

February 2013

CHARTER SCHOOLS

Guidance Needed for Military Base Schools on Startup and Operational Issues



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Why GAO Did This Study

Many families struggle to balance their job demands with ensuring that their children have access to a high-quality education, and for military families this struggle can be exacerbated by the highly mobile nature of their service. Family concerns about education affect readiness and retention of military personnel, according to the Department of Defense (DOD). The majority of children of military families in the United States attend public schools. A 2008 DOD study recommended offering military families a public charter school option in areas with poorly-performing local schools. In response to a directive in a House Appropriations Committee report, GAO examined: (1) the characteristics and origins of charter schools on military installations, and (2) the challenges charter schools on military installations have faced in starting up and continuing their operations.

To conduct this review, GAO interviewed officials in the eight charter schools on domestic military bases and one school being planned; visited two schools; interviewed Education and DOD officials; and reviewed relevant federal and state laws, federal regulations and guidance, and school, federal agency, and other documents.

What GAO Recommends

GAO recommends that Education clarify whether military base charter schools that use enrollment preferences are eligible for charter school grants and that DOD and Education take actions to help address startup and operational challenges for these schools. In their responses, DOD and Education agreed with GAO's recommendations.

CHARTER SCHOOLS

Guidance Needed for Military Base Schools on Startup and Operational Issues

What GAO Found

Eight charter schools were located on domestic military bases and one charter school was being developed on a base at the time of GAO's review. The military base charter schools differed in their academic focuses and served military-connected students to different degrees. For example, one school focused on science, technology, engineering, and mathematics while another used the arts to teach all subjects. Enrollment of military-connected students at these base charter schools ranged from 42 percent to 90 percent, and three schools used preferences to ensure a higher proportion of these students. For example, one charter school with a stated mission of educating military-connected children gave first preference to children of active-duty personnel, who represented the preponderance of enrolled students. The schools were established to address different interests, including family perceptions about the quality of education in local school districts and military officials' need to attract and retain military families to bases. In some instances the impetus for establishing a charter school on a military base originated with private entities. For example, a private developer hired to build housing on the base worked with a charter management organization to develop a charter school they thought would make living on the base more attractive to military families.

Charter school officials cited several challenges to starting up and operating on military bases, such as using enrollment preferences for military-connected students, providing civilian access to schools, and obtaining facilities. Most states require schools to be open to all students, and when organizers of one school sought to enroll solely military-connected students, state law prohibited this because of the state's open enrollment requirements. Some states have changed or interpreted their charter school laws to enable schools to give enrollment preference to military-connected students. Furthermore, two charter schools that have enrollment preferences for military-connected students have received Department of Education (Education) Charter Schools Program (CSP) grants, which require charter schools to provide all students an equal opportunity to attend the school and admit students by lottery if there are more applicants than spaces available. Although these military base charter schools have received these grants, Education has expressed concern that the use of such enrollment preferences would violate CSP program requirements. Charter schools have also encountered operational challenges. For example, access for civilians can be difficult. Nearly all the military base charter schools were located behind the base's security gate, requiring civilians to complete a background check and show a pass. Several school officials reported difficulties conducting school activities such as open houses and sporting events because each base had a limit on the number of security passes for civilians. Like other charter schools, military base charter school officials also reported obstacles to obtaining facilities, such as financing. However, they also encountered unique challenges, such as complex military facility and land leases. Several school and military base officials said that having guidance and more information sharing could help with startup and operational challenges charter schools on military bases face. However, there is currently little guidance or information sharing about military base charter schools.

Contents

Letter		1
	Background	4
	Charter Schools on Military Bases Enrolled Military-Connected Students to Varying Degrees and Were Started in Response to Family, Military, and Private Interests	10
	Charter Schools on Military Bases Faced Challenges with Enrollment Preferences, Civilian Access to Schools, and Facilities	19
	Conclusions	29
	Recommendations for Executive Action	30
	Agency Comments and Our Evaluation	31
Appendix I	Charter School Profiles	33
Appendix II	Air Force Guidelines and Information on Charter Schools	41
Appendix III	Comments from the U.S. Department of Defense	47
Appendix IV	Comments from the U.S. Department of Education	48
Appendix V	GAO Contact and Staff Acknowledgments	51
Tables		
	Table 1: Characteristics of Charter Schools on Domestic U.S. Military Bases	13
	Table 2: Enrollment Preferences for Military-Connected Students at Charter Schools on U.S. Military Bases	20
	Table 3: Enrollment Preferences for Belle Chasse Academy	21
	Table 4: Military Base Charter School Facility Types and Funding Sources	26

Figures

Figure 1: Charter Schools on Military Bases in the United States	11
Figure 2: Timeline of Charter School Startups on Domestic Military Bases	12
Figure 3: Percentage of Military-Connected and Civilian Students at Charter Schools on Military Bases in the United States in School Year 2011-12	16

Abbreviations

BRAC	Base Realignment and Closure
CCD	Common Core of Data
CMO	charter management organization
CSDC	Charter School Development Corporation
CSP	Charter Schools Program
DOD	Department of Defense
ESEA	Elementary and Secondary Education Act of 1965
IDEA	Individuals with Disabilities Education Act
LEA	local educational agency
MOU	memorandum of understanding
SEA	state educational agency
STEM	science, technology, engineering, and mathematics

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Accountability * Integrity * Reliability

United States Government Accountability Office
Washington, DC 20548

February 5, 2013

The Honorable Chairman
The Honorable Ranking Member
Subcommittee on Military Construction,
Veterans' Affairs, and Related Agencies
Committee on Appropriations
United States Senate

The Honorable John Culberson
Chairman
The Honorable Sanford D. Bishop, Jr.
Ranking Member
Subcommittee on Military Construction,
Veterans' Affairs, and Related Agencies
Committee on Appropriations
House of Representatives

Many families struggle to balance their job demands with ensuring that their children have access to high-quality education, but for military families this struggle can be exacerbated by the highly mobile nature of their service and the consequences of their mobility on the emotional and social well-being of their children.¹ Military families often move every 2 to 3 years as parents are reassigned from one duty station to another, which can be disruptive for children's education. Military families' concerns about the availability and quality of public elementary and secondary education options for their children affect readiness, job satisfaction, and retention, according to a recent report for the Department of Defense (DOD).² While nearly 80 percent of children in military families attend public schools, according to DOD, another DOD report recommended that parents be allowed to form charter schools on military bases. The report indicated that charter schools on bases could offer another

¹GAO, *K-12 EDUCATION: Many Challenges Arise in Educating Students Who Change Schools Frequently*, [GAO-11-40](#) (Washington, D.C.: Nov. 18, 2010).

²American Institutes for Research, *Educational Options and Performance of Military-Connected School Districts – Final Report* (San Mateo, CA: May 2011).

educational option for military children in geographic areas with underperforming public schools in addition to private schools or home schooling.³ Charter schools are publicly-funded, independently-operated public schools that are allowed to operate with more autonomy than traditional public schools in exchange for increased accountability for student academic achievement.

In response to concerns that children of military families in underperforming school districts have few alternatives to traditional public schools, a House Appropriations Committee Report required that GAO conduct a study of charter schools located on military installations.⁴ For this study, we examined the following:

- (1) the characteristics and origins of charter schools on military installations, and
- (2) the challenges charter schools on military installations have faced in starting up and continuing their operations.

To conduct this review, we interviewed school officials at all eight charter schools operating on domestic military bases and conducted site visits to two of these schools.⁵ At the two site visit schools, located in Louisiana and Maryland, we interviewed school administrators, military base commanders and school liaison officers, charter management officials, parent representatives, and others. We selected these schools for site visits on the basis of years in operation, military-connected student

³Department of Defense, *Report of the Tenth Quadrennial Review of Military Compensation, Vol. II, Deferred and Noncash Compensation* (Washington, D.C.: July 2008).

⁴*Report on Military Construction, Veterans Affairs, and Related Agencies Appropriations Bill, 2012*, H.R. Rep. No. 112-94, at 16 (2011). DOD had a related mandate to report on locations where charter schools could improve the quality of education for children of military families while meeting their unique needs. *Report on Military Construction, Veterans Affairs, and Related Agencies Appropriations Bill, 2012*, S. Rep. No. 112-29, at 15 (2011). DOD's *Report on Charter Schools on Military Installations* was issued in July 2012.

⁵We initially identified seven currently operational charter schools as well as two charter schools under development at Naval Station Great Lakes in North Chicago Illinois, and Fort Bragg, North Carolina. After the charter school at Naval Station Great Lakes began operations in school year 2012-13, we included it among currently existing charter schools, for a total of eight schools.

enrollment, local educational agency (LEA) status, and enrollment size.⁶ For the eighth charter school at Naval Station Great Lakes, we interviewed DOD headquarters and regional installation officials to obtain information about the school's origins since the school recently opened but was under development during our period of data collection. We also interviewed military officials knowledgeable about a charter school currently being planned for Fort Bragg.

We reviewed charter school applications and other documentation as appropriate for the eight schools as well as available documentation on the one school in development. We focused on charter schools on domestic installations because charter schools are authorized by individual states and do not exist outside the United States. We also interviewed Department of Education (Education) and DOD officials about charter school program requirements, the educational needs of military-connected children, and federal funding for these schools and reviewed federal agency data and reports on these issues. We interviewed experts from relevant educational and military organizations. The most complete data set available at the time of our review—Education's Common Core of Data Public Elementary/ Secondary School Universe Survey (CCD)—was collected for school year 2009-2010, and three of the eight military base charter schools we reviewed opened after that school year. Therefore, to develop current information on the characteristics of these military base charter schools, we first obtained school data reported in DOD's *Report on Charter Schools on Military Installations* (July 2012). Because these data had been compiled from multiple sources, including military base charter schools, we contacted military base charter school administrators to confirm the accuracy of their charter school characteristics, including year established, grade range, LEA status, enrollment level of military-connected students, and other characteristics and to obtain supplemental information as needed. We determined that the steps we took ensured that these data were sufficiently reliable for our purposes. We also used data from Education's CCD and the Private School Universe Survey for school year 2009-10 to develop maps

⁶For purposes of Department of Education discretionary grant programs, a military-connected student is generally defined as a child participating in an early learning program, a student in pre-school through grade 12, or a student enrolled in postsecondary education or training who has a parent or guardian on active duty in the uniformed services. Supplemental Priorities for Discretionary Grant Programs, 75 Fed. Reg. 78,486, 78,509 (Dec. 15, 2010).

showing schools surrounding the military bases that have charter schools. Finally, in addition to reviewing charter school literature and other background materials, we reviewed relevant federal laws, regulations, and guidance, as well as state laws on charter schools, including the eight states that had existing or planned military base charter schools: Arizona, Arkansas, California, Florida, Illinois, Louisiana, Maryland, and North Carolina.

We conducted this performance audit from April 2012 through February 2013 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

There are about 1.2 million school-age children of military-connected families, and the majority of students attend public and private schools located off military bases.⁷ In addition to these off-base options, several school options are available on military bases for military-connected children, including traditional public schools, DOD-operated schools, and, more recently, public charter schools.⁸ These options are described below.

- *Traditional public schools:* Approximately 160 traditional public schools operated by local school districts are located on military bases in the United States. According to DOD, 94 percent of students attending public schools on military bases are military-connected children. Traditional public schools are generally open to all students in the geographic area they serve.
- *DOD-operated schools:* Although the majority of DOD schools are located overseas, 64 DOD schools currently operate on military bases

⁷Of these students, about 1.1 million students are enrolled in public or private schools located off military bases, or in home-school programs, according to DOD.

⁸These school options may vary from base to base.

in the United States,⁹ and these domestic DOD schools enroll about 28,000 students. DOD schools—open only to eligible dependents of active duty military and DOD civilians who reside on military installations—constitute a separate school system administered by the Department of Defense Education Activity (DoDEA). Domestic DOD schools were established to educate military children in communities where the local schools were deemed unable to provide a suitable education, among other reasons. DOD school systems depend almost entirely on federal funds, unlike public schools, which are funded primarily with local and state taxes and for which federal funding constitutes a small portion of total resources. As we noted in an earlier study, questions have been raised periodically concerning the continuing need for DOD schools.¹⁰ DOD has commissioned various studies since the 1980s exploring the possibility of transferring DOD schools to local school districts, and over the years, DOD has transferred some DOD schools to local public school districts.¹¹

- *Charter schools:* Charter schools are a relatively new option for students. These schools are public schools created to achieve a number of goals, including encouraging innovation in public education, providing an alternative to poor performing schools, and giving families an additional educational option to traditional public schools. Charter schools operate with more autonomy than traditional public schools in exchange for agreeing to improve student achievement, an agreement that is formalized in a contract or charter with the school's authorizing body. A school's charter defines the specific academic goals and outlines school finances and other aspects of operation. Charter schools provide students and parents

⁹Domestic DOD schools are located in Alabama, Georgia, Kentucky, New York, North Carolina, South Carolina, Virginia, Guam, and Puerto Rico. None of these DOD schools are located on military bases that also have charter schools. One charter school is currently being planned for a military base with a DOD school, but the schools cover different grade ranges.

¹⁰See GAO, *DOD Schools: Limitations in DOD-Sponsored Study on Transfer Alternatives Underscore Need for Additional Assessment*, [GAO-05-469](#) (Washington, D.C.: April 2005).

¹¹See, for example, John Helmick, Westat, and Lisa Hudson, Defense Manpower Data Center, *A Study of Schools Serving Military Families in the U.S.: Education Quality, Federal Administration, and Funding* (Arlington, VA: October 1997). In 2002, DOD began a study to evaluate the feasibility of transferring DOD schools in the continental United States to individual local educational agencies (LEAs). The final report was not completed, according to a DOD official.

with increased educational options. However, research has found considerable variability in charter school performance on student achievement.¹²

Enrollment and interest in charter schools has grown rapidly in the past few years. According to the National Center for Education Statistics, the number of students enrolled in public charter schools more than quadrupled, from 0.3 million to 1.6 million students between school years 1999-2000 and 2009-2010, while the percentage of all public schools that were public charter schools increased from 2 to 5 percent. In the 2009-2010 school year, about 5,000 charter schools operated in 40 states and the District of Columbia.¹³ Meanwhile parental interest in this public school option has also grown. According to a survey conducted by one national charter school organization, nearly two-thirds of charter schools across the nation reported having children on their waiting list, with an average waiting list totaling 228 students.¹⁴

The 2008 DOD report on military compensation recommended that military-connected parents be allowed to form charter schools on military bases. The 2008 DOD report indicated that offering a charter school option in areas with underperforming local public schools would give parents stationed in those locations another choice in addition to the private school or home schooling options that may currently exist. This recommendation was part of the report's broader emphasis on the need to increase service members' choices in order to enhance recruiting and retention efforts in the uniformed services and, ultimately, support military readiness.

