

# Room to Grow: The Politics and Promise of Charter Schools in Massachusetts Gateway Cities

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## Executive Summary

Despite a strong track record of success and parent demand, charter school growth has slowed considerably in recent years in Massachusetts and nationwide. In the Commonwealth's large urban school districts—especially Boston—this lack of growth is attributable to charter school caps that prevent the state from authorizing new charter school seats.

But some school districts in the Commonwealth have room to grow. They have space available for charter expansion under the state's net school spending (NSS) cap and demand for charter schools in the form of waiting lists. A number of those districts are in Gateway Cities, “midsize urban centers that anchor regional economies around the state.” The state's failure to offer more charter school seats in such cities is shortsighted, as Gateway Cities are disproportionately represented in the lowest performing 10 percent of schools in the Commonwealth and charter schools in Massachusetts have a track record of improving academic outcomes for students.

There are several reasons why more charter schools have not been established in the Commonwealth's Gateway Cities. Charter operators may be less inclined to establish schools outside of Boston, which is replete with institutions of higher learning and easy access to young people with college degrees who may be interested in becoming teachers. The tendency of some Gateway Cities to fall in and out of the bottom 10 percent of lowest performing schools also creates an uncertain environment for charter operators. Once a district is no longer in the bottom 10 percent, charter school seats may become unavailable under the NSS cap, which means a school's ability to add seats or expand it less certain. Local politics, too, play a major role in discouraging or, in some documented cases, preventing otherwise willing and qualified charter operators from serving students and families Gateway Cities.

The following paper provides data on the Gateway Cities with room to expand under the NSS cap. It also provides examples of how the politics of charter schooling—both state and local—have prevented high quality operators from serving students and families who desire a charter school education. Finally, this paper concludes with recommendations to change state charter statute as well as processes and procedures related to charter school authorizing in the Commonwealth. These recommendations would make it more difficult for the state or any locality to deny families the charter school options they desire.

## Introduction and Background

Charter schools are in a difficult moment. Despite strong parent demand and academic success, a movement that was rapidly expanding just a decade ago began to slow dramatically in 2015, when the number of new charter schools established across the country dropped by roughly 7 percent.<sup>1</sup> The pandemic helped charters recover some enrollment at a time when many public school districts saw students leave.<sup>2</sup> While promising, this recovery is not a sign that the national charter sector will soon return to its formerly brisk rate of expansion.

Opponents of charter schools operate from a proven playbook. They halt growth by blocking or weakening strong charter legislation, putting districts in charge of chartering, denying charters the start-up and facilities funds they need to open and operate, and making it difficult for charters to contract with for-profit entities to sustain general operations (something that public school districts commonly do).<sup>3</sup>

This “death by 1,000 cuts” attempt to curtail charter enrollment and growth has been happening in Massachusetts for decades. Special interest groups—mainly the Commonwealth's two largest and very powerful teachers' unions—have successfully limited the proliferation of charter schools, mainly by imposing legislative caps on the number of charters that can exist. When the legislature passed the Massachusetts Education Reform Act (MERA) in 1993 it enabled the Commonwealth's first charter schools but created an overall statewide cap.<sup>4</sup> Not long after the first charters opened, it became clear that parents had an appetite for these public alternatives to district schools, and charter opponents feared the legislature would continually raise the state cap

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to meet parent demand. If this happened, some cities could become home to many non-union, independently run charter schools.

In 1997, anti-charter groups strategically convinced the legislature to institute a “net school spending cap,” limiting the number of charter schools that could exist in each school district. The cap prevents any locality from sending more than 9 percent of its overall school spending to students who enroll in charter schools.<sup>5</sup> The cap immediately impacted charter expansion, especially in the Commonwealth’s urban centers. But the genie was out of the bottle: charters were helping students succeed academically and providing them with the school communities parents wanted. Demand for charters continued to rise and waiting lists grew.

By the 2010s it was clear that Boston charters, in particular, were effectively closing opportunity gaps, helping students who had struggled in district schools to achieve high test scores, graduate and go to college at high rates. One of the earliest Department of Elementary and Secondary Education (DESE) studies of charter schools, published in 2001, found “64 percent of charter school students making greater than average gains in reading scores and 63 percent making greater than average gains in overall scores” on nationally norm-referenced tests.<sup>6</sup> Later studies used data from the Massachusetts Comprehensive Assessment System (MCAS). Almost all found gains for charter school students compared to their district counterparts. One called those gains “extraordinarily large,” noting that charter schools were closing what was then called the “Black-white achievement gap.”<sup>7</sup> By 2013, national studies would cite Boston’s charter sector as one of the best in the nation, finding that its schools collectively provided students more than an extra year of learning compared to their district counterparts.

These findings, coupled with long charter school waiting lists (a result of the NSS cap), made it difficult for charter opponents to ignore a push from the Obama administration for states to expand high-quality charter schools. To be competitive in the 2010 Race to the Top (RTTT) initiative, the Commonwealth would have to authorize more high-performing charters. In a bid for RTTT funds, the legislature authorized a “smart cap,” doubling the NSS limit to 18 percent in communities where district schools performed in the bottom 10 percent on MCAS.<sup>8</sup> This cap-raise felt like a victory for advocates and opened up some coveted charter school seats, but it didn’t do enough to meet demand, especially in the Commonwealth’s major urban centers.

