

# Pre-K and Charter Schools: Where State Policies Create Barriers to Collaboration

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# Foreword

by *Michael J. Petrilli and Amber M. Northern*

You don't have to be a diehard liberal to believe that it's nuts to wait until kids—especially poor kids—are five years old to start formal education. We know that many children arrive in kindergarten with major gaps in knowledge, vocabulary, and social skills. We know that first-rate preschools can make a big difference on the readiness front. And we know from the work of Richard Wenning and others that even those K–12 schools that are helping poor kids make significant progress aren't fully catching them up to their more affluent peers. Six hours a day spread over thirteen years isn't enough. Indeed, as our colleague Chester Finn calculated years ago, that amount of schooling adds up to just 9 percent of a person's life on this planet by the age of eighteen. We need to start earlier and go faster.

But the challenge in pre-K, as in K–12 education, is one of quality at scale. As much as preschool education makes sense—as much as it *should* help kids get off to an even start, if not a Head Start—the actual experience has been consistently disappointing. Quality is uneven. Money is spread thin. Teachers are poorly educated. And benefits quickly fade. There are exceptions, of course, but it's no easier to run a great high-poverty preschool than to run a great high-poverty elementary school. It's possible, but rare.

So if policymakers want to ramp up high-quality preschool programs, where should they turn? To the big and often dysfunctional urban school districts that struggle so mightily to get the job done for K–12 students? To Head Start centers, which continue to resist a focus on academic preparation and hire mostly low-wage, poorly trained instructors? To for-profit preschool providers? (We don't hear many liberals proposing *that*.)

What the Left and Right *can* get behind are pre-K programs that deliver the goods: nonprofit institutions able to prepare young children, and especially low-income children, for the rigors of education today. What could be a more ideal solution, both politically and substantively, than high-quality charter schools?

Why on earth, then, is it so difficult for America's high-impact, “no-excuses” charter schools—committed as they are to helping poor kids succeed in K–12 education and proceed to good colleges and worthwhile careers—to participate in pre-K programs? Who wouldn't want the KIPPs or Achievement Firsts or Uncommon Schools of the world to be able to get started with three-year olds and work their edu-charm as early as possible?

Commonsensible though it may be, however, the preschool and charter school movements have grown up parallel to one another, never intersecting as often or effectively as they could. Because of the siloed nature of policymaking and finance, charter schools in many states are greatly restricted (and in some places even prohibited) from offering preschool. That's what we found in this pathbreaking study of state policies related to charter preschools.

To conduct the analysis, we approached early childhood and charter school expert Sara Mead at Bellwether Education Partners. Sara is an education policy veteran, having once directed the New America Foundation's Early Education Initiative and spent time at Education Sector and the Progressive Policy Institute. She now serves on the District of



Columbia Public Charter School Board. Sara’s colleague Ashley LiBetti Mitchel, a savvy public policy analyst in her own right, co-designed and co-authored the study.

Among their most dismaying findings: Charter schools cannot offer state-funded pre-K in the thirteen states that lack either charter laws or state pre-K programs. In nine other cases, state law is interpreted as prohibiting charters from offering pre-K. Where the practice *is* permitted, charters still face all sorts of barriers, including meager pre-K funding (and/or district monopoly of funds), woefully small programs, and restrictions on new providers. Charter schools are often barred from automatically enrolling pre-K students into their kindergarten programs without first subjecting them to a lottery.

In other words, charter schools get the short end of the stick. Again.

But it doesn’t have to be this way. As this report proposes, we can do much to demolish the barriers that prevent the charter and pre-K sectors from working together. But that requires us to understand how two programs with very different origins can be brought together. *New York Times* columnist David Brooks gets it. In November 2014, he posited that “a collaborative president might jam a mostly Democratic idea, federally financed preschool, and a mostly Republican idea, charter schools, into one proposal.” This horse trade—more support for charter schools in exchange for more support for preschool—might represent a bipartisan way forward. Why *not* charter preschools? Why *not* charter elementary schools that start at age three?

Policymakers, this is low-hanging fruit. Why *not* pick it?

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# Executive Summary

Both charter schools and preschools have shown tremendous potential to change the educational and life trajectories of low-income kids. In combination, they could do even more to improve the odds for our nation's most vulnerable youngsters. But current policy and practice in many states limit the ability of charter schools to offer state-funded pre-K programs. Even though most states use a variety of providers to offer preschool—including public schools, Head Start programs, community-based child care centers, and for-profit and faith-based preschools—charter schools are often not among them.