¹²Julian R. Betts and Y. Emily Tang, *The Effect of Charter Schools on Student Achievement: A Meta-Analysis of the Literature* (Seattle, WA: October 2011).

¹³National Center for Education Statistics, Institute of Education Sciences, U.S. Department of Education, *Fast Facts: Charter Schools*. <http://nces.ed.gov/FastFacts/display.asp?id=30> Accessed 9/27/2012.

¹⁴National Alliance for Public Charter Schools, *2011-2012 NAPCS Charter School Survey, National Waiting List Results*.

Charter School Operations and Funding

Charter schools are established according to individual state charter school laws, and these state laws determine how schools operate and are funded. Depending on the state, a range of groups and organizations can establish a charter school, including parents, educators, private nonprofit organizations, and universities. A significant portion of charter schools nationally are established or operated by private management organizations, such as charter management organizations (CMO).¹⁵ According to one research institute, in the 2010-2011 school year, 35 percent of all public charter schools were operated by such private management organizations, and these schools accounted for almost 42 percent of all students enrolled in charter schools.¹⁶ States also set requirements for how charter schools operate. For example, most state charter school laws generally require that charter schools be open to all students within a specified boundary (commonly referred to as “open enrollment” requirements). In addition, most state charter school laws generally require that charter schools that receive more student applications than have available classroom spaces must enroll students based upon a lottery or some other random selection process to ensure that enrollment to the school is fair and does not favor particular groups of students. States also specify which entities can authorize the establishment of a charter school, including state departments of education, state boards of education, school districts or local educational agencies (LEA), institutions of higher education, and municipal governments. Authorizers are responsible for monitoring school performance and have the authority to close schools or take other actions if academic goals and state financial requirements are not met. States also define how charter schools are structured. For example, unlike traditional public schools that are generally part of a larger LEA, some states establish charter schools as their own LEA while others allow schools to choose between being a distinct LEA or part of a larger LEA for certain purposes, such as special education. In general, schools that operate as separate LEAs may be able to directly obtain federal funds or apply for federal grants that would otherwise be distributed among

¹⁵According to the Department of Education Charter Schools Program, a CMO is a nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions and resources among schools.
<http://www2.ed.gov/programs/charter-rehqcs/eligibility.html>. Accessed 11/7/12.

¹⁶National Education Policy Center, *Profiles of For-Profit and Nonprofit Education Management Organizations: Thirteenth Annual Report – 2010-2011* (Boulder, CO: January 2012).

schools in a larger LEA.¹⁷ It may, therefore, be financially advantageous for schools to be separate LEAs, although this advantage also comes with the added responsibility associated with LEAs. Finally, states determine how charter schools will be publicly funded. In most states, charter schools are largely funded according to the formula states use for traditional public schools, usually a per-pupil allocation based on student attendance. As public schools, charter schools are also eligible to receive formula funding from some federal programs, such as those authorized by the Individuals with Disabilities Education Act (IDEA) and Title I of the Elementary and Secondary Education Act.¹⁸

Federal Resources Available to Charter Schools on Military Bases

DOD and Education have had a formal memorandum of understanding (MOU) since 2008 to collaborate on addressing the educational needs and unique challenges faced by children of military families, including serving as a resource for communities exploring alternative school options, such as charter schools.

In addition, a number of federal resources are available that may be used to assist in starting and operating charter schools, some of which focus on schools serving military-connected students, among others:

- *Impact Aid*: Education and DOD administer Impact Aid programs¹⁹ that provide qualifying LEAs—encompassing both traditional public schools and charter schools—with funds to compensate LEAs for revenue losses resulting from federal activities and to help students connected with these federal activities—which may include military-connected students—meet state academic standards.²⁰ Appropriations for Education’s Impact Aid program were almost \$1.3 billion in fiscal year 2010, and Congress appropriated \$40 million in

¹⁷With regard to special education, one common practice in states where charter schools are their own LEA is for the state to make charter schools responsible for providing special education services themselves. See GAO, *Charter Schools: Additional Federal Attention Needed to Protect Access for Students with Disabilities*, [GAO-12-543](#) (Washington, D.C.: June 2012.)

¹⁸See [GAO-12-543](#).

¹⁹20 U.S.C. §§ 7701-7714.

²⁰GAO, *Education of Military Dependent Students: Better Information Needed to Assess Student Performance*, [GAO-11-231](#) (Washington, D.C.: March 2011).

additional funding for DOD Impact Aid in 2012. One type of Impact Aid grant is designed to support the construction and repair of school buildings and is awarded to LEAs on a competitive basis.

- *DOD grants:*
 - DOD provides discretionary grants—about \$50 million in grants to 38 military-connected school districts for fiscal year 2012—for enhancing student learning opportunities, student achievement, and educator professional development at military-connected schools, as well as about \$9 million for math, science, English, and foreign language programs affecting military-connected students.
 - DOD is authorized to provide up to \$250 million to make grants, conclude cooperative agreements, or supplement other federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools.²¹ The Consolidated Appropriations Act, 2012, provided an additional \$250 million for DOD to continue addressing capacity and condition issues of public schools on military installations.²²
- *Charter Schools Program resources:* Education also provides supports and resources through its Charter Schools Program (CSP).²³
 - CSP provides funds—about \$255 million in fiscal year 2012—to create high-quality charter schools, disseminate information about effective schools, and support the replication and expansion of successful schools, among other purposes. In applying for grants for state education agencies, state agencies must describe, among other things, how they will disseminate information about effective schools and how students in the community will be given

²¹Department of Defense and Full-Year Continuing Appropriations Act, 2011, Pub. L. No. 112-10, § 8109, 125 Stat. 38, 82.

²²Pub. L. No. 112-74, § 8118, 125 Stat. 786, 833.

²³See GAO, *Charter Schools: Education Could Do More to Assist Charter Schools with Applying for Discretionary Grants*, [GAO-11-89](#) (Washington, D.C.: December 2010).

an equal opportunity to attend the charter school.²⁴ A 2011 White House report details an agency-wide effort to develop a coordinated approach to supporting military families.²⁵ One specific administration commitment is for Education to make supporting military families one of its supplemental priorities for its discretionary grant programs. This priority, which has been implemented, favors grant applications to meet the needs of military-connected students.

- CSP funds a number of organizations, including the National Charter School Resource Center and the National Resource Center on Charter School Finance and Governance, which provide a diverse range of information on charter schools.

Charter Schools on Military Bases Enrolled Military-Connected Students to Varying Degrees and Were Started in Response to Family, Military, and Private Interests

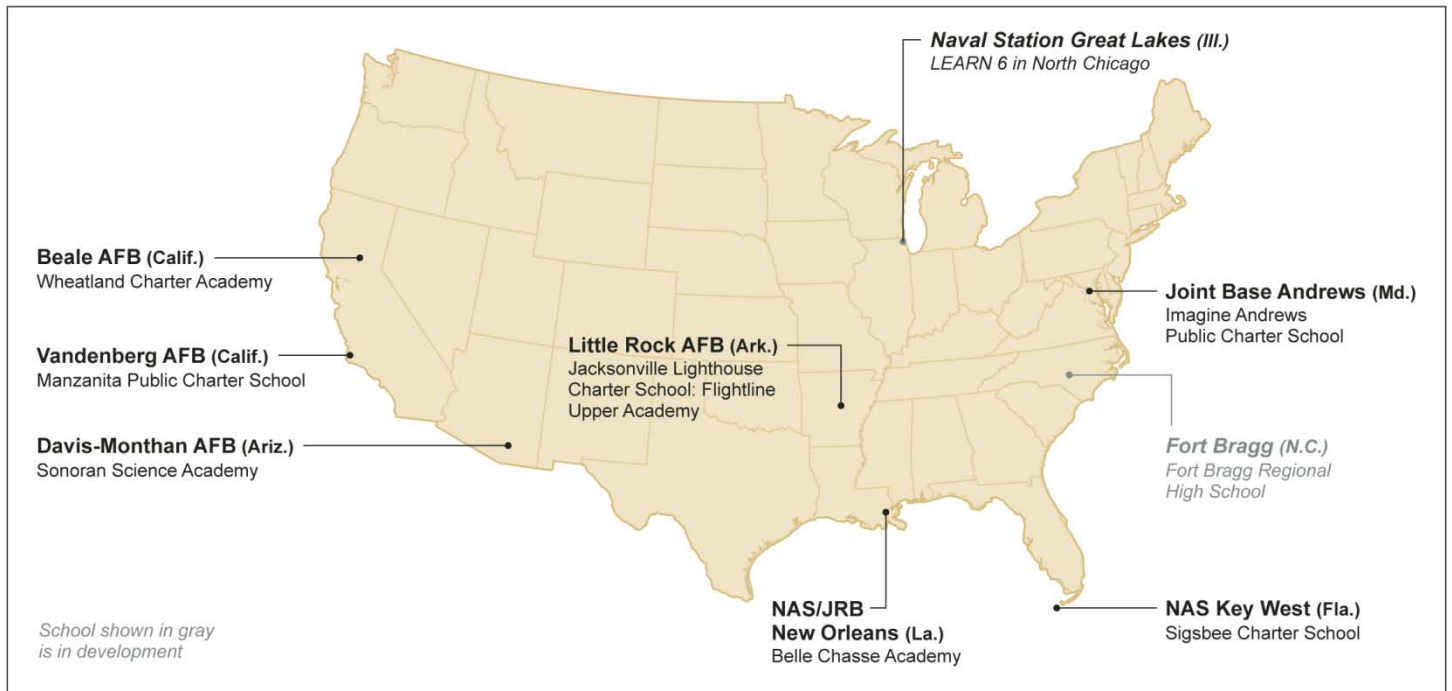
While most schools located on military bases were traditional public schools or DOD schools, eight were charter schools at the time of our review. The military base charter schools differed among themselves in their academic focuses and in the number of military-connected children they served. In addition to the eight schools, most of which were located on Air Force bases or on joint Air Force/Navy bases, another charter school was being developed on the Fort Bragg Army base at the time of our review (see fig. 1).²⁶

²⁴20 U.S.C. § 7221b(b).

²⁵The White House, *Strengthening our Military Families: Meeting America's Commitment* (Washington, D.C.: January, 2011).

²⁶Fort Bragg Regional High School will not open as proposed in school year 2013-14. In addition, several other military bases have been interested in initiating charter schools on the bases, according to military officials we spoke to. These bases included: Joint Base Anacostia-Bolling in Washington, D.C.; Joint Base Charleston in South Carolina; MacDill Air Force Base in Tampa, Florida; and Barksdale Air Force Base in Louisiana.

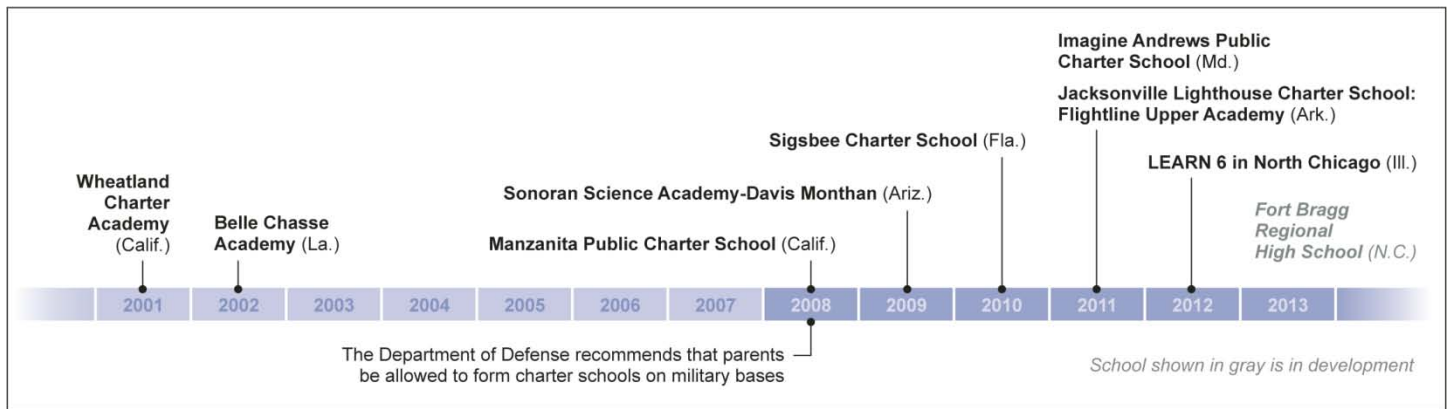
Figure 1: Charter Schools on Military Bases in the United States



Source: GAO analysis of Department of Defense data; National Atlas of the United States (base map).

Most military base charter schools opened after 2008, following DOD's *Quadrennial Review* that recommended parents be allowed to form charter schools on bases to provide another educational option for military children in geographic areas with underperforming public schools, in addition to private schools or home schooling options (see fig.2).

Figure 2: Timeline of Charter School Startups on Domestic Military Bases



Source: GAO analysis of Department of Defense and charter schools' data.

