

For the 2009-2010 school year, New York's SRC data were reported for 4,696 schools and 697 school districts statewide. For the purposes of this analysis schools were only examined in districts where both charter and other public schools were present. This was done so that comparisons could be made between charter and other public schools located in districts with the same overall student populations. An additional benefit of adopting this sample framework was that a focus on urban schools could be achieved. A total of 16 school districts in New York state had both charter schools ( $n = 140$ ) and other public schools ( $n = 1,547$ ). These 16 school districts were all located exclusively in urban areas. The largest number of schools was located in the New York City school system, where there were 98 active charter schools and 1,276 other public schools. In addition to school districts located in the New York metropolitan area, others were in the Buffalo-Niagara Falls metropolitan area, and the cities of Rochester, Syracuse, Albany, Ithaca, and Troy.

### *Data Analysis Procedures*

Descriptive statistics,  $t$  tests comparing charter schools to other public schools, and multivariate linear regression models were generated in the

analysis. The analysis focused on the characteristics of students, teachers, schools, and measures of student performance on standardized tests. After examining independent effects of variables and comparing charter schools to other public schools, student performance was examined in multivariate regression models.

The multivariate regression models examined characteristics of students, teachers, and school in the 16 urban districts examined in this analysis. In addition to these characteristics, two dummy variables were applied to the analysis to control for the presence of charter schools and schools identified as “persistently lowest achieving” (PLA) schools by the New York State Education Department.<sup>3</sup> The variables entered into the linear regression models are defined in Table 2.

Seventeen variables were used to predict student performance on state-wide assessment tests and Regents exams. These variables were selected after testing for multicollinearity. No violations of the assumptions of linear regression were detected in the models. The first two independent variables identified in Table 2 measured relative levels of poverty among students enrolled in the 16 urban school districts. These variables report the percentage of students eligible for free and reduced-price lunch programs in the 2009-2010 school year. The next independent variable is a measure of stability in enrollment. It measures the percentage of enrolled students in 2009-2010 who were also enrolled in the same school at any time during the previous school year. This variable is followed by one that measures the percentage of students who were Black. The next four independent variables measure different dimensions of teachers’ credentials and training. They include the percentage of teachers with no valid certification, the percentage of teachers with less than 3 years of teaching experience, the percentage of teachers with advanced degrees, and the overall teacher turnover rate. These variables are followed by dummy variables measuring the presence of charter schools and PLA schools. Two additional independent variables are included in the models that measure a school’s annual attendance rate and the percentage of students suspended in 2009-2010. Finally, five measures of average class size are used in the analysis. These measures were subdivided by grade level and subject matter and rotated into the regression models based on the dependent variable under analysis.

Six dependent variables were examined in the analysis. They were selected because each represented a point of transition in a student’s education. The first point of transition is the sixth grade when students exit elementary school. The second was the eighth grade when students near completion of middle school. The third was at the final year of high school. Separate

**Table 2.** Variables Used in Linear Regression Analysis

Variable Name	Variable Description
Dependent variable	
Mean score ELA exam Grade 6	Mean score on the 2010 statewide English language arts assessment test for Grade 6
Mean score math exam Grade 6	Mean score on the 2010 statewide mathematics assessment test for Grade 6
Mean score ELA exam Grade 8	Mean score on the 2010 statewide English language arts assessment test for Grade 8
Mean score math exam Grade 8	Mean score on the 2010 statewide mathematics assessment test for Grade 8
Percent passing regents English exam	Percentage of students passing the 2010 statewide Regents English exam with a score of 65 or more
Percent passing regents integrated algebra exam	Percentage of students passing the 2010 statewide Regents integrated algebra exam with a score of 65 or more
Independent variables	
% students eligible for free lunch	Percentage of enrolled students eligible for the free lunch program in 2009-2010
% students eligible for reduced price lunch	Percentage of enrolled students eligible for the reduced-price lunch program in 2009-2010
% students enrolled in previous year	Percentage of students enrolled in 2009-2010 who were also enrolled at any time in the previous school year
% students Black	Percentage of students who were Black or African-American in 2009-2010
% teaches with no valid certificate	Percentage of teachers with no valid teaching certificate in 2009-2019
% teachers with fewer than 3 years experience	Percentage of teachers with fewer than 3 years of teaching experience in 2009-2019
% teachers with master's degree + 30 hr or doctorate	Percentage of teachers with a master's degree plus 30 hr or a doctorate in 2009-2019
Turnover rate of all teachers	Turnover rate of all teachers in 2009-2010
Charter school	Dummy variable coded as 1 = <i>charter school</i> and 0 = <i>other public school</i>
PLA School in 2010-2011	Dummy variable for being identified as a "persistently lowest achieving" school in 2010-2011 coded as 1 = <i>yes</i> and 0 = <i>no</i>
Annual attendance rate	Annual attendance rate for students in 2009-2010
% students suspended 2009-2010	Percentage of students who were suspended in 2009-2010

(continued)

**Table 2. (continued)**

Variable Name	Variable Description
Average No. of students in self-contained classes Grades 1-6	Average number of students in self-contained classes in Grades 1-6 in 2009-2010
Average No. of students in Grades 8 English classes	Average number of students in Grade 8 English classes in 2009-2010
Average No. of students in Grades 8 math classes	Average number of students in Grade 8 mathematics classes in 2009-2010
Average No. of students in Grades 10 English classes	Average number of students in Grade 10 English classes in 2009-2010
Average No. of students in Grades 10 math classes	Average number of students in Grade 10 mathematics classes in 2009-2010

Source: New York State Education Department.

dependent variables were examined for student performance on statewide English and math exams at each grade level.

