



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

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October 7, 2011

MEMORANDUM

TO: State Board of Education

FROM: Nancy Danhof, Chair
State Board of Education Legislative Committee

SUBJECT: Discussion on Parent Empowerment Education Reform Legislation

At the October 7, 2011, State Board of Education Legislative Committee meeting, members reviewed "An Open Letter from the State Board of Education to the Michigan Senate and House Regarding the Proposed Parent Empowerment Act" (Attachment A). The item is being submitted to the Board for discussion.

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An Open Letter from the State Board of Education to the Michigan Senate and House Regarding the Proposed Parent Empowerment Act.

The State Board of Education (The State Board) encourages time for thoughtful and deliberate consideration of the important changes proposed in the package of Parent Empowerment bills currently being considered in the Legislature. The State Board commends the Legislature for having clearly listened to and incorporated much of what the State Board and the Michigan Department of Education have proposed in their most recent Public School Academy Annual Report and suggestions through this year's education reform process in the legislature.

The State Board supports the expansion of effective and high quality public school choice options as part of a coherent and integrated state strategy to improve education outcomes and achievement in all schools and for all students. The State Board further believes that expansion of charters and choice should only proceed if essential elements for ensuring high quality public school choice are addressed in any legislation. The State Board believes many of these elements are present in these Parent Empowerment bills. It is the belief and the request of the State Board that elements not found in these bills be addressed prior to passage of these bills.

The State Board of Education believes these essential elements include:

- **High Quality Providers** – to ensure success for all students, increased numbers of schools of charter schools, conversion schools, cyber schools, and schools of excellence need to be developed by high quality authorizers with proven track records in successfully transforming existing low performing schools through student growth, increased achievement and outcomes leading to proficient students who graduate and are college and career ready.
 - Legislation should include priorities for new charter development that focus clearly on: neighborhoods where schools are persistently failing, and subject to closure; transformation of existing low-performing schools.
 - Authorizers and management companies approved by charter boards, seeking to open additional schools should only be allowed to do so if they earn the right to charter more schools, or expand existing charter schools, based on their past success in delivering student achievement, outcomes and growth.
- **Strong Charter Board Authority** – having all necessary power to hold management companies, outside contractors, and educators accountable to their parents and the public.
 - Charter School boards, having responsibility for oversight of the school, should have full access to all documents pertaining to the charter school,

including budget and student outcomes, regardless of the presence of a management company.

- Authorizers, not management companies, should continue to be responsible for choosing the Board of a charter school.
- **Transparency** – Authorizers, management companies, and charter school boards need to provide transparency in their organization structure, business practices, budgets and financial reports, hiring practices, and data collection making all available to parents, state oversight bodies, their public and to each other creating a seamless business operation and a culture of trust with collaborative problem solving.
 - Business relationships between PSAs and the vendors, including leases and management agreements should be subject to authorizer review and oversight, and public scrutiny through transparency. The State Board believes all charter contracts must include management agreements and facility lease agreements. These two agreements should be considered and approved as part of the charter contract development and review process.
 - Formally codify a requirement for PSA authorizers to provide oversight of chartered PSAs to ensure they are in compliance with federal Education Department General Administrative Regulations (EDGAR) in the planning and execution of federal Title I and School Improvement grants.
- **Equal choice and access for all student populations** – through schools of choice in traditional public schools as space allows, charter schools, conversion schools, cyber schools, and schools of excellence. The State Board supports and encourages all districts to open available spaces to students from all communities and backgrounds—research and experience demonstrates all students benefit both academically and socially from being in schools with diverse racial, ethnic and economic makeup. This includes special education populations, migrant children, and English as Second Language learners.
- **Accountability** – in all school choice options. The State Board supports high quality charter schools, and recommends that legislation allowing more charter schools and increased school choice include the following conditions:
 - All charter schools and choice schools should be held to clear standards for increasing student growth, achievement and outcomes, and conform to the same sanctions for non-performance as traditional public schools;
 - All charter schools and choice schools must provide the same comparable student assessment, achievement, and outcome data as traditional public schools

- **Under the Constitutional education leadership and supervision authority vested in the State Board of Education and the current authority of the State Superintendent of Public Instruction** – hold authorizers, management companies and choice schools accountable:
 - Oversight of charter schools and the power to close low-performing schools should reside with the State Superintendent of Public Instruction.
 - The State Superintendent of Public Instruction should be provided with the authority and responsibility to deny the issuance of a district code when a charter contract contains an obvious conflict of interest as defined by the federal Education Department General Administrative Regulations (EDGAR).
 - Codify the existence practice of MDEs Assurance and Verification Program. While authorizers have voluntarily participated in this program, authorizers should not have the choice to deny the Michigan Department of Education access to charter school compliance records or files.
- **Dual Enrollment opportunities for all students** – the State Board strongly supports enhanced early college course taking and credit earning for all students, as a proven means to improve graduation rates, college attendance rates and student engagement for both at-risk and high-achieving students. The State Board supports necessary measures to ensure the success of dual enrollment that include:
 - widening eligibility to all high school students,
 - ensuring post-secondary institutions participate and accept credit for dual enrolled courses, and
 - creating incentives for postsecondary institutions to form more early and middle colleges.
- **Finance structures for dual-enrollment** – that create incentives for K-12 schools and postsecondary institutions to participate:
 - The State Board recommends further that the means of paying for dual enrollment be changed to end the current disincentive for K-12 schools to facilitate student participation creating a positive incentive for K-12 schools and postsecondary institutions to help more students to dually enroll.
- **Development of innovative practices, structures and cultures** – to support education learning environments that lead to success for all students.
- **Shared learning of successful innovative practices, structures and cultures** with all public schools.

- **Conversion schools:** the State Board supports the opportunity of existing schools to convert to charter status, upon majority vote of faculty or parents subject to the same requirements for all new charter schools, including their past success in delivering student achievement, outcomes and growth.
- **Virtual Schools:** the State Board supports additional proposed virtual schools only upon satisfying the following conditions:
 - Review of performance data from two current virtual schools;
 - Clear plans and capacity to implement these schools; for holding virtual schools to the same requirements for student achievement, growth and outcomes as all public schools; and for full participation in school accountability, data collection and assessment systems.

The State Board of Education looks forward to the continued collaborative effort with the Senate, House and Governor's office as together we work to provide the most effective public school system that ensures student achievement at high levels with college and career ready outcomes upon graduation.