In 2016—with charter waiting lists at a near all-time high, some charter supporters saw an opportunity to lift the overall cap on charter schools. They drafted and collected enough signatures to get “Question 2” on the ballot. Had it been successful, the ballot initiative would have allowed the state to authorize up to 12 new charter schools per year, statewide, with priority given to schools that would operate in districts that had performed in the bottom 25 percent on MCAS in the previous two years.<sup>9</sup> Promising polling early in 2016 led some to believe that charter advocates had a shot at success, but voters soundly defeated the ballot initiative, and the ugly politics and unprecedented amounts of money spent by both sides left voters with a misunderstanding of and distaste for the charter movement.<sup>10</sup>

Since 2016’s enormous victory for charter school opponents, the public dialogue around charter expansion has quieted considerably. But parent demand for charter schools, while not as high as its peak, remains strong. The difference is that where demand exists, new charter schools aren’t opening, despite willing, high-quality providers. In the last five years DESE received 17 applications for new charter schools and charter school expansions. Only five of those applications were finalized, and only one was ultimately approved by the state.

While Boston has long stood as a shining example of charter school success and demand for charter advocates, the Commonwealth’s Gateway Cities stand out as communities with great need, high parent demand, and potential for growth. The legislature identifies 26 Gateway Cities, defining them as “midsize urban centers that anchor regional economies around the state.” Gateway communities provide plenty of promise, having traditionally “been home to industry that offer residents a gateway to the American dream.” But these communities have been hit hard by the “disappearance of manufacturing jobs,” and residents are at a comparative socioeconomic disadvantage.<sup>11</sup>

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### Gateway districts in the lowest 10 percent of all statewide student performance scores based on the MCAS results from the two most recent school years (2018 and 2019).

Gateway City	4th Grade MCAS Reading – % M&E	8th Grade MCAS Reading – % M&E	# of Charters	Room for Growth under the Cap
Brockton	18.0%	27.0%	1	Yes
Chelsea	13.0%	22.0%	1	Yes
Everett	20.0%	21.0%	1	Yes
Fall River	21.0%	15.0%	2	Yes
Fitchburg	27.0%	27.0%	1	Yes
Holyoke	4.0%	10.0%	1	Yes
Lawrence	12.0%	22.0%	3	Yes
Lowell	25.0%	30.0%	2	Yes
New Bedford	21.0%	23.0%	2	Yes
Pittsfield	25.0%	26.0%	0	Yes
Springfield	22.0%	18.0%	7	No
Taunton	21.0%	26.0%	0	Yes
Worcester	23.0%	28.0%	2	Yes
Statewide	38.0%	36.0%		

These disadvantages are reflected in academic outcomes in Gateway City schools. As of 2021, half the Commonwealth’s Gateway Cities school districts were ranked in the bottom 10 percent of districts in the state for performance on MCAS. This ranking qualifies these communities for an increase in the NSS cap.<sup>12</sup>

Several Gateway Cities, including Chelsea, Lawrence, and Holyoke, have been sites for aggressive state interventions, including receivership.<sup>13</sup> But most of these communities have not leveraged charter schools as a vehicle for reform. Despite some very high-performing charter schools in Gateway Cities, the number of successful charter applications pales in comparison to the charter stronghold of Boston. Existing charter schools that have tried to expand in these Gateway Cities have also faced steep uphill political battles.

The 2019 expansion of the highly successful Alma del Mar Charter School in New Bedford provides one stunning example: criticizing Commissioner Jeff Riley’s proposal to leverage Alma del Mar’s success by admitting students slated for some of New Bedford’s lowest performing schools rather than using the traditional lottery system, then-vice president of the Massachusetts Teachers Association (MTA) Max Page accused the state Board of Elementary and Secondary Education of having “weaponized the charter expansion process, holding a gun to the head of the city, its students and its parents.”<sup>14</sup>

Such remarks are commonplace in battles over charter expansions in communities where parent demand is high. The difference is that—despite opposition—when seats are available and high-quality charter applications are submitted in cities like Boston, those applications are usually approved. As of 2022, Boston has little-to-no room for growth under its NSS cap, whereas many low-performing Gateway Cities do.<sup>15</sup> Recent history shows that battles to open charter schools in Gateway communities tend to be more heated and more local than they are in larger urban centers. Some mayors, such as New Bedford’s Jon Mitchell and Fall River’s Paul Coogan, have been vocally opposed to the establishment and expansion of high-quality charter schools, claiming it would harm their school districts (both of which perform in the bottom 10 percent).<sup>16</sup>

What are the consequences of these local politics for students and families that desire access to a charter school education? What does a lost charter school opportunity mean to academic outcomes for students who have no option other than a low-performing district school? Is there a different way to think about charter authorizing—one that would be less vulnerable to politics and more responsive to the needs of actual constituents? These are some of the questions this paper will explore.