### *Limitations of the Data and Analysis*

The data used in this analysis was collected by the New York State Department of Education. It was reported by local school district officials and reviewed for accuracy by school superintendents and their staff. Although data for charter schools is self-reported to local school districts, the potential for inaccurate reporting is reduced by the oversight function filled by superintendents and their staff who have access to district wide statistics for comparison.

The analysis of the data is also limited by issues discussed in the literature review for this article. There is a great deal of variation in curricular focus within and between charter schools and other public schools (Miron, 2010; Nathan, 2004). Schools also vary in terms of their demographic and socio-economic profiles, which are sometimes linked to socioeconomic creaming and self-selection processes (Bifulco & Ladd, 2005; Levy, 2010; Okpala et al., 2007). The outcomes of these processes are reflected in relative levels of race and class segregation between charter schools and other public schools (Renzulli, 2006; Renzulli & Evans, 2005; Saporito & Sohoni, 2007). Moreover, disparities have been identified between charter schools and other public schools related to the provision of curriculum and services tailored to

special needs students by charter schools (Drame & Frattura, 2011; Estes, 2006).

The models applied to the data used in this analysis control for some of this variation, but all measures were not accounted for in the aggregate SRC data and required separate analysis in the future. For instance, data for students with disabilities was reported as a subgroup in grade-level test scores in the SRC database, but it was not aggregated in a manner that could be compared with other demographic characteristics. Moreover, school level data for these students was sometimes redacted from the SRC database because fewer than five disabled students were tested at specific grade levels. According to the New York State Education Department's special education school district data profile (<http://eservices.nysed.gov/sepuprep/>), disabled students comprised 14.1% of the total student population during the 2009-2010 school year in the 16 school districts examined in this analysis. However, this data was only reported at the school district level and not released at the school level. Consequently, the analysis comparing outcomes for students with disabilities enrolled in charter schools and other public schools was set aside for a separate cross-sectional analysis to be conducted in the future as part of a broader research program linked to this study.

Despite the limitations of the data, this study represents an initial step in the analysis of charter school outcomes in New York State. One of the main contributions of this analysis is the unique urban context that the case study entails. The results from this analysis also prompt researchers to consider more detailed cross-sectional analysis in the future that focuses on specific issues of importance to historically disadvantaged groups and students with special needs.

## Results

### *Contrasting Student Characteristics*

The first set of variables compared in this analysis focus on the characteristics of students enrolled in charter schools and other public schools. Table 3 presents data on student characteristics in New York's 16 school districts where charter schools were operating during the 2009-2010 school year.

One of the most striking aspects of Table 3 is that significant differences between charter schools and other public schools were identified in all but one of the variables examined. The first variable in the table measured the stability of student enrollment. It indicated that significantly fewer ( $p < .05$ ) students continued their enrollment in charter schools than other public

**Table 3.** Means for All Schools and Paired Samples *t* test Comparing Charter Schools and Noncharter Schools 2010

Student Characteristics	Mean for All Schools (n = 1,682)	Mean for Noncharter Schools (n = 1,542)	Mean for Charter Schools (n = 140)	<i>t</i> -value
% enrolled during previous year	79.57	79.96	75.24	2.1774*
% eligible for free lunch	69.58	70.29	61.71	4.5593***
% eligible for reduced-price lunch	7.94	7.49	13.00	-13.0284***
% from families on public assistance	69.90	71.80	48.47	12.5095***
% White	13.02	13.49	7.98	2.9245**
% Black	40.39	38.45	61.69	-9.3211***
% Hispanic	39.38	40.55	26.48	6.0459***
% American Indian	0.50	0.52	0.23	1.2774
% Asian	6.42	6.85	1.70	5.0553***
% multiracial	0.21	.033	1.86	-19.8810***

Source: New York State Education Department.

