



We Need Better Education Policy. Summit Public Schools Shows Why.

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Executive Summary

Summit Public Schools (SPS), a California-based charter school network established in 2003, is widely promoted nationally as a success story to be emulated. A policy environment friendly to charter schools and digital technologies, together with hundreds of millions of dollars in technology industry contributions, enabled its growth and its national visibility. Discounting these important factors, marketing materials assert that an innovative curriculum and instruction program anchored in its proprietary digital platform led to SPS's success in graduating extraordinary percentages of its students eligible for, accepted into, and graduated from college. Because of SPS's boasts of success and its national prominence,¹ understanding its story is a useful way to gain insight into how Silicon Valley funds and markets education initiatives. It also reveals inadequacies in policy related to school performance, digital educational programs, protection of student data, and school funding.

In November 2019 we submitted a request for records bearing on SPS's reports of students' academic success, its curriculum and instruction program, its proprietary digital platform, its protection of student data, its funding, and the validity and reliability of its assessments. Although the company portrays itself as committed to openness and transparency, its leadership remained doggedly unforthcoming throughout months of correspondence. The records ultimately provided were largely unresponsive. They neither supported the publicized assertions of student academic success nor demonstrated the validity or reliability of learning outcomes assessments. Nor did they illuminate the pedagogical decisions embedded in SPS's learning platform or its safeguards for student data and privacy. Although financial statements acknowledged large contributions from non-public sources, those sources were not identified. However, publicly available financial information suggests that tech industry donors likely to benefit from the development, promotion, and adoption of digital educa-

tional platforms such as SPS's provided significant funding and in-kind contributions.

Overall, our analysis illuminates several policy failures. For example, although California's open records statute explicitly includes charter schools, its lack of an enforcement mechanism allows well-funded organizations like SPS to avoid meaningful compliance. Only a costly lawsuit can challenge an organization's intransigence. SPS's inability to provide records demonstrating the academic success it claims suggests the need for greater oversight of performance. Its inability or unwillingness to identify key elements of its Summit Learning Platform reveals additional inadequacies in state policy overseeing digital educational platforms and protecting student data. Its financial records further indicate inadequate reporting requirements for sources and amounts of non-public funding. Finally, SPS provides an example of how nominally nonprofit charter school organizations evade public oversight and provide technology companies and their investors with both a market for their products and a continually renewing source of valuable data from young people.

Recommendations

Summit Public Schools (SPS) provides a powerful example of the need for oversight and accountability to protect the public interest and to ensure the transparency of digital educational programs. Based on our study of SPS, we recommend that state policymakers:

- Strengthen open records laws applied to charter schools by providing state enforcement mechanisms, supplementing litigation by individual parties.
- Require educational entities reporting on performance to provide supporting evidence.
- Discontinue metrics of students' preparedness for college.
- Establish an independent government entity charged with ensuring the quality of digital educational products used in schools. Require this entity to review and approve the pedagogy and digital programming of any digital educational product a school uses, both prior to implementation and periodically thereafter.
- Enact student data privacy legislation that removes exemptions for digital educational products marketed as providing personalized learning.
- Develop a standard data privacy and security agreement for schools to use with any entity providing a digital educational product.
- Create an oversight system for contributions to charter schools requiring the amount and source of each contribution.

Notes and References

1 See, for example:

Singer, N. & Isaac, M. (2015, August 9). Facebook helps develop software that puts students in charge. *New York Times*. Retrieved June 22, 2023, from <https://www.nytimes.com/2016/08/10/technology/facebook-helps-develop-software-that-puts-students-in-charge-of-their-lesson-plans.html?ref=collection%2Fsection-collection%2Feducation&action=click&contentCollection=education®ion=rank&module=package&versio>

Tavener, D. (2015, April 7). *Inside Summit's mission to redesign schools*. Retrieved June 13, 2023, from <https://www.edsurge.com/news/2015-04-07-inside-summit-s-mission-to-redesign-schools>

Vander Ark, T. (2015, June 28). *Summit Public Schools continue to innovate and expand impact*. [blog post]. Getting Smart. Retrieved May 12, 2023, from <https://www.gettingsmart.com/2015/06/28/summit-public-schools-continues-to-innovate-and-expand-impact/>