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**Backfill in Charter High Schools:  
Practices to Learn from and Questions to be Answered**

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## About This Report

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Through research and policy analysis, CRPE seeks ways to make public education more effective, especially for America's disadvantaged students. We help redesign governance, oversight, and dynamic education delivery systems to make it possible for great educators to do their best work with students and to create a wide range of high-quality public school options for families. Our work emphasizes evidence over posture and confronts hard truths. We search outside the traditional boundaries of public education to find pragmatic, equitable, and promising approaches to address the complex challenges facing public education. Our goal is to create new possibilities for the parents, educators, and public officials who strive to improve America's schools. CRPE is a nonpartisan, self-sustaining organization affiliated with the University of Washington Bothell. Our work is funded through private philanthropic dollars, federal grants, and contracts.

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## Introduction

Many charter high schools have achieved unprecedented outcomes with at-risk students, but some believe that these accomplishments have been enhanced by the schools' ability to limit the transfer students they accept.<sup>1</sup> This has prompted criticism that charter schools artificially inflate test scores by only serving the fraction of students who are most likely to succeed in their schools and raised questions about whether charter high schools, individually or as a group, should be required to “backfill,” or fill open seats.<sup>2</sup>

As the number of charter high schools has expanded, these criticisms have grown louder, leading to an earnest debate: Do charter schools truly need to restrict enrollments to achieve their successes? Should they be expected to fill vacancies as students transfer to other schools or drop out, or should they be free to leave vacancies unfilled? Does it matter if charter