

## The Charter Story From Ember Reichgott Junge

A conversation with Ember Reichgott Junge

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**Reichgott Junge**

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Ember Reichgott...:

[00:03](#)

Hello, I'm Ember Reichgott Junge, former Minnesota State Senator and author of the first charter school law in Minnesota and the nation. What an opportunity to share the story of chartering the origins for the National Charter Schools Research Library. I also want to thank the National Charter Schools Institute in Michigan for allowing this library to take shape. Well, the story begins 27 years ago from this month here in 2018, actually the bill passed in 1991, I was of course just a young pup at the time. City Academy was the first charter school that was created in 1992, September that's when it opened. It was the first one in the nation and we'll come back to that. But the exciting thing about City Academy is, it was for students who had otherwise dropped out of school and they were given a second chance.

Ember Reichgott...:

[00:57](#)

Well 27 years seems like a long time. But if you look at this picture, you'll see Nathan and a few years ago I was talking about charter schools in Ohio and talked about how the law passed in June of 1991. Well, this gentleman was born in January of 1991 in Saint Paul, Minnesota, just down the road from our state Capitol. And so if you look at Nathan, you will just see how old charter schools really are in our country today. It's very, very young. And that may be why we still have so many issues that are percolating and the discussion is still robust. The story begins in the mid 1980s when ordinary people like you and me took an extraordinary stand for change. And the result all these years later is that chartering now is across the country in 44 States. 3 million students are attending public charter schools right now in over 7,000 public charter schools, they are in 44 States.

Ember Reichgott...:

[02:08](#)

They're in the district of Columbia, they're in the Island of Guam where I had the privilege of launching their national charter schools week and in Alberta, Canada. There are also, believe it or not, charter schools in other countries of the world, including 10 such schools in the Kurdish region of Iraq. That one surprised me. Today there are over 1 million names on waiting lists for charter schools. Now imagine the state of New York where the waiting lists for charter public schools are actually more than the spaces allowed in the charter schools. This is the demand that has occurred over the years. And up to 2016 the poll data showed that over two thirds of Americans supported chartering. And I ask you what else does two thirds of Americans support these days? Um, actually that has gone down since and I believe that is a function of the conflating of private school vouchers in chartering, but just know two thirds of America for five years straight felt the, uh, felt that they were a very good option for students.

Ember Reichgott...: [03:20](#)

Chartering came together because of three visionaries. The first was governor Rudy Perpich, the democratic Governor of Minnesota, who proposed to a firestorm of protest, open enrollment, where a child could attend any school, public school within Minnesota. Not just in their neighborhood. Well, once that passed, after the firestorm of protest, once that passed, we now had more access to choices. But the question arose, well, if there was more access to choices, what if all the choices were the same? We needed more choices to access and we needed to have them in our local neighborhoods so people wouldn't have to get transportation across town. So Governor Perpich opened the door to chartering, even though you will never see chartering in his biography. The second visionary may surprise you. That is Al Shanker, the president of the American Federation of Teachers. He came to Minnesota in 1988 to address an education reform seminar called the Itasca Seminar. And at that seminar he mentioned something called charter schools. It was the first time I'd ever heard of that idea, and he had been thinking about it because he wanted something that would give more of a professional opportunity for teachers. He wanted them to take leadership, he wanted them to be able to do what they do best in the classroom, and that was to teach and make their decisions and their input count. So he suggested charter schools and he told us that the districts could take their customers for granted. And he was right. The third visionary was a group. The Citizens League in Minnesota, a group of civic leaders from education, from unions, from, from the business community, all coming together to improve our school system. So what's interesting here is that chartering was an idea that came from outside the, the political system, outside the political system. It came from citizens.