\* $p < .05$ . \*\* $p < .01$ . \*\*\* $p < .001$ .

schools between the 2008-2009 and 2009-2010 school years. This suggests that there is higher student turnover in charter schools. The next three variables in Table 3 all measure different dimensions of poverty and all indicated that significant differences ( $p < .001$ ) existed between charter schools and other public schools. Two of those variables indicated that there were noticeably fewer students in charter schools who were eligible for free lunch programs or lived in households that received public assistance. This suggests that the poorest children in New York encounter greater barriers to charter school admissions.<sup>4</sup> The other variable measuring relative poverty indicated that students eligible for reduced-price lunch were more likely to enroll in charter schools. Unlike students from the poorest households in the state, these students experienced relatively less poverty. This suggests that in contrast to children of the poorest strata, those from lower-middle class and working poor families faced fewer obstacles to charter school admissions. It is also noteworthy that the overall socioeconomic composition of the school districts examined in the study was reflective of the urban context in which they are embedded. Overall, 77.52% of the students enrolled in public schools



in these districts were eligible for either free lunch or reduced-price lunch. This reflects the general economic deprivation found in New York's urban school districts.

Five of the last six variables in Table 3 indicated that significant differences existed in terms of the racial composition of charter schools and other public schools. For three racial groups—Whites ( $p < .01$ ), Hispanics ( $p < .001$ ), and Asians ( $p < .001$ )—students were less likely to enroll in charter schools. However, Black and multiracial students were significantly ( $p < .001$ ) more likely to enroll in charter schools. This is particularly noticeable for Black students, since they make up the largest racial group enrolled in the urban school districts examined and the largest group enrolled in charter schools. Again, this is reflective of the degree to which minorities are concentrated in New York's urban school districts. The propensity for Black students to enroll in charter schools also suggests that the districts where charter schools are located are racially segregated. When socioeconomic and racial characteristics are considered together, it appears that charter school enrollment in New York follows a pattern similar to the one Levy (2010) describes in his research. In essence, Blacks with relatively more socioeconomic resources are opting out of what are perceived to be failing traditional public schools in segregated districts.

### *Contrasting Teacher Characteristics*

If some are opting out of traditional public schools, the question becomes, "Do significant differences exist between those schools and the ones they are opting into?" Tables 4 to 9 offer some insights into this question. Table 4 compares the characteristics of teachers in charter schools and other public schools. Significant differences ( $p < .001$ ) were found along all five dimensions measured in the table.

The first four variables in Table 4 measure aspects of teachers' credentials and experience. These comparisons show that teachers were less likely to be certified and had less teaching experience in charter schools. Moreover, teachers in other public school were substantially more likely to have advanced degrees. Finally, teacher turnover rates were substantially higher in charter schools. These findings suggest that charter schools are more likely to hire new teachers who are not employed in the traditional public school system. One interpretation of the existence of higher turnover rates is that as teachers in charter schools cut their teeth in the classroom and gain experience and credentials they leave and possibly seek employment in other settings in the public school system where greater job security and opportunities

**Table 4.** Means for All Schools and Paired Samples *t* test Comparing Charter Schools and Noncharter Schools 2010

Teacher Characteristics	Mean for All Schools ( <i>n</i> = 1,665)	Mean for Noncharter Schools ( <i>n</i> = 1,545)	Mean for Charter Schools ( <i>n</i> = 120)	<i>t</i> -value
% with no valid teaching certificate	2.82	2.09	12.23	-22.5013***
% out of teaching certification	7.77	7.42	12.28	-5.7062***
% with < 3 years of teaching experience	12.38	11.27	26.60	-12.2292***
% master's degree + 30 hr or doctorate	34.16	36.05	9.82	16.6145***
Turnover rate of all teachers	16.88	16.47	23.71	6.0733***

Source: New York State Education Department.

\**p* < .05. \*\**p* < .01. \*\*\**p* < .001.

**Table 5.** Means for All Schools and Paired Samples *t* test Comparing Charter Schools and Noncharter Schools 2010

School Characteristics	Mean for All Schools ( <i>n</i> = 1,682)	Mean for Noncharter Schools ( <i>n</i> = 1,542)	Mean for Charter Schools ( <i>n</i> = 140)	<i>t</i> -value
Annual attendance rate	0.86	0.86	0.77	4.9387***
% of students suspended	6.63	6.49	8.22	-2.2230*
Average students per classroom Grade 1-6	23.00	23.00	22.94	0.1435
Average students per classroom Grade 8 English	25.70	25.95	22.67	3.0054**
Average students per classroom Grade 8 math	25.48	25.84	20.70	5.0169***
Average students per classroom Grade 10 English	25.76	25.90	20.70	3.0672**
Average students per classroom Grade 10 math	24.95	25.27	17.31	5.2625***

\**p* < .05. \*\**p* < .01. \*\*\**p* < .001.

**Table 6.** Means for All Schools and Paired Samples *t* test Comparing Charter Schools and Noncharter Schools 2010

Grade 6 ELA and Math Scores	Mean for All Schools ( <i>n</i> = 638)	Mean for Noncharter Schools ( <i>n</i> = 573)	Mean for Charter Schools ( <i>n</i> = 65)	<i>t</i> -value
English language arts	656.49	656.19	659.06	-2.4014*
Math	669.73	668.54	680.86	-5.2562***

Source: New York State Education Department.

\**p* < .05. \*\**p* < .01. \*\*\**p* < .001.

