

**A Conversation with Ted Kolderie, Ember Reichgott Junge and James Goenner**

Ted:                             00:00:18             Let's talk a little bit about, without trying to—you can't possibly tell the history of the way chartering spread and evolved around the country. But if you were to think about a few things that happened, that were expected or unexpected, that were pleasing or displeasing, what would you start with?

Ember:                             00:00:47             Well, for me and from the policy side, I'm going to start there. I think there were two or three things that we didn't think about back in '91-'92 that we should have spent more time on. One was the role of the authorizer and how they can both help not only oversee a charter school but also support and help them to innovate. We just didn't put enough effort into that. And so authorizers were not trained well. And I think over time that has built up. There have been organizations that have helped authorizers to do their role, both to oversee and to support. But it's not perfect yet. So that was one thing I saw as a big hole in the original legislation.

The second was this assumption that somehow they could just start a charter school without any kind of startup money. And so that was something that had to be dealt with on the federal level.

And the third thing that was really surprising to me is how controversial it became to the point where many school districts wouldn't even give the charter schools facilities. And so they needed to have facilities funding because they weren't able to get property tax revenue under the bill.

So all of those were things that had to be supported legislatively through policy all the way up through the 2000 year in Minnesota. But there have been a lot of things that come out of it. And from my perspective, the controversy and the myths simply haven't gone away. And I'm very concerned about that as the myths progress because they're the exact same myths that were part of what we heard back in 1991, that we still hear in the States today.

Ted:

00:02:27

I want to talk about one of these things particularly, but let me say that one lesson that emerges, I think, from this whole thing has to do with the process of changing a large and important American institution. Essentially, what happens is that you figure it out as you go along. There was no academic study about this. I'd done this little brown memo that I sent around in 1990 that suggested how this could be set up and worked. But there was no masterplan for this in the state or nationally.

There still is in the education policy discussion an impulse in certain quarters to have this all centrally master planned. But that's just not the way legislatures work. I guess I first got a sense for this first time I met and talked with Paul Hill when he was at RAND in Washington. I asked him, "You folks are associated with systems. What's a system?" And Paul said it's a collection of interacting parts. Well, okay. Then systemic change is changing a part. You don't have to change the whole thing comprehensively with every part carefully aligned to every other part. You change a part and other parts, then adapt to that.

So what the legislatures essentially did was to insert this new second sector in this embryonic way into the American public education system, and then different states in different ways in relation to their own political situation and their own context adapted it and the system changed.

The one thing that came along fairly early that I think is having enormous significance and has been terribly harmful is the change in the language. People began to describe all this as 'charter schools'. Words matter a lot in the policy discussion. And they were, as I think you've said initially, 'outcome-based schools' in Minnesota law, in your '91 legislation. But pretty soon—and if I showed you the cover of the Citizens League Report 1988, it said chartered schools. Charter was a verb. It was a process that was established to create this opportunity for people to start schools. What happened was that charter became an adjective. Once it's an adjective, that says then this must be some kind of school. Charter schools and district schools. Well, if it's a kind of school, then we must be able to ask, does it work? Does this kind of school work?

Work, to a large degree, means how well do students learn. So pretty soon, there began to be this and has continued to be this, I think, dumb, ignorant discussion going on where a lot of intelligent people who ought to know better try to relate student performance directly to school type. Well, obviously, students don't learn from districts, and the students don't learn from charters. The district creates certain kinds of school in which teachers and students do certain things together, and learning depends on what the students read, see, hear, and do. Similarly with a charter school, particularly since the whole idea was that everyone could be different, and there were huge differences.

So to try to generalize this question of what do students learn better in charter schools or in district schools is just nonsense. What we needed was for research, journalism as well, to explain that this particular school or that particular school, this is what students read, see, hear, and do. How well do they learn from that?

You could have a school that was very traditional, the teachers standing and delivering, lecturing, students remembering, writing down, regurgitating on tests, you could have that kind of model. You can ask what the students learn in that kind of model of school.

You could have other models of school which show you a picture of where the work is entirely project-based. There is no coursework, whatever. Students study particular topics on their own or partnership with some other student, and the teacher's job is to guide the student in looking at the historical aspects, geographical aspects, scientific aspects, philosophical, whatever of the subject they're studying in totally different ways.

So what emerged from this, you see, was -- given the differences among chartered schools -- a pattern in which some students did well and some students didn't do well. But on the average, research would show, students don't do any better in chartered schools than they do in district schools. So what are we doing all this for? I mean, the whole point was . . . should have been . . . to look to see how conventional school was being done better in schools

and the chartered sector, KIPP or whatever, and particularly look to see what was being done differently in the nontraditional schools that were organized differently or in which the student's work was fundamentally different.

And this has just been—we've tried to deal with this in various ways. The best way I know to show the absurdity of trying to link student performance structure is to think about east-facing schools high schools, and south-facing high schools. Their assessments go on, tests go on, scores are recorded in every school, and it's easy enough to find out which way the high school is facing. I went to one that was south-facing. You could do a study. You could do a rigorous study, a research study to show that east-facing schools score higher and do better. That students learn more in east-facing schools than in south-facing schools. Everybody would recognize that as absurd, right? Which direction the thing is.

But this has been enormously destructive in another way as well, because it created the impression, the terminology creates the impression that this is all about schools. These are schools. And what gets lost in the process of this is the sense you had at the beginning that chartering--the creation of the second sector--is the state's strategy for causing change in the larger system. That the introduction of this second sector -- free, to a considerable extent, to try things, to innovate -- is essentially the process by which we're going to have American education changed and improved.

And to have that element lost, to be just arguing about charter schools has been, I think, the most serious problem that's appeared. And we're not out the end of it yet.

Ember:

00:11:41

To me, chartering is about the freedom to be better. And that is the freedom that the law gives and the freedom to try new things to get better results. We haven't talked a lot about that today. But the bottom line of chartering is where you trade regulation for results and you give people the opportunity to try new things to get new and different results that might fit the needs of those students. It's

important to realize that the results are measured in a performance contract with one charter school.

