



Ember Reichgott Junge and Ted Kolderie, pioneers in school chartering

Interview with The Civic Caucus

8301 Creekside Circle #920, Bloomington, MN 55437

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Notes of the Discussion

Present : Verne Johnson (chair), Jon Bacal, David Broden, Janis Clay, Pat Davies, Paul Gilje (coordinator), Randy Johnson, Sallie Kemper, Dan Loritz (vice chair), Tim McDonald, Jim Olson (phone), John Rollwagen, Dana Schroeder, Clarence Shallbetter

Summary of discussion: On the 20th anniversary of the first chartered school in Minnesota, two who were there at the start - the chief author of the chartering bill, and the principal architect of the concept - describe the bi-partisan nature of the bill's passage. They offer thoughts on lessons learned regarding innovation in governance today. They close the discussion by reflecting on the chartering strategy as it has evolved in the state and on the national scene.

A. Introduction of speakers .

Ember Reichgott Junge is author of the recently released *Zero Chance of Passage: The Pioneering Charter School Story* , a recounting of the 1991 passage of the country's first chartered school law, of which she was chief author.

A member of the DFL party, Reichgott Junge was elected to the Minnesota Senate at age 29 and served for eighteen years, including five years as Senate Assistant Majority Leader. Since retirement from the Senate in 2000, she has served as a general counsel, nonprofit executive, and broadcast political analyst and is currently focusing on telling the pioneering chartering story for the national launch of her book and the 20th anniversary year of chartering. Reichgott Junge is a member of the National Charter Schools Hall of Fame, past board member of the National Alliance for Public Charter Schools, and current board vice-chair of Charter Schools Development Corporation, the co-publisher of her book.

Ted Kolderie is the 2011 recipient of the prestigious Education Commission of the States (ECS) Conant Award for "outstanding contributions to American education", mainly his work in the development and spread of school-chartering laws. The Conant award is one of the highest honors in public policy relating to education.

Kolderie is a co-founder of the St. Paul-based Education|Evolving, a project of the Center for Policy Studies. He has been influential in a wide range of policy initiatives dating back to the 1960's, including shaping the regional governance of the Twin Cities represented in part by the creation of the Metropolitan Council. A graduate of Carleton College and Princeton University's graduate school of public affairs, Kolderie was a reporter and editorial writer for the Minneapolis Star and Tribune and later executive director of the Citizens League.

B. Discussion - The guests opened the discussion by describing the bi-partisan and public/private cooperative processes that brought chartering from casual notions to focused research and ultimately to reality.

The bi-partisan initiative came from outside government.

Chartering is a national story with its roots in Minnesota, Reichgott Junge said. She acknowledged some of those in the room that were present at the start. Ted Kolderie was the father of the charter school movement, she said - "all roads in chartering lead back to Ted." Dan Loritz played key roles throughout the initial years with his work on public school choice. Dana Schroeder wrote about chartering in 1992 as a staff member at the Citizens League, and assisted Ember with the interviews and research for the book. Dana's husband, Jon Schroeder, played many critical roles nationally. John Rollwagen chaired the Citizens League committee that wrote the report that became the template for the statute. Reichgott Junge noted that the Citizens League report came from outside both education and government, having been written by business and civic leaders, most of whom did not have day-to-day involvement in education.

In a recent column in the Star Tribune, columnist Lori Sturdevant described the advent of chartering as an example of bipartisanship in mutual self-interest. The process wasn't conflict-free. There were, in fact, many conflicts, within and among parties, between the branches of government, and among interest groups and all other players. However, the process was also collaborative.

"Currently we have a very divided political climate, and I'm not sure chartering legislation would pass today," Reichgott Junge said. "There is no 'middle' today in policymaking." As she speaks around the country about the passage of chartering legislation, she finds that people are surprised to learn that the bill's passage here in Minnesota was led by DFLers, through DFL majorities in both houses, with a bipartisan coalition. However, in fact, only a minority of the majority DFL caucus voted for the bill, so its passage depended on a true bipartisan effort.

Reichgott Junge added, looking back on the process, that she learned to be pragmatic about compromise; she learned that "compromise is not defeat."

Lessons from chartering are relevant for leaders today.