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## The Charter Landscape Statewide and in Gateway Cities

The characteristics of charter schools have changed very little since the first ones were authorized in 1994. Charters tend to locate in urban areas. Boston, the state’s largest urban center, has more charter schools than any other city or region. Of the 78 charter schools statewide, only 20 are in suburbs or rural areas.<sup>17</sup>

Charter schools serve a disproportionately high number of Black and Hispanic students compared to the state average. They serve slightly more English language learners and slightly fewer students with disabilities, though these proportions may be higher or lower in individual schools. Over time, charters have “expanded downward;” schools that began as high school only have added middle and elementary schools. The result of this kind of expansion is that comparatively few charter schools (only 10 statewide) are standalone high schools.<sup>18</sup>

### Charter school profile

Student Demographics 2021–2022	Charter	State	School Type	#	Location Type	#
First Language Not English	35.3%	23.9%	Elementary	2	Boston	21
English Language Learner	13.4%	11.0%	Elementary–Middle	22	Urban-not-Boston	35
Special Education	16.1%	18.9%	Middle	4	Suburb	14
Low Income	61.7%	43.8%	Middle–High	22	Rural	6
			High	10	Operating Total	76
African-American	30.1%	9.3%	K–12	16		
Asian	4.8%	7.2%	Operating Total	76		
Hispanic	35.7%	23.1%				
White	25.3%	55.7%	<b>School Size at Maximum</b>	<b>#</b>	<b>Regional</b>	<b>#</b>
Native-American	0.3%	0.2%	Less than 100:	0	Yes	36
Native Hawaiian, Pacific Islander	0.1%	0.1%	100–300:	12	No	40
Multi-Race, Non-Hispanic	3.6%	4.3%	301–500:	20	Operating Total	76
			501–1000:	29		
Males	48.9%	51.3%	More than 1000:	15		
Females	50.9%	48.6%	Operating Total	76		
Non-Binary	0.0%	0.1%				

DESE is Massachusetts’ sole charter school authorizer. As such, it is responsible for vetting charter applications for quality, approving charter schools to open, and conducting in-depth reviews of charters on a five-year cycle. These reviews ensure that charter operators are meeting the terms of their agreements with the Commonwealth, which include fulfilling the schools’ stated mission and helping students succeed academically. If charters do not meet the terms of their agreements, the state may enact a series of consequences, including probation and even closure. Since 1995, the state has granted 112 charters, revoked five and opted not to renew two.<sup>19</sup>

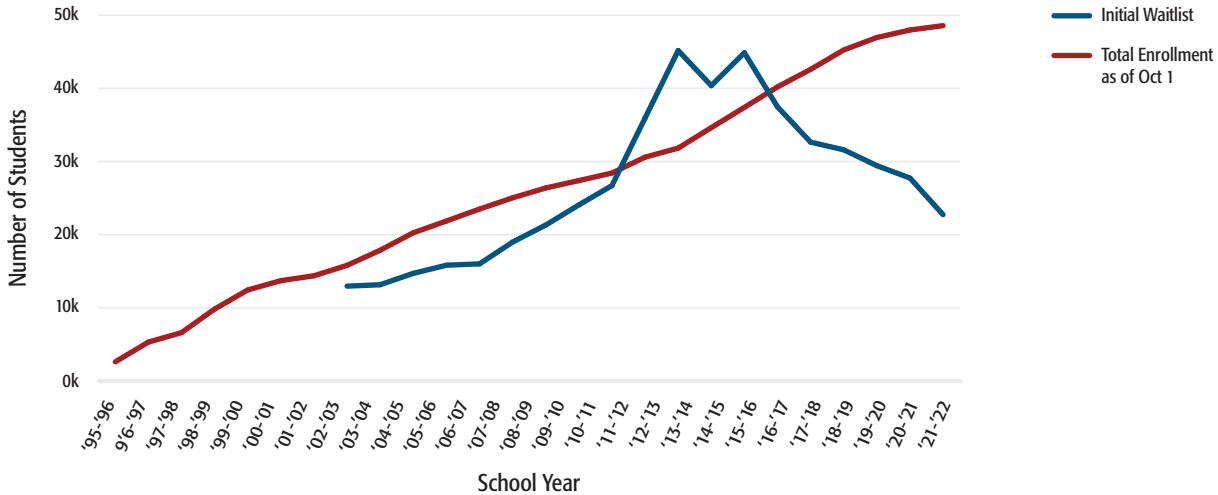
The pace of charter school authorization in Massachusetts tracks with periods of increased demand due to increases in one of the two charter school caps. The table below shows two periods of large spikes in charter applications and approvals — one after the legislature raised the statewide cap in 1997, and the other after it lifted the net NSS cap to be competitive under the federal Race to the Top competition in 2010. These patterns show that both prospective and existing charter school authorizers once were at one time willing and able to respond to pent up parent demand.