If you've seen one charter school, you've seen one charter school. They're all different. They're intended to be different. They're intended to be individual. And so you negotiate an agreement or a contract with an authorizer that creates the measurements for success for that school, which might be very different for another school even though, of course, they all need to do the same state standards. That's where I think it gets lost.

And I think what you're saying is so critically important because when I go around the country and people say, "Well, the studies show that charter schools are not doing nearly as well or just as well as district schools." That is a flawed question. The question doesn't make sense. It's like, why are the east-facing schools not doing as well as the south-facing schools? But the public does not understand that. And that's a real issue, I think, that we have to do in messaging to get that fixed.

Ted:

00:13:28

Well, there are couple of dimensions to this. One has to do with what does achievement mean, what does success mean, what does quality mean for a school. I find it's not too difficult working with people. If you ask anybody to give you an example of any area of life in which the definition of success or quality is one-dimensional. They get it immediately as to what the problem is. I mean, you think about your house or the school you went to or the neighborhood you live in or the church you go to or the general practitioner you work with, if you think about people you know, if you think about members of your own family.

If you think about your car, as a good example. I mean, what's quality about a car? Well, there's purchase price and resale price and operating costs. There's color and design and capacity and safety and style. Pick one of those. You're going to tell me that you would buy a car based only on how many seconds it takes to go from 0 to 60? Or on its top operating speed? That's all you care about? It's nonsense. All these dimensions of quality—in everything, quality is multi-dimensional. Choices and decisions are

made on balance, and they're mostly made not quantitatively but just based on judgment and satisfaction, right?

And you can take even beyond your car, you can take this to the people you know or the other organizations you work with, why in God's name would we think that something as complex as education, a young person's education is going to be measured on a one-dimensional scale. I mean, again, it's just so much—and we just have to keep working to try to make this discussion as sensible as possible.

Jim: 00:15:44 Ted and Ember, you've worked and have shared the story about helping create a new system, an institutional innovation, if you will, outside of the district. So there could be more than one provider of public education in a community. But you've also talked about this as an opportunity for those “closest to the action” to make things happen. Can you explain what you mean by those closest to the action?

Ted: 00:16:14 Well, sure. On the first part, I was once at a—while I was on the Advisory Committee to the Wallace Funds when Mary Lee Fitzgerald was heading that up, and she had a meeting in Colorado, and first time I'd ever run into Gordon Ambach, who used to be commissioner in New York, and after that, was chief of the chiefs, the head of the Chief State School Officers. I remember something possessed me to say to him standing around talking afterward that the notion that there can be only one organization offering public education in a city, no matter how large, is absurd on its face, isn't it? And he didn't quite know what to say about that. That is not an idea he'd ever run into.

But one of the things that began to appear and develop in the schools, in the chartered sector beginning in Minnesota was the idea of letting the school organize not in the standard boss/worker model, the district basically organized like a fire department, almost a paramilitary model. It's a pyramid, like that. The idea appeared of the school being the teacher school which was after all part of Shanker's original idea, right? But the twist that got put on

it in Minnesota was that the teachers would not be just the majority of the board, in the standard board and administration role, but the pyramid would be flipped so that the professionals would be at the top and have the administrators working for them in the partnership kind of arrangement that we're all familiar with in other white-collar vocational areas we think of as professional.

I don't know if you paid any attention at that time, but as a part of the—what do you call the little stuff up front in the bill, the—

Ember:

Purpose clause.

Ted:

The purpose clause, which is often quickly passed over in legislation because it is intent. The legislature declares the intent, and then all the interest and attention goes on what the bill actually says and does. But there was an intent to provide new professional opportunities for teachers, that was written into the intent, the purposes clause of the bill, including the opportunity for the teachers. I think you said something about the teachers to own the school, which is something Graba told me that Carl Johnson, later the lobbyist for the school board, objected to in later years. But it went, again, downstream from the enactment and not very far downstream, just a couple of years afterward.

There was a group in Minnesota of people proposing to their district board to start a school. This is the group then at Le Sueur, who wanted to start a school. And we had a little meeting here one afternoon at the late lamented Sheraton Midway with these people, teachers and others, one of them a former district principal, Dee Thomas. And I brought in Dan Mott, who had been legislative aide to Tom Nelson when Tom was chair of the Senate Education Finance Committee and Dan was then in law school. Dan later went to practice in the area of cooperative law. And so he's probably the only person in America who was fully sophisticated in education law and politics and in cooperative law.

Your law said the school can organize either as a nonprofit or as a cooperative. Dan said, "Organize the school as a

nonprofit because you want to be eligible for gifts and grants, and a cooperative is not a nonprofit. But he said, "Do organize the cooperative as well, as a vehicle for the teachers." We're talking now down in the rural area in Minnesota, Le Sueur, Green Giant, and peas and corn and all that. And they understand what coops are out in rural Minnesota. Although this is a producer's coop, not a consumer coop, okay?

So they were interested in that. And I suggested they work with Dan to talk him through this and to draft up some documents. I said, "If you'll do that, I'll pay half his bill," which I think in the end cost me about \$250. But they did and they liked it. And they did then organize a plan for the school in which the school would organize as a nonprofit, and it would have the normal board but would have no employees. It would have nothing but contracts: with somebody for space and with the district for extracurriculars and with somebody for transportation and somebody for lunch.

But the big contract would be with this entity formed separately by the teachers, which would be under Minnesota law a workers cooperative. And in which the teachers then wanted to run not only the learning program but the operation of the school as a whole. And that did get approved by the Le Sueur-Henderson board with the support of Harold Larson, the superintendent, and the support of the chair of the board, who was as I recall a piano teacher in private life.

There was controversy. But it was one of those where a district did approve a very nontraditional arrangement. And they got that set up, and very quickly, their school became one of the most visited schools anywhere in the country. There were some years when they'd have four or five hundred visitors from around the country and from other countries. And it became the prototype for this partnership or was more recently described as a teacher-powered model.

If you're talking about people close to the action, it sort of means the teachers. And particularly these days when the concept of what students do is taking the form of interest



in individualizing or personalizing learning. The teacher is obviously the person closest to the students, and as far as the school goes, the only person in the school, in the district who knows the students as individuals. So if the question is how do you adapt the learning program to the attainment levels, aptitudes, interests, abilities of the individual student, the teacher becomes the central person.

