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McDonnell's charter school plan faces resistance from local officials

By Anita Kumar
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RICHMOND -- Virginia Gov. Robert F. McDonnell often talks about his long-standing belief that government closest to the people governs best -- a philosophy rooted in his conservative principles.

But when McDonnell (R) began searching for a way to expand the number of charter schools in the state -- one of his top goals -- he turned not to local government but to the state for a solution.

McDonnell [proposed this month](#) that those seeking permission to open charter schools -- a publicly funded, privately run education alternative -- be allowed to appeal to the state Board of Education if they are rejected by local school boards now charged with approving or denying their applications.

That appears to contradict philosophical comments made frequently on the campaign trail and in his inaugural address last month.

"More often than not, Richmond knows better about the hopes and dreams of the people than Washington," McDonnell said Jan. 16. "And Galax and Fairfax and Virginia Beach know far better than Richmond."

But McDonnell said in an interview Friday that his charter proposal still allows local school boards to make decisions while giving the state a place in the process.

"It's already well established that both the state and local government have a role in educating our young people," he said. "It's a hybrid system already. . . . It's perfectly consistent with the state and local partnership."

Many conservatives acknowledge a conflict, but say they can accept it if McDonnell's proposal satisfies another long-held goal of producing competition in education -- something they have tried for years with vouchers and tax credits but with limited success.

"It is a fundamental principle of the free market that when you infuse competition into any equation, you make it better," Del. C. Todd Gilbert (R-Shenandoah) said. "We are lacking in any substantial competition in education."

Since Virginia began allowing charter schools 12 years ago, only three have opened. None are in Northern Virginia. A fourth is set to open in Richmond in the fall.

David Boaz, executive vice president of the libertarian [Cato Institute](#), who specializes in domestic issues including

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education, said the situation is not ideal for McDonnell. "Governor McDonnell is grappling with a tension," he said.

Boaz said people on either side of the political spectrum can often appear inconsistent or hypocritical as they forgo one belief in lieu of another. "In this case, he wants to see the benefit of competition," he said.

McDonnell's office has been working behind the scenes to negotiate a compromise with groups that represent teachers, school boards and superintendents -- that have been vocal in their opposition to the bill -- to return some power to the local boards and ease concerns about the state having final control over applications.

Local officials, even some who strongly support charter schools, want to retain control of whether their districts open them. Some worry that the state will start forcing districts to open charter schools without providing enough money to pay the bills.

"It's not a good step in the right direction," said John Stevens, chairman of the [Loudoun County](#) School Board. "Education across the United States is a local matter."

Stevens, a Democrat who runs with no party affiliation, said he and his board support charter schools but that local officials, particularly in high-performing districts such as Loudoun, know how best to serve their students.

On Monday, the Virginia Legislative Black Caucus came out against McDonnell's proposal, issuing a stinging statement that referred back to the days of racial segregation. "This is as unconscionable as it is unconstitutional," Sen. Henry L. Marsh (D-Richmond) said. "A lifetime of work to ensure equal access to education, democratic local control of our schools, and the opportunity for every child to succeed is under attack."

Virginia's constitution requires that local school boards authorize charter schools. McDonnell does not propose changing the constitution but instead wants applications submitted to the state Board of Education for review and pre-certification recommendations before they go to school boards.

If they are rejected by the local boards, he would allow the schools to appeal to the state board, which would have the power to approve them.

McDonnell declared charter schools a top priority in his first legislative session. He has long praised President Obama for his support of charters, and he hired Gerard Robinson, a nationally known charter advocate, as his education secretary. Charters are more free to experiment with schedules and curricula than regular public schools and are popular with some education reformers.

[McDonnell's bill](#) will be heard Thursday in a Senate committee, which the Republican-controlled House is expected to pass. It's unclear, however, whether it will make it out of the Democratic-controlled Senate. McDonnell has been meeting with legislators about his charter school proposal since before he was sworn into office.

The House already passed a bill, introduced by Del. Robert G. Marshall (R-Prince William), that would require school boards to explain the reason for rejecting a charter school application instead of saying no outright, as the law currently allows.

Marshall, one of the most conservative members of the legislature, said he supports McDonnell's proposals and doesn't have a problem with giving a role to the state because the state and local government share responsibility

for education. "It doesn't take control from them," he said.

Bill Wilson, who leads a group called [Americans for Limited Government](#) based in Virginia, praised McDonnell for finding a good middle ground that would allow local school boards to keep control while providing a third party to look at the facts "dispassionately."

Matthew Spalding, director of the [B. Kenneth Simon Center](#) for American Studies at the Heritage Foundation, a conservative think tank, said the idea of favoring government closest to the people goes back to the days of the Founding Fathers, though it is now considered more of a conservative ideal.

But Spalding said it usually refers to the constitutional conflict between federal and state government, not state and local government.

"The state has the constitutional authority over education," he said. "What seems to be a contradiction might really be legitimate."

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