Charter school waiting lists act as a proxy for demand. They hit an all-time high between 2000 and 2010, with more than 45,000 students on waiting lists in 2011–12, the year after the legislature last raised the NSS cap. That cap raise didn’t quell demand entirely; in 2013–14, after DESE had authorized almost all the new charters it could under the NSS cap, waiting lists dropped to 40,000 students statewide before spiking again to just under 45,000 in 2014–15. Since that time, the pace of charter authorization has slowed, and demand has decreased slightly.

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One reason for this could be that charter operators and parents realize the political climate in Massachusetts, especially after a failed 2016 ballot initiative to raise the cap, is not favorable to charter expansion. As former-Secretary of Education Jim Peyser predicted 14 years ago, prospective charter operators have taken their ideas and energy elsewhere. New York City and Washington, DC, for example, are home to more robust charter sectors. Those sectors comprise schools founded by former Boston charter founders, teachers, and administrators.<sup>20</sup>

### Charter School Enrollment and Wait List



Declining waitlists, enrollment, and applications to open new schools work together: decreased demand provides little incentive for new providers to open schools and parents look elsewhere when they see only waiting lists or a lack of new options in their communities. The lack of applications to expand or open new schools in some cities is understandable: operators won't apply to open a school in a place with little room to grow under the NSS cap. Even if an operator could establish a school, there would be little prospect to add grades or students in later years. School size matters: having enough scale means more academic and extracurricular offerings for students, the ability to raise funds, and greater financial stability.

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### District in the lowest 10 percent of all statewide student performance scores based on the MCAS results

Gateway City	2016-17	2017-18	2018-19	2019-20	2020-21
Brockton*				Y	Y
Chelsea	Y	Y	Y	Y	y
Everett*	Y	Y			y
Fall River	Y	Y	Y	Y	y
Fitchburg*			Y	Y	y
Holyoke	Y	Y	Y	Y	y
Lawrence	Y	Y	Y	Y	y
Lowell	Y	Y	Y	Y	y
New Bedford	Y	Y	Y	Y	y
Pittsfield*		Y	Y	Y	y
Springfield	Y	Y	Y	Y	y
Taunton	Y	Y	Y	Y	y
Worcester*					Y



Communities that are constantly “on the bubble” of the NSS cap are also unattractive to prospective charter operators. Under state law, when a district performs in the bottom 10 percent of all districts in Massachusetts, it is eligible for a doubling of the charter cap. But some districts frequently fall in and out of the bottom 10 percent, creating an unstable environment for charter schools. An operator who establishes a school under an 18 percent NSS cap may be unable to fill its school to capacity if the district in which it is located falls out of the bottom 10 percent and the cap falls back to 9 percent. Few charter operators want to establish a school on the perverse hope that a district will continue to perform poorly so they can enroll more students.

But there are communities in the Commonwealth that have room to establish more charter schools under the NSS cap. Many of those communities are among the lowest performing in the state and may—like Boston—benefit from the presence of more charters. Disproportionately, those communities are “Gateway Cities.”

## Assessing Charter Demand and Potential Impact in Gateway Cities

The graphic below shows Massachusetts communities with room to establish additional charter schools under the NSS cap. Places like Worcester, Brockton, and New Bedford—all Gateway Cities—have some of the greatest potential to grow. These cities could also benefit from additional, high-quality options for students and families. While some are home to successful, selective vocational-technical schools, those schools serve only a fraction of their student populations and do not generally represent the demographics of the community. Students who do not meet entrance requirements or who are placed on a waitlist have few other options; Massachusetts has a weak open enrollment law (the state does not mandate that school districts must accept students from other communities, even if districts have room).<sup>21</sup> The Commonwealth has no program that allows students to take their per-pupil allocation to a non-public school.<sup>22</sup>

But do parents in these cities want charter schools, specifically? One way to answer this question is to assess demand, which is uneven across the Gateway Cities. In Lawrence, where only 510 charter school seats are available for new or expanding schools, 1,724 students were on waiting lists in 2021–22. Springfield, Lynn, Fall River, and New Bedford all have substantial waiting lists of more than 500 unique students. Brockton and Worcester have smaller waiting lists and more room for growth under their NSS caps. In each of these communities, the expansion or establishment of one or more new charter schools could meet existing demand. Only two of these communities have no room for growth: Springfield and Lynn, with waiting lists double those of other communities, have reached their NSS caps.

Places like Worcester, Brockton, and New Bedford—all Gateway Cities—have some of the greatest potential to grow. These cities could also benefit from additional, high-quality options for students and families.