And these schools have spread to some extent. A couple of years later, Tom Vander Ark, at the time, he was the first executive director for education at the Gates Foundation, came out with Tony Wagner from Harvard and took a look at this, and was very positive about both the project-based learning and the teacher partnership model. He made the first of several sizable grants to them to begin to expand that model around the country. And they have. And there's a lot of implications to this that we could talk about. But it does mean that there is potential for the teachers and in fact for the unions to be very supportive of this kind of change, which initially was possible only in the chartered sector.

Some years ago, one of my friends was at a meeting with several, I think, local union presidents. He heard one of them say to the other, which should warm your heart as the legislative author, "We might have gotten on the wrong side of this idea." On reflection, fairly quickly afterward in Colorado, Randy Quinn, who was the exec of the School Boards Association in Colorado, which opposed the law, by maybe midsummer was writing in his letter to the membership, telling the story of how they had opposed the law but had been unsuccessful. Governor Romer and Peggy Kearns and others had gotten it passed. So what do we think of it? And he said, "You know, this might be a blessing in disguise for school boards." And then he went on to explain how it would permit the school boards to do different things for different people to meet different needs in their district without having—being able to escape this notion that we have to do the same thing for everybody. And I called him up and said, "Explain to me, when did this come to you?" He said, "I began to see it during the legislative debate." Which I always figured was kind of a gold star for a legislative debate.

So we've had some of this reappraisal. Louise Sundin, long on Shanker's AFT Executive Committee, got Joe Graba into meetings of the Teacher Union Reform Network, and Joe, in his nice soft-shoe way, would begin to talk about this opportunity that teachers had in the charter sector to be truly in charge of the school, to have the kinds of full real professional roles and responsibilities that Shanker had been advocating for years, and they'd never been able to get into the district sector.

And over a period of time, the union people who came to the TURN meetings began to progress beyond curiosity to almost something approaching envy of the teachers in the charter schools who were able to control professional issues. So that today, there is a significant effort based here to move this idea about fully flipping the pyramid to take the concept of teacher leadership and move it fully into the professional model, which you understand as a lawyer, where the professionals are in charge. And either take care of the administrative stuff themselves or contractor or hire people to do the rest of it.

But to some extent, this kind of interchange can be facilitated by other people. There is this in the teacher-powered schools initiative, which (had) a third national meeting in Boston at the end of November (2018). And anybody who goes there, and we're trying to get some other people in larger policy roles to go there, you'll see maybe 300 teachers from about 25 states, about equally divided between district teachers and those in chartered schools, spending the weekend happily, talking about this idea of being in charge of the learning in the school, how you do it, how you get the permission, opportunity to do that and how you operate once you have that kind of professional authority.

That's as good an example as I can think of. But see, it's happening at the teacher level. It isn't happening at the political level or the organizational level.

Ember: 00:30:02 You spoke earlier about the purposes of the legislation. And one of the purposes was this notion of empowering teachers. That's what drew me to it. But another one was innovation. And what you've just described is one of the

innovations that have come out of the chartering law, this whole—

Ted: Organizational innovation.

Ember: 00:30:22 Organizational systematic—systemic—excuse me—organization and reorganization with the teachers. And I think that is a very important piece that has come out of chartering. And it came out of chartering originally because of the autonomy provided within the chartering concept or sector, but now, districts are saying, “We can do that, too.” So that's an example of where some of the things that we've learned in chartering are being adopted by districts. And I think that's also a really great bridge. And this is one of those areas where union leaders can agree with what's going on in chartering.

And that has happened in Minnesota with the establishment of the first union-initiated charter school authorizer in the country, the Minnesota Guild for Public Charter Schools. And that's really historic because we've got union leaders, including Louise Sundin, who you just mentioned, being a former chair of that board.

Ted: Now, Lynn Nordgren, one of her successors, being chair of the board.

Ember: 00:31:25 Exactly. And they wanted to be an authorizer because they wanted to provide an opportunity for these teacher-led schools or these teacher innovation ideas to blossom. And so they now authorize 20 some schools in the State of Minnesota. Who would have ever thought that? But that is a real bridge that I think both districts and charters can learn from each other. And that's one of the things I'm hoping to continue to stress as I go forward: where are the ways that we can learn from each other and build on what we have done well in each sector. I don't want any more of this finger pointing. That should not be there. It should be how can we just help children to learn and teachers to teach. So those are some of the key things that I saw out of your really important issue there.

Ted: 00:32:18 Ember, given that all of this was being worked out as it went along, there were obviously some false starts. And

then the legislature made a number of changes. As you watched it through the balance of your time in the legislature and afterward, what do you remember about the individual schools succeeding or not succeeding and what the state did in response?

Ember: 00:32:40 Well, it was so hard to start a charter school. And we knew that some were going to be more successful than others. And frankly, that was anticipated in the legislation. When you try something new, try to innovate, some things are going to work better than other things. But we always felt that you could always learn from that and the districts could learn from it. And so we were actually quite pleased with the first round of schools. They were doing really quite well. But over time, as we have watched in Minnesota and around the nation, there have been instances where the schools have not lived up to the standards that we, you, and I had expected with our legislation.

And a couple of things came to the forefront. One was governance issues, because the board of directors is in charge of the school. That's a new concept for schools. And these—

Ted: We're talking in this country about school boards, but schools don't really have boards; districts have boards.

Ember: 00:33:37 Well, that's right. And this is a type of nonprofit organization that had a board, that was a fiduciary, and that was responsible for the academic progress of the school. And frankly, the board members, especially being a majority of teachers, didn't always have board experience. So governance was a key issue. And sometimes, when you're not holding a school accountable, financial issues arise or other issues arise, and they're not held to the quality standard they should be. So governance was an issue. And the second thing that caused some of the failures of our schools is that we simply didn't have the authorizers overseeing them as they should. They didn't know how to be an authorizer and what their role was. So there was that.

