

# Why Georgia Charter Schools Should Have the Option to Use an Admissions Preference for Educationally Disadvantaged Students

by Chris Adams



***AN IMPACT PAPER FROM:***



Georgia Charter Schools Association

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# WHY GEORGIA CHARTER SCHOOLS SHOULD HAVE THE OPTION TO USE AN ADMISSIONS PREFERENCE FOR EDUCATIONALLY DISADVANTAGED STUDENTS

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## Overview

One of the great education stories in Georgia has been the success of a distinguished group of charter schools dedicated to serving low and mixed-income students. This includes schools focused on closing the achievement gap for low-income students, like KIPP. It also includes schools with missions to educate diverse, mixed-income populations, such as Drew Charter School, Kindezi, and Atlanta Neighborhood Charter School. These and other high-performing charter schools have provided a path to success for thousands of low-income students in Georgia.

But there is a risk that fewer low-income students will have this opportunity in the future. Due to the popularity of quality charter schools, demographic changes, and challenges facing low-income families in the enrollment process, several charter schools are finding it harder to enroll a substantial percentage of low-income students.

Georgia can address this challenge by amending Georgia law to give charter schools *the option* to give admissions priority to educationally disadvantaged children. This approach is used several other states. It has support from charter school leaders, education policy experts, and the U.S. Department of Education. And it has allowed some of the most respected charter schools in the country to boost academic achievement, while ensuring that they reflect the communities they serve.

This white paper addresses the challenges facing Georgia's low-income students, the opportunity for high-performing Georgia charter schools to address these challenges, and the need for legislation to empower these schools to fulfill their missions.

## Low-Income Students Have The Greatest Needs

The challenges facing low-income students are well documented. Students from lower socioeconomic backgrounds often experience more mobility<sup>1</sup> and stress,<sup>2</sup> fewer [books](#) and words prior to starting schools,<sup>3</sup> and lower academic expectations.<sup>4</sup> Low-income students in Georgia are almost four times more likely than other students to fail to meet or exceed expectations on the CRCT,<sup>5</sup> and the graduation rate for low-income students is only 62.5%.<sup>6</sup>

## Quality Charter Schools Offer A Solution

But these challenges are not insurmountable. Low-income students can learn at extremely high levels. Several Georgia charter schools are seeing their innovations pay off, with tremendous results for their low-income students. For example:

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<sup>1</sup> Editorial Projects in Education Research Center, *Issues A-Z: Student Mobility*, Education Week, August 4, 2004. <http://www.edweek.org/ew/issues/student-mobility/>.

<sup>2</sup> Gary W. Evans, et al., *Stressing Out the Poor, Chronic Physiological Stress and the Income-Achievement Gap*, Pathways Magazine, Stanford Center for Study of Poverty and Inequality, Winter 2011.  
[http://web.stanford.edu/group/scspi/\\_media/pdf/pathways/winter\\_2011/PathwaysWinter11\\_Evans.pdf](http://web.stanford.edu/group/scspi/_media/pdf/pathways/winter_2011/PathwaysWinter11_Evans.pdf).

<sup>3</sup> Betty Hart & Todd R. Risley, *The Early Catastrophe: The 30 Million Word Gap by Age 3*, [American Educator](#), Spring 2003.  
<http://www.aft.org/sites/default/files/periodicals/TheEarlyCatastrophe.pdf>.

<sup>4</sup> RICHARD D. KAHLENBERG, ALL TOGETHER NOW: CREATING MIDDLE-CLASS SCHOOLS THROUGH PUBLIC SCHOOL CHOICE 52 (2001).

<sup>5</sup> In 2013-14 17.5% of FRL students statewide did not meet or exceed expectations on the CRCT, compared with 4.7% of other students. In the Atlanta Public Schools, the disparity was even greater. Governor's Office of Student Achievement, *K-12 Public Schools Report Card 2013-14*.  
[https://gaawards.gosa.ga.gov/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPublic%20Portal%2F\\_portal%2FK-12%20Public%20Schools%20Report%20Card%20-%20Georgia%20Tests&P1=dashboard&Action=Navigate&ViewState=a1tdukgkmmujq8hdedm8c7dhga&P16=NavRuleDefault&NavFromViewID=d%3Adashboard~p%3Apvgi69upfabujgm](https://gaawards.gosa.ga.gov/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPublic%20Portal%2F_portal%2FK-12%20Public%20Schools%20Report%20Card%20-%20Georgia%20Tests&P1=dashboard&Action=Navigate&ViewState=a1tdukgkmmujq8hdedm8c7dhga&P16=NavRuleDefault&NavFromViewID=d%3Adashboard~p%3Apvgi69upfabujgm).

