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State charter law requires failed schools to shut down

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A new state law requires that charter schools that do not show improvement in student achievement be shut down, starting in January 2005.

The law, signed by former Gov. Gray Davis in October, aims to ensure that charter schools live up to their promise to provide better academic results in exchange for independence from many of the rules governing public schools. With the new academic oversight, charter schools gained more flexibility in how they spend state education dollars.

Most charter school advocates welcomed the additional academic oversight because they believe it will help them gain more freedom from regulation, said Mark Kushner, CEO and founder of Leadership Public Schools and chairman of the California Advisory Commission on Charter Schools.

Since 1992, when California first allowed the creation of charter schools, the state has increasingly regulated them to crack down on abuse. Many advocates are concerned that charter schools are slowly being pulled back into the bureaucracy of the public school system.

Charter schools need to start policing themselves to maintain their independence, said Kushner, who just started a new Leadership school in Richmond.

"The weakest charters reflect poorly on all the high quality charters around the state," Kushner said.

About six of the 471 charter schools in the state appear to be at risk of having their charters revoked because of low test scores, said Gary Larson, spokesman for the California Charter Schools Association. None of the six is in Contra Costa County or the Tri-Valley section of Alameda County.

To remain open under the new law, a charter school that has been open for at least four years must show achievement in one of three ways. It must meet its growth targets on the state Academic Performance Index, perform better than the school or schools its students would otherwise attend or score at least a four on a scale of one to 10 when compared to schools statewide or schools with similar demographics.

"There are enough safeguards in there that we do feel that a good school is not going to be closed down," Larson said.

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