**Table 7.** Means for All Schools and Paired Samples *t* test Comparing Charter Schools and Noncharter Schools 2010

Grade 8 ELA and Math Scores	Mean for All Schools ( <i>n</i> = 540)	Mean for Noncharter Schools ( <i>n</i> = 494)	Mean for Charter Schools ( <i>n</i> = 46)	<i>t</i> -value
English language arts	649.20	648.74	654.13	-2.7764**
Math	667.72	666.97	675.62	-3.2618**

Source: New York State Education Department.

\**p* < .05. \*\**p* < .01. \*\*\**p* < .001.

**Table 8.** Means for All Schools and Paired Samples *t* test Comparing Charter Schools and Noncharter Schools 2010

Regents exams for comprehensive English and integrated algebra	Mean for All Schools ( <i>n</i> = 686)	Mean for Noncharter Schools ( <i>n</i> = 645)	Mean for Charter Schools ( <i>n</i> = 41)	<i>t</i> -value
% scoring 65 and above, comprehensive English	71.37	71.35	72.13	-0.1764
% scoring 65 and above, integrated algebra	66.75	66.07	77.55	-2.9010**

Source: New York State Education Department.

\**p* < .05. \*\**p* < .01. \*\*\**p* < .001.

**Table 9.** Means for All Schools and Paired Samples *t* test Comparing Charter Schools and Noncharter Schools 2010

	Mean for All Schools ( <i>n</i> = 413)	Mean for Noncharter Schools ( <i>n</i> = 399)	Mean for Charter Schools ( <i>n</i> = 14)	<i>t</i> -value
High School Outcomes				
% of students graduating in 2006-2010 cohort	70.68	70.73	69.08	0.2979
% of graduates who planned to enter a 2-year college	31.81	31.89	29.57	0.3924
% of graduates who planned to enter a 4-year college	38.21	38.03	43.36	-0.7603

Source: New York State Education Department.

\**p* < .05. \*\**p* < .01. \*\*\**p* < .001.

for career advancement exist. These data also suggest that lower levels of turnover exist among experienced and certified teachers in other public schools. The data suggest that veteran teachers are not migrating from other public schools to charter schools. Consequently, some of the best teachers are found in other public schools.

### *Contrasting Learning Environments and Student Outcomes*

Table 5 compares the characteristics of the learning environment in charter schools and other public schools. Significant differences were found in six of the seven variables measured in the table. The first two variables in Table 5 focus on attendance and suspension rates. They indicate that charter schools had significantly (*p* < .001) lower attendance rates and significantly (*p* < .05) higher suspension rates. This suggests that the disciplinary environments in charter schools were more rigid. In the past, it has been argued that greater attention to discipline in the classroom is a component of curriculum in charter schools. However, it is also possible that disciplinary action is more pronounced in charter schools as a filtering mechanism designed to remove problem students. This would serve a pragmatic goal in schools operating under market principle, forwarding their efforts to meet performance benchmarks that lead to recertification.

**Table 10.** Linear Regression Models for the Effects of Independent Variables on School Performance in 2009-2010

Variable Name	Mean Score ELA Exam Grade 6	Mean Score Math Exam Grade 6	Mean Score ELA Exam Grade 8	Mean Score Math Exam Grade 8	Percent Passing Regents English Exam	Percent Passing Regents Integrated Algebra Exam
	Coefficient/( $\beta$ )	Coefficient/( $\beta$ )	Coefficient/( $\beta$ )	Coefficient/( $\beta$ )	Coefficient/( $\beta$ )	Coefficient/( $\beta$ )
% students eligible for free lunch	-.144 / (-.310)***	-.162 / (-.173)**	-.198 / (-.325)***	-.173 / (-.754)***	-.176 / (-.197)***	-.333 / (-.302)***
% students eligible for reduced price lunch	.206 / (.129)	.424 / (.132)*	.424 / (.183)***	.264 / (.072)	.627 / (.167)***	.402 / (.082)
% students enrolled in previous year	.195 / (.241)***	.166 / (.113)*	.273 / (.250)***	.151 / (.093)*	.069 / (.098)*	.066 / (.072)
% students Black	-.016 / (-.053)	-.079 / (-.132)*	-.052 / (-.131)***	-.184 / (-.093)***	-.085 / (-.130)**	-.149 / (-.182)***
% teachers with no valid certificate	-.136 / (-.071)	-.280 / (-.070)	.123 / (.052)	.081 / (.024)	-.113 / (-.032)	.193 / (.042)
% teachers with fewer than 3 years experience	.044 / (.047)*	.230 / (.120)**	.061 / (.055)	.138 / (.080)	.124 / (.094)	.081 / (.048)
% teachers with master's degree + 30 hr or doctorate	-.002 / (-.004)	.144 / (.137)**	.008 / (.012)	.025 / (.022)	.023 / (.024)	-.085 / (-.069)
Turnover rate of all teachers	-.103 / (-.109)*	-.152 / (-.092)*	-.175 / (-.159)***	-.254 / (-.150)***	-.205 / (-.136)**	-.028 / (-.015)
Charter school	.347 / (.012)	10.326 / (.168)*	-1.051 / (-.024)	11.154 / (.163)**	-4.849 / (-.044)	4.160 / (.031)
PLA school in 2010-2011	-4.329 / (-.083)*	-12.583 / (-.118)**	-5.478 / (-.097)**	11.061 / (-.129)**	-7.612 / (-.143)**	-10.925 / (-.161)**
Annual attendance rate	7.569 / (.045)	32.550 / (.094)*	27.414 / (.122)***	15.723 / (.066)	8.879 / (.091)	19.317 / (.165)***
% students suspended 2009-2010	-.129 / (-.147)***	-.379 / (-.215)***	-.186 / (-.159)***	-.156 / (-.096)*	-.337 / (-.205)***	-.427 / (-.217)***
Average No. of students in self-contained classes Grades 1-6	.185 / (.096)*	.393 / (.101)*	—	—	—	—
Average No. of students in Grades 8 English classes	—	—	.094 / (.050)	—	—	—
Average No. of students in Grades 8 Math classes	—	—	—	.347 / (.120)**	—	—
Average No. of students in Grades 10 English classes	—	—	—	—	.237 / (.076)	—
Average No. of students in Grades 10 Math classes	—	—	—	—	—	.269 / (.071)
Constant	640.558***	626.851***	614.760***	651.614***	69.503***	62.955***
Adjusted R <sup>2</sup>	.378***	.386***	.538***	.337***	.295***	.336***