Charter Schools on Military Bases Offer Different Academic Focuses

Like many charter schools located in public school districts across the country, many of the eight schools on military bases offered a program with a particular academic focus (see table 1). For example, Sonoran Science Academy, the only charter school currently on a military base that serves children from grade 6 through grade 10, offers a college preparatory program with a focus on science, technology, engineering, and mathematics subjects (STEM). In school year 2011-12, Sonoran Science Academy served 185 children in grades 6 through 10 and plans to expand through the 12th grade by adding a grade each year. Manzanita Public Charter School offered a program for children learning English in which classes are taught in both English and the children's home language, known as a dual immersion language program. The program's goal was to support bilingualism and bi-literacy. Located on Vandenberg Air Force Base, but outside the base's security gate, Manzanita Public Charter School served 438 students in school year 2011-12. Sigsbee Charter School in Key West draws on the school's location to offer an environmental education program with a focus on marine studies. The only one of the eight schools on a military base to offer a pre-kindergarten program, Sigsbee served 410 children through grade 7 in school year 2011-12. In Arkansas on the Little Rock Air Force Base, Flightline Upper Academy chose a curriculum in which the arts are used to teach all subjects. The school served 164 students in grades 5 through 8 in school year 2011-12. Both of these schools—Sigsbee and

Flightline—are located behind the security gate on their respective military bases. Table 1 provides information on the characteristics of the eight charter schools.²⁷

Table 1: Characteristics of Charter Schools on Domestic U.S. Military Bases

School	Military installation and state	School mission/ vision	Academic focus	Grades	Operations	Total enrollment in SY 2011-12
Belle Chasse Academy	Naval Air Station Joint Reserve Base, New Orleans, Louisiana	The mission of Belle Chasse Academy is to educate our military-dependent children, no matter what their background or previous school experience, to fully achieve their personal and academic potential.	Comprehensive core curriculum in liberal arts	K-8	Independent	942
Imagine Andrews Public Charter School	Joint Base Andrews, Maryland	Our mission is to serve our nation by providing the students of the Andrews Community with a “world class” education, while meeting the needs of military families.	Liberal arts program	K-4 ^a	CMO (Imagine Schools)	265
Jacksonville Lighthouse Charter School: Flightline Upper Academy	Little Rock Air Force Base, Arkansas	We prepare our students for college through a rigorous arts-infused program.	Arts-infused Curriculum	5-8 ^a	CMO (Lighthouse Academies)	164
LEARN 6 in North Chicago	Naval Station Great Lakes, Illinois	Our mission is to provide children with the academic foundation and ambition to earn a college degree.	College preparation	K-2 and 6-7 ^a	CMO (LEARN Charter School Network)	^b
Manzanita Public Charter School	Vandenberg Air Force Base, California	We are dedicated to advancing academic excellence in Lompoc by providing students in kindergarten through sixth grade with the intellectual capacity to participate and work productively in a multicultural society.	Dual immersion language program	K-6	Independent	438

²⁷See app. I for profiles of individual charter schools on military bases.

School	Military installation and state	School mission/ vision	Academic focus	Grades	Operations	Total enrollment in SY 2011-12
Sigsbee Charter School	Naval Air Station Key West, Florida	To provide each child with the opportunities and skill sets to realize his or her fullest potential in surroundings tailored to meet the needs of the transient military child as well as to provide another option for children in the Key West community.	Environmental studies, with focus on marine studies	PK-7	Independent	410
Sonoran Science Academy	Davis-Monthan Air Force Base, Arizona	The Mission of Sonoran Schools is to provide a rigorous college-prep, STEM-focused education through a challenging and comprehensive curriculum, continuous assessment, and dedicated teachers who inspire their students to become the leaders of tomorrow.	Science, technology, engineering, and mathematics	6-10 ^a	CMO (Sonoran Schools)	185
Wheatland Charter Academy	Beale Air Force Base, California	None	Montessori-blended curriculum	K-5	Independent	104

Source: GAO analysis of information from military base charter schools

^aSchool plans to expand grades it will offer.

^bSY 2011-12 enrollment data for LEARN 6 in North Chicago was unavailable because this school just opened for the SY 2012-13 session.

Most Base Charter Schools Served Predominantly Military-Connected Students

While the charter schools' academic focuses differed considerably, most military base charter schools served predominantly children of military-connected families and some of these schools took various steps to attract these students. For example, the largest charter school operating on a base, the Belle Chasse Academy, serves more than 900 elementary and middle school children. To address the needs associated with high mobility and parental deployments that military-connected students experience, Belle Chasse Academy offers psychological and other counseling services, welcome clubs, and a buddy program to ease an incoming student's transition to Belle Chasse Academy. With 90 percent of its students coming from military families, Belle Chase Academy has the largest percentage of military-connected children of the schools currently in operation. While the children of civilians can attend the school, which is located inside the security gate on the Naval Air Station Joint Reserve Base New Orleans, Belle Chase Academy officials told us

they initially took several steps to attract children of military personnel. For example, they held multiple town meetings for military families, distributed flyers on the base, and posted notices on the school's website encouraging military-connected families to enroll their children as soon as the service member receives his or her orders (see text box.) Belle Chasse Academy officials said the Academy is well-known now and they no longer have to conduct as much outreach.

Belle Chasse Academy: Promoting Early Enrollment of Military-Connected Students

The Belle Chasse Academy includes the following announcement on its website:

... Active-duty personnel are enjoined to register their child(ren) to attend Belle Chasse Academy as soon as they are in receipt of orders. This enables the school to plan effectively and ensures that your student has a space in the appropriate grade and setting. BCA is space-limited, and we cannot ensure that every dependent of active-duty personnel has space unless you assist us in planning. We are an open-enrollment school, so unless we have reserved a spot for your student, we must admit students who apply if there is a vacancy. Thanks for your cooperation.

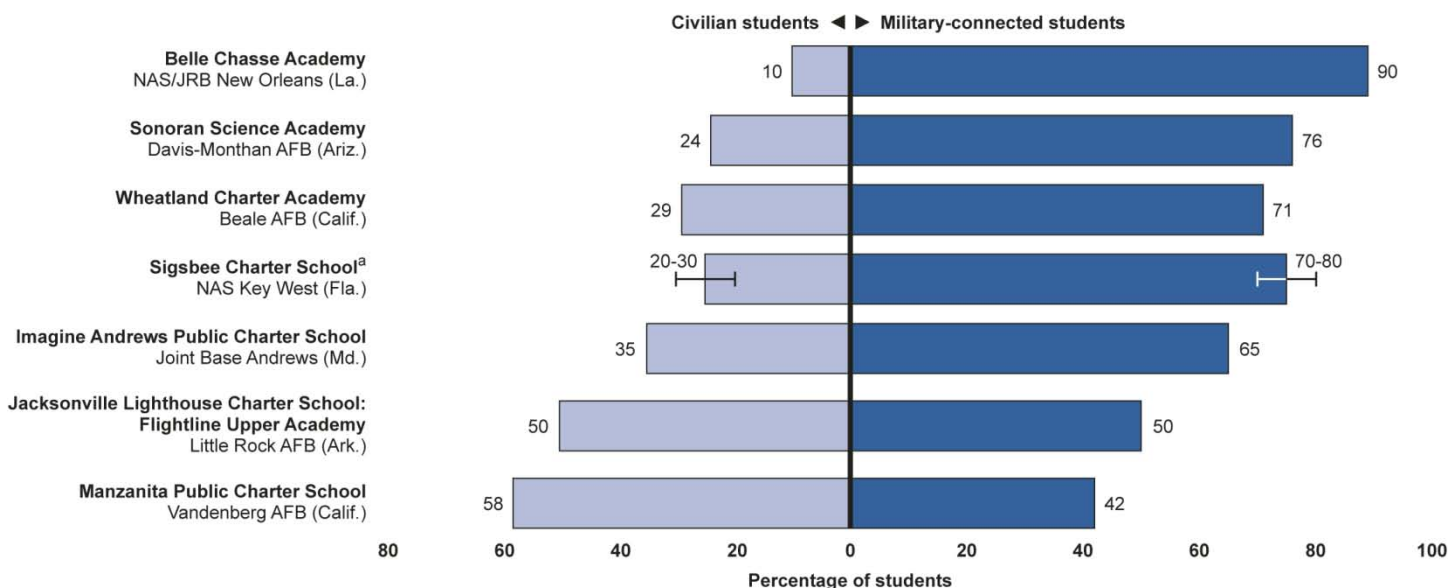
Source: <http://www.bellechasseacademy.org>, downloaded Sept. 28, 2012.

Imagine Andrews and Sigsbee charter schools also considered educating the children of military-connected families an integral component of their mission. Sigsbee Charter School officials described the children of military-connected families as "central to the school's mission" and said they offered services geared to the needs of this transient population. For example, the school has a military life counselor available to children with an active-duty parent, who holds small group sessions that address family stress, deployment, and issues related to moving.²⁸ Sigsbee officials also told us they work closely with a professional organization that provides services to educators working with military-connected children and send the school's staff to professional development sponsored by this organization. Imagine Andrews, where two-thirds of its students come from military-connected families, offers a range of services for these children: for example, according to the school's website, Imagine Andrews staff receives in-depth professional development on how to

²⁸The Department of Defense provides military life counselors to schools with high populations of children in military-connected families.

recognize the warning signs of the stressors faced by students in military-connected families and how to help those students deal effectively with the challenges they encounter. While Sonoran Science Academy does not specifically state that serving the children of military-connected families is part of its mission, it enrolled a high percentage of these children and provided services geared to their needs. For example, the school provides a full-time counselor and offers a buddy program for military-connected students transferring into the school, a self-esteem program, and a support group for students with a recently-deployed parent. Located inside the gate on the Davis-Monthan Air Force Base in Arizona, Sonoran Science Academy has a student body that includes 76 percent military-connected students. (See fig. 3).

Figure 3: Percentage of Military-Connected and Civilian Students at Charter Schools on Military Bases in the United States in School Year 2011-12



Source: GAO analysis of school-reported data.

Note: Enrollment data for LEARN 6 in North Chicago were unavailable because the school opened in SY 2012-13.

^aSigsbee Charter School provided an estimate ranging from 70-80 percent military-connected students.

In addition, three schools used enrollment preferences to ensure the children of military-connected families had a greater chance of securing a place in the school: Belle Chasse Academy, Imagine Andrews, and

Sigsbee. These schools were among the five schools with the highest enrollment of students from military-connected families.

Family and Military Needs and Private Interests Were Among Key Reasons for Establishing Charter Schools

While all of the charter schools on military bases serve a large percentage of military-connected students, they were started for various reasons, including family perceptions about the quality of education available for their children in local school districts and military officials' need to attract and retain military families to bases. Moreover, in some instances the impetus for establishing a charter school on a military base originated with private housing developers on military bases and charter management organizations.

At Imagine Andrews and other schools, school officials told us some parents expressed reservations about enrolling their child in local public schools due to the perception that those schools were of poor quality. As a result, many military families chose to live off-base, which allowed their children access to other districts they believed had higher quality schools. For example, one Belle Chasse Academy parent we interviewed said his concerns about the quality of schooling available in New Orleans led him to consider refusing assignment to the base. Belle Chasse Academy officials also said that some personnel accept assignment to the base, but leave their families behind in communities they believe provide better educational opportunities for their children. In these cases, leaving family behind often negatively impacted service members' job readiness and happiness, Belle Chasse Academy officials and others noted. Navy officials who helped develop LEARN 6 in North Chicago said quality is important because parents want assurance that their children will "keep up" in the school in which they are currently enrolled and will at least be on grade level when they have to transfer to a new school.²⁹ Additional parental concerns included children's safety and the schools' convenience or proximity to home, according to school officials and others.

Military interests were also significant in the creation of some of the charter schools we reviewed. Officials at several schools said that base commanders recognized the important role of quality schools in attracting and retaining service members on base and that commanders' support

²⁹These concerns are consistent with those in the 2011 American Institutes for Research report for DOD.

was critical to charter school development on base. For example, at Sonoran Science Academy and Imagine Andrews, school officials credited the base commander with being a driving force behind the vision of creating a charter school. Furthermore, the military Base Realignment and Closure (BRAC) process may contribute to growth in the number of military-connected families living on certain bases and heighten demand for more schooling options on bases, including charter schools.³⁰ At LEARN 6 in North Chicago, military and state interests both contributed to the creation of the charter school. Partly in response to declines in the military population at Naval Station Great Lakes, the state board of education, which approved the charter school application, noted that the district stood to lose millions of dollars in federal Impact Aid if it did not take immediate action to attract and retain military families.³¹ The state board further noted that a charter school could help ensure the district's continued eligibility for federal Impact Aid funds while offering another public school option for the district's students.

Housing developers and charter management organizations (CMO) also led moves to establish some charter schools on military bases, according to some school officials we interviewed. For example, housing developers at Joint Base Andrews that were hired by the military to privatize on-base housing believed that having a charter school on base would attract more families to on-base living. The housing developers worked with Imagine Schools, the CMO, to develop a charter school that would make living on base more attractive. In another case, the CMO Lighthouse Academies decided to open a new charter school campus—Flightline Upper Academy—when demand for spaces in its existing charter school exceeded capacity. Although the new charter school was ultimately located on a nearby military base, the CMO's original plan was to provide more options for children in the community, not to target the children of military-connected families for enrollment in the school.

At Manzanita Charter School, public school educators were the planners because they perceived a need for better educational options for the

³⁰The BRAC process is designed to overcome obstacles to eliminating unneeded DOD infrastructure and to help DOD match needed infrastructure to the force structure and to support military missions. GAO, *Military Base Realignments and Closures: Key Factors Contributing to BRAC 2005 Results*, [GAO-12-513T](#) (Washington, D.C.: March 8, 2012.)

³¹In this case, the state board of education overruled the local school board to approve the CMO's charter school proposal.

children of economically disadvantaged families and English language learners. The school's planners told us they had not considered the children of military-connected families as a target population for enrollment. They said the decision to locate the school on a military base was one of necessity—it was the only facility the local authorizer offered the charter school organizers.

Charter Schools on Military Bases Faced Challenges with Enrollment Preferences, Civilian Access to Schools, and Facilities

Enrollment Preferences for Military-Connected Students Posed Hurdles for School Planners

While charter schools on military bases encountered some of the same challenges as other charter schools around the nation—such as acquiring facilities and startup funding—they also experienced challenges unique to starting up and operating a charter school on a military base. One of these challenges is maintaining slots for military students whose parents may move more frequently. Specifically, because the high turnover rate among military-connected students at military base charter schools could limit enrollment access of these students,³² three charter schools provided military-connected students with an enrollment preference (see table 2).