Ember Reichgott...: [05:32](#)

You know, as a public official, I learned something. I learned that when you step back as a public official, remove the barriers and let citizens take the lead, good things can happen. So why chartering? Chartering was to open up the K-12 public education system to allow people other than school boards to provide public education. Parents and teachers. The key was to have outside choices so that the K-12 system would become more responsive. Why? Because as Al Shanker said, the school districts could take their customers for granted and that's what chartering did. But what's interesting here is that Al Shanker and the charter advocates, uh, diverged later because he wanted to have chartering under a collective bargaining agreement and the chartering advocates felt that would compromise autonomy.

Ember Reichgott...: [06:37](#)

So here's the charter school bargain. In return for independence, the leaders of charter schools would commit to accountability and results. They'd put those results in the performance contract. They had to deliver on the results or the school could be closed. That is more accountability than in our district schools today. I like to say it's trading regulation for results, bureaucracy for accountability. So let's get back to the story. Now we're in the legislative session of 1991 and I have introduced the chartering bill for the third year in a row in the Minnesota Senate. That wasn't the problem. The house was. So let's get back to the story. It's March, 1991. Here's the climate when I introduced the chartering bill for the third time. First of all, we were controlled by a Democratic Farmer-Labor majority of legislators. Second, the powerful teachers unions opposed chartering. And they had a great deal of influence with the DFL legislature. Third, the school boards did not like this idea at all and fourth, the Republican Governor did not like chartering because he had just defeated Governor Rudy Perpich with the help of a teacher's union. Why? Because Governor Perpich had promoted open enrollment.

Ember Reichgott...: [08:04](#)

So this was the climate in which chartering was introduced. It became pretty testy and feisty pretty quickly when people realize it actually could pass, and this was the most difficult part for me as a legislator. I was about 36 years old and I was in the position of having to do something that my friends didn't like. I was a union endorsed Democrat and a proud one. You need to know that the head of the Minnesota Teacher's Union was my friend and constituent who had knocked on doors for me to be elected. You need to know that the lobbyist who worked for the union was my own ninth grade math teacher, it doesn't get much closer than that and so it was hard and it was painful.

Ember Reichgott...: [08:55](#)

But at some point we had to diverge and we went forward without their support. It was difficult. They pulled out all the stops on the key vote in the House of Representatives. We knew it was going to be very close. I will never forget that day, I'm sitting in my Senate office watching on TV, watching debate in the House of Representatives and the debate is fierce. It's negative. When the vote comes I see a lot of red on the board and I think this, this bill is going down after all of this work over three years and all of a sudden the speaker gets up, grabs the gavel and says the secretary will close the role and I look up, three votes it passed by. I was shocked, but it passed and I didn't know why until many years later when I interviewed the Speaker of the House Vanasek, who was the secret hero in all of this. No one knew his position on chartering, but we found out later. And that's because when a vote is in progress in the

House of Representatives, only the speaker can see the vote count on the ayes and the nays, and the speaker could watch and he closed the roll when we were three votes ahead. Even though 10 members of the body had not voted, Hmm. Now you might say, is that fair? Well, sure, the speaker has the power to close the roll whenever, but you also have to know that many Democrats did not want to vote on the bill and he was saving them from having to do so. So in the end, it's something that happened behind the scenes that made the difference.

Ember Reichgott...: [10:38](#)

Now in the end, that bill passed for two reasons. One was it was bipartisan and it was as bipartisan as it could be. It was passed by 56% of the minority Republicans. 42% of the majority Democrats. The center came together to pass that bill. Now, that doesn't happen today. It does not happen where a speaker of one party allows a bill to pass that isn't a majority supported by his own party, but this was a speaker who could see the opportunity, the vision and the possibility of coming together in bipartisan fashion. Chartering has always been bipartisan and I think that's a key, key point for the future. The second reason chartering passed is because it was compromised. It was compromised severely to the point where I thought a charter school would never happen, but 20 years later I realize it never would have passed if it hadn't been compromised. So compromise is not defeat in this case. It allowed it to happen. The compromise was severe. Only eight charter schools could be allowed. The most difficult compromise was that it required two approvals, one at the local school district board and one at the State Board of Education and I thought, who is ever going to get a charter school application through that? And unfortunately I was right. The first applications had a whole lot of trouble. But to my surprise, as compromised as it was, as devastated as I personally was, that a charter school would never ever be formed.