<sup>6</sup> Governor's Office of Student Achievement, *K-12 Report Card 2013-14*. <https://gosa.georgia.gov/report-card>. (Select All Column Values/Indicators & Demographics/Graduation & Dropout Rates/Graduation Rate as Indicator).

- KIPP Strive offers an extended day and year, which is particularly important for low-income students. In 2014, KIPP Strive Academy (grades 5-8) was named a Reward School—the highest level statewide. Of the KIPP Strive students qualifying for free or reduced lunch (“FRL”), 95% met or exceeded expectations on the Criterion Referenced Competency Test (“CRCT”).<sup>7</sup>
- Kindezi maintains class sizes of only 6-8 students. In 2013-14, 93% of its FRL students met or exceeded expectations on the CRCT<sup>8</sup> and the school scored in the 99<sup>th</sup> percentile on Georgia’s 2013 Beating the Odds report.
- Drew Charter School, another Reward School, uses a STEAM (Science, Technology, Engineering, Art, and Math) curriculum. Ninety-two percent of its FRL students passed the CRCT—well above state and district averages.<sup>9</sup>
- At Atlanta Neighborhood Charter School (“ANCS”), the 2015 Charter School of the Year, FRL students at both the elementary and middle schools campuses scored well above the average for FRL students in the state and district.<sup>10</sup>

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<sup>7</sup> In APS and statewide, 74% and 82% of FRL students in middle school (6-8) pass the CRCT respectively. Governor’s Office of Student Achievement, *K-12 Report Card 2013-14*. <https://gosa.georgia.gov/report-card>.

<sup>8</sup> Governor’s Office of Student Achievement, K-12 Report Card 2013-14 [https://gaawards.gosa.ga.gov/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPublic%20Portal%2F\\_portal%2FK-12%20Public%20Schools%20Report%20Card%20-%20Georgia%20Tests&P1=dashboard&Action=Navigate&ViewState=t23qf6icklkr1mog69t9utv2ti&P16=NavRuleDefault&NavFromViewID=d%3Adashboard~p%3Apvgi69upfabujugm](https://gaawards.gosa.ga.gov/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPublic%20Portal%2F_portal%2FK-12%20Public%20Schools%20Report%20Card%20-%20Georgia%20Tests&P1=dashboard&Action=Navigate&ViewState=t23qf6icklkr1mog69t9utv2ti&P16=NavRuleDefault&NavFromViewID=d%3Adashboard~p%3Apvgi69upfabujugm).

<sup>9</sup> For elementary schools, among low-income students, 60.5% of Atlanta Public Schools’ students passed the CRCT; 81.1% of low-income students statewide passed the CRCT. Governor’s Office of Student Achievement. [https://gaawards.gosa.ga.gov/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPublic%20Portal%2F\\_portal%2FK-12%20Public%20Schools%20Report%20Card%20-%20Georgia%20Tests&P1=dashboard&Action=Navigate&ViewState=t23qf6icklkr1mog69t9utv2ti&P16=NavRuleDefault&NavFromViewID=d%3Adashboard~p%3Apvgi69upfabujugm](https://gaawards.gosa.ga.gov/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPublic%20Portal%2F_portal%2FK-12%20Public%20Schools%20Report%20Card%20-%20Georgia%20Tests&P1=dashboard&Action=Navigate&ViewState=t23qf6icklkr1mog69t9utv2ti&P16=NavRuleDefault&NavFromViewID=d%3Adashboard~p%3Apvgi69upfabujugm). (Change School District to Atlanta Public Schools to see APS data).

<sup>10</sup> At Neighborhood Charter School (Elementary), in 2013-14, 86% of FRL students met or exceeded expectations on the CRCT compared with 75% in APS and 82% statewide. [https://gaawards.gosa.ga.gov/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPublic%20Portal%2F\\_portal%2FK-12%20Public%20Schools%20Report%20Card%20-%20Georgia%20Tests&P1=dashboard&Action=Navigate&ViewState=t23qf6icklkr1mog69t9utv2ti&P16=NavRuleDefault&NavFromViewID=d%3Adashboard~p%3Apvgi69upfabujugm](https://gaawards.gosa.ga.gov/analytics/saw.dll?PortalPages&PortalPath=%2Fshared%2FPublic%20Portal%2F_portal%2FK-12%20Public%20Schools%20Report%20Card%20-%20Georgia%20Tests&P1=dashboard&Action=Navigate&ViewState=t23qf6icklkr1mog69t9utv2ti&P16=NavRuleDefault&NavFromViewID=d%3Adashboard~p%3Apvgi69upfabujugm).