Municipality	FY22 MAX NSS Cap	2020/21 Enrollment	Current Charter Students	Additional Charter Seats Available	Waiting List
Brockton	0.18	15384	1408	1710	381
Chicopee	0.09	6850	360	300	57
Fall River	0.18	9998	1944	312	598
Fitchburg	0.18	5116	244	748	15
Holyoke	0.18	5153	760	365	43
Lawrence	0.18	12821	2190	510	1724
Leominster	0.09	5859	99	486	6
Lowell	0.18	14023	2259	578	150
Lynn	0.09	15587	2060	0	922
New Bedford	0.18	12565	1552	938	504
Pittsfield	0.18	4959	177	861	23
Springfield	0.18	23636	5611	0	745
Taunton	0.18	7735	92	1197	112
Worcester	0.18	23986	1991	2846	491

Another important question is whether evidence exists that charter schools could be helpful in these communities, almost all of which perform in the bottom 10 percent of all districts in the Commonwealth. While there is no definitive or easy way to assess whether students currently enrolled in the districts above would perform better in charter schools that don't exist, comparing outcomes data from these school districts to outcomes data from existing charter schools in these communities is informative. The table below provides (pre-pandemic) 2019 Next Generation MCAS data for seven Gateway City school districts compared to charter public schools serving K–8 students in the same communities.

### 2019 Next Generation MCAS Score by District/Charter

	ELA % Meeting or Exceeding Expectations	Math % Meeting or Exceeding Expectations	ELA % Meeting or Exceeding Expectations	Math % Meeting or Exceeding Expectations
	Brockton (District)		New Heights Charter School (Brockton)	
Grade 3	24	23	26	25
Grade 8	30	21	22	22
	Fall River (District)		Atlantis Charter School (Fall River)	
Grade 3	38	37	59	52
Grade 8	29	27	20	25
	Lawrence (District)		Community Day Charter District (Lawrence)	
Grade 3	35	29	74	84
Grade 8	27	33	76	81
	Lynn (District)		KIPP Charter School (Lynn)	
Grade 3	43	43	80	70
Grade 8	36	31	41	38
	New Bedford (District)		Alma del Mar Charter School (New Bedford)	
Grade 3	48	42	90	74
Grade 8	20	13	44	38
	Springfield (District)		Springfield International Charter School (Springfield)	
Grade 3	40	30	40	34
Grade 8	22	19	40	24
	Worcester (District)		Abby Kelley Foster Charter School (Worcester)	
	37	30	55	30
	35	23	50	49

The 2019 MCAS data show a charter school achievement advantage, though it's larger in some places than in others. The selected charter schools in Lawrence, Lynn, New Bedford, and Worcester perform well above their district peers on grades 3 and 8 MCAS tests. In Fall River, Atlantis Charter School provides a clear advantage for students in third grade, but its students performed slightly below the district average in eighth grade. The same trend is evident at New Heights Charter School in Brockton, where students have a very slight MCAS advantage in grade three but perform slightly below their district peers in grade eight. The Springfield International Charter School in Springfield also performs only on par with or slightly better than the district on grades three and eight MCAS tests.

It's important to recognize that charter school status doesn't automatically lead to better student performance. While the Commonwealth's charter schools are strong, not all charters help students outperform their district peers academically. However, when charters fail to best districts or fail to show growth over time, they can fall into probationary status or even close. Some schools will surrender their charters when closure, due to poor academic performance or other factors that concern the state (such as financial viability), is imminent. The City on a Hill Charter Public

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School of New Bedford surrendered its charter in 2019 after several years of declining academic performance and enrollment.

Single charter schools in Massachusetts (like City on a Hill, New Bedford) comprise their own districts, making it difficult to mask underperformance. But averages across school districts, which are always larger than charter schools, can obscure important performance differences among schools within a district. Described in the introduction to this paper, in 2019 anti-charter advocates in New Bedford fought hard against a proposal to allow Alma del Mar charter school to serve students from that community's lowest performing schools. Alma del Mar was ultimately allowed to expand, but not in the way the commissioner of elementary and secondary education proposed: in an attempt to broker a compromise that would allow the charter school to expand while providing direct benefit to the district, Commissioner Riley had proposed to allow the charter school access to empty district facilities (the site of a recently-closed elementary school) if Alma would agree to draw students from that area of the community, home to some of New Bedford's lowest performing schools.

In this case, the difference in performance between the local district schools and Alma del Mar was stark. For example, *in 2019, only 19 percent of third graders at the Hayden/McFadden School met or exceeded MCAS expectations for English language arts and only 9 percent of third graders met or exceeded MCAS expectations in math. At Alma del Mar, 90 percent of third graders met or exceeded MCAS expectations in ELA and 74 percent fell into this category for math.* These results alone suggest that students in New Bedford's lowest performing schools might have benefited if given preference to attend Alma del Mar or a similarly high performing charter school, as the commissioner had suggested.

The Alma "deal" was ultimately scuttled by opposition on Beacon Hill and the charter school expanded by 594 seats (as opposed to 450), drawing students by lottery.<sup>23</sup> In failing to solidify what might have been a promising new model, politics trumped the needs of students and families in New Bedford.

And strong academics aren't the only thing that some charter schools provide families. When families have a public choice other than the district school to which they are residentially assigned, they may consider a school's mission, vision, and pedagogical approach in addition to, or even in the absence of, academic outcomes. Charter schools have the autonomy to offer distinct curricula and programming (aligned to state standards) and some may have specific curricular, extra-curricular and other program offerings that meet the particular needs of families. Charter schools, which tend to be smaller than district schools, may also feel safer to some families and students. Research<sup>24</sup> shows that when families are able to choose the schools their children attend, many factors play into parents' decisions.

