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Poverty & Race Research Action Council
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April 18, 2022

Dr. Miguel Cardona
Secretary, U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Re: Proposed Priorities, Requirements, Definitions, and Selection Criteria for Charter School Programs, Docket ID ED-2022-OESE-0006, 87 Fed. Reg. 14197 (March 14, 2022)

Dear Secretary Cardona and colleagues,

Thank you for the opportunity to comment on the Secretary's Proposed Priorities, Requirements, Definitions, and Selection Criteria for various federal charter school funding programs, including SE Grants, CMO Grants, and Developer Grants. We are strongly supportive of all of the Department's research-based proposed priorities and application requirements as set out in the Notice, including the priority for diverse charter schools¹ and the priority for increased cooperation and collaboration with a charter school's local school district.² We want to particularly support the Department's proposed application requirements, applicable to all three programs, requiring a "community impact analysis" that would:

"describe how the plan for the proposed charter school takes into account the student demographics of the schools from which students are, or would be, drawn to attend the charter school. The community impact analysis must also describe the steps the charter school has taken or will take to ensure that the proposed charter school would not hamper, delay, or in any manner negatively affect any desegregation efforts in the public school districts from which students are, or would be, drawn or in which the charter school is or would be located, including efforts to comply with a court order, statutory obligation, or voluntary efforts to create and maintain desegregated public schools, and that it would not otherwise increase racial or socio-economic segregation or isolation in the schools from which the students are, or would be, drawn to attend the charter school."

87 Fed. Reg. 14197, at 14200 (March 14, 2022).

¹ See Jennifer Ayscue, Erica Frankenberg, & Genevieve Siegel-Hawley, *The Complementary Benefits of Racial and Socioeconomic Diversity in Schools* (NCSD Research Brief No. 10, March 2017), <https://www.school-diversity.org/pdf/DiversityResearchBriefNo10.pdf>; Richard Kahlenberg and Halley Potter, *Diverse Charter Schools: Can Racial and Socioeconomic Integration Promote Better Outcomes for Students?* (PRRAC and The Century Foundation, 2012), <http://www.prrac.org/pdf/DiverseCharterSchoolsReport.pdf>.

² See *Fostering collaboration between district and charter schools: A toolkit for state and local leaders* (WestEd, 2019), <https://www.wested.org/wp-content/uploads/2019/04/resource-district-charter-schools-toolkit.pdf>; See also *District-Charter Collaboration: A User's Guide* (National Charter School Resource Center, 2015), https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/NCSRC%20District-Charter%20Collaboration%20A%20User%27s%20Guide.pdf.

The community impact analysis would address one of the most concerning features of urban charter schools in the U.S. – their potential to accelerate the concentration of the poorest and neediest students in the public schools they draw from.³ In some communities, charters can also intensify racial segregation and undermine the efficacy of local efforts to maintain racially and economically diverse public schools.⁴ The proposed application requirement for a community impact analysis would require charter school applicants to assess and avoid all of these potential impacts.

In summary, the proposed community impact analysis and accompanying required plans to mitigate identified impacts, along with priorities for collaboration with local school districts, will ultimately lead to a more inclusive charter school sector that works in cooperation with local public school systems for the benefit of all students.

Sincerely,



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³ See Yongmei Ni, “The Sorting Effect of Charter Schools on Student Composition in Traditional Public Schools,” 26 *Education Policy* 215, 236-38 (2012) (Traditional public schools in Michigan experienced an increased concentration of disadvantaged students as more advantaged students left for charter schools); Stephen Kotok et al., “School Choice, Racial Segregation, and Poverty Concentration: Evidence from Pennsylvania Charter School Transfers,” *Educational Policy* 1, 18-19 (2015) (Students in Pennsylvania leaving traditional urban public schools for charter schools tend to end up at higher-income schools); Erica Frankenberg et al., “Choice Without Equity: Charter School Segregation,” 19 *Education Policy Analysis Archives* 1, 8-9 (2011) (citing research indicating higher socioeconomic levels of children in charters vs traditional public schools, and lower enrollment of children with disabilities than traditional public schools).

⁴ See, e.g., Roslyn Arlin Mickelson et al., “Do Charter Schools Undermine Efforts to Create Racially and Socioeconomically Diverse Public Schools?,” *Choosing Charters: Better Schools or More Segregation?* 125 (2018) (Charter schools in North Carolina can undermine diversity efforts in traditional public schools by giving middle-class families an alternative in attempts to avoid socioeconomic status desegregation policies in public schools); See also Kotok et al., *supra* note 3.