## The Challenge

These schools deserve the recognition they have received. But their popularity has also created a challenge. Demographics changes and high demand from more affluent parents has meant fewer seats for low-income students. Moreover, research shows that low-income families are less likely to be aware of their options, or to apply to high performing charter schools.<sup>11</sup> Therefore, even with substantial recruitment efforts and in diverse neighborhoods, low-income students are often underrepresented.

At Drew, which serves Atlanta's East Lake community and surrounding neighborhoods, the percentage of FRL students has fallen from 78% to 52% over the past five years. Likewise, despite its intention to serve a mixed-income population in a diverse part of southeast Atlanta, ANCS's elementary school FRL percentage has fallen to just 12.5%. On average, over the past five years, the schools listed above have seen their FRL populations decrease from 56% to 48%.<sup>12</sup> This trend is likely to continue, and may accelerate as the areas around several Atlanta charter schools gentrify.

If so, this creates several challenges. First, it means fewer opportunities for low-income students—who need these schools most. This will have consequences for Georgia's graduation rates, the number of students attending college, and ultimately, the state's economy.

Second, it could jeopardize the missions high-achieving charter schools. Innovate charter schools have often been created by leaders inspired to close achievement

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<sup>11</sup> Paul Teske, *Creating Savvy Choosers: Informing Families About School Choices*, in HOPES, FEARS, & REALITY: A BALANCED LOOK AT AMERICAN CHARTER SCHOOLS IN 2011 79 (Robin J. Lake & Betheny Gross, ed., 2012).  
[http://www.crpe.org/sites/default/files/pub\\_ch7\\_hfr11\\_jan11.pdf](http://www.crpe.org/sites/default/files/pub_ch7_hfr11_jan11.pdf).

<sup>12</sup> According to the Georgia Department of Education, FRL populations in 2009-2010 versus 2014-15 were: Drew (K-5) - 78% to 52%; ANCS (K-5) – 18% to 12.5%; ANCS (Middle) 38% to 28%; and Kindezi (first year 2010) 72 % to 70%. At KIPP Strive, the FRL percentage has increased from 72 to 78%, but only after the school changed its priority attendance zone to zip code 30310. Georgia DOE counts ANCS elementary and middle schools as two schools.  
[https://app3.doe.k12.ga.us/ows-bin/owa/fte\\_pack\\_frl001\\_public.entry\\_form](https://app3.doe.k12.ga.us/ows-bin/owa/fte_pack_frl001_public.entry_form).

gaps and serve diverse communities. If they are unable to fulfill their missions, leaders may be discouraged from starting promising schools, or replicating successful ones.

Third, fewer students will benefit from socioeconomic integration. Research shows that socioeconomically diverse schools benefit all students. It is “a win-win situation: Low-income students' performance rises [and] all students receive the cognitive benefits of a diverse learning environment.”<sup>13</sup> Socioeconomically integrated schools are also cost-effective. It has been estimated that reducing socioeconomic segregation by half can increase graduation rates by 10%, resulting in public gains of over \$20,000 per student.<sup>14</sup> Despite Georgia’s economic diversity (62% FRL overall), most schools are relatively homogenous. In Atlanta Public Schools, for example, less than 1 in 5 schools have FRL rates between 40 and 80%.<sup>15</sup> Charter schools have an opportunity to innovate by offering greater socioeconomic integration to parents who value this experience—but only if sufficient numbers of low-income students enroll.

### **What Successful Charter Schools Are Doing**

This challenge is not unique to Georgia. Successful charter schools around the country are taking steps to ensure that their schools reflect their communities.

For example, several high achieving charter schools have begun using “weighted” lotteries. Because low-income students are often underrepresented in a lottery pool, in a weighted lottery, these students receive a statistical advantage so that the school's student population better reflects the community it serves.

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<sup>13</sup> Halley Potter, *Boosting Achievement By Pursuing Diversity*, Education Leadership, 2013. [http://www.ascd.org/publications/educational\\_leadership/may13/vol70/num08/Boosting-Achievement-by-Pursuing-Diversity.aspx](http://www.ascd.org/publications/educational_leadership/may13/vol70/num08/Boosting-Achievement-by-Pursuing-Diversity.aspx) (citing several sources).