\* $p < .05$ . \*\* $p < .01$ . \*\*\* $p < .001$ .

Table 5 also indicates that charter schools had significantly smaller class sizes at the middle school and high school levels. This is reflected in data on average English and math class sizes for the 8th and 10th grades. Tables 6 to 9 suggest that some of the differences in student, teacher, and school characteristics may translate into enhanced academic performance in charter schools. Tables 6 and 7 compare average scores on statewide English and math assessment tests for the sixth and eighth grades. Both tables reflect statistically significant differences between test scores for charter schools and other public schools.<sup>5</sup> At the sixth-grade level, charter school students had higher mean scores in both English ( $p < .001$ ) and math ( $p < .05$ ). Charter schools also had significantly higher ( $p < .01$ ) scores in English and math at the eighth-grade level. However, it should be noted that average test scores for all sixth- and eighth-grade students in the 16 urban districts examined fell below the overall state averages on all but one of the exams.<sup>6</sup> Math scores for sixth graders in charter schools were equal to the state average.

Table 8 compares scores on statewide English and math for high school Regents exams. These exams are administered to students who have completed 4 years of instruction at the high school level. Scores of 65 or higher on the Regents exams are considered to be passing. At the high school level, charter schools had significantly higher percentages of students with passing Regents exam scores in math ( $p < .01$ ). Yet the same pattern emerged for high school students as was identified at the sixth- and eighth-grade levels. In the 16 urban districts examined, percentages of students passing Regents exams in English and math fell below statewide percentages.<sup>7</sup>

Finally, Table 9 compares high school graduation rates and post-high school aspirations. This data indicates that there were no statistically significant differences between charter schools and other public schools in terms of high school graduation rates or post-high school aspirations. Although some differences in test scores were observed, graduation rates and postgraduation plans were comparable. Nevertheless, graduation rates were noticeably lower in the 16 urban districts examined when compared to the statewide graduation rate of 76%. This suggests that students in urban school districts may face systemic challenges to academic achievement which are common across all types of public schools.

## **A Multivariate Analysis of Student Outcomes**

On the surface, these results appear to suggest that charter schools enhance academic performance, particularly in math. However, it is necessary to apply statistical controls to the data to determine if there are intervening

variables. It is possible that differences in student, teacher, and school characteristics may mediate the effects of charter schools that were identified in the preceding bivariate analysis. To understand the factors related to student performance on statewide assessment tests and Regents exams, multivariate models using linear regression were developed. Six fully specified linear regression models are examined using the variables identified in Table 2. The results from six fully specified linear regression models examining the effects of the independent variable on the respective dependent variables are summarized in Table 10.

The first model in the table shows the independent effects of factors associated with student, teacher, and school characteristics on mean scores for sixth-grade statewide English exams. The results in this model indicate that seven variables were significantly related to sixth-grade English scores. Four variables were correlated with lower scores: the percentage of students eligible for free lunch ( $p < .001$ ), the turnover rate of teachers ( $p < .05$ ), if a school was placed on the PLA list ( $p < .05$ ), and the percentage of students suspended ( $p < .001$ ). In contrast, three variables were correlated with higher scores: the percentage of students enrolled the previous year ( $p < .001$ ), the percentage of teachers with fewer than 3 years of teaching experience ( $p < .05$ ), and classroom size ( $p < .05$ ). Interestingly, the presence of newer teachers and larger classes were positively correlated with higher scores. It is noteworthy that after controlling for all of the independent variables, charter schools were not significantly related to sixth-grade English scores. The adjusted  $R^2$  indicated that 37.8% of the variance in sixth-grade English scores was attributed to the variables used in the model.