³²A 2008 DOD report observed that if civilian children put their names on a military base charter school's waiting list, they will receive newly open slots before the children of service members who subsequently transfer into the installation. Due to the high turnover rate that military base charter schools would expect to see among the children of military personnel, a school's enrollment could consist of mostly civilian students over time, as civilian students enroll at a greater rate than military-connected students. The report concluded that such a result would frustrate the original intent of establishing charter schools on military bases. Department of Defense, *Report of the Tenth Quadrennial Review of Military Compensation, Vol. II, Deferred and Noncash Compensation* (Washington, D.C.: July 2008).

Table 2: Enrollment Preferences for Military-Connected Students at Charter Schools on U.S. Military Bases

School	Enrollment preference
Imagine Andrews Public Charter School	<ul style="list-style-type: none"> • Dual enrollment system with separate lotteries for children whose parents are assigned to and reside on base, up to 65 percentage of the school's enrollment, and all other off-base children up to 35 percent of the school's enrollment.
Belle Chasse Academy	<ul style="list-style-type: none"> • Hierarchy of enrollment preferences prioritizes the children of active duty military personnel, followed by reservists, retirees, DOD employees, staff, and civilians. • If there are openings after all active duty applicants are placed during initial enrollment period, a lottery is conducted in which all eligible remaining students are placed in groups by grade and names are drawn until vacancies are filled.
Sigsbee Charter School	<ul style="list-style-type: none"> • Lottery divided into active duty military families and non-active duty military families. Numbers from the active duty list are drawn first to determine the order in which applicants will be offered positions at each grade level. • If spaces are still available, numbers from the non-active duty lottery list are drawn. In the event that there are more applicants than space available, a waiting list is to be created in the event that selected applicants reject a position and their spot becomes available. Active duty military dependents are placed at the top of this list as they transfer into the area.

Source: GAO analysis of school information.

Planners for Imagine Andrews wanted all of the slots at the school to be reserved for military families, according to a CMO representative. However, Maryland law requires charter schools to be open to all students.³³ In 2010 the Maryland legislature revised the law to provide an exemption to the open enrollment requirement for military base charter schools, as long as students with parents who are not assigned to the base constitute at least 35 percent of enrollment.³⁴ However, children of military parents who are assigned to the base, but live off the base, are grouped with civilians because Imagine Andrews also requires residency on the base for enrollment preference. Despite the school's military student enrollment preference, an Imagine Andrews official said that the school would likely encounter concerns about enrollment from military-connected parents whose children are not able to enroll in the school due

³³Md. Code Ann. § 9-102(3). As discussed later, CSP would preclude reserving all slots for military families, according to Education.

³⁴Md. Code Ann. § 9-102.1.

to limited slots. Similarly, a representative of Belle Chasse Academy said the school also explored how they could maintain slots for military-connected children. In addition to a stated mission to educate military-connected children and its efforts to encourage military-connected parents to register their children as soon as they are assigned to the base, the school uses a hierarchy of admission preferences, with the top six tiers for military-connected students, the seventh tier for the children of staff, and the final and eighth tier for civilian students (see table 3). According to the official, these preferences were allowed as an admission standard under an interpretation of the law by the state Attorney General's office, which determined that it was acceptable as long as the mission, academics, and programs of the school were targeted to military-connected students. The preferences have enabled the school to maintain high military student enrollment—approximately 90 percent in SY 2011-12. The official said the school does not generally conduct a lottery because it could lead to higher levels of civilian enrollment and undermine the school's mission to educate military-connected children.

Table 3: Enrollment Preferences for Belle Chasse Academy

Preference	Student whose parents are:
1st	Active duty living on base
2nd	Active duty waiting for base housing
3rd	Active duty living in the community
4th	Reservists
5th	Retirees
6th	DOD
7th	Staff
8th	Civilian

Source: Belle Chasse Academy documents.

Sigsbee Charter School also encountered a challenge to ensuring enrollment slots for military-connected students. Created prior to recent changes in Florida state law that now permit charter schools to give enrollment preference to children of an active duty member of any branch of the United States Armed Forces,³⁵ the school utilized a provision in state law that allows a charter school to give enrollment preference to

³⁵Fla. Stat. Ann. § 1002.33(10)(d)(6).

children of workplace employees.³⁶ A school official explained that the school considered the base a workplace but could not establish a formal business partnership with the base because the base does not provide the school with funds. As a result, school officials established a formal partnership with the base through a memorandum of understanding, which it considered a business partnership for the purposes of satisfying the state requirement for using the school's enrollment preference.

Two other schools that wanted to focus on enrolling military-connected students, including one school currently in development, did not plan to use an enrollment preference because officials said they either believed or were told by state education officials it was not allowable under state charter school law. For example, a Navy official involved with establishing LEARN 6 in North Chicago at Naval Station Great Lakes explained that, while planners for the school wanted to focus on enrolling military-connected students, Illinois state law required the school to be open to all students. According to the official, this requirement could pose a long-term challenge to maintaining enrollment access for military-connected families. He indicated that school stakeholders are currently working to propose changes to Illinois state law that would enable the school to use a preference for military-connected students at a minimum of one-third of the school's enrollment. Similarly, Fort Bragg military officials involved with establishing a charter high school on the base said that school planners wanted an enrollment preference for military-connected students but were told by state education officials that North Carolina's charter law does not allow for such a preference. One official indicated the CMO planned to challenge the state's interpretation of the law. However, even without such a preference, base officials noted that the school's prospective location on the base would ensure high military-connected student enrollment. Officials said that the school did not plan to include transportation in its budget. However, they said the school may consider offering fee-based busing to students living on base—but not to students living off base. Doing so could also result in higher military-connected student enrollment.

³⁶Under Florida law, a "charter school-in-the-workplace" may be established when a business partner provides the school facility to be used and the school must enroll students based upon a random lottery that involves all of the children of employees of that business or corporation. Fla. Stat. Ann. § 1002.33(15).

Of the three schools currently using an enrollment preference for military-connected students, Sigsbee Charter School and Imagine Andrews received CSP subgrants from their state departments of education. As previously noted, both schools used lottery-based preferences to enroll military-connected students at higher rates than civilian students. The statute authorizing CSP grants requires charter schools, as a condition of receiving funding, to admit students on the basis of a lottery if more students apply than can be accommodated, and to provide a description of how students in the community will be given an equal opportunity to attend the charter school.³⁷ Education, in its non-regulatory guidance, states that a charter school receiving CSP funds must hold one lottery that provides qualified students with an equal opportunity to attend the school, but also provides for certain exemptions to the lottery requirement. For example, the guidance allows certain categories of applicants to be exempted, such as the siblings of students, children of a charter school's founders, and children of employees in a work-site charter school. However, the guidance does not specifically address whether schools may exempt military-connected students from a lottery. Further, the guidance also states that schools may use weighted lotteries, which are lotteries that give preference to one set of students over another, but only when they are necessary to comply with certain federal laws, such as Title VI of the Civil Rights Act of 1964,³⁸ or applicable state laws. CSP officials told us that there were limits to how lottery preferences can be used. For example, a CSP official said that the practice of holding separate lotteries for enrolling civilian and military-connected students is not consistent with CSP requirements. The official also stated concern about enrollment preferences that would significantly limit civilian enrollment access to a school. However, another CSP official stated that they would not necessarily be aware of the specific enrollment practices of Sigsbee Charter School and Imagine Andrews at the time the awards were made, in part because both were subgrantees of state educational agency (SEA) grants and, under federal regulations, the SEA, not Education, is primarily responsible for monitoring subgrant activities and ensuring that subgrantees comply with applicable federal program requirements.³⁹ However, the official said that CSP does not require

³⁷20 U.S.C. § 7221i(1)(H) and 7221b(b)(3)(I)(2).

³⁸Others are Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Equal Protection Clause of the Constitution.

³⁹34 C.F.R. § 80.40(a).

SEAs to describe the enrollment preferences of school subgrantees in their grant applications.⁴⁰

Civilian Access to Schools Limited by Base Security Requirements

When charter schools are located on military bases, base security requirements can limit access for civilians. Of the eight charter schools, six are currently located inside a protected security perimeter, which generally requires that civilians pass a background check and carry a base pass to access the school. The background check for one base school, Imagine Andrews, consists mainly of checking the validity of the applicant's driver's license and reviewing any recorded criminal history. For this base, passes take about two days to process, are valid for one year, and applicants who are denied access can appeal the decision. At another charter school, Flightline Upper Academy, some civilian parents did not pass the background checks required for base access, according to a school official. When this happens, however, the official said that school staff can escort children to the school.

Base security requirements can also limit community participation in school events and activities. For example, an Imagine Andrews official stated that the base restricts each civilian family to three passes, which can create a challenge for them during school events, such as an honors breakfast or awards ceremony. He noted that military-connected families on the base have no such restriction. Further, the official noted that the base does not permit civilian access to the school on weekends, which would prevent the school from holding extracurricular activities, such as morning tutorials or enrichment programs, during this time. The official also explained that the school conducted certain community outreach events, such as open houses, off-base to give off-base civilian families an opportunity to learn about the school without requiring access to the base. Similarly, an official with Sonoran Science Academy Davis-Monthan said that base restrictions on civilian access on weekends prevented them from holding community events on the school grounds. As a result, the

⁴⁰A recent report by Education's Office of the Inspector General (OIG) determined that the Office of Innovation and Improvement (OII), which administers the Charter Schools Program, did not effectively oversee and monitor the SEA and non-SEA grants and did not have an adequate process to ensure SEAs effectively oversaw and monitored their subgrantees. The report also notes Education's proposed corrective actions. Office of the Inspector General, U.S. Department of Education. *The Office of Innovation and Improvement's Oversight and Monitoring of the Charter Schools Program's Planning and Implementation Grants: Final Audit Report*. (New York, NY: September, 2012).

school rented off-base facilities, such as a YMCA. According to the official, the base's limitations on public access was the school's most significant challenge because it limits the school's ability to establish relationships with the community and inform the public about the school.

Two base schools—Manzanita Public Charter School and LEARN 6 in North Chicago—were located outside the base security gate and therefore did not require base access for civilians. According to a military official who assisted with establishing LEARN 6 in North Chicago at Naval Station Great Lakes, school organizers and stakeholders considered the issue of civilian access to the school prior to its opening and were concerned about the possibility that parents of some civilian students given slots at the school through the lottery would not pass the background check and would not be allowed access to the school. As a result, the base command, the school's charter management company, and the Illinois State Board of Education jointly agreed that the school should be located outside the base security perimeter in order for the school to operate on the base. Because the school was slated to occupy a former military hospital training facility inside the perimeter, the base command arranged to move a section of the perimeter so that the school would be located outside it and fully accessible to the public.

Some schools, including Wheatland Charter Academy, Manzanita Public Charter School, and LEARN 6 in North Chicago, were located on bases that also hosted a traditional public school. While we did not examine these or other district-run public schools on bases, we believe civilian access to them may similarly be limited as a result of military base security requirements.⁴¹

⁴¹According to DOD estimates, 6 percent of the students who attend district-run public schools on military bases are civilian. Department of Defense. www.militaryhomefront.dod.mil. Accessed 10/25/2012.

Obtaining Facilities on Bases Can Be Challenging and Complex for Charter School Planners

Like charter schools generally, military base charter schools encountered difficulties obtaining facilities for school use, and they may face additional challenges because of their location on military bases (see table 4). As we previously found, securing adequate school facilities is one of the greatest challenges for new charter schools⁴² because they typically are not able to rely on the same resources for facility financing—such as local taxes and tax-exempt municipal bonds—as public schools that are operated by school districts. We also previously reported that charter schools’ access to other facility financing options, such as private lending, can also be limited. Charter schools are often considered credit risks because they may have limited credit histories, lack significant cash flows, and have short-term charters that can be revoked. As a result, private loans are not easily accessible to charter schools for facility financing, so they often rely on state or district per-pupil allocations to finance their facilities.

Table 4: Military Base Charter School Facility Types and Funding Sources

School	Installation	Facility type	Primary source of financing
Belle Chasse Academy	Naval Air Station Joint Reserve Base New Orleans, Louisiana	New school construction	Private bank loan with guaranty from the U.S. Department of Agriculture
Imagine Andrews Public Charter School	Joint Base Andrews-NAF Maryland	New school construction	Private bank loan with guaranty from real estate developer
Jacksonville Lighthouse Charter School: Flightline Upper Academy	Little Rock AFB, Arkansas	Converted former military conference center	Private donations
LEARN 6 in North Chicago	Naval Station Great Lakes, Illinois	Converted former military hospital training facility	Funds provided by the charter management organization
Manzanita Public Charter School	Vandenberg AFB, California	Current district school building	School district
Sigsbee Charter School	Naval Air Station Key West, Florida	Renovated former district school building	Per-pupil funds
Sonoran Science Academy	Davis-Monthan AFB, Arizona	Former district school building	No financing reported
Wheatland Charter Academy	Beale AFB, California	Renovated current district school building	School district

Source: GAO analysis of charter school information.

⁴²GAO, *New Charter Schools across the Country and in the District of Columbia Face Similar Start-Up Challenges*, [GAO-03-899](#) (Washington, D.C: September 2003).

Two schools we examined encountered challenges initially securing financing for the construction of new facilities. According to a Belle Chasse Academy official, the school struggled to find a bank that could underwrite a long-term loan to build a facility on Naval Air Station Joint Reserve Base New Orleans. School planners were eventually able to secure a loan after receiving a loan guarantee through the U.S. Department of Agriculture Rural Development Community Facilities Guaranteed Loan Program. Similarly, construction of a school facility for Imagine Andrews was able to start on Joint Base Andrews after a loan for this work was secured by the Charter School Development Corporation (CSDC)—a non-profit group that helps finance charter schools. A representative for the CMO, Imagine Schools, indicated that CSDC secured the loan because the CMO had limited capacity to finance the construction. CSDC cosigned the loan with the CMO, and a private real estate developer guaranteed the loan.