But the bottom line is if the school wasn't performing and they should have been, the bottom line is that under the charter law, they should not continue. And that is a key distinction of the charter school law versus how the district schools work. If they're not performing in the district sector, there is nobody that's going to close them down or force them to improve as much as there are in the charter sector. And frankly, in the charter law, in the policy, we talked a great deal about accountability, accountability being very important. If you're going to trade regulation for results, you need to have accountability.

And that's why I have always been a proponent of closing schools that do not work, and using those lessons learned to help us to create schools that don't have those same problems.

Jim: 00:35:15 So it strikes me that, again, chartering is an idea. Some people take an idea and implement it well. Others implement it poorly. We've seen examples of people that have implemented it poorly. It's sometimes an embarrassment to quote the movement. But when there is the accountability, and they are shut down and dealt with, isn't that actually in a way proving the charter promise?

Ember: 00:35:38 I really believe it is. And that is a distinction with the district sector. And if in fact they are closed down, after they've been given the opportunity to improve, to innovate, all of that, the authorizer needs to be stepping in there and working with them and making sure that there is a plan to improve. If they don't improve, they should be shut down. And that is, I think, one of the distinctive roles of this that makes it more accountable.

Jim: 00:36:05 So, Ted, part of the notion you've spoken about in numerous ways is this idea of innovation. And yet, there's also this accountability. Some would look at the movement now and say that authorizers are becoming risk averse. They're not willing to work it out as you go, that they want to see the research, the evidence-based model. Would we have a charter law if we'd have needed the research-based evidence model before we started?

Ted:

00:36:38

Well, you could have had a charter sector, I think, but almost all the schools would be conventional schools, pretty much clones of the kinds of the schools we've known in the district sector for a long time. I think what it would have suppressed is the doing-different. I think, overall, you can say that there have been two kinds of developments in the charter sector. One was to try to do conventional school better. The other is to do unconventional, non-traditional school. And here is where you get the question of what does that mean and do you have to demonstrate to the authorizer's satisfaction that if you're going to try something different, you can demonstrate conclusively ahead of time that it will work. Are you going to have, in other words, a permission-based system.

I think there's no future in a permission-based system. If you ask somebody if it's okay for me to try this and they say yes, then they've accepted responsibility for what you do and whether what you do succeeds. So they're going to think about protecting their interests, making sure that if you fail, it doesn't redound negatively on them. And so they're clearly going to restrict the scope of what you're allowed to do. So I've argued that innovation is essentially letting people try things. I've had all kinds of discussions in which someone asks "Well, what is your innovation?" "Well, I don't know. I'm going to try something." Well, this is okay. And as matter of fact, it's necessary.

And you can do this in such a way as to keep the risk contained. If you make the scale of the change small so that failures, if they occur, will be small; if you make participation in these different learning programs or schools voluntary. You don't coerce people into different and innovative. And the third thing is that you watch it closely and move to bring it to an end quickly if it's manifestly not working. And if you do those three things, there won't be a huge problem with letting people try things.

There is bound to be some risk. People tend to forget the degree of risk that's imposed on all kinds of students today by the traditional model of school, which doesn't

necessarily fit them individually well. And why we tolerate that degree of risk and the degree of failure associated with it, at the expense of letting people try things that might work better, again, it doesn't make any basic sense.

It has to be an innovative system. And I'm interested in the way more and more of the discussion. I think about chartering is coming around to seeing innovation as the key, I think Checker Finn and Bruno Manno kind of do In the book they wrote on the 25th anniversary of chartering. I think I see it in the language of the National Alliance a little bit now. Jeanne Allen with her Center for Education Reform has clearly moved to make innovation the centerpiece. And I think a lot of that is also visible in this independent community charters movement that's developing out of those folks in the New York area.

Jim: 00:41:13 So one of the things that I've heard people ask you over the years is, so Mr. Kolderie, what's the big idea? And you've answered it as lots of little ones. Can you elaborate on that?

Ted: 00:41:28 The big idea, I think, is essentially to let people try things, to let schools try things, schools as schools, and to let teachers in schools try things, enlarging, as we said earlier, their professional responsibilities. Joe Graba has a nice sense that he's expressed at various meetings, like the time he talked to the Cleveland Conference, that while everybody wants school to be better, almost nobody wants it to be different. The dominant ethic is to preserve what Mary Metz at the University of Wisconsin calls 'real school', which you can see every time school is illustrated in a magazine article or on television.

I even saw a Microsoft ad once that shows kids at tables or desks and a green board, I guess, behind them. It was a conventional school, except that in the picture, neither a live teacher nor a computer was visible. It was a curious kind of effort by a company in the information technology business to promote their own product service, and at the same time, to stay with the conventional notion of what real school looks like. You have a long corridor, a lot of oak doors, little slit windows, you look through, you see an adult standing talking to a group of 25 or 30 students

seated or grouped around on the floor, cross-legged in a semi-circle, something like that.

So being different is, like Professor Lienhard says, an act of rebellion. And people who rebel are not well-regarded. So there has to be this new sector that's built for innovation, which arguably the charter sector is, where it's tolerated and encouraged. That's, to me, the big idea.

But again, all that does is create opportunity for individuals to create schools and for teachers within schools to try some approach to learning, some model of organization, some different role for students and teachers that might work better.

Ember: 00:44:04 If I may use an analogy also to describe innovation in the same way, and that is the analogy of a big ocean liner and a small boat that goes alongside it. Now, the big ocean liner is going from point A to point B. It's done it the same way over the years. That would be the school district. But now, with the chartering sector, you have the small boat that's going right beside it. The small boat now is taking passengers from A to B. But they get to do it a little differently. They're smaller. They can take a different route, make a couple more stops do something differently on the boat, right?

Well, after a while, people on the big boat look at the little boat and think, "Hmm, I like what they're doing down there. I think I might go to the little boat." Or at the same time, the driver or the person running the big boat might think, "I want to adopt some of those innovations on the little boat and put it on here." Well, the bottom line is they both get to the same place, but it creates lots of little ideas on the small boat. But the big idea is to have a small boat that can make those different journeys and generate those ideas.

Jim: 00:45:10 What I love about the speed boat analogy is that it's flexible, it's nimble, it's responsive, it can change on a dime. You can't turn an oceanliner on a dime.