"For many years I felt the bill that we passed was a failure because I thought nothing would ever come of it, that it was watered down too much. But I look at it now and realize that without compromise, it wouldn't have been passed at all."

The bill was "a pragmatic look for the next right answer." Without opening the system to charters, the district schools would have continued to have an "exclusive franchise," without incentive to respond to parents and families or other outside influences.

Reichgott Junge outlined three ways the experience with chartering informs the redesign of other public services:

1. ***A moderate, pragmatic approach led to compromise***. That compromise led to a sustainable system redesign evolving over twenty years, a redesign supported by 70% of the American public.
2. ***The law is the innovation itself, in that it offers an ongoing incentive for redesign***. The law presents an opportunity for innovation to thrive in the public schools.
3. ***Chartering is built upon a performance-based contract***. Performance against clear objectives determines rewards or sanctions. This was a new concept in delivery of government services at the time.

And she outlined lessons learned through the chartering experience that are relevant to policy innovation today:

- ***Ask the right questions***. Rather than ask ' *who wants charter schools?*' ask instead, ' *how can we get better schools that meet the needs of all the community?*'
- ***Train more legislators to ask those questions***. Encourage policy entrepreneurs.
- ***Seek the common ground that can emerge from redesign***, even among different political philosophies. Redesign in one area can often be applied to others. (For example, the 2011 Lutheran Social Service initiative called My Life, My Choices, a new way to deliver services for people with developmental disabilities, took many lessons from chartering.)
- ***Recognize that term limits of any kind work against redesign***. With greater turnover in legislative ranks, people try the same things over and over; with less experience, they rely more on staff, who often think in terms of what they know and have already created.
- ***Don't make it personal or try to control the ownership***.

Good ideas need a champion to become reality.

The world is full of good ideas, Kolderie observed, but what many of them lack is a champion. "Ember's role was that of a champion of this idea, as the political scientists would say. I don't think chartering would have happened if she hadn't pushed for it hard and created some conflict."

However, the effort does not stop with the first law enacted. It has taken 20 years of continued modification to get the law to its present form.

"It not only took a champion willing to push hard and willing to create conflict, but it also took someone who didn't know that it couldn't be done. Reichgott Junge was one of those people," Kolderie added. "She didn't come from the establishment. She wasn't an education 'expert.' So she was less susceptible to the conventional wisdom that chartering could not work, and would never take off."

Rollwagen added that the Citizens League recommendation in its report on chartering was, in his mind, so patently obvious that, "I thought, well, Ember would take this to the legislature and just get it passed." It proved, however, to be far more difficult. "If she hadn't been stubborn and pushed it through it wouldn't have happened."

Chartering goes national.

"It was California that in 1992 put the idea in play nationally," Kolderie said. If it had just been Minnesota touting the concept, people would have shrugged it off as an outlier, an experiment from the hinterland. In 1993, six states enacted chartering - that, too, made quite an impression on the collective thinking. Language from Minnesota's chartering law appeared in a number of other states' chartering legislation. "Among other things, it got the National Education Association thinking seriously about what was going on."

Kolderie began writing memos about chartering, under the masthead of his Public Services Redesign Project and began building a list of people in other states interested in chartering.

The chartering law itself is merely an enabling law and does not in fact create schools, Kolderie reminded participants. In 1994, Senator Durenberger, with help from his policy aide, Jon Schroeder, got federal startup grants for chartered schools established. The process of creating charter schools then was truly launched.

Chartering spread rapidly across the country to about 40 states by the end of the 1990s, in spite of the conventional interests opposing them and the dire predictions of all the analysts who said it couldn't be done. Across the country there grew interesting stories for the annals of political science that often include suspenseful scenes with the results coming down to the last day of the session and heroic efforts of those who championed the measures.

National organizations could pull chartering off track.

Kolderie recalled a meeting in 1996 with a funder that was interested in supporting the Charter Friends National Network, then a locally based assistance network. But a few years after that, the nature of the movement significantly changed. "A consultant said to me there were too many 'little people' in the movement; that it was going to grow only if we get the 'heavy hitters' in."

In 2005, the national interests held a large meeting on Mackinac Island, and repositioned chartering with a report, *Renewing the Compact*. "I think they made one of the most basic mistakes you can make in policy," Kolderie said, "which is to accept your opponents' premise."