The second model provides an interesting contrast to the first. This model examines the independent effects of factors associated with student, teacher, and school characteristics on mean scores for sixth-grade statewide math exams. The results in this model indicate that 12 variables were significantly related to sixth-grade math scores. Five variables were correlated with lower scores: the percentage of students eligible for free lunch ( $p < .01$ ), the percentage of Black students ( $p < .05$ ), the turnover rate of teachers ( $p < .05$ ), if a school was placed on the PLA list ( $p < .01$ ), and the percentage of students suspended ( $p < .001$ ). In contrast to English scores, Black students seemed to have more difficulty on statewide math exams. On the other hand, seven variables were correlated with higher math scores: the percentage of students eligible for reduced price lunch ( $p < .05$ ), the percentage of students enrolled the previous year ( $p < .05$ ), the percentage of teachers with fewer than 3 years of teaching experience ( $p < .01$ ), the percentage of teachers with advanced degrees ( $p < .01$ ), charter schools ( $p < .05$ ), attendance rates ( $p < .05$ ), and

class size ( $p < .05$ ). In this case, sixth-grade math scores were further augmented by the presence of students who were relatively better off socioeconomically, and enrolled in schools where teachers had more advanced training and better attendance. Although charter schools were significantly correlated with test scores, this model suggests that other significant variables are linked to high performing charter schools. For instance, socioeconomic creaming and enhancements to the learning environment also contributed to improved math performance. The adjusted  $R^2$  indicated that 38.6% of the variance in sixth-grade math scores was attributed to the variables used in the model.

The next two models in Table 10 examine English and math scores for eighth graders. The first of these two models shows the independent effects of factors associated with student, teacher, and school characteristics on mean scores for eighth-grade statewide English exams. The results in this model indicate that eight variables were significantly related to eighth-grade English scores. Five variables were correlated with lower scores: the percentage of students eligible for free lunch ( $p < .001$ ), the percentage of Black students ( $p < .001$ ), the turnover rate of teachers ( $p < .001$ ), if a school was placed on the PLA list ( $p < .01$ ), and the percentage of students suspended ( $p < .001$ ). In contrast, three variables were correlated with higher scores: the percentage of students eligible for reduced-price lunch ( $p < .001$ ), the percentage of students enrolled the previous year ( $p < .001$ ), and the annual attendance rate ( $p < .001$ ). It is noteworthy that after controlling for all of the independent variables, charter schools were not significantly related to eighth-grade English scores. The adjusted  $R^2$  indicated that 53.8% of the variance in eighth-grade English scores was attributed to the variables used in the model.

The second of these two models examines the independent effects of factors associated with student, teacher, and school characteristics on mean scores for eighth-grade statewide math exams. The results in this model indicate that eight variables were significantly related to eighth-grade math scores. Four variables were correlated with lower scores: the percentage of students eligible for free lunch ( $p < .001$ ), the percentage of Black students ( $p < .001$ ), the turnover rate of teachers ( $p < .001$ ), and the percentage of students suspended ( $p < .05$ ). In contrast, four variables were correlated with higher math scores: the percentage of students enrolled the previous year ( $p < .05$ ), charter schools ( $p < .01$ ), attendance rates ( $p < .01$ ), and class size ( $p < .01$ ). In this case, eighth-grade math scores were further augmented by



the presence of students who were relatively better off socioeconomically, and in schools where teachers had more advanced training and better attendance rates. Charter schools were significantly correlated with test scores in this model. As was the case with sixth-grade math scores, this model suggests that other significant variables are linked to high performing charter schools. The adjusted  $R^2$  indicated that 33.7% of the variance in eighth-grade math scores was attributed to the variables used in the model.

The last two models in Table 10 examine the percentage of high school students passing the Regents English and math exams. The first of these two models shows the independent effects of factors associated with student, teacher, and school characteristics on Regents English exam outcomes. The results in this model indicate that seven variables were significantly related to the percentage of students passing the Regents English exam. Five variables were correlated with lower percentages of students passing: the percentage of students eligible for free lunch ( $p < .001$ ), the percentage of Black students ( $p < .01$ ), the turnover rate of teachers ( $p < .01$ ), if a school was placed on the PLA list ( $p < .01$ ), and the percentage of students suspended ( $p < .001$ ). In contrast, two variables were correlated with higher scores: the percentage of students eligible for reduced-price lunch ( $p < .001$ ), and the percentage of students enrolled the previous year ( $p < .05$ ). In the same manner as other models for English testing, charter schools were not significantly related to passing the Regents English exam. The adjusted  $R^2$  indicated that 29.5% of the variance in the percentage of students passing the Regents English exam was attributed to the variables used in the model.