Ember: Right.



Jim: And part of what we're looking for is a different pace to try new ideas, if you will, the advanced team, the scout party. And so it really strikes me that that small nimbleness allows for opportunities to be explored that you can't do with the ocean liner.

Ember: 00:45:40 But sometimes they take longer. And that's the thing. If you're starting with students that maybe were further behind, they're maybe not going to come up to the standard just as fast as some of the other students. So we also have to give them the opportunity for the innovation to work. And that's one of the flaws, I think, in the current climate right now. If it doesn't work right away, then all of a sudden, they decide the school is not suitable, not working, not quality. We need to give it time for new innovations to work sometimes.

Jim: 00:46:09 So, Ted, I want to speak to three books in an order you wrote them, right? So this one was Creating the Capacity for Change. And you talked about governors and legislatures and the ability to create a law that created an incentive system and an open and welcoming environment where new innovations could be tried. And then, Ember, you've talked about the authorizer in the charter contract and how that could allow for innovations to be tried. Will you both speak to that welcoming, encouraging, open environment where people can try different things?

Ember: 00:46:44 I think there's been a misnomer as to the role of the authorizer. They're not a regulator per se. They are the one who is a partner and an overseer. They enter into the contract, but they also need to support and provide ideas for how do you address a particular curriculum issue, where can they provide some staff development ideas, what about turnaround solutions. We have examples of that here in Minnesota, where the authorizer said, "Look, we're not going to close you. We're going to give you a chance to turn around, and we're going to help you to do that." That's what I think is a good authorizer.

Ted: 00:47:17 One of the things that Minnesota did downstream in addition to things that would guard against financial failure or misbehavior in 2009 was to redo the authorizer statute. One the things done in '09 was to create a new

category of authorizer. Up to that point the legislature had simply set categories in which organizations could self-declare themselves authorizers of schools in the charter sector. If you are a Minnesota college of education, if you are a large nonprofit, social service nonprofit, if you are a district, you could declare yourself an authorizer.

That was changed so that the commissioner now has got to approve a particular organization in terms of its competence to be an authorizer. But the other thing that was done in '09 was to create a new category of authorizer; a newly created nonprofit that had nothing to do in life except to solicit proposals, review proposals, act on proposals, and oversee the schools whose proposals it approved. These newly created nonprofits would get their own authorization, so to speak, from approval by the commissioner. And four of those were initially created.

One of them some of my friends created; known as Innovative Quality Schools, IQS, to do this. And it's unusual in that it solicits proposals, and it's looking for proposals that are innovative in some respect. It is itself an innovation in the authorizer world. It's a nonprofit, happens to be chaired currently still by Dan Mott, who I've probably had mentioned before. It's quite a good board, very high quality board discussion. IQS has no employees. It contracts for the carrying out of its responsibilities with a small partnership. The lead person having been initially Bob Wedl, formerly state commissioner. Currently it's Tom Tapper, former district superintendent in Owatonna.

And the partnership in turn has no employees. It has agreements, arrangements, with a wide variety of present and currently active and retired teachers, academics, and administrators, so that it has a very wide range of talents and skills it can draw on to advise it how well each of the now almost 30 schools is doing with respect to governance and teaching and finance and everything else. Its job is not to make the school succeed. That's the school board's responsibility. But the authorizer is running this continuous evaluation program, you might say. They do this with a combination of lower cost and higher quality at the same time.

They have maybe 30 some schools. I know an authorizer in another state, which will be nameless, which maybe has twice as many schools but runs on a budget of something like \$3 million a year whereas IQS runs on a budget of about \$350,000 a year. By not having a staff model for the authorizer they get a wider range of capability to work on those schools' situation at a significantly lower cost. Again, it's an innovation.

One of the things that we're seeing in Minnesota currently is a number of people from the district sector coming into the charter sector to head schools or, as in Tom Tapper's case, to head an authorizer. The superintendent of the largest district in Minnesota, a year or so later was operating as the head of the largest chartered school in Minnesota. And I think these, as far as I can tell, these former district people are finding this just a wonderful experience. There are freedoms and opportunities and challenges that they never had in the district sector.

Ember:

00:52:20

I think there are many other areas besides authorizers where you can see innovation in chartering. One of the areas I'd like to see more innovation is in the area of evaluation. How do we better evaluate the growth of students, not just on the test scores but over time or in their social-emotional learning, for example, in their character development, because we see that we have some outstanding schools, that are performing arts schools and others. And we just need to have a way to measure that. So the dream of creating innovation in ideas around the system hasn't really been fulfilled yet and could be if we had more entrepreneurial educators.

And I think that's one of the keys that we're missing is that we don't have enough educators stepping forward to do this because they have to have both finance skills, they have to have education skills and all that. And it's a very, very broad skill set. So we just don't have enough really great educational leaders stepping forward.

Jim:

00:53:22

That's a great point, and it brings me to the second book, *The Split Screen Strategy*. Because one of the points you make in this is that the evaluation is multi-dimensional. You've used the car analogy.

Ted: Needs to be, needs to be.

Jim: And that there is room to take it beyond the standardized test score. But I want to point to this. How to turn education into a self-improving system? Will you speak to what you mean by self-improving, and what would that look like?

Ted: 00:53:48 Earlier, I might have said something about the concept of going off somewhere and designing a perfect system. One of the most famous books about the history of American public education was Tyack's *The One Best System*. And there was this vision of somebody, used to be college presidents, who would develop a construct of the perfect, the best system. It doesn't work that way. And you can't really think of any systems that do work that way. Though I suppose the Philadelphia convention constructed what they considered the best system, a complete new system, for America.

By and large, the process of change and improvement consists of people trying things, testing to see if they work, having those things spread gradually as they're perceived to work. Other people, in their own good time and making their own individual decisions, buying in so the innovation diffuses and improves as it spreads and spreads further as it improves. That describes a self-improving system. I think you could regard the automobile system as a self-improving system or the American airline system or aviation system. I don't know that you could think of anybody who has designed a masterplan for the one best car or the one best—

Jim: We don't still have the rotary phone.