"The opponents tried to link the word 'charter' with student learning. We've tried to draw the distinction from the beginning: charters don't 'learn' kids. A charter is a permission to start a school, as a fishing license is permission to fish; the license doesn't catch the fish."

Unfortunately the currently dominant leadership in the major national organizations - the National Alliance for Public Charter Schools and the National Association of Charter School Authorizers - has bought into this idea. "Once you buy into this you are compelled to show that chartering, as a way of simply creating a school, alone leads to improvement," Kolderie cautioned. Rather, Kolderie sees chartering primarily as *a process of system change*, not as a particular type of school that automatically results in "better" learning.

"And since 'better' means high scores, you are compelled to produce schools that generate high scores. So you see a narrowing of what's defined as achievement, while at the same time the need to expand learning is growing." Thus, he contends, the trap is set.

It's good to have this debate Kolderie said, and he welcomes it, but he is troubled by a "Puritan insistence by some folks that they're so absolutely right that you end up dealing with people whose minds are not open."

Most successful systems are open systems and therefore innovative, Kolderie added. Chartering opened the traditional K-12 system to innovation. Education needs to be open to new forms of schools and new forms of teaching. These new approaches will increasingly involve digital electronics, Kolderie argued, and like most innovations they will not be perfect at the start. "There will be failures, and we need to be able to tolerate a certain number of failures. And we need to be open to new and unfamiliar concepts of quality." Otherwise, he asserts, you get trapped in a situation where you judge the new developments by the old ideas.

There is an important virtue in school autonomy.

Chartering has picked up many of the traditional school district traits, Kolderie observed. In fact, most chartered schools work today like traditional district schools and have the same problems. One of the national debates is whether to create networks of chartered schools, essentially large non-governmental districts.

There is an important virtue in a school's being autonomous, Kolderie said, in its being responsible to its own students and able to respond quickly to needs and opportunities. It is important that the school be able to make, by itself, the changes needed to address problems that appear. Among the national leadership, the independent charter schools are often derided as 'mom and pop' schools. Kolderie thinks this is a serious mistake.

One important coming development involves the 'common core' standards. Now, assessments are being developed, aligned to these standards. Next, there will be the effort to teach teachers to teach to these standards. No one knows how quickly that will be successful, or how motivated the students will be. Learning is, after all, a voluntary activity, Kolderie said: It is common to hear people talk about schools 'delivering education' but in reality young people decide whether or not they learn.

Kolderie added that parent choice has little role in the thinking of the national groups today. The parents have concepts of success and achievement for their children that are broader than those defined in the 'common core' standards; they have a broader concept of what a good school should be. Yet the original idea of charter schools was to try new and broader concepts of learning.

Chartering has been undertaken so that individuals, whether teachers, parents or even kids, to some extent, in small areas or large, could innovate on their own in education, without someone at the higher level telling them what to do. Regrettably, Kolderie asserts, the national organization supporting chartering now is going in exactly the opposite way by supporting uniformity, to the extent that the only thing that matters now are test scores.

C. Closing .

Reflecting on Reichgott Junge's concern about the law's being too weak at the beginning, Kolderie observed that many of the key features she was concerned about initially did come into the law later on, such as increasing the number of schools allowed and adding a broader range of different organizations as authorizers. "You have to evaluate the success over a period of time."

Kolderie said he disagreed, though, with her suggestion that if she had engaged in more "generous listening" to the opponents during her work on the legislation, there might have been more ownership of the compromise by the opponents and less dissension around the final product. In time, their attitudes have changed, but in 1991, the opponents could not have been won over with further compromises, he said. Rollwagen said he agrees it was critical for her to have pushed as hard as she did.

Reichgott Junge added that with the recognition of the 20th anniversary of the chartering law in Minnesota and of Minnesota's leadership in the national movement to foster charter schools, it is a good time to restart the conversation, "reclaim" the origins of chartering, dispel some unhelpful myths and engage in more "generous listening." Rather than the "us vs. them" debate so frequently seen in the media, there is great opportunity to focus on how charter, district, and teacher union leaders can collaborate to improve public education across the board.