

The Ohio Coalition for

Equity & Adequacy

Of School Funding

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Charter schools' tarnished glitz

Introduction

Thank you for serving as a board member, school administrator, teacher, or other public school employee, and as an advocate for public education. Typically, traditional public school board members, school personnel and advocates work for public schools with a sense of mission. They are driven by a passion to serve students to advance the public good. They typically understand the symbiotic relationship between the public common school and the community it serves. They understand the social compact between school and community and work to empower that compact. They appreciate democracy and realize the strength of democracy depends on the vitality of the public common school.

The public common school did not appear on American soil as an accident. It was initiated, nurtured and maintained by design. It was established in the shadow of the cherished language in that great document that states all men (and women) are created equal and are endowed with inalienable rights.

The designers of the public school system believed that each individual has dignity and worth and is thus entitled to education. They understood ignorance is the enemy of freedom and universal public education is the key to democracy in the republic.

Public education is a government function

Public education became a government function supported by taxation and controlled at the state level. The delivery of education, however, was set forth as a local function, governed by elected representatives in political subdivisions known as school districts.

John Adams put it this way, "The whole people must take upon themselves the education of the whole people and be willing to bear the expenses of it. There should not be a district of one mile square, without a school in it, not founded by a charitable individual, but maintained at the public expense of the people themselves."

Education is too essential to democracy and the public good to be left solely to each individual's predisposition toward education or to the market forces.

Each state has one or more constitutional provisions for public education. Ohio has three strong provisions. Article VI, §2 requires the state to fund a thorough and efficient system of common schools. The third section of Article VI requires the state to make provisions, by law, for the organization, administration and control of the public school system supported by public funds. The fourth section of Article VI requires a state board of education and superintendent of public instruction selected by the board.

The public common school system is the only function that the Constitution specifically requires the state to fund. Unfortunately, Ohio has not met the March 24, 1997 Ohio Supreme Court mandate to give the system a complete systematic overhaul—to reduce emphasis on property tax in the funding formula and to develop a new formula. It is important to note that the Court ruled Ohio's elementary and secondary schools are neither thorough nor efficient—hence, the entire system falls short of the constitutional requirements.

From the first Ohio Supreme Court decision through 2010, the state made some, at least, modest efforts to perfect a constitutional system of common schools. There are more than 1,200 new or completely rebuilt school buildings dotted across Ohio that the state helped to build in response to the *DeRolph* decisions. The percentage of the state General Revenue Budget allotted to public K-12 education increased from 34.5 percent in FY 1991 to over 40 percent currently; however, during the period between 1999 and now, the state has deducted in the range of \$11 billion from school districts for charters. Additionally, billions have been deducted for vouchers. Therefore, funds gained by school districts due to the litigation have been deducted for school choice programs.

The charter school debacle

While school funding was being litigated, the Voinovich administration, in addition to aggressively fighting the *DeRolph* Plaintiffs, was busily crafting alternatives—vouchers and charters—to the public common school. The administration had assistance from the President of the United States George H.W. Bush, Akron Industrialist David Brennan and a bevy of behind-the-scenes political minions.

The Cleveland Voucher Program was the initial school privatization iteration. Ohio was already first in the nation in state financial support for private schools. David Brennan developed voucher schools to take advantage of the Cleveland program. But his voucher schools did not give him substantial profits; hence, he turned his attention to promoting the charter concept. Although he may have had some interest in education, his primary purpose seemed to be related to education as a business enterprise.

The \$11 billion Ohio charter experiment began with an \$11 million pilot project. The pilot expanded to a \$50 million enterprise the second year and morphed to \$100 million development the third year. In 2015 the charter experiment reached nearly \$1 billion.

The charter business enterprise grew exponentially for a variety of reasons as follows:

- The *DeRolph* decisions revealed a constitutional system of school funding would cost the state a lot more funding than was being allocated; hence, some lawmakers and other state officials sought alternatives to the common school system.
- The fallout from the flawed 1983 Nation at Risk report systematically undermined public confidence in the public common school system. Choice supporters, particularly the charter ones, rode the anti-public school wave, promising better results for less money.
- The escalation of the popular notion that private ventures (market forces) are more efficient, effective and economical than publicly-controlled functions helped charter promoters market their wares.
- The campaign contributions and perks provided by the charter school operators and their support groups precluded meaningful regulations for the charter industry.
- Wall Street, hedge fund managers and corporate America found a new pot of money up for grabs.
- Foundations and some wealthy individuals, like Reed Hastings of Netflix, advanced the idea boards of education are a relic of the past which stand in the way of “school reform”—whatever that is.
- Politicians of all stripes are often influenced by big donors more so than a commitment for preserving the common good.
- A plethora of charter support groups (local, statewide and national) have emerged.
- State officials may not understand or acknowledge the state’s responsibility for perfecting a thorough and efficient system of common schools.
- Public school officials and other school personnel have not made sufficient efforts to protect the public common school from charter encroachment.