Ted: 00:55:38 Yes, telecommunications has certainly been a self-improving system once the decision was made to stop protecting that public utility model. One of the really interesting books to read and think about, is Charles Coll's *The Deal of the Century*, subtitled *The Breakup of AT&T*. When the CEO of the company, after years and years of having lawyers and PR people defending AT&T, the idea that this country, there should only be one telephone system. Some point after, the Justice Department began to

move against him. He called him in and told him to sign a consent decree and assent to the breakup of AT&T.

And that was in the early '80s, early to mid-80s, I think. If you think about what's happened to telecommunications, since then, when innovators were allowed in, the guy who built the microwave towers between St. Louis and Chicago to compete with and do better than the AT&T long lines cable wire, copper wires. And then everything that happened after that, when the satellite came in and down through Steve Jobs and to what we have today. What somebody called "the death of distance" just revolutionized telecommunications. Okay?

You wonder if something like that could happen to learning. It has to be a self-improving system, which means people have to be able to try things. I have to confess it wasn't until a year or so ago that I came across the Everett Rogers' work. His book was in Kent Pekel's office and I saw it on his desk. Diffusion of Innovations. And that seemed to me to be a title I'd like to get acquainted with. So I borrowed it.

This was Rogers' life's work. He started in Iowa. His father had a farm. He went to Iowa State. He watched the experiment station, cropping practices, better breeding, hybrid corn, all the various new kinds of farm equipment. And he got interested in how do these new things spread, and spent his life working on this. By the time he died, he'd done five editions of this book. Very few people I find know of him, though most everybody knows his famous curves: where you have the innovators, and then you have the early majority, and then you have the late majority, and then you have the laggards. This describes the process by which innovations spread. And it really is, I think, the best explanation of the way systems actually change.

The struggle really, I think, now is to bring this concept of self-improving system into public education; to get past the people who want to create a central master plan that they can believe they can get approved and make everybody follow. First of all, you never get universal agreement. And even if you got approval, it's not clear you could make everybody do it. It's a dead-end idea. Although

I've been in meetings with people who still insist "You have to have a fully worked out plan. Who say you cannot just let innovations loose and expect them to spread. Well, you can. That is the way systems work.

Jim: 01:00:00

It's how America has grown up.

Ted:

And it doesn't necessarily work slowly. I mean, a number of these . . . think, how long did it take for the curve to go from 0 to 95 percent or whatever with respect to cell phones? So it can happen fairly rapidly. But yet there is this dream: If we could just make everybody do it, we'd have it all done now.

Jim: 01:00:26

So that brings me to your most current book, Thinking Out the How. And you'll say this better than I do. But you talk about people saying, "I have a vision," or restating goals, all kids can learn, we should care more about education.

Ted:

Deploring problems and restating goals. Right.

Jim:

So deploring problems and restating goals is not a solution. You have to think out the "how". Would you speak to that?

Ted: 01:00:56

Well, that's my sense of the policy discussion and education. It is essentially dumbbell-shaped. And way too much of the discussion is exactly about deploring the problem on the one hand, saying we're not doing well enough, we have to do better. And then, here's what ought to come out. You can tell by listening for the words "we must", when all these people say, "We must do these visions." But we have to have a better discussion about what connects the two, what permits you to go from the problem to the solution. And I suppose what we've been talking about here today is that discussion about the "how".

And if there's a lesson in our discussion, it's that the "how" is going to require a real change in the system that the people and the organizations in the system will not themselves propose and will not themselves easily accept. These ideas for system change have to come from outside the operating system – as visibly they have. And they have

to come through people in general policy roles because, education existing in state not national law, only the legislatures of the states can make this kind of system change.

One of the things that's a real concern is that the state legislatures themselves are not seeing this very clearly. Nor are, these days, a lot of governors. Certainly it is not something that the typical State Department of Education is going to lead.

Jim: 01:03:29 So, Ted and Ember, you were at the headwaters of the idea, if you will. At the time that you passed the first chartered school on the country, did you have any idea this can become a state movement and a national movement?

Ember: 01:03:47 I was about 37 years old as a legislator, and my first and foremost priority was to provide more opportunities for the students of Minnesota and more public school choices for them. It never even occurred to me that we were going to go beyond the borders of Minnesota. No one else had open enrollment. What became clear to me though after a while is that we had hit a button. We had hit something that the grassroots were responding to. It's the opportunity about letting citizens take the lead and teachers take the lead and empowering them to do that because we don't have as policymakers all the good ideas.

And that's what went national. That's what went to the other states. And yes, that started at the headwaters of the Mississippi, near the Itasca region. And then back in 2008 when I was in New Orleans, there was the opportunity to talk about how this idea had flowed from the headwaters all the way down to the mouth of the Mississippi and, now, New Orleans being one of the first chartered districts essentially in the country. So these ideas flow in many different ways.

Ted: 01:04:56 Oh, my answer is no, we had no idea. I can say it very simply, it was an innovation. It was an institutional innovation. All I can remember is the thought that this is something we ought to try.

Jim: 01:05:10 When did you realize that this idea was really taking off and spreading?

Ted: 01:05:16 Well, fairly quickly. No question. I mean, I began to get requests to come here, go there. I began to send around these memos about what was happening in Minnesota. Others just picked up the idea; it just sold itself. It was the only time I ever got preferred status on Northwest Airlines, sometimes was two trips a week. All that developed very quickly.

Ember: 01:05:44 Jim, you need to know that when this passed on May 22nd of 1991, I spent the next two days at home, depressed, crying that we had not done what I thought we needed to do, that we had to go back and do it again. But two days later, I got a note from Senator Durenberger, United States Senator, saying that he was going to announce this on the US Senate floor. And that's when I knew that something had been touched beyond Minnesota. And then when I heard 10 days later from Governor Bill Clinton, the head of the Democratic Leadership Council, praising this bipartisan effort of public school choice, I thought, it might not be the most perfect bill in the world, it might be terribly compromised, but it has touched a nerve.

And now I realize, many, many years later, that had we not compromised this bill, it probably never would have passed in the first place. So that compromise was not defeat.