The last model in Table 10 examines the independent effects of factors associated with student, teacher, and school characteristics on the percentage of students passing the Regents math exam. The results in this model indicate that five variables were significantly related to the percentage of students passing the Regents math exam. Four variables were correlated with a lower percentage of students passing: the percentage of students eligible for free lunch ( $p < .001$ ), the percentage of Black students ( $p < .001$ ), if a school was placed on the PLA list ( $p < .01$ ), and the percentage of students suspended ( $p < .001$ ). In contrast, only one variable were correlated with a higher percentage of students passing. This variable was attendance rates ( $p < .001$ ). Charter schools were not significantly correlated with the percentage of students passing the Regents math exam. The adjusted  $R^2$  indicated that 33.6% of the variance in the percentage of students passing the Regents math exam was attributed to the variables used in the model.

## *Treading Water in a Sea of Urban Poverty*

Combined, the six linear regression models provide insights into the degree to which charter schools are distinct from other public schools. They also highlight how other variables have overarching, systemwide effects on student outcomes. The models show that after controlling for characteristics of students, teachers, and schools, charter schools are positively correlated with sixth- and eighth-grade math scores. However, charter schools had no significant effects on English scores in the sixth and eighth grades or the percentage of high school students passing the Regents English and math exams. Moreover, several other variables had significant effects on student performance in urban school districts.

The three variables that were significantly correlated with student outcomes in all six of the models were the percentage of students eligible for free lunch, if a school was placed on the PLA list, and the percentage of students suspended. The percentage of students eligible for free lunch and the percentage of students suspended also tended to have the largest standardized coefficients ( $\beta$ ). This suggests that broader systemic factors are influencing student performance in urban school districts, which have overarching effects regardless of the organizational structure of particular schools. More than 69% of the students in the 16 school districts examined in this article were eligible for free lunch and came from families on public assistance. This level of poverty can be an overwhelming challenge for students attempting to access all of the opportunities available in the public schools. Likewise, elevated levels of suspension, absenteeism, and other disruptions in attendance have detrimental effects on learning.

Three other variables were significantly correlated with student outcomes in five of the models: the percentage of students enrolled the previous year, the turnover rate of teachers, and the percentage of Black students. The first two variables highlight the importance of continuity in the educational process. The last variable reinforces points made earlier in this article about the link between educational outcomes and the inequitable distribution of educational resources in urban settings. The percentage of Black students is a proxy for the level of segregation in the school districts examined. These results suggest that the maxim of “separate and unequal” in schools is alive and well across urban school districts in New York.

## **The Future of Charter Schools**

Separate and unequal is *prima facie* across New York’s urban school districts, and with the exception of the performance of 6th and 8th graders on

statewide math exams, charter schools do not seem to be making much of a difference. Although exposés in the media argue that a small group of high profile charter schools is making waves and transforming the public school system, this analysis suggests that more charter schools are treading water. Given this context, the question of whether the charter school model is sustainable and the degree to which it can be scaled up should be examined. In this context, sustainability would entail that in the long term charter schools had the wherewithal to remain opened and they had the ability to produce enhanced outcomes for students. Scaling up would also entail the potential for the proportion of charter schools to expand in the broader public school system and serve a broader cross-section of students.

The issues of being sustainable and the potential for scaling up charter schools can be examined along three dimensions: ramifications for students, teachers, and schools in general. Currently, the student population in charter schools is distinct from other public schools in urban districts. Charter school students in New York's urban school districts appear to attract a larger proportion of Black students who face relatively fewer economic barriers than their peers. This outcome seems to be the result of parents with relatively more information and resources self-selecting out of traditional public schools that are perceived to be failing. However, the perception that charter schools produce better outcomes than other public schools is, in part, driven by media accounts and a lack of complete information about school performance. As working poor and lower-middle class parents selectively move their children into charter schools, the public school system becomes more segregated along socioeconomic lines. This process helps to validate perceptions that public schools are failing, since the removal of students who are relatively better prepared for school may play a role in driving down average scores on statewide tests in traditional public schools. Consequently, these types of statistical artifacts, exaggerated by the presence of a relatively small number of charter schools, may contribute to the proliferation of PLA schools in a district.

This process increases the demand for charter schools. In some settings, the expansion of charter schools cannot keep up with demand, and the use of lottery systems for admissions creates an atmosphere of uncertainty for students. In other settings, charter schools expand, but consistency in the quality of management and curriculum across these schools suffers. As charter schools scale up, opportunities for a broader cross-section of student to attend them increase. This is the result of students gaining access to them through the luck of the draw in lottery systems, or because more seats are available to the full spectrum of students in a proliferating number of charter schools. Ironically, successful efforts to scale up charter schools may reduce the degree to which

socioeconomic creaming takes place. As charter school students become more like the population of student in other public schools, distinctions in academic performance may be reduced.