This report asks and documents the answers to three key questions:

- Can charter elementary schools offer state-funded pre-K?
- How many charter schools serve preschoolers?
- What types of barriers prevent charter schools from offering pre-K?

We analyzed state pre-K and charter statutes, regulations, and agency policies in the thirty-six jurisdictions that had both charter schools and state-funded pre-K programs at the start of the 2014–15 school year. We also interviewed state charter leaders, policymakers, and pre-K program staff to better understand the barriers that charters face in accessing pre-K funding.

Here is what we found.

1. Thirty-five states and the District of Columbia have both state-funded pre-K and charter laws. Of those, thirty-two have at least one charter school serving preschoolers.
2. Though at least 965 charter schools *nationally* offer preschool, only a fraction of them do in most states.

More specifically, among states with both state-funded pre-K and charter school laws:

- Nineteen have less than 20 percent of elementary charters offering preschool.
- Twelve have between 20 and 50 percent of elementary charters offering preschool.
- Just five have more than 50 percent of elementary charter schools offering preschool.

Alternatively, we can look at the raw number of charter schools that offer preschool by state (see Figure ES-1 below). Of the states that offer both state pre-K and charter schools, we see that four states have no charters offering preschool; thirteen have between one and five; eleven states have between six and twenty; and eight have more than twenty. Some of these charter schools do not receive state pre-K funds, instead drawing on public funds, child care subsidies, parent tuition payments, and private philanthropy to offer preschool.

**Figure ES-1. States by Number of Charters that Offer Preschool**

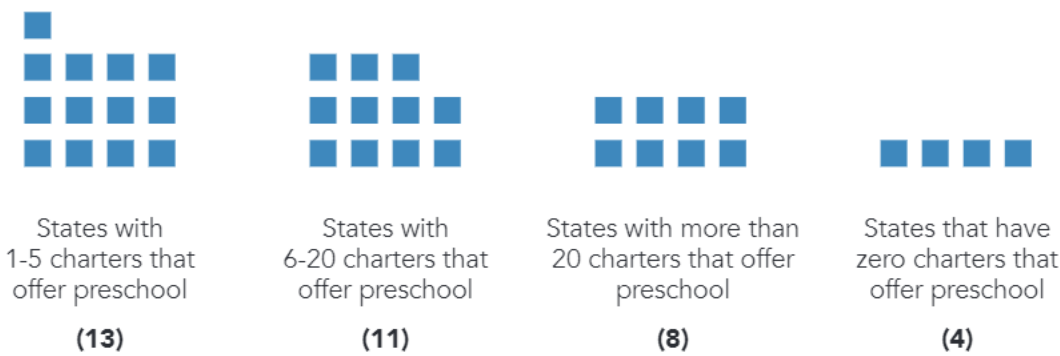


Table ES-1 shows the number and percentage of charter schools offering preschool by state.

**Table ES-1. Number and Percentage of Charter Schools Offering Preschool by State**

State	Pre-K Charters	Elementary Charters	Percentage (%)
Alaska	2	20	10%
Arizona	5	374	1%
Arkansas	2	14	14%
California	239	709	34%
Colorado	38	135	28%
Connecticut	6	12	50%
District of Columbia	58	53	109% <sup>†</sup>
Delaware	1	15	7%
Florida	102	331	31%
Georgia	9	61	15%
Illinois	17	65	26%
Indiana	3	50	6%
Iowa	1	1	100%
Kansas	0	5	0%
Louisiana	34	92	37%
Maine	1	2	50%

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State	Pre-K Charters	Elementary Charters	Percentage (%)
Maryland	11	34	32%
Massachusetts	13	38	34%
Michigan	76	250	30%
Minnesota	20	100	20%
Missouri	3	28	11%
Nevada	2	28	7%
New Jersey	7	63	11%
New Mexico	5	36	14%
New York	9	161	6%
North Carolina	5	119	4%
Ohio	0	228	0%
Oklahoma	7	12	58%
Pennsylvania	5	111	5%
Rhode Island	1	12	8%
South Carolina	6	33	18%
Tennessee	9	26	35%
Texas	195	364	54%
Virginia	0	2	0%
Washington	0	1	0%
Wisconsin	73	108	68%

Note: Authors' estimates based on interviews and publicly available state data. See Appendix B for more information on data limitations.