For nearly two decades, charters have been the darling of those in charge of state government. The charter industry is the source of heaps of campaign cash and perks to political candidates and their caucuses. This narrative gives charter lobbyists multiple seats at the policy table. The charter tail has been wagging the dog in education policy.

The charter industry has grown support organizations at the state and federal level. These organizations, as well as charter chains and individual charters, are ongoing recipients of massive amounts of foundation funds and corporate largess as well as federal funds.

Charter advocates pour multiplied millions into state issues that are designed to privatize public education and thus monetize it.

The charter glitz is fading

In general, school districts outperform charters in every measure. The charter dream of rescuing children from “failing districts” has turned into a nightmare for the charter industry.

The charter industry is rife with fiscal self-dealing and corruption, most of which is not prohibited by state law and regulations. The public is becoming aware of the real charter industry. However, some of the corruption has been ignored by state officials. A whole session could be devoted to examples of fiscal self-dealing and corruption.

About 300 charter schools have been closed or not even opened after spending public funds for startup. The harm caused to students and the waste of tax revenue is beyond measurement. The public is becoming aware about the failed charter experiment.

The charter industry has a dismal record of tolerating extremely low attendance rates. State officials and charter sponsors seem to care less. These flaws are becoming public knowledge.

The public has started to pay attention to the failed narrative of the charter industry. The media has begun to reveal the true nature of the charter world. Hence, state officials in recent months have begun to respond with, at least, some feeble efforts to hold the industry more accountable. The glitz is beginning to fade. Charter enrollment is on a downward trajectory.

Trends in enrollment and funding

Charter enrollment and funding are on the decline as shown in the table:

	Students	Funding	
2014	122,129.74	\$	915,742,312.43
2015	121,896.89	\$	948,931,273.55
2016	119,296.52	\$	955,229,434.96
2017	113,333.86	\$	929,345,279.12
2018	107,518.91	\$	897,588,759.83
2019	98,144.28	\$	823,993,751.13

Notwithstanding the downward trends, \$824 million is a boatload of money being spent on a mostly-failed experiment. An additional concern is that charter advocates, in view of the downward trajectory, are ramping up efforts to revitalize the charter industry.

Movement to reclaim charter students and to influence current students to remain in the districts

The public common school is the best choice for an overwhelming majority of school-age children. School district resident students have a right to expect high quality educational opportunities within their districts and school district officials have an obligation, if not a fiduciary responsibility, to ensure that each student receives educational opportunities commensurate with the education provisions of the Ohio Constitution.

School district officials, for too long, have tolerated the failure of the charter industry and have failed to “market” the educational opportunities inherent in their respective districts.

The time is now. The glitz is fading in charterland. Charters have become a political issue for the first time. It is time for school district personnel to make bold moves to preserve traditional public education. The Real Choice Ohio (RCO) organization is up and running with tools to help districts reclaim charter students. Public Education Partners (PEP) is becoming a strong voice for public education advocates. Other groups are forming to stand up for public education. The statewide education organizations are expanding public education advocacy efforts.

Solicit citizen support-create a public education advocacy group in every school district

School district personnel need to harness the support of school district constituents in the effort to curb further encroachment of charters and thus enhance the traditional common school. The charter movement was not initiated at the grassroots but can be curbed at the grassroots. Charter students have been enticed by slick marketing—false claims. School district-based advocacy groups can counter the false claims.

Each school district should develop a public education advocacy plan in concert with a citizens group—a Public Education Partners group. The mission of the advocacy groups would be to strengthen traditional public education and make charter programs irrelevant.

Every square foot of territory in Ohio is included in a school district. An advocacy group in every district is a logical approach for sustaining and improving the public common school.

Traditional school personnel have a critical choice. Organize school district patrons into public school advocacy groups or sit back and let the privatizers take over. School district personnel have the influence and numbers on their side. The privatizers have unending wealth and few numbers on their side. Now is the time. The charter glitz is rapidly fading.

The social and political environment is ripe for a full-scale effort to stop the privatization of public education movement in its tracks, for reclaiming the grand tradition of the public common school.

This task can only be accomplished by a massive grassroots effort (an active public education advocacy in every school district.) The groups must be commissioned to help improve educational opportunities in the district and advocate for student-oriented public policy. Initial leadership for the effort must come from boards of education and superintendents.

Education Congress

At some point these advocacy groups must come together in a statewide Education Congress to share successes and formulate state education policy recommendations. Governors and legislators need recommendations that come forth from the citizens rather than the American Legislative Exchange Council (ALEC), the philanthropic community, for-profit education corporations and education choice advocacy organizations.

The time is now

Historically, the public common school has had the full support of citizens of all political parties. In recent years, the common school has fallen victim to political polarization. This sad narrative can be overcome by a grassroots movement. At the district level, parents and other school patrons of all political stripes, can and will come together to improve educational opportunities for their children through the **Public Common School**.