Because most parents across Massachusetts, but especially in Gateway Cities, have few options when it comes to where to educate their children, the politics of charter school authorizing, especially at the local level, can have an outsized negative impact. In New Bedford, for example, charter advocates might have been happy that Alma del Mar won 145 seats more than it would have had Commissioner Riley's deal been successful, but those additional seats weren't enough to take every child off charter school waitlists in the city. Students in the district's lowest performing schools may have needed the opportunities Alma del Mar provides more than their peers in district schools with better outcomes.

Other things are lost as well when adults play politics with children's education, namely innovation and the ability to once and for all resolve false claims about the financial and other harms that charter schools cause (research<sup>25</sup> shows that charter schools don't drain money from districts). When these things are lost, we fail to recognize charter schools for what they are: centers of community that parents and students choose; public places of learning that have as much right to serve students, under state law, as any district school.

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## Additional Evidence of the Politics of Chartering in Gateway Cities

Alma del Mar is not the only charter school that has been caught in the cross hairs of Gateway City politics. The difference is that local fights over charter schools often play out in the charter school application process, not after a school is already established.

In Brockton, a proposed SABIS International Charter School twice failed to make the state's final cut after charter detractors came out in heated opposition to the school's application in 2008 and 2013. Both years, Brockton had plenty of room to establish new charter schools under its NSS cap and plenty of students on charter school waiting lists. SABIS is a known charter operator, and two of its schools (in Lowell and Holyoke) have strong track records of parent satisfaction and demand. On paper, the SABIS application in Brockton should have worked, but opposition from the Brockton establishment, including then-Superintendent Matt Malone and the Massachusetts Teachers Association (other SABIS schools are not unionized) ensured the charter application would fail.

Opponents of the school argued that SABIS would drain resources from the district (an unfounded but frightening claim) and that Brockton's families didn't need more choices than they already had in-district. Both of these arguments that are made every time a new charter school is proposed, regardless of the facts. But former Brockton Mayor John T. Yunits, a founding board member of the proposed charter, put the latter claim in context; In a 2012 *Boston Globe* article he noted that the proposed charter "would provide an option for parents who want something more for their kids but can't afford it." He also said that claims the charter would drain resources from Brockton's schools were false: noting that funding for SABIS amounted to transferring state funds from one public school to another.<sup>26</sup> Yunits' claim is correct, but could also be expanded: *in Massachusetts not only do charter school funds follow students, but districts are also reimbursed for students once they leave for charters.* This charter school "transition aid" holds districts harmless for costs they may incur when large numbers of students migrate to charter schools at one time.<sup>27</sup>

Ultimately, then-Commissioner Mitchell Chester passed on SABIS's application, citing questions about the quality of the school's proposed board. But former Mayor Yunits wasn't convinced. He saw the 2013 appointment of Matthew Malone, the Brockton Superintendent who led the charge against SABIS, to the position of Secretary of Education as the reason for Chester's decision: *The Boston Globe* reported Yunits as saying "when Matt's got the Secretary position, the writing is on the wall."<sup>28</sup>

Another recent application<sup>29</sup> for a charter school that would serve New Bedford and Fall River recalls the politics of chartering that may have clouded the Commonwealth's decision to authorize SABIS. In the 2021 charter school application cycle a board of 12 founders applied to open the Innovators Charter School. But in early 2022, following what Board of Elementary and Secondary Education chairwoman Katherine Craven referred to as a "rancorous" community meeting about the school in New Bedford, the founding board withdrew its application. At BESE's February 2022 meeting, Secretary of Education James Peyser expressed concern that "the highly charged opposition campaign" against the school "may have contributed to the withdrawal of the application."

The school was proposed to be a regional charter focused on science, technology, engineering, and mathematics (STEM) and designed to provide students with up to two years of free college credit before graduation. The Innovators Charter School would have filled a gap for Fall River and New Bedford because "only 3 percent of students in Gateway Cities are taking advantage of the early college program," despite data suggesting that students who participate are 20 percent more likely to graduate from college.<sup>30</sup>

The school's founding board comprised experienced education and business leaders, and its two proposed leaders, Dr. Meg Mayo-Brown and Dr. Fran Roy have deep ties to the South Coast. A former classroom teacher, Mayo-Brown began her career in Fall River as a Title I director before serving as the district's superintendent for seven years. Under her leadership, Fall River came out of the bottom 10 percent in academic performance (into the bottom 15 percent), "exited

**In Brockton, a proposed SABIS International Charter School twice failed to make the state's final cut after charter detractors came out in heated opposition to the school's application in 2008 and 2013. Both years, Brockton had plenty of room to establish new charter schools under its NSS cap and plenty of students on charter school waiting lists.**

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its state monitoring status, and saw two former Level 4–designated under-performing schools and one former Level 3–designated school elevate to level 1.”<sup>31</sup>