Jim: 01:06:40 Well, Ted's talked about the first car and the first airplane. And they're not as good as the cars and the planes we have today. You got the idea going, and then allowed people to build on it.

Ted: 01:06:51 I think the important thing is it spread just as an idea. This is not a situation where people waited to see if it proved out. Give me five years of experience with the schools you created. And then if I like those, I'll think the idea is good. The idea itself of trying this is what spread. That was the issue in the Ford Foundation, Kennedy School, Innovations in American Government competition. The person initially operating that program was running it as a program about innovation, successful innovation in American public



administration. The innovation wasn't just the administration of the law. It was the law. But finally, the award came for the law. It was the idea that spread just on its own.

Ember: 01:07:55 And it spread out of progressive states, Minnesota and California. And that was key. I'm told that was really key to the fact that it did get national attention because—

Ted: 01:08:06 Well, I think California put it in business. When Minnesota does something that's a curiosity. When California does something that's a big deal. So when it got enacted in California, which is today the country's largest charter state, that really put the idea in business nationally.

Ember: Yes.

Jim: 01:08:17 It's fascinating, because you mentioned the bipartisan nature. Governor Engler, from my home state of Michigan, invited then-President Bill Clinton to address a joint session of the Michigan legislature, and there a Republican governor and a Democrat United States president stood arm-and-arm around the charter school idea. And I remember Lieutenant Governor Democrat John Cherry told me, he said, "Jim, what that really did is put us Democrats in an awkward position because the president of the United States was saying this was a good idea. And we were standing with the teachers union against it. And we knew that we had to come forward into the 21st century."

Ember: 01:08:55 You cannot underestimate the importance of President Clinton taking the lead on this for eight years, which gave, if you will, political cover to Democrats and allowed it to be the bipartisan opportunity that it was. It has been sustained for all these years only because it has been bipartisan. We're losing some of that now. We need to go back to it. We have to not make this part of one party or another. It's about kids. It's about results. It's about innovation. We need to go back to our purposes.

Jim: 01:09:27 And the ideas and the ideals are universal. I think that's what has attracted a national movement around this is people from all walks can see the opportunity that this can

do for kids, for schools, for communities, for states, and ultimately, for a country. One of the questions I have for each of you is this notion of, knowing what I know now, right? So if I knew then what I know now, are there some things you'd have done differently?

Ember: 01:10:00 I'll say this from a personal perspective, it didn't have to be that hard with the union opposition. I've felt, now, over recent years, that maybe if I hadn't been so headstrong, maybe if I had been a better and more generous listener to the unions and the union leaders, we might have been able to incorporate more common ground into this, which might have laid a path that would have been less controversial over the years. I always wonder about that. It might not have been, but perhaps, if we could have just really worked with them and brought them in earlier rather than assuming they were going to be against it, maybe we could build something together quicker.

Ted: 01:10:47 Well, a friend of mine used to say, "More change comes through challenge than through consensus." And I think he's right.

Ember: We kind of disagree on this one. But I think it's mainly because it was my union friends that I had to fight.

Ted: Yeah. Your high school teacher was the only one?

Ember: Well, my high school Math teacher was the lobbyist for it. The president of the Minnesota Federation of Teachers was my constituent. It was very close.

Jim: 01:11:10 So we've talked a lot about chartering being an idea. And while the schools have been around now 25 years in states like Minnesota, the ideas behind it still seem fresh and new, that they have a lot of potential left in them. Where do you see the ideas at today, and where do you see the opportunity to have even a greater impact?

Ted: 01:11:36 Well, as I said, when the language changed, the idea changed from chartering being a strategy for system improvement to being an argument about 'good schools'. And so to a large degree -- and I was looking the other day at the Alliance's annual report -- they just want more

schools, more students, more financial support, more political support, more favorable media coverage.

It's a problem, I think, that so many people have lost the idea, don't see chartering as the strategy for system change. I do think the charter sector has been sufficiently innovative, has generated quite a number of new and different ideas about learning and about organization and about teaching roles and so forth. The problem we've got now is to get the district sector to pick these up. The truth, and I think I'm beginning to see this more clearly and say this more clearly, is that the district sector for its own success requires there to be a successful charter sector stimulating it both with innovations and, to be honest, with competition for student enrollment.

If those pressures were to go away, if we were to revert to the status quo prior to 1990, let's say, there would be no dynamics that would produce substantial improvement in school and in learning in the district sector. There would be this endless complaint about not doing well enough. There'd be this endless restatement of a desire to do better, visions of doing better. There would be this endless notion that we've got to have more money. And nothing fundamental would change. And what would happen is that public education then would gradually die as the software firms come into disrupt it by selling learning directly to families paying with their private money and reducing public education to the status of public transit or public housing.

Jim: 01:14:08 If Al Shanker were here today to address the 30th anniversary of the Itasca seminar, could he stand before the group and say districts can take their students for granted?

Ted: 01:14:18 Well, no, I don't think so. I mean, I think one of the interesting things is Rick Kahlenberg wrote a biography of Shanker a few years ago, Rick the Washington-based exec of what's now called the Century Foundation. And Rick was in touch, probably talked to you, too when he came to the chapter about Shanker's involvement with chartering. And then later, a couple of years later, Rick and Halley Potter wrote a book specifically about charter schools.

They're close to the AFT. And it is very significant that they're not saying it's been a failure. They're standing behind it. They simply say that it's a good idea but it ought to continue to reflect the ideas that Shanker put into it, okay, about being equitable and about particularly being something that advances teachers' professional roles.

Ember: 01:15:19 If I had the chance to talk with Mr. Shanker today, I would, first of all, thank him for the idea because that was instrumental in my thinking about how we could create new opportunities for teachers as well as students. I would also focus on what I think is the future here, and that is to use the values, the components of chartering, the autonomy, and the innovation, and spread that, if you will, to both the charters and the districts working together, looking at ways that we can learn from each other. We can have common ground, for example, in teacher-led schools or teacher-led initiatives in personalized or student-centered learning.