A similar scenario may exist in relation to the distribution of teachers. Currently, charter schools have higher concentrations of inexperienced, uncertified teachers. These schools also have higher teacher turnover rates. In part, this is a reflection of the business model adopted by charter schools, where incentives exist to hire newer teachers for less compensation. It also appears that seeking employment in a charter school may be a default position for newer teachers who are unable to find tenure track employment in traditional public school settings. However, the higher turnover rates for charter schools suggest that as employment in traditional public schools becomes available, teachers in the earlier stages of their careers opt out of charter schools. Subsequently, the sustainability of the charter school model depends on both a steady flow of surplus teachers coming into a district and contraction in the availability of jobs in traditional public schools. A change in either of these conditions would create an unstable environment for charter schools. This also begs the question of whether scaling up charter schools would entail rising personnel costs. If there were more charter schools, demand and competition for existing teachers would increase and the cost of recruiting and retaining them would go up. In New York, a spike in charter school enrollment could push the number of seats in the 2nd year of a school's operation past the 250 threshold. This would make teachers in charter schools members of a district's collective bargaining unit, adding upward pressure to a schools operating budget.

Finally, the sustainability of the learning environment in charter schools presents something of a conundrum. Charter schools in New York had lower attendance rates and higher suspension rates than other public schools in urban school districts. This becomes problematic when charter schools are evaluated for recertification. It is possible that some charter schools augment the use of suspension and other disciplinary tools to weed out lower performing students and enhance their aggregate performance on statewide tests. The sustainability of charter schools that lag behind in attendance is problematic. In essence, elevated levels of suspension and absenteeism have detrimental effects on learning. However, sustainability also becomes problematic if charter schools are scaled up and it becomes more difficult for them to be selective with respect to student retention.

Given some of the concerns about sustainability and the potential for scaling up charter schools, it can be argued that many school districts may be treading water with respect to this type of reform. Of course, follow up analysis to this article is warranted. Particularly, there is a need for more

in-depth analysis comparing high performing and low performing charter schools. Such analysis would help in identifying factors that contribute to success, and assessing the degree to which they could be replicated system wide. A more troubling set of findings from this study involves issues of inequity in the urban school districts examined.

The results from this analysis suggest that school outcomes are predominantly driven by broader systemic problems that students encounter. In particular, poverty and levels of economic deprivation found in New York's urban school districts have an overwhelming impact of educational outcomes. Without a more comprehensive approach to meeting all of the social and educational needs of students, urban school districts will continue to tread water. At a minimum, urban school districts need to expand instructional resources in all public schools and embrace the concept of full-service schools (Dryfoos & Maguire, 2002). This would require a firm commitment at the district level as well as material support from the state and the federal government. An extension of this approach would be the adoption of new policies focused on addressing issues related to attendance rates and suspensions in schools since these issues were highly influential on student performance.

### **Acknowledgments**

The author would like to thank the two external reviewers from *Urban Education* and Rich Milner for their comments on an earlier version of this article.

### **Declaration of Conflicting Interests**

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

### **Funding**

The author(s) received no financial support for the research, authorship, and/or publication of this article.

### **Notes**

1. These are the general parameters in which charter schools are established and operate. However, charter school laws vary in their content and implementation across states and within states. A more detailed comparison of state charter school laws can be found at the Center for Education Reform's web site ([www.charterschoolresearch.com](http://www.charterschoolresearch.com)).
2. In this article "other public schools" include all publically funded noncharter schools. This would include any noncharter school that is part of the public school system, such as traditional public schools and magnet schools.

3. Before the 2010-2011 school year, 67 schools in New York State were identified as PLA schools. Sixty of those schools were located in the 16 urban school districts examined in this study. Being identified as a PLA triggers a process where school districts submit school turnaround proposals to the New York State Education Department. Those proposals must be approved for school districts to be eligible to receive federal Race to the Top (RTTT) funds. One of the four options school districts have available for turnaround models is to convert PLA schools to charter schools. Despite the stigma of becoming a PLA school, conversion to a charter school is not always the first choice of school districts. Among the reasons for this is that charter schools have comparable failure rates to traditional public schools. Between 2001 and 2010, there were 18 closures of charter schools in New York state. Of the 158 charter schools opened between 1999 and 2010, 11.4% closed.
4. The degree to which these barriers are linked to household resources, school accessibility, or information about charter schools is beyond the scope of this study. This topic requires more in depth analysis in the future.
5. Statewide English and math assessment scores were also examined for Grades 3, 4, 5, and 7. They are not reported here because class size information was only available for Grades 1 to 6 in the aggregate, and this metric is applied to multivariate analysis later in this article. However, statistically significant differences were identified between test scores in charter schools and traditional public schools for third-, fourth-, and seventh-grade students. English scores were significantly ( $p < .001$ ) higher in charter schools for third graders, and math scores were significantly higher for third- ( $p < .001$ ), fourth- ( $p < .01$ ), and seventh- ( $p < .001$ ) grade students.
6. In 2010, statewide mean scores on assessment tests were sixth-grade English = 664, sixth-grade math = 680, eighth-grade English = 659, and eighth-grade math = 677.
7. In 2010, the percentage of students passing statewide Regents exams were 79% for both English and math.

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## Bio

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