Dr. Fran Roy also has strong ties to the South Coast and a long, successful career serving public school students in Fall River, New Bedford and statewide. A former math teacher and assistant superintendent in Fall River Public schools, Dr. Roy has also been involved in middle school re-design efforts in New Bedford and serves on the Commonwealth’s Mathematics Curriculum Refinement Panel. In 2018, Acting Commissioner Jeff Wulfson appointed Roy as receiver of the John Avery Parker School in New Bedford. Roy became receiver of the school, which the state slated for intervention and turnaround, upon resignation of former New Bedford superintendent Pia Durkin. The appointment was a show of faith from the state that Dr. Roy and the organization she was representing, School & Main, has deep expertise in school administration and turnaround.<sup>32</sup>

Other members of the Innovators board are experienced South Coast education and business leaders. Omari Walker is the executive director of New Heights Charter School in Brockton, one of the only other early college high schools on the South Coast. Jack Sbrega is president of Bristol Community College in Fall River. Nicholas Christ, president and CEO of BayCoast Bank, was formerly a board member but resigned under local pressure.

How could a charter with the potential to fill a need in two Gateway Cities and a highly qualified founding team fail to meet the Commonwealth’s authorizing standards? The evidence suggests that anti-charter politics, not the quality of the school’s application or the interests of parents who wanted the school, won the day.

The Massachusetts Teachers Association and New Bedford Educators association-backed<sup>33</sup> Coalition to Save our Schools (which describes itself as a “grassroots coalition”) led the campaign against the Innovators Charter School, with ample support from New Bedford Mayor John Mitchell and Fall River Mayor Paul Coogan. This group cited the usual anti-charter talking points (claims that charters would drain district resources) but engaged in other tactics as well.

According to the articles in the *Herald News* and *Commonwealth Magazine*, the Coalition to Save our Schools pressured local businesses, including Bay Coast Bank (to which members of the school’s founding board had ties) to withdraw all public and financial support for the charter. The anti-charter group also publicly called upon local small business owners who had signed a letter of support for the school to rescind that support. They did this by organizing a campaign on Facebook asking people to call local business owners and tell them to rescind their support. The coalition also picketed in front of those businesses, handing out anti-charter fliers, during the busy 2021 holiday season.<sup>34</sup>

Residents and anti-charter groups have a right to express their opinion and use the public forums available to them to ensure that opinion is heard. But in case of the Innovators Charter School, the question is whether anti-charter forces took their campaign a step too far, interfering with the charter application process.

Jim Mathes, a member of the proposed school’s founding board and director of a community service center serving low-income residents in New Bedford’s South End, gave a blunt assessment of local politics in New Bedford, saying: “clearly the intent was intimidation — and it worked.” Former Fall River Mayor Ed Lambert agreed, noting that the tactics used to pressure the charter founders to withdraw their application are “a sign of the aggressive tone that, unfortunately, teachers’ union leadership has adopted over the last several years. It’s hard to have these policy debates when people are attacked for stepping into the public sphere.”<sup>35</sup>

It remains to be seen whether founders of the Innovators Charter School will re-submit their application at a later date, but this story, coupled with a history of similar efforts to block the establishment and expansion of charter schools in New Bedford, Fall River, and Brockton, raises important questions about whether the state’s charter authorization process needs adjustment if the Commonwealth is to operate in the best interests of students and families — especially those who are demanding charters.

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In the Gateway Cities described above, where high-quality proposals for new charter schools from proven providers have been blocked by small but powerful groups of anti-charter advocates, the needs and desires of community members—mainly parents and local business owners—are not only being ignored but aggressively shut down. The Save Our Schools coalition certainly includes parent advocates, but it also describes its relationships with the Massachusetts Teachers Association and New Bedford Educators Association—two of the most well-funded anti charter forces in the Commonwealth<sup>36</sup>—as “seamless.”<sup>37</sup> Almost absent from the media surrounding the Innovators Charter School were the voices of the combined 1,250 families (5 percent of total enrollment) in New Bedford and Fall River that are on charter school waiting lists. Why should the desires of a powerful political coalition trump parents’ desires, especially in communities where students struggle in their public schools to access the right to a minimum standard of education that the Commonwealth guarantees under law? What can the state do to elevate the voices of parents and mitigate the influence of politics on the charter application and authorization process?

## Recommendations to Help Charter Schools Grow in Gateway Communities

With few exceptions, charter schools have been a success in Massachusetts. Many outperform their district counterparts while providing parents with other facets of the educational experience that can’t be measured by tests or graduation rates: things like a sense of safety, a sense of community, and a specific mission and vision for how to serve students and families. In the few cases where charter schools haven’t met the standards outlined in their charter, the schools have closed. Both the very successful charter schools in the Commonwealth and the closures of underperforming schools are the result of a sound charter authorization process, something for which the state and the Department of Elementary and Secondary Education deserve credit.

But that process doesn’t work all the time. In the past decade, the charter application and expansion process hasn’t always operated in the best interests of students and families. This is because there are risks and benefits to placing authority for charter authorizing in a state agency that is also responsible for the improvement of district schools.