† The number of District of Columbia charter schools offering pre-K is higher than the number of elementary schools because it has several schools that serve pre-K exclusively and do not offer an elementary program, as well as one school that offers both pre-K and adult education but does not serve K-12 students.

Charter schools in all but four states face at least one significant barrier to offering state pre-K. Among the thirty-six jurisdictions we reviewed:

- Nine have statutory or policy barriers that preclude charter schools from offering state-funded pre-K. In some of these states, charters have found ways to circumvent barriers by, for example, creating separate nonprofit organizations that are not technically part of the charter school to operate pre-K. Children attending these affiliated programs are not considered students of the charter school.

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- Twenty-three other states technically permit charter schools to offer state-funded pre-K but have created practical barriers—often in the application, approval, or funding processes—that significantly limit their ability to do so in practice.

Table ES-2 quantifies various state barriers that charter schools face in attempting to offer pre-K.

**Table ES-2. Funding Barriers by the Numbers**

Barriers	# of states
Low pre-K funding	22
Small pre-K program	12
Charters are not permitted to automatically enroll pre-K students into their kindergarten programs	10
Local districts have a monopoly on pre-K funds	9
Charter law, pre-K law, or other state law prohibits charter schools from offering pre-K, either in explicit statutory language or by agency interpretation	9
Funding process privileges existing providers	5
New providers can access funding only when total pre-K funding increases	4
Funding is only available in specific regions	3

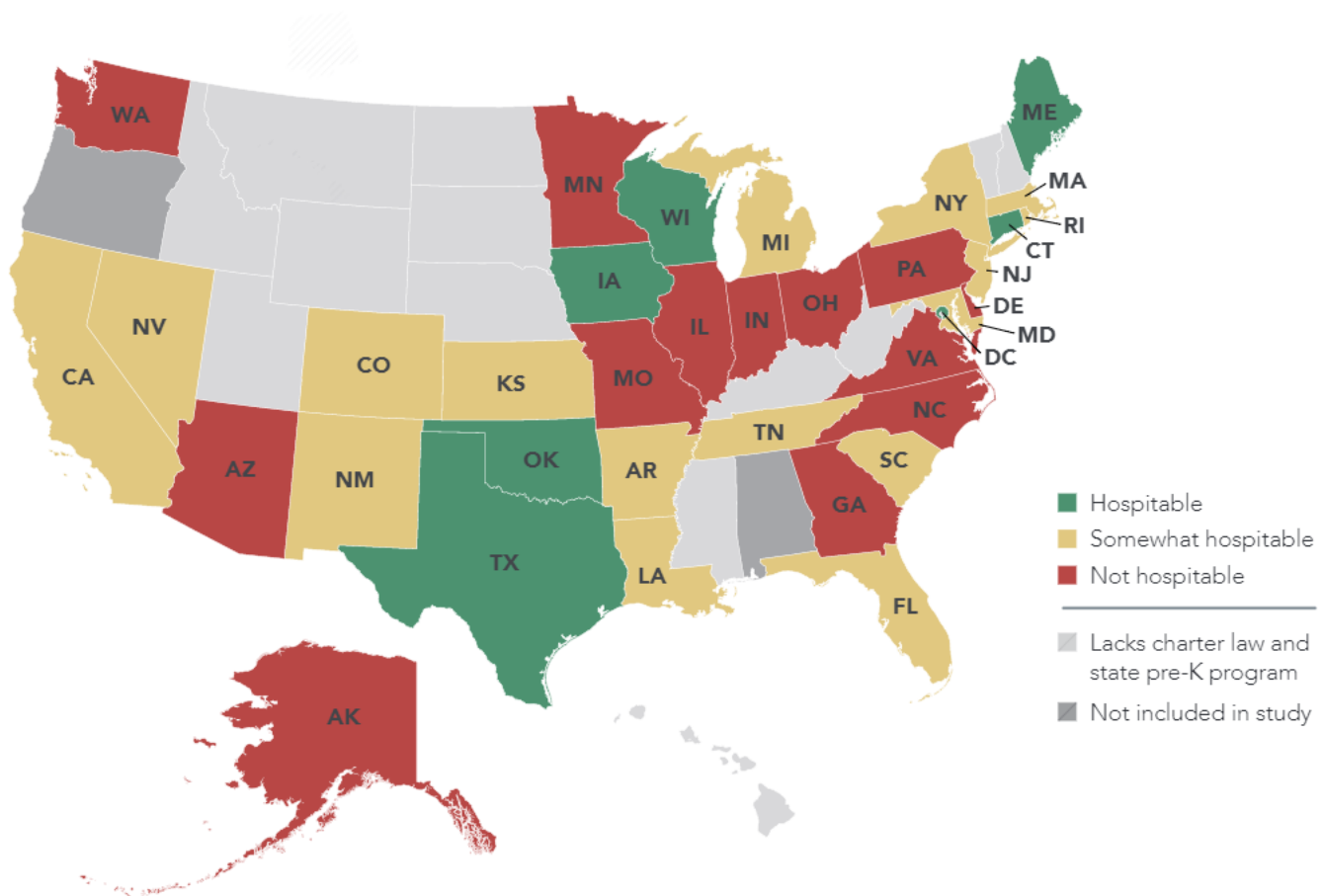
The most common practical barriers include:

- **Low funding levels.** Twenty-two states provide pre-K funding at much lower per-pupil levels than what charters receive for K–12 students, making it financially difficult for them to offer pre-K.
- **Small pre-K programs.** Twelve of the states in our sample have state-funded pre-K programs that serve fewer than 10 percent of their four-year-olds. When pre-K programs are so limited, few providers—whether charter schools or otherwise—are able to access funds.
- **Barriers to kindergarten enrollment.** In ten states, charter schools may not automatically enroll pre-K students in their kindergarten programs. Children who complete pre-K at a charter school must go through a lottery to enroll in the charter’s kindergarten program if the school is oversubscribed. This policy may discourage charter schools from offering pre-K, since there is no guarantee that they’ll be able to continue serving their own pre-K students the following year.
- **Local district monopolies on pre-K funds.** In nine states, charter schools can access pre-K funding only if their local school district agrees to share it with them. While most of these states encourage districts to share pre-K funds with other providers, such as local child care centers and private preschools, districts often wield final authority over which providers receive funding—and many choose not to include charters.

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Putting our data together, we evaluated the degree to which states can be said to offer a “hospitable” climate for charter schools interested in providing pre-K education. The results are shown in Figure ES-2.

**Figure ES-2. Which States Offer a Hospitable Climate for Charters Seeking to Offer Pre-K?**



As shown, seven jurisdictions are *hospitable*: Washington, D.C., Oklahoma, Texas, Iowa, Maine, Wisconsin, and Connecticut. Sixteen states are *somewhat hospitable*, among them Michigan, Arkansas, New Mexico, Colorado, and Maryland. Thirteen states are *not hospitable*, including Pennsylvania, Delaware, North Carolina, Ohio, and Indiana. (Thirteen other states are not rated because they lack charter laws, state pre-K programs, or both.)



### Recommendations

Policymakers and advocates should not only expand high-quality charter schools and high-quality pre-K for needy children; they should also alter policies and practices that deter the former from offering the latter.

#### State policymakers should:

- Carefully consider how charter, pre-K, and school finance policies interact with one another.
- Ensure that the state definition of a charter school includes pre-K in the activities or grade levels that charter schools are permitted to offer.
- Establish clear policies that allow charter schools operating publicly funded pre-K programs to enroll the children served by those programs directly into their kindergarten classes.
- Make certain that charter schools have equal access to state pre-K funds. Specific strategies will depend on both the structure of the state's pre-K program and the entities responsible for authorizing charter schools.
- Require districts that offer widespread pre-K programs to transfer funding to charters for each district student enrolled in charter pre-K.
- Increase authorizers' role in overseeing charter pre-K programs.
- Collect better data on charter schools that offer pre-K and on charter school participation in pre-K programs.

#### Federal policymakers should:

- Include pre-K in the federal definition of charter schools.
- Revise federal Charter School Program (CSP) guidance on enrolling students from pre-K into kindergarten to allow charter schools to automatically matriculate their pre-K students into kindergarten classes.
- Ensure that federal preschool programs, including Head Start, provide equitable access to funding for charter schools.

#### Funders, advocates, and other stakeholders should:

- Support additional research on charters offering early childhood programs.
- Build authorizer capacity to oversee pre-K initiatives.