<sup>14</sup> Marco Basile, *The Cost-Effectiveness of Socioeconomic School Integration*, in *THE FUTURE OF SCHOOL INTEGRATION: SOCIOECONOMIC DIVERSITY AS AN EDUCATION REFORM STRATEGY* 128 (Richard D. Kahlenberg ed., 2012). <http://tcf.org/assets/downloads/tcf-basile.pdf>.

<sup>15</sup> Georgia Dept. of Education Free and Reduced Lunch Meal Eligibility Oct. 2014 FTE. [https://app3.doe.k12.ga.us/ows-bin/owa/fte\\_pack\\_fri001\\_public.entry\\_form](https://app3.doe.k12.ga.us/ows-bin/owa/fte_pack_fri001_public.entry_form). Overall, 76% of students in APS K-12 qualify for free and reduced lunch. *Id.*

Some of the most successful charter schools in the nation use weighted lotteries. Denver School of Science and Technology (10 schools), High Tech High charter schools in San Diego (13 schools), and Success Academies in New York (32 schools) have all received national recognition for their academic achievement. To ensure that their impact is felt across the communities they serve, these charter school networks use weighted lotteries at the majority of their schools.<sup>16</sup>

The United States Department of Education has also recently shown its support for weighted lotteries. In January 2014, it issued non-regulatory guidance stating that if it is permissible under state law, charter schools may hold weighted lotteries that favor "educationally disadvantaged students," and be eligible for federal grants. Educationally disadvantaged students include "students who are economically disadvantaged, students with disabilities, migrant students, limited English proficient students, neglected or delinquent students, and homeless students."<sup>17</sup> This guidance was based on feedback from states, schools, and other stakeholders that weighted lotteries "can complement public charter schools' efforts to serve more educationally disadvantaged students."<sup>18</sup>

### What Georgia Can Do

Current Georgia law does not allow charter schools to use weighted lotteries, or other preferences for economically disadvantaged children. Georgia charter schools can only provide certain enumerated admissions preferences—for example, for children of board members or employees, siblings, and students matriculating from a certain school. See O.C.G.A. § 20-2-2066(a)(1)(A).

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<sup>16</sup> See generally National Alliance for Public Charter Schools, *A Mission to Serve: How Public Charter Schools are Designed to Meet the Diverse Demands of Our Communities*, May 2012. [http://www.publiccharters.org/wp-content/uploads/2014/01/NAPCS\\_DiverseModelBrief\\_5\\_16\\_12\\_20120511T164623.pdf](http://www.publiccharters.org/wp-content/uploads/2014/01/NAPCS_DiverseModelBrief_5_16_12_20120511T164623.pdf).

<sup>17</sup> United States Department of Education, *Charter Schools Program, Title V, Part B of the ESEA, Nonregulatory Guidance*, January 2014, Part E-3. <http://www2.ed.gov/programs/charter/nonregulatory-guidance.html>.

<sup>18</sup> Katie Ash, *Weighted Admissions Lotteries: Will They Reshape Charter Demographics?*, Education Week, March 20, 2014. <http://www.edweek.org/ew/articles/2014/03/18/26charterlottery.h33.html>.

But Georgia can learn from a growing number of states. Louisiana, North Carolina, Tennessee and Florida, are nearby examples of states whose laws have been interpreted to allow charter schools the option to give an admissions preference to educationally disadvantaged students.<sup>19</sup> Overall, it is estimated that about half of states with charter schools would permit some form of preference for educationally disadvantaged students.<sup>20</sup>

In Georgia, the simplest and most effective legislative change would be to add one additional, *optional* priority to the list in § 20-2-2066(a)(1)(A) for “educationally disadvantaged” students. This would allow charter schools to fulfill their missions using the method that works best for them. By tracking the language in the 2014 non-regulatory DOE guidance, it would also ensure that Georgia charter schools using weighted lotteries would qualify for federal grants.

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<sup>19</sup> See Florida Statutes, Title XLVIII, § 1002.33; Louisiana Revised Statutes 17:3991; North Carolina General Statute § 115C-238.29F; Tenn. Code Ann. § 49-13-113; see also Lauren E. Baum, *State Schemes on Weighted Lottery and Enrollment Practices: Summary of Findings* (forthcoming 2015).

<sup>20</sup> See Baum, note 19.