Among the benefits of housing charter application and authorization processes in a Department of Education are staff with deep expertise in schools and knowledge of what constitutes quality schooling. This allows those staff to create processes that prioritize school quality. Staff also have a view of all of the public-school options available in a community. They can guide applicants and prospective founders in designing schools that fill an unmet need.

But Departments of Education and those who lead them are ultimately responsible for all public schools in a state, district and charter. And the politics of charter schooling in Massachusetts and nationwide can make it difficult for state education leaders to authorize or expand charter schools based solely on the merit of a proposal. As a part of their job description, state leaders work closely with mayors, superintendents, and local union leaders to ensure the quality and continued growth of public schools. In communities where the public schools are underperforming, those relationships can be delicate.

When mayors, superintendents, and local union leaders are vociferously opposed to the opening or expansion of a new charter school, state leaders—especially the commissioner of education—must carefully consider whether standing up for a new charter school will jeopardize relationships that are integral to improving several or all the schools in a struggling district.

Parents and students who want charter schools shouldn’t have to sacrifice an education that meets their needs because of the politics of charter school authorization. For this reason, Massachusetts might consider a slightly new approach to authorizing charter schools.

**In the Gateway Cities described above, where high-quality proposals for new charter schools from proven providers have been blocked by small but powerful groups of anti-charter advocates, the needs and desires of community members – mainly parents and local business owners – are not only being ignored but aggressively shut down.**

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**Recommendation #1: Create an additional, independent charter authorizing body, such as an appointed charter school board or a university.**

Groups that advocate for charter quality, such as the National Alliance for Public Charter Schools, have learned over time that having multiple charter authorizers in state leads to expanded options for families while maintaining charter school quality. Massachusetts could expand authorizing authority to include an independent charter school board or university that could adopt DESE's high-quality approach to vetting charter applications and conducting renewals. The difference between vesting an independent board or university with charter authorizing authority and keeping that authority solely with DESE is politics. An independent board, for example, would have no authority for school districts and could therefore focus on the quality of charter applications and charter school performance, theoretically authorizing schools without deference to the local politics that stop a high-quality charter school from opening or expanding.

**Recommendation #2: When considering applications to establish and/or expand charter schools, give substantial weight to charter school waiting lists and other indicators of parent demand.**

Public school parents aren't usually the loudest voices in the room when a new charter school is up for authorization. Parents who have applied to charter schools but are waitlisted may be working when BESE holds a public hearing. Moreover, parents aren't organized and funded in the same way as teachers' unions and the coalitions they support. This means that many parents are exercising their voices simply by applying to a charter school or having their name placed on a waiting list. In doing so, they are expressing a preference for a school other than the one to which they have been assigned and exercising their right to choose a different option for their child. In communities where there is both room to grow under the NSS cap and enough students on a charter school waitlist to fill the founding class of a proposed school, waitlist numbers and parent demand should stand as a proxy for parent voice and be given priority status in charter school authorization decisions. DESE or another authorizing body should publish the formula it uses when making authorization decisions and demonstrate the weight given to waitlists and parent demand and how that factored into the authorizing decision.

**Recommendation #3: Contract a neutral, outside entity to assess claims that charter schools will harm districts by performing a fiscal analysis that includes an assessment of a charter school's likely return on investment for students.**

Claims that charter schools harm districts are longstanding and have been proven false time and again. While there are circumstances under which some districts may lose money when large numbers of students exit the district for charter schools all at one time, there remains the moral question of whether anyone has the right to deny a family the ability to take public funds to the public school they desire.

Massachusetts already has a generous reimbursement formula that helps to offset the sting some districts may feel when students choose charters over district schools. To validate (or invalidate) the claims of charter advocates and detractors, DESE should hire a neutral party to assess the financial impact of every charter school application, including an assessment of costs a district might incur that wouldn't be offset by the Commonwealth's current reimbursement formula. The external analysis should also include an analysis of any potential return on investment of public dollars opening a charter school might yield in a community. When facilities costs are factored in, Massachusetts charter schools operate on less per-pupil funding than their district counterparts, yet many help students achieve better test scores and graduate at higher rates. Many charter school applicants are proven providers. Had the City of Brockton, for example, had publicly available information about the return on investment that many SABIS schools provide, the outcome in Brockton might have been different for families who desired a SABIS school.

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**Recommendation #4: Continue to pursue innovative charter/district collaborations**

The more charter/district relations normalize, the better off families will be. The politics of chartering in Massachusetts have obscured the good work that charters and districts can do together. This lack of collaboration hurts students and families.

Commissioner Riley's proposal to allow New Bedford's Alma del Mar charter school to use an empty district facility in exchange for the school promising to serve students in that city's most disadvantaged neighborhoods was an innovative response to the destructive local politics of the day. It was hard for even a notoriously anti-charter mayor to decline the deal. Although the proposal was ultimately scuttled by the legislature, state leaders should persist in trying to foster similar charter/district collaborations, such as facilities exchanges, common enrollment systems (where charter schools are listed alongside district schools when families indicate school preference), and innovative alternatives to charter school lotteries. In these ways, districts may learn something from charters and vice versa. With that learning will come more and better options for families.



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