Those are things that we all value, that we can all agree on. And they increase the professionalism of the teacher as it should be. Those are the things that I think chartering brings to education that can be built on by everyone. And the more we do that, the more that we will all see the value of chartering and I think less have this controversy or finger-pointing that we have out in the world today. I'd really like to see people come together for kids and not just about the type or structure of the education.

Ted: 01:16:31 Well, that's a way of saying that the innovations generated, not that they're totally within the charter sector, but that the innovations need to spread and need to be picked up by the districts. There was a person on the AFT staff in the beginning who kept arguing that it was the obligation of the charter schools to come and tell the districts what they found that seemed to work. That was probably not very realistic. That's not the way things work in self-improving systems. Normally, if you're in an organization or a company or a business or an industry and you see somebody else doing something, you figure it's in your interest to go out and see what they're doing and how they're doing it and copy it as quickly as you can.

Ember: 01:17:40 And that's what's key about chartering is it came from outside of the political system, and that's where it needs to stay. It's gotten more controversy as we've gotten it back into the political system with legislators and governors making that policy. I love the fact that it came from ideas, from the Citizens League, from this outside community group. Now, one of the things about where we can take it from here is the research that we can learn from (that) is happening both in the charters and in the districts that use autonomy and these personalized learning techniques.

What they have in Alberta, Canada, which I believe got their 13 charter schools when you delivered a copy of the Minnesota legislation to their education minister. They've had 13 charter schools, but their legislature has not authorized the expansion of those. But what it did do was to require that there be a research project done each year on chartering for either evaluation purposes or for education purposes that could be shared with the rest of the district schools. I would love to see more focus on the research to see what's working, what's not, and comparing that and using that to support each other.

Ted: 01:19:00 Well, the research community has been puzzling and a kind of a problem. I went to the AERA meeting only once. But it was to be on a panel that John Witte was chairing from the University of Wisconsin. And he talked about education research being interested in what he described as 'measures of central tendency'. Not very interested in single cases of new and different. They want to know 'on the whole' and 'by and large' and 'overall' and 'on balance' whether A is better than B. So partly the discussion about chartering has never and the schools created has never been well-informed about the different models and the new and innovative things that the schools are actually doing. Research seems not much interested in that.

That AERA meeting was, I think, in 2003, and that was the 100th anniversary of the Wright Brothers flight. And I remember in this discussion I asked John—I guess I commented that—you know the story, yes, if you read McCullough's book, that the day they flew they sent a wire back to the newspaper in Dayton, Ohio saying that the

aircraft had flown 120 yards or something. And the night editor looked at it and said: 120 yards, who cares? and put it on the spike. And it was a considerable struggle for a while to get anybody, particularly people in the American military, to pay any attention to the fact that you could now send up an airplane that could fly around and look at the battlefield and drop bombs and do other kinds of things. The Europeans actually picked it up much faster than the Americans did.

The thing you were talking about earlier about Clinton extended to Obama continuously from basically the enactment of chartering on to last year. The idea was protected by the support it got from leadership of the Democrat party politically. Basically, they adopted the idea of a two-sector system of public education. This is what Jim Goenner points to in the book about the split screen. The two sides of the split screen are improvement and innovation. Improvement largely goes on in the district sector; innovation maybe goes on more in the charter sector. That's too simple. But there is a certain amount of truth in that.

So they were positive about the two-sector system. With the change in the presidency and the appointment and confirmation of a secretary of education who is of all things an active supporter of traditional voucher program, private and even religious schools. With Obama gone and quiet and the Clintons gone and quiet, there is now no—that protection is gone. And as a result all the critics and people who dislike the charter idea or fear it are free to attack it. So all the liberal progressive groups – and I think you'll hear this when you talk to Will Marshall –and the Democrats for Education Reform and others are under a tremendous pressure now to regard chartering as a bad idea and to go back to the old public utility model that chartering got this country away from.

I was talking with Jim Goenner earlier about this. That's why it seems to me that the advocates of chartering in the Alliance, for example, ought to be explaining that the charter sector is good for and is, in fact, essential for the success of the district sector. It provides the impetus, the

motivation to change that the district sector cannot generate for itself internally.

Ember:

01:24:00

Well as a Democrat, I'm very concerned about the fact that there has been such pressure on Democrats regarding chartering right now. That wasn't always the case, because up to 2016, when we did have President Obama in office, it was clear that America supported chartering. And the Kappan Gallup poll, each and every year for the last six years prior to that, showed that two-thirds of America supported chartering. Only about one-third supported private school vouchers. So it was pretty clear that America like choices and parents like choices.

What's happened now with the change of administration and with a secretary of education, as you indicated, supportive of private school vouchers, unfortunately, there's been confusion in the public. She supports both chartering and vouchers, so people are conflating them and thinking of them as one school choice. And that has helped, I think, to lower the approval rating for chartering because the more confusion there is, the less they support it. And still, at least one-third of America thinks that charter schools are private schools.

So right there, if you don't care for vouchers, you don't care for charters if you have them confused. And that's what's happening today. So I think our job as charter school advocates and particularly the Democrats, is to get out there with the message and with education, which is one of the reasons why we're doing this library, so that people can understand from our history here and from our documents that this really was bipartisan, that it has nothing to do with private school vouchers, and it has only to do with opportunity for students, more choices, more opportunities, accountability to the taxpayers and accountability to the students and the educators. I mean, it is really getting quite confused these days.

Ted:

01:26:02

Well, I'm talking about a little more than that, accepting all that, but going beyond that to urge the people in the charter sector, to be explaining aggressively that—and to state legislators -- that the only way the American education system is going to produce better schools and

better learning is if it goes into a process of innovation. And that for this process, a successful charter sector is essential; that it's not fundamentally about 'charter schools', it's about schools that are innovative in trying things and generating proposals for a new-and-different that then passes into the district sector.

I think groups like the Alliance ought to be saying much more clearly, "We're here to help district public education change." I don't hear that at all from them. They just want to build a bigger charter sector. What is the endgame here; to displace and replace district schools? That's hard to imagine. Chartering is six or seven percent of the total enrollment. I can't imagine the district sector is going to go away. So the larger objective of changing and improving American public education, I think, ought to be set as the mission of the charter sector. But it's hard to find people who see this.

01:28:00

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