Ember Reichgott...: [12:17](#)

All of a sudden, two days later comes this announcement by U.S. Senator David Durenberger, a Republican from Minnesota on the Senate floor, on the U.S. Senate floor. Lauding the passage of this bi-partisan charter school bill. He was telling his colleagues that this was an alternative, an opportunity to address some of the deficiencies in our public education system. It was a pragmatic public school choice solution. He was telling his colleagues that this was the middle ground between the status quo supported by house Democrats who just really wanted to give more money to the education system and President George H. W. Bush, who wanted to have private school vouchers. This was a solution, public school choice that

could bring more, uh, opportunity and choices into our system. Just about a week later, when the bill came before our Governor, he had to sign it because it was attached to the whole education bill, so he couldn't veto it. So just after he signed it, another press release came out that surprised me. And that was from Governor Bill Clinton, then chairman of the Democratic Leadership Council, of which I was a member. I didn't even know he was following this, but all of a sudden outcomes a press release saying that this was an example of bipartisan passage of a pragmatic solution to our education system issues. So when the bill was passed, I was personally devastated. I didn't think there would ever be a charter school that would come out of this legislation. So that's why I was so surprised that two days later, our United States Senator, Senator David Durenberger, lauded the passage of this bill on the floor of the United States Senate as a pragmatic, pragmatic alternative to what was going on in the debate that year between the status quo of the house Democrats who just wanted to give more money to education and the position of President George H. W. Bush, who wanted to have private school vouchers.

Ember Reichgott...: [14:28](#)

I was equally surprised when just a week later, the chairman of the Democratic Leadership Council, Governor, Bill Clinton, submitted a press release that said the same thing, that this was an opportunity for pragmatic public school choice that could in fact bring great change to our public school system. And so even though I was devastated thinking we had failed, all of a sudden the national debate was kicked off. Meanwhile, back in Minnesota, things were not going so well. And just as I expected, those gatekeepers school boards were holding back the charter school applicants. And on the first nine applications submitted, seven were declined. The only two that made it through were first City Academy, which served those students who had dropped out of school. And second was a special needs school called Metro Deaf School. So it was true that the experience is what caused us to come back and strengthen the legislation two years later and to include a new authorizer or an appeal to the State Board of Education so that there was an alternative. And that was the start of a number of new authorizers in Minnesota, including large nonprofit organizations, higher education institutions, and single purpose chartering boards that did nothing but do chartering. This was really important for a robust charter sector to have multiple authorizers. One of those authorizers, by the way, was my very favorite and that was the first union initiated charter school authorizer in the country. The very union leaders who fought me like heck back in 1991 now were the leaders of the first

union initiated charter school authorizer. And that meant so much because what they learned was that this really was Al Shanker's vision of allowing teachers to do the things they do best and giving them that leadership opportunity with autonomy and to make them the professionals they were. And today they charter about 30 charter public schools in the state of Minnesota.

Ember Reichgott...: [16:41](#)

So that is the story of chartering in a nutshell. It's uh, put together in my book, 'Zero Chance of Passage, The Pioneering Charter School Story'. You might ask, where did that title come from? Well, when we interviewed 15 different people to get their story about what happened, I interviewed my house counterpart, representative Becky Kelso, also a Democrat. And when I handed her the bill in 1991 she was excited about it, but I asked her 20 years later, well, what did you think about that bill? And she said to me, I had zero confidence it would pass, and you need to know that was my champion in the House of Representatives. So she was ecstatic when the compromised version was passed, I was devastated. But that's what it was. That's the journey. Zero chance of passage and now we have nearly 7,000 charter public schools across the nation.