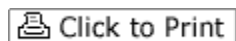




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Out of control

Charter school governing boards have a problem. They lack the necessary authority over charter school operators

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The governing boards of 10 Ohio charter schools filed a lawsuit this spring, putting the spotlight on state laws regarding governance of the tax-funded schools. The boards contended that changes in state law in 2006 granted so much power to the company hired to manage the schools that the boards were "virtually impotent" to provide the best education for students.

The suit reveals more than a simple a public rift between governing boards and their operators. Of much greater concern is evidence of a state still struggling to ensure an effective system of governance for a school option that now enrolls nearly 90,000 students in more than 300 schools.

A review of charter management practices released this week by Policy Matters Ohio concludes the current law "allows the unchecked, largely unexamined transfer of public funds to private hands, particularly in the case of schools that are run by management organizations. . . ." It is disturbing when the perception among such staunch advocates of charter schools as the National Association of Charter School Authorizers is that state law "turns the concept of accountability on its head," essentially opening Ohio to "the most breathtaking abuse [by for-profit management companies] in the nation."

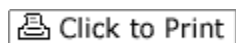
The Thomas B. Fordham Institute, in its own recent review of the charter experience in Ohio, concluded that a key to a reliably good charter system is to ensure competent, independent leadership motivated to improve education. In short, Ohio must clarify the responsibilities and degrees of control relating to charter school sponsors and governing boards and their contractual arrangements with for-profit and not-for-profit operating companies.

The review by Policy Matters Ohio makes clear that management companies can exercise inordinate control in ways that undercut the autonomy of the governing boards responsible under law for the school, in some cases controlling the bulk of school revenues and writing contracts that make it nearly impossible to terminate an operator (as alleged in the lawsuit by the 10 charter schools). The Cleveland-based think tank found, among other things, instances of operators selecting or paying board members and allowing staff to serve on multiple boards.

The argument about Ohio's charter schools, 13 years after they were launched, is not whether there is a place for them in public education. The critical issue is whether the state will provide the governance structure and degree of oversight that guarantees effective charter schools the environment and flexibility to thrive. The Policy Matters Ohio review provides a timely prod to fix the glaring flaws.

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