Securing financing to renovate facilities for charter schools on bases was another obstacle for some schools. For example, Sigsbee Charter School moved into a former public school facility on Naval Air Station Key West that required significant renovation.⁴³ The local district provided funds to defray the renovation cost, but these did not fully cover the needed repairs. Because none of the grant funds the school received could be used to renovate its facility, the school relied extensively on local volunteers, including military personnel and parents of students who would attend the school, to make many of the essential repairs to the facility. According to a school official, there are no funds to complete the remaining renovation work. For Flightline Upper Academy on Little Rock Air Force Base, school planners converted a base facility previously used as a conference center and that was slated for demolition. Renovations included removing asbestos, replacing old pipes, and repairing the roof. The cost of the renovations was paid for primarily through donations from a private housing developer and foundations—with no financial contributions from the Air Force. A school official noted that the school was able to address its main financing needs for facility repair prior to opening. However, he stated that the school's significant investment in renovating a building it leases from the base comes with risk because the

⁴³A 2011 DOD assessment of facility conditions and capacity of public school on military bases rated the condition of Sigsbee Charter School's facility as poor. Department of Defense. www.militaryhomefront.dod.mil. Accessed 10/25/2012.

Air Force could decide not to renew the 5-year lease and take back the building.

Some school representatives said they also had to navigate complex facility and land lease arrangements. With Imagine Andrews, the non-profit CSDC will own the completed facility and lease it to Imagine Schools. The Air Force leased the property to a nonprofit joint venture between the Air Force and a private housing developer, which in turn leased it to CSDC. Imagine Andrews stakeholders also received assistance in structuring the facility financing and land-lease agreements from an agency that oversees the housing privatization program for the Air Force. A Navy official involved with establishing LEARN 6 in North Chicago stated that the real estate arrangements, such as the lease for the school site and facility, were complex and required the involvement of multiple stakeholders, including the CMO, the Navy, and the local municipality. In particular, the official said understanding the appropriate support role for the Navy was a significant challenge to acquiring the facility for the school. For example, the official said it was unclear whether the Navy could provide funds for the school site, such as paying for its utilities. He noted that guidance on developing a lease agreement for charter schools on military bases would be beneficial and could potentially have saved school planners significant resources during startup.

Similarly, other military and school officials cited the need for federal guidance and information sharing on starting and operating a charter school on a military base. For example, base officials at Fort Bragg said that they unsuccessfully sought information from the Army that would have helped guide their efforts to establish a charter high school on the base, such as liability issues related to operating a charter school on federal property. North Carolina state education officials denied the school's application because school planners revised it after the deadline in order to replace most of the founding members on the school's governing board with new members. According to state education officials, school planners told them they removed these members because a military regulation made them ineligible to serve on the school's board. As a result of the application denial, the school will not open in 2013 as planned. We also found that currently, little guidance and information sharing exist for guiding the development of military base charter schools and addressing their startup and operational challenges and the guidance that does exist is not DOD-wide. While the Air Force

produced guidance to support community efforts to develop charter schools on its bases, it does not apply to other military service bases.⁴⁴ Army officials said they are currently developing charter school guidance for bases, which they plan to distribute in January 2013. Further, while Education and DOD have taken initial steps to support information sharing on developing charter schools on military bases—such as Education conducting outreach efforts with school planners and stakeholders at Naval Station Great Lakes and DOD and Education providing online information—some school officials suggested more information sharing could be helpful. For example, according to an official at Sigsbee Charter School, which opened 2 years ago, school planners found the information Belle Chasse Academy representatives provided on establishing on school on a base to be valuable for their own efforts. The official noted that more information sharing in this area would be useful.

Conclusions

Against the backdrop of a growing and diverse charter school landscape, charter schools on military bases have emerged as one additional option for military-connected parents. How rapidly charter schools will spread to other military bases is difficult to predict, but demand among military families and base communities for more military base charter schools will likely increase, especially in light of residential growth on bases affected by military Base Realignment and Closure. While the number of charter schools operating on military bases is currently small, they present a novel set of challenges for charter school founders and operators as well as an opportunity for Education and DOD to be in the forefront of emergent issues for these charter schools. One issue that the various stakeholders may well confront is the tension between preserving the public mission of charter schools of being open to all students and the desire in military base communities to ensure enrollment of military-connected students. This tension is already emerging as some charter schools use enrollment preferences to ensure continued enrollment access for highly mobile military-connected students. Using such enrollment preferences could have implications for whether or not a charter school is eligible for federal CSP grant funding. Although Education officials have expressed concern to us over some charter schools' enrollment preferences and practices, CSP guidance does not specifically address the issue of enrollment preference for military-

⁴⁴See appendix II for Air Force guidance.

connected students. Moreover, in two cases, CSP subgrants were awarded by states to charter schools about which Education expressed concerns because of the nature of their enrollment preferences. However, Education does not require SEA applicants for CSP grants to indicate whether schools use enrollment preferences and, if so, to describe those preferences. Such a requirement would allow Education and the states to better determine if an applicant is eligible to receive CSP funds.

Finally, as charter school planners, authorizers, and military base commands consider adding schools on bases, they could benefit from having information to help them better weigh the tradeoffs of locating charter schools on bases, including the need for community outreach and civilian access to schools. The 2008 MOU between DOD and Education was intended, in part, to facilitate this kind of information development. Such information would also help them address the types of challenges current schools have encountered. As existing charter schools have discovered, determining DOD requirements and allowable practices—such as the role of base command—was often difficult. Having guidance from DOD on appropriate ways to establish and operate charter schools on military bases may help mitigate these common challenges and smooth school startups and operations. Military base charter schools that have experienced some of these stumbling blocks could share useful information with planners of charter schools in other military base communities—such as information about making facilities and lease arrangements, and building effective working relationships between school administrators and base command.

Recommendations for Executive Action

Education

To ensure that Charter Schools Program grants are provided only to schools that meet eligibility criteria, we recommend that the Secretary of Education direct the Charter Schools Program office to revise the Charter Schools Program guidance to

- Clarify CSP grant requirements regarding charter school enrollment preferences, including preferences for military-connected students, such as whether schools can hold separate lotteries for military-connected and civilian students and the extent to which schools can enroll military-connected students under work-site exemptions, and

-
- Require applicants for CSP grants and subgrants to describe any enrollment preferences in their applications.

DOD

To address the specific needs of military communities that charter schools on bases serve while preserving the public mission of charter schools, we recommend that the Secretary of Defense develop and set standards for operating charter schools on military bases and require the appropriate military services to create guidance based on those standards. The guidance should describe the requirements and allowable practices for establishing and operating charter schools on military bases. At a minimum, this guidance should address the following areas:

- The appropriate role of military base command and other DOD offices and agencies in supporting the creation and operation of charter schools;
- Reasonable base access and security arrangements for civilian children, parents, and others involved in a military base charter school; and
- Military lease arrangements and other property-related issues for a charter school on a base.

DOD and Education

To serve as a resource for military base communities exploring educational options, as stated in their 2008 Memorandum of Understanding, we also recommend that the Secretaries of DOD and Education facilitate the sharing of information among interested parties—such as base commanders and school planners and officials—on how military base charter schools have addressed startup and operational challenges.

Agency Comments and Our Evaluation

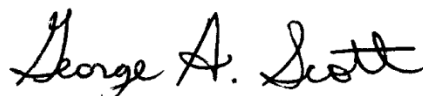
We provided a draft copy of this report to DOD and Education for review and comment. DOD's comments are reproduced in appendix III and Education's comments are in appendix IV. The agencies generally agreed with our recommendations, and Education described its plans for implementing them. Specifically, in response to our recommendation to clarify CSP grant guidance, Education stated that it will review its current non-regulatory guidance to determine how it can clarify admissions and lottery requirements for military-base charter schools that receive CSP funds. With respect to the two charter schools noted in our report that had

enrollment preferences but received CSP grants from their states, Education said that the schools' receipt of these grants raises compliance questions. Education has asked the states to conduct reviews of these instances and report back to the Department. Education also agreed with our recommendation to require CSP applicants to describe enrollment preferences in their applications. Education said it intends to revise its CSP grant application notices to require descriptions of any enrollment preferences. Furthermore, Education plans to request that SEA grantees require CSP subgrant applicants to describe recruitment and admissions policies and practices, including any enrollment preferences they plan to employ.

Education acknowledged the importance of working together with DOD to enhance awareness of the unique challenges involved in locating charter schools on bases and indicated steps they would take to continue this work. For example, Education stated that the Working Group established under the DOD and Education Memorandum of Understanding will continue to facilitate the sharing of information on challenges through shared newsletters, outreach, conference participation, panel discussions, and websites.

The agencies also provided technical comments that were incorporated, as appropriate.

We are sending copies of this report to the Secretaries of DOD and Education, relevant congressional committees, and other interested parties. In addition, this report will be available at no charge on GAO's website at <http://www.gao.gov>. If you or your staff have any questions about this report, please contact me at (202) 512-7215 or scottg@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs can be found on the last page of this report. GAO staff who made major contributions to this report are listed in appendix V.

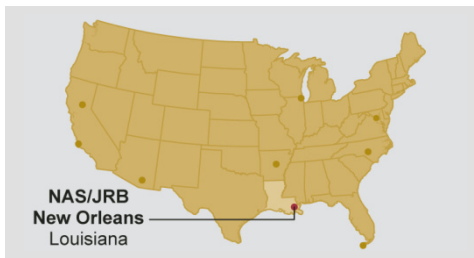


George A. Scott
Director
Education, Workforce, and Income Security Issues

Appendix I

Belle Chasse Academy

Naval Air Station Joint Reserve Base New Orleans, LA



Charter school data

Opening school year (SY):
2002-03

Local district: Plaquemines Parish School Board

Authorizer: Louisiana Board of Elementary and Secondary Education

LEA status: Own LEA

Charter management organization: No

Charter Schools Program grant: No

Student body

Grades: K-8

Total students SY 11-12: 942

Military-connected student enrollment SY 11-12: 845 (90%)

Preference for military-connected: Yes

Waiting list: Yes

Adequate Yearly Progress for SY 10-11: Met

Title I: Yes

Free-reduced lunch eligible: 44%

School Year 2011-12 student demographics

White: 41%

Black: 42%

Hispanic: 12%

Asian/Pacific Islander: 1%

American Indian/Alaskan: 1%

Two or more races: 3%

Sources: GAO analysis of charter school data; National Atlas of the United States.

Mission statement

The mission of Belle Chasse Academy is to educate our military-dependent children, no matter what their background or previous school experience, to fully achieve their personal and academic potential through the acquisition of core knowledge and the skills of analysis, problem-solving, communication, and global responsibility.

Public, Charter, and Private Schools near Naval Air Station Joint Reserve Base New Orleans

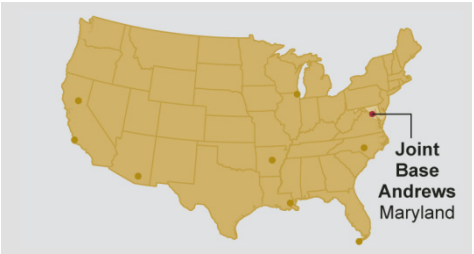


Source: GAO analysis of National Center for Education Statistics' public and private school data and U.S. Census Bureau data.

Note: Schools shown are only those within the local school district. The public and private schools included on this map serve some or all of the same grade levels offered by the charter school located on the military base.

Imagine Andrews Public Charter School

Joint Base Andrews, Maryland



Charter school data

Opening school year (SY): 2011-12

Local district: Prince George's County Public Schools

Authorizer: Prince George's County Public Schools

LEA status: Part of school district

Charter management organization: Imagine Schools

Charter Schools Program grant: Yes

Student body

Grades: K-4 (expanding to 8)

Total students SY 11-12: 265

Military-connected student enrollment SY 11-12: 65%

Preference for military-connected: Yes

Waiting list: Yes

Adequate Yearly Progress for SY 10-11: School was not open in SY 2010-11

Title I: No

Free-reduced lunch eligible: 15%

School Year 2011-12 student demographics

White: 37%

Black: 43%

Hispanic: 6%

Asian/Pacific Islander: 14%

American Indian/Alaskan: Not reported

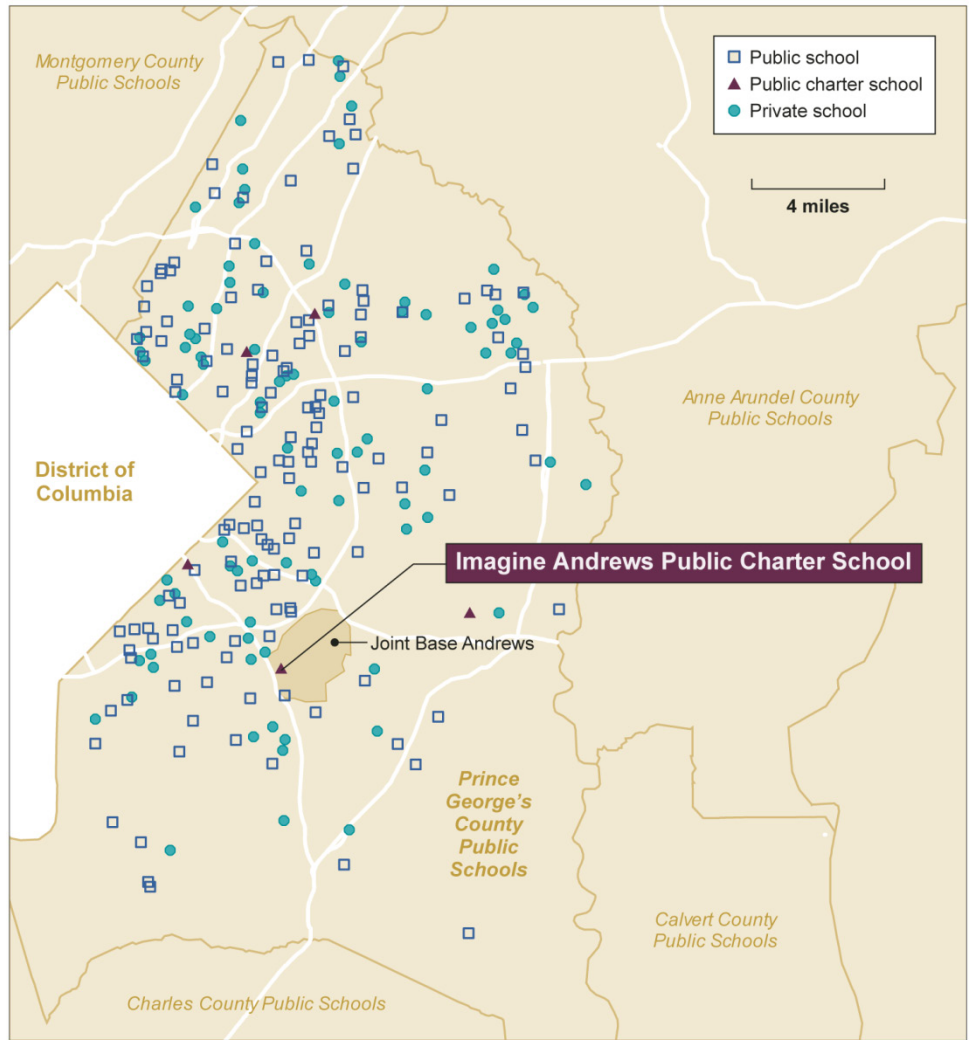
Two or more races: Not reported

Sources: GAO analysis of charter school data; National Atlas of the United States.

Mission statement

Imagine Andrews Public Charter School (PCS) was established ... to provide outstanding educational opportunities for military and community students. Our mission is to serve our nation by providing the students of the Andrews Community with a "world class" education, while meeting the needs of military families. Our vision is to create a school environment that prepares students for high school and beyond, develops their strong moral character, and provides them with the skills necessary to lead and advance our nation.

Public, Charter, and Private Schools near Joint Base Andrews



Source: GAO analysis of National Center for Education Statistics' public and private school data and U.S. Census Bureau data.

Note: Schools shown are only those within the local school district. The public and private schools included on this map serve some or all of the same grade levels offered by the charter school located on the military base.



Appendix I

Jacksonville Lighthouse Charter School: Flightline Upper Academy

Little Rock Air Force Base, Arkansas

Charter school data

Opening school year (SY): 2011-12

Local district: Pulaski County Special School District

Authorizer: Arkansas State Board of Education

LEA status: Own LEA

Charter management organization: Lighthouse Academies

Charter Schools Program grant: Yes

Student body

Grades: 5-8 (expanding to 12)

Total students SY 11-12: 164

Military-connected student enrollment SY 11-12: 82 (50%)

Preference for military-connected: No

Waiting list: Yes

Adequate Yearly Progress for SY 10-11: School was not open in SY 2010-11

Title I: Yes

Free-reduced lunch eligible: 21%

School Year 2011-12 student demographics

White: 48%

Black: 43%

Hispanic: 4%

Asian/Pacific Islander: 4%

American Indian/Alaskan: 1%

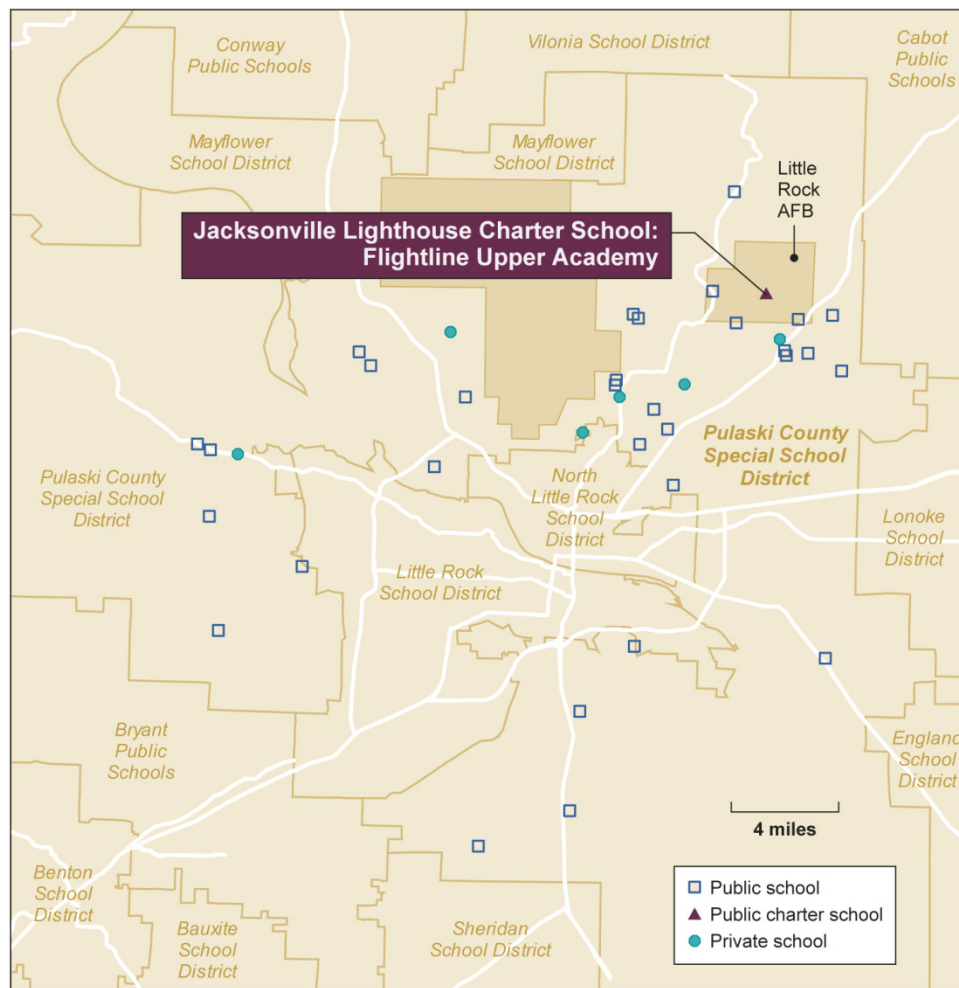
Two or more races: Not reported

Sources: GAO analysis of charter school data; National Atlas of the United States.

Mission statement

We prepare our students for college through a rigorous arts-infused program.

Public, Charter, and Private Schools near Little Rock Air Force Base



Source: GAO analysis of National Center for Education Statistics' public and private school data and U.S. Census Bureau data.

Note: Schools shown are only those within the local school district. The public and private schools included on this map serve some or all of the same grade levels offered by the charter school located on the military base.



Appendix I

LEARN 6 in North Chicago

Naval Station Great Lakes, Illinois

Charter school data

Opening school year (SY): 2012-13

Local district: North Chicago Community Unit School District 187

Authorizer: Independent Authority for School District 187

LEA status: Part of school district

Charter management organization: LEARN Charter School Network

Charter Schools Program grant: No

Student body

Grades: K-2 & 6-7 in SY 2012-13 (expanding to K-8)

Total students SY 11-12: School was not open in SY 2011-12

Military-connected student enrollment SY 11-12: School was not open in SY 2011-12

Preference for military-connected: No

Waiting list: Yes

Adequate Yearly Progress for SY 10-11: School was not open in SY 2010-11

Title I: Yes

Free-reduced lunch eligible: 66%

School Year 2011-12 student demographics

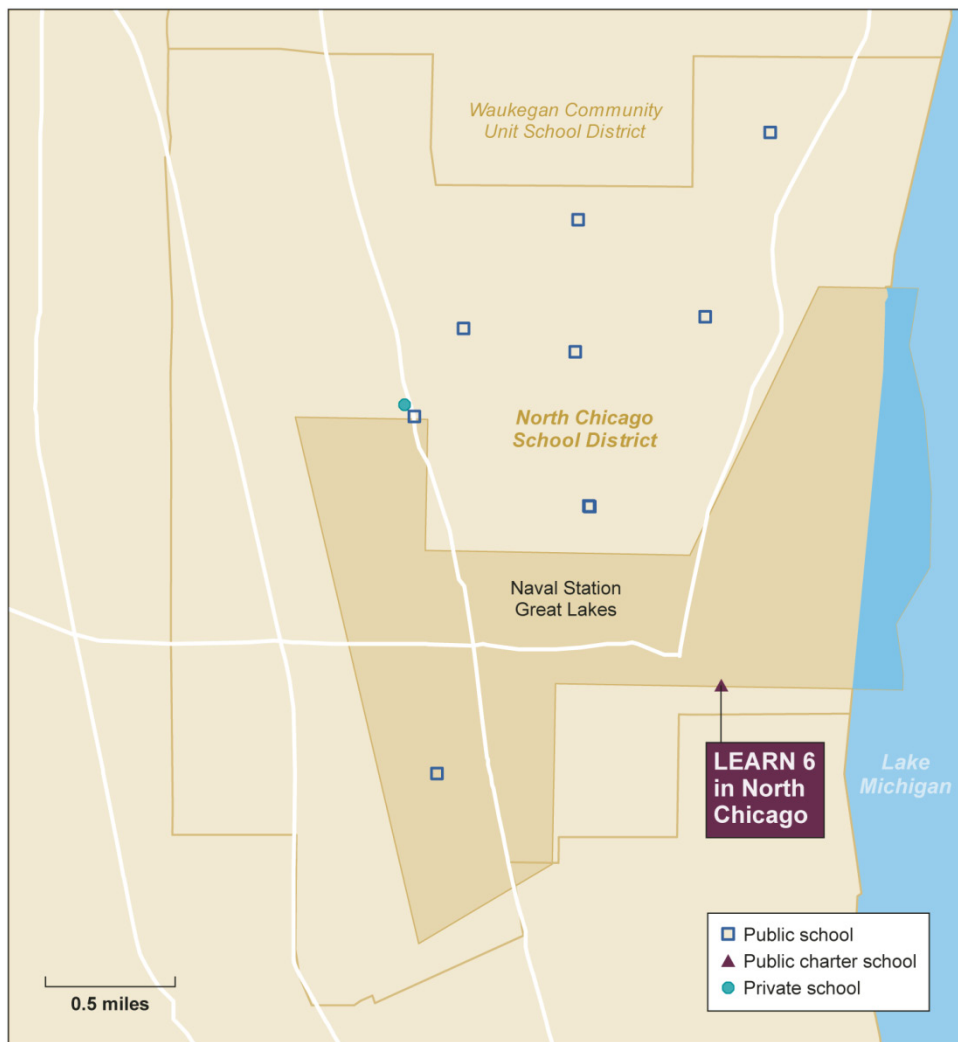
School was not open in SY 2011-12

Sources: GAO analysis of charter school data; National Atlas of the United States.

Mission statement

To provide children with the academic foundation and ambition to earn a college degree.

Public, Charter, and Private Schools near Naval Station Great Lakes Military Base



Source: GAO analysis of National Center for Education Statistics' public and private school data and U.S. Census Bureau data.

Note: Schools shown are only those within the local school district. The public and private schools included on this map serve some or all of the same grade levels offered by the charter school located on the military base.



Charter school data

Opening school year (SY):
2008-09

Local district: Lompoc Unified School District

Authorizer: Lompoc Unified School District

LEA status: Own LEA

Charter management organization: No

Charter Schools Program grant: Yes

Student body

Grades: K-6

Total students SY 11-12: 438

Military-connected student enrollment SY 11-12: 184 (42%)

Preference for military-connected: No

Waiting list: No

Adequate Yearly Progress for SY 10-11: Did not meet

Title I: Yes

Free-reduced lunch eligible: 66%

School Year 2011-12 student demographics

White: 28%

Black: 7%

Hispanic: 56%

Asian/Pacific Islander: 2%

American Indian/Alaskan: 1%

Two or more races: 6%

Sources: GAO analysis of charter school data; National Atlas of the United States.

Appendix I

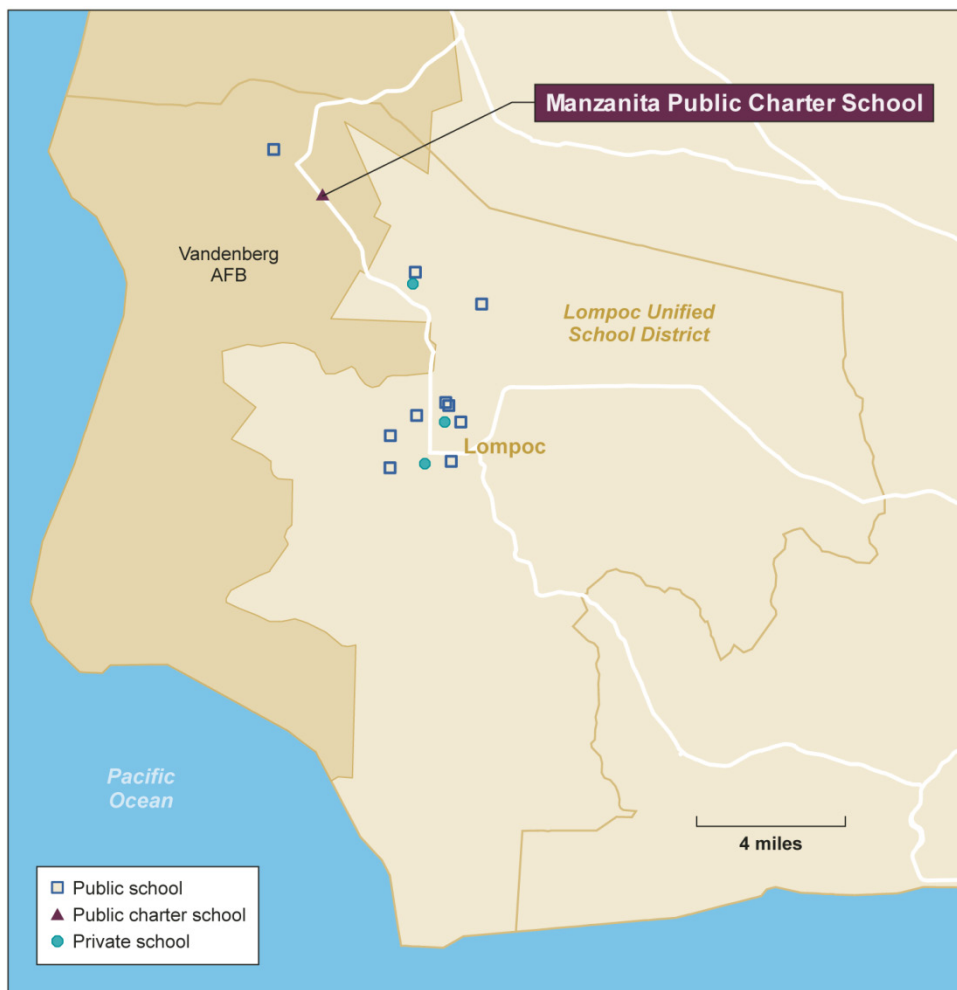
Manzanita Public Charter School

Vandenberg Air Force Base, California

Mission statement

We are dedicated to advancing academic excellence in Lompoc by providing students in kindergarten through sixth grade with the intellectual capacity to participate and work productively in a multi-cultural society.

Public, Charter, and Private Schools near Vandenberg Air Force Base

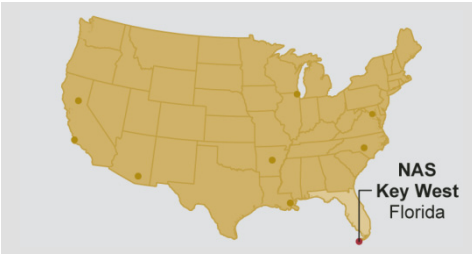


Source: GAO analysis of National Center for Education Statistics' public and private school data and U.S. Census Bureau data.

Note: Schools shown are only those within the local school district. The public and private schools included on this map serve some or all of the same grade levels offered by the charter school located on the military base.

Sigsbee Charter School

Naval Air Station Key West, Florida



Charter school data

Opening school year (SY): 2010-11

Local district: Monroe County School District

Authorizer: The School Board of Monroe County Schools

LEA status: Part of school district

Charter management organization: No

Charter Schools Program grant: Yes

Student body

Grades: PK-7

Total students SY 11-12: 410

Military-connected student enrollment SY 11-12: 70%-80%

Preference for military-connected: Yes

Waiting list: Yes

Adequate Yearly Progress for SY 10-11: Met

Title I: No

Free-reduced lunch eligible: 20%

School Year 2011-12 student demographics

White: 62%

Black: 7%

Hispanic: 23%

Asian/Pacific Islander: 2%

American Indian/Alaskan: 0%

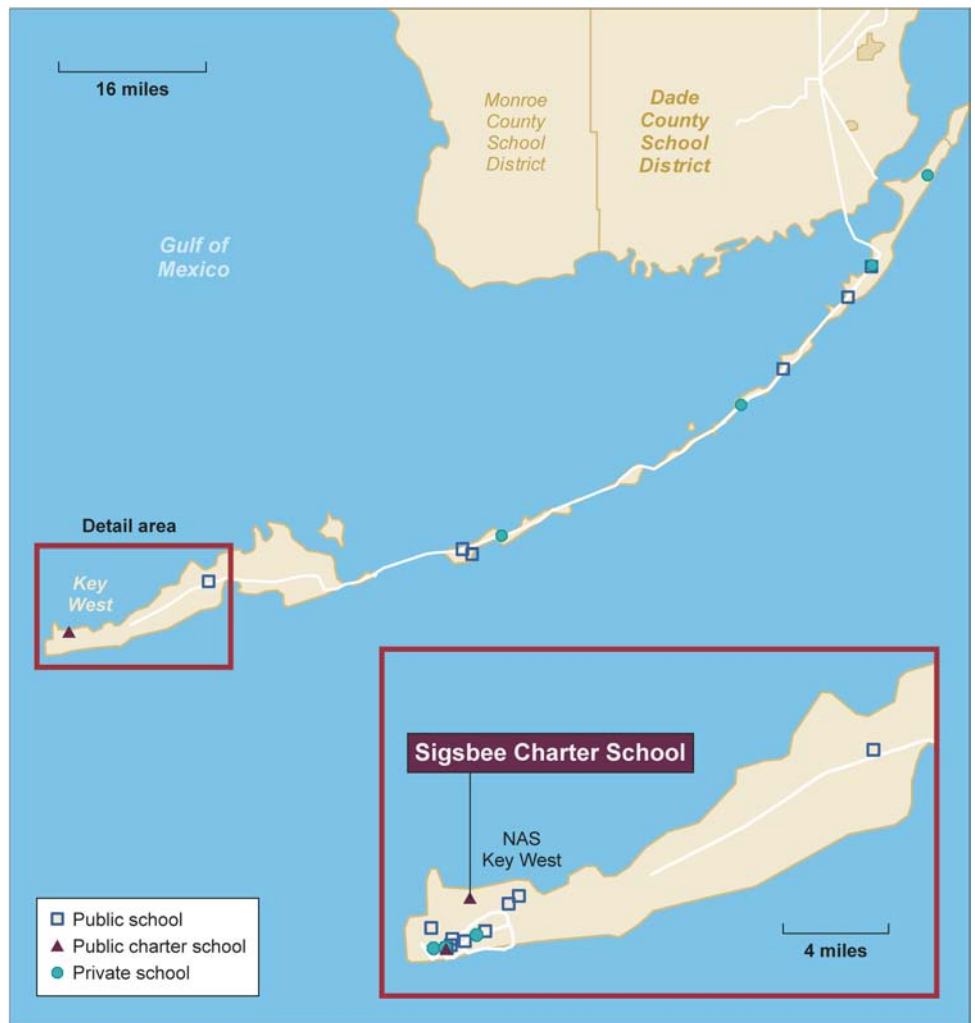
Two or more races: 6%

Sources: GAO analysis of charter school data; National Atlas of the United States.

Mission statement

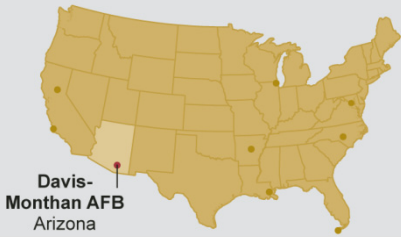
To provide each child with the opportunities and skill sets to realize his or her fullest potential in surroundings tailored to meet the needs of the transient military child as well as to provide another option for children in the Key West community...

Public, Charter, and Private Schools near Naval Air Station Key West



Source: GAO analysis of National Center for Education Statistics' public and private school data and U.S. Census Bureau data.

Note: Schools shown are only those within the local school district. The public and private schools included on this map serve some or all of the same grade levels offered by the charter school located on the military base.



Charter school data

Opening school year (SY): 2009-10

Local district: Tucson Unified School District

Authorizer: Arizona State Board of Charter Schools

LEA status: Own LEA

Charter management organization: Sonoran Schools, Inc.

Charter Schools Program grant: Yes

Student body

Grades: 6-10 (expanding to 12)

Total students SY 11-12: 185

Military-connected student enrollment SY 11-12: 140 (76%)

Preference for military-connected: No

Waiting list: No

Adequate Yearly Progress for SY 10-11: Met

Title I: Yes

Free-reduced lunch eligible: 21%

School Year 2011-12 student demographics

White: 55%

Black: 17%

Hispanic: 25%

Asian/Pacific Islander: 1%

American Indian/Alaskan: 1%

Two or more races: 1%

Sources: GAO analysis of charter school data; National Atlas of the United States.

Appendix I

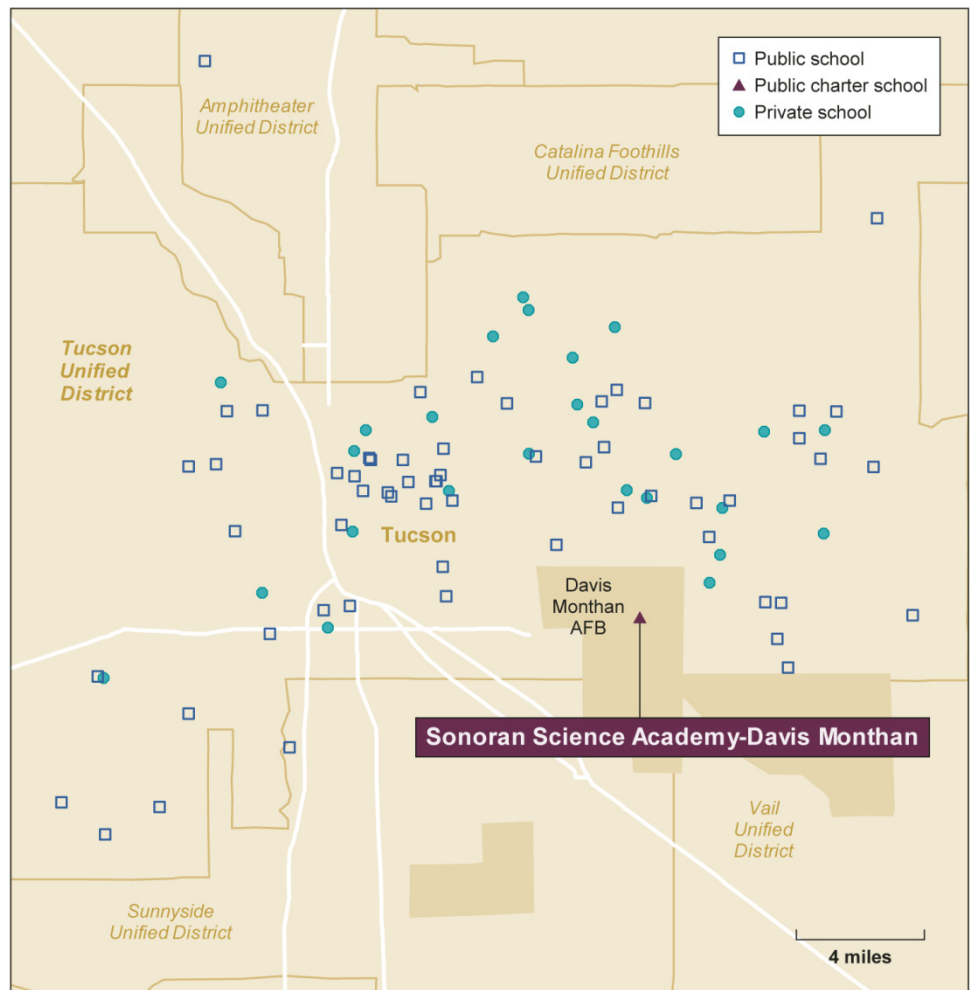
Sonoran Science Academy Davis-Monthan

Davis-Monthan Air Force Base, Arizona

Mission statement

The mission of Sonoran Schools is to provide a rigorous college prep, STEM-focused education through a challenging and comprehensive curriculum, continuous assessment, and dedicated teachers who inspire their students to become the leaders of tomorrow.

Public, Charter, and Private Schools near Davis-Monthan Air Force Base



Source: GAO analysis of National Center for Education Statistics' public and private school data and U.S. Census Bureau data.

Note: Schools shown are only those within the local school district. The public and private schools included on this map serve some or all of the same grade levels offered by the charter school located on the military base.



Appendix I

Wheatland Charter Academy

Beale Air Force Base, California

Charter school data

Opening school year (SY):
2001-02

Local district:
Wheatland School District

Authorizer:
Wheatland School District

LEA status: Part of school district

Charter management organization: No

Charter Schools Program grant: No

Student body

Grades: K-5

Total students SY 11-12: 104

Military-connected student enrollment SY 11-12: 74 (71%)

Preference for military-connected: No

Waiting list: No

Adequate Yearly Progress for SY 10-11: Did not meet

Title I: Yes

Free-reduced lunch eligible: 38%

School Year 2011-12 student demographics

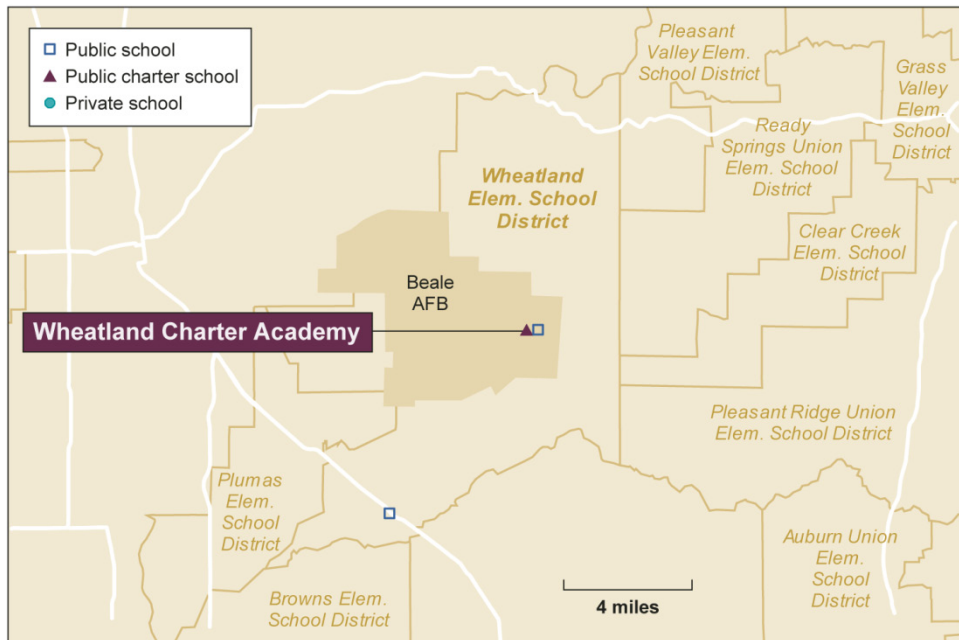
Did not receive complete demographic data, but school is predominantly White.

Sources: GAO analysis of charter school data; National Atlas of the United States.

Mission statement

None

Public, Charter, and Private Schools near Beale Air Force Base



Source: GAO analysis of National Center for Education Statistics' public and private school data and U.S. Census Bureau data.

Note: Schools shown are only those within the local school district. The public and private schools included on this map serve some or all of the same grade levels offered by the charter school located on the military base.

Appendix II: Air Force Guidelines and Information on Charter Schools



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON D.C.

MEMORANDUM FOR ALMAJCOM/A1

FEB 2 2010


FROM: HQ USAF/A1S
201 12th Street South, Suite 413
Arlington, VA 22202-4306

SUBJECT: Air Force Policy on Charter Schools and Installation Involvement

Installation commanders are encouraged to support parental and community efforts to develop and enhance learning opportunities for all children and especially military connected students. These opportunities can include traditional public schools, private schools, virtual schools, home schools, and charter schools.

Effective immediately, HQ USAF/A1S will be notified through MAJCOM/A1s if a charter school or other educational development effort that includes the use or leasing of Air Force facilities, or involvement by other Air Force functions (for example regular base access for non-DOD card holders), is being considered by an installation. HQ USAF/A1S will coordinate with HQ USAF/A7C and other HQ USAF elements and provide guidance on appropriate action.

Under no circumstances should Air Force personnel, in their official capacity, initiate a charter or sign as a participant in a charter school. This memo has been coordinated with HQ USAF/A7C. My POC for this issue is Ms. Lorraine M. Neuser, Lorraine.Neuser@Pentagon.af.mil, 703-604-0195.


CHARLES E. MILAM
Director of Services
DCS/Manpower, Personnel and Services

cc: ALMAJCOM/A1S

GUIDELINES AND INFORMATION ON CHARTER SCHOOLS

Charter School Overview

Charter schools are established according to individual State charter school laws. The enactment of State charter school laws is solely a State prerogative, and the definition of a “charter school” under State law is a matter of State policy. Details on what States have charter school laws can be found at: <http://www.publiccharters.org/states> and other web sites. In addition, in order to receive US Department of Education Charter School Program funds, a charter school must meet the definition in Section 5210(1) of the Elementary and Secondary Education Act which is as follows:

“The term ‘charter school’ means a public school that:

1. In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph [the paragraph that sets forth the Federal definition];
2. Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
3. Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;
4. Provides a program of elementary or secondary education, or both;
5. Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
6. Does not charge tuition;
7. Complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and Part B of the Individuals with Disabilities Education Act;
8. Is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;
9. Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;
10. Meets all applicable Federal, State, and local health and safety requirements;
11. Operates in accordance with State law; and
12. Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.”

HQ USAF Policy on Charter Schools

The policy letter (Attachment 3), published in February 2010, states that “installation commanders are encouraged to support parental and community efforts to develop and enhance learning opportunities for all children and especially military connected students. However, Air Force personnel, in their official capacity, should not initiate or sign as a participant in a charter school.” However, installation commanders may sign on behalf of Air Force with respect to any support agreement needed to memorialize various parties’ roles and responsibilities. Installation leadership is asked to notify HQ USAF/A1S through the appropriate MAJCOM chain of any charter school effort. This notification should take the form of a letter or email memo explaining in detail the installation involvement in the charter school process and position of installation leadership. Updates on the progress of any charter school initiative should be provided to A1S when significant changes in the status occur.

Installations will ensure the following **minimum criteria** are met before submitting notification:

- School accommodate a minimum of 150 students
- Facility be housed in a permanent structure, no temporary/modular buildings will be used
- All base access/security concerns coordinated with the installation and MAJCOM Security Forces

Waiver authority lies with AF/A1S for exceptions to policy.

Questions and requests for additional information on this guidance should be addressed to HQ USAF/A1S.

The following installation agencies, at minimum, need to be consulted. A checklist including these agencies is at Attachment 1 and must be completed and attached to the original HQ USAF/A1S notification letter. Checklist items are intended to further assist installation POCs when charter school initiatives are being worked by school districts or local communities.

School Liaison Officer: Provides coordination of installation support and liaisons with community and school POCs. Installation leadership may direct the school liaison officer (SLO) to serve as POC to develop a feasibility study using parent feedback/surveys and research background information on the charter school including a review of the proposed business plan. The SLO can also initiate coordination with other base functionals who may require involvement if the charter school may be located on the installation.

Force Support Squadron and/or Mission Support Squadron Commander: May host town hall meetings or initiate surveys/focus groups to assess parental support for charter school

Legal Office: Reviews/researches applicable state and federal laws and regulations that may impact the installation or families, to include local charter school statutes, fiscal law, and ethics (standards of conduct). Reviews charter school memoranda of

understanding/agreement. Provides legal opinions to installation leadership on other issues concerning the formation and running of charter schools. Will be one of the more in-depth coordination efforts connected with using base facilities for a charter school

Civil Engineering: OPR if charter school is requesting use/leasing of Air Force owned facilities/real property. Monitors building codes, determines suitability of permanent facilities for use as a school (see Attachment 2 for additional details).

Security Forces: Provides information/coordination on issues such as base access for non- DOD personnel and other security issues including emergency procedures and force protection. Will be one of the more in-depth coordination efforts connected with using base facilities for a charter school

Transportation: May be involved if students will use AF transportation to and from school or if school will be establishing bus routes on the installation

Plans Office: Provides guidance and coordination as required

Contracting: Guidance and support to charter school on any contracting issues

Appendix II: Air Force Guidelines and Information on Charter Schools

Attachment 1: CHARTER SCHOOL/INSTALLTION CHECKLIST

Base Agency/Office	Coordination Date	POC name, office symbol and phone	What coordination has taken place? (comments required)
School Liaison Officer			
Force Support or Mission Support Commander			
Legal Office			
Civil Engineering			
Security Forces			
Transportation			
Plans Office			
Contracting Office			
Other			
Other			

Attachment 2: HQ USAF/A7C REFERENCE

From AFI 32-9003, *GRANTING TEMPORARY USE OF AIR FORCE
REAL PROPERTY*, Section 2.8. - Public Schools.

2.8.1. The installation commander may lease Air Force real property without charge to states, political subdivisions, or their agencies for public schools. The in-kind consideration must equal the property's fair market value. The lease's term must not exceed 5 years.

2.8.2. The installation commander may lease Air Force land without charge to states, political subdivisions, or their agencies for building public schools. The lease's term must not exceed 25 years. The lessee pays all construction costs, including utility hookups, sidewalks and parking areas.

2.8.3. School lessees must reimburse the Air Force for utilities and services it supplies.

2.8.4. The installation commander and REMO (Real Property Management Office) make sure that the lease lets the Air Force use school facilities during non-school hours, even for religious services and classes, in a manner compatible with local law and practice. Air Force funds may pay the school lessee occupancy costs and a proportionate share of maintenance costs.

Appendix III: Comments from the U.S. Department of Defense



READINESS AND FORCE
MANAGEMENT

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

JAN 22 2013

Mr. George A. Scott
Director
Education, Workforce, Income Security Issues
U.S. Government Accountability Office
441 G Street NW
Washington, DC 20548

Dear Mr Scott:

This is the Department of Defense (DoD) response to the Government Accountability Office (GAO) draft report GAO, "CHARTER SCHOOLS: Guidance Needed for Military Base Schools on Startup and Operational Issues," dated December 3, 2012 (GAO Code 131164). The Department concurs with the recommendations contained in the draft report.

The Department appreciates the opportunity to respond to the draft report. Should you have any questions, my point of contact is Ms. Kathleen Facon, Chief, Educational Partnership, Department of Defense Education Activity (DoDEA). Ms. Facon may be reached by telephone at (571) 372-5834 or via e-mail at kathleen.facon@hq.dodea.edu.

for Virginia E. Vollrath

Frederick E. Vollrath
Principal Deputy Assistant Secretary of Defense
(Readiness and Force Management)
Performing the Duties of the Assistant
Secretary of Defense (Readiness and Force
Management)

Appendix IV: Comments from the U.S. Department of Education



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF INNOVATION AND IMPROVEMENT

December 18, 2012

Mr. George A. Scott
Director, Education, Workforce,
and Income Security Issues
Government Accountability Office
Washington, DC 20548

Dear Mr. Scott:

We appreciate the opportunity to comment on the Government Accountability Office (GAO) draft report, "Guidance Needed for Military Base Schools on Startup and Operational Issues."

We appreciate the time that GAO has committed to this study, and I am pleased to respond on behalf of the U.S. Department of Education (Department or ED). Our technical comments on the draft report are enclosed, and our responses to your specific recommendations to the Department follow.

Recommendation 1: Clarify Charter Schools Program (CSP) grant requirements regarding charter school enrollment preferences, including preferences for military-connected students, such as whether schools can hold separate lotteries for military-connected and civilian students and the extent to which schools can enroll military-connected students under workplace exemptions.

While the existing CSP guidance is already widely regarded as being very useful, we agree with GAO's recommendation that the Department should review its guidance and clarify grant requirements regarding charter school enrollment issues, including issues related to military-connected students where that would be appropriate and helpful. Despite the relatively small number of charter schools located on military bases compared to the overall charter school universe (i.e., eight schools out of over 5,000 charter schools nationally), the Department has taken a number of steps to address the needs of military-connected families and will take appropriate steps to help ensure that charter school developers have the information they need related to the CSP to serve this population of students appropriately and effectively.

The CSP authorizing statute and non-regulatory guidance outline permissible enrollment practices for all recipients of CSP grants, including charter schools located on military bases. As GAO states in its report, the CSP authorizing legislation requires charter schools receiving CSP funds to admit students on the basis of a lottery if more students apply for admission than can be accommodated. In addition, the CSP Non-regulatory Guidance, issued in April 2011, provides guidance regarding the circumstances under which a charter school that is a recipient of CSP funds may operate a weighted lottery or exempt certain categories of applicants from the lottery and admit them automatically. Although the CSP guidance does not specifically mention military-connected students, the guidance

400 MARYLAND AVE. SW, WASHINGTON, DC 20202
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

that applies to admissions and use of the lottery applies to military-connected students on the same basis as other students. Currently, the following categories of students may be exempted from the lottery: (a) students enrolled in a public school at the time it is converted into a charter school; (b) students who are eligible to attend, and are living in the attendance area of, a public school at the time it is converted into a charter school; (c) siblings of students already admitted to or attending a charter school; (d) children of a charter school's founders, teachers, and staff (so long as the total number of students allowed under this exemption constitutes only a small percentage of the school's total enrollment); and (e) children of employees at a work-site charter school (so long as the total number of students allowed under this exemption constitutes only a small percentage of the school's total enrollment). While most of the exemptions are based on each applicant's specific circumstances, we believe the exemption for children of employees at a work-site charter school could apply to military-connected students on a general basis.

The CSP Non-regulatory Guidance states that weighted lotteries are permissible under the CSP only in limited circumstances: (1) when necessary to comply with applicable civil rights laws or state law; or (2) to provide greater choice to students seeking to change schools under the public school choice provisions of Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended. The guidance could include more specific information on military-connected students. It is available at the following web address: <http://www2.ed.gov/programs/charter/legislation.html>.

It is worth noting that in at least two instances, states provided CSP subgrants to charter schools on military bases that may have used enrollment practices that raise compliance questions under the CSP program requirements. State educational agency (SEA) grantees in these states have the primary responsibility for administering their respective states' CSP subgrant programs, monitoring subgrant activities, and ensuring that subgrantees comply with CSP program requirements; therefore, we have requested that the respective SEAs conduct reviews of these situations and report back to the Department.

The Department will review its current Non-regulatory Guidance to determine options for how the Department can clarify admissions and lottery requirements for charter schools operating on military bases that receive CSP funds.

Recommendation 2: Require applicants for CSP grants and subgrants to describe any enrollment preferences in their applications.

Under the CSP, the Department awards grants to SEAs to enable them to operate charter school subgrant programs in their states. SEAs, in turn, award subgrants to charter schools and charter school developers. In states in which the SEA does not have a current CSP grant, charter school developers and charter schools may apply directly to the Department for CSP planning and implementation grants. While the Department is responsible for monitoring its direct grantees' project activities and compliance with CSP program requirements, in states in which the CSP is administered by the SEA, the SEA bears primary responsibility for monitoring its subgrantees' activities and ensuring that they comply with CSP program requirements.

As GAO mentions in its draft report, currently the Department does not require SEAs to include in their CSP applications descriptions of any "enrollment preferences" charter schools are allowed to

Appendix IV: Comments from the U.S.
Department of Education

employ in their respective states. We agree that descriptions of the “enrollment preferences” authorized under an SEA applicant’s state charter school law would be a helpful addition to CSP applications, even though the CSP statute does not require the Department to collect this information.

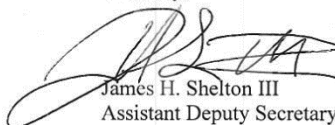
Therefore, the Department intends to revise its CSP grant application notices to require SEAs and other eligible applicants, as appropriate, to describe any enrollment preferences that charter schools in their respective states are required or permitted to employ. In addition, the Department intends to request that SEA grantees require applicants for CSP subgrants to include in their applications descriptions of their recruitment and admissions policies and practices, including any enrollment preferences they plan to employ. The Department also will utilize the CSP monitoring process to review and assess SEA practices for reviewing subgrantee admissions policies, including the use of a lottery and any enrollment preferences.

Recommendation 3: To serve as a resource for military base communities exploring educational options, as stated in their 2008 Memorandum of Understanding, we also recommend that the Secretaries of DOD and Education facilitate the sharing of information among interested parties—such as base commanders and school and official planners—on how military base charter schools have addressed startup and operational challenges.

The Department of Defense (DoD)–ED Memorandum of Understanding (MOU) created a Working Group to implement the elements of the MOU, which specifically identifies charter schools as a focus area for collaboration. The Working Group will continue to facilitate the sharing of information on startups and operational challenges through shared newsletters, outreach, conference participation, panel discussions, and websites. The MOU Working Group on charter schools provides a forum for both Departments to keep abreast of the emergent issues facing charter schools on military bases. The Department of Education is committed to enhancing awareness for charter school developers and military-connected communities regarding the novel set of challenges involved in locating charter schools on bases.

Thank you again for the opportunity to comment on the draft report. The Department remains committed to improving educational opportunities for military-connected children, including through the possible creation of high-quality public charter schools located on military bases. Please let us know if you have any questions or would like to discuss our comments. We look forward to receiving the final report.

Sincerely,



James H. Shelton III
Assistant Deputy Secretary
for Innovation and Improvement

Enclosure

Appendix V: GAO Contact and Staff Acknowledgments

GAO Contact

George A. Scott, 202-512-7215 or scottg@gao.gov

Staff Acknowledgments

In addition to the contact named above, Sherri K. Doughty, Assistant Director; Sandra L. Baxter; Edward F. Bodine; and Deborah A. Signer made significant contributions to this report. Also contributing to this report were James Bennett, Deborah Bland, Jessica A. Botsford, Ying Long, James M. Rebbe, Terry L. Richardson, Laura L. Talbott, and Kathleen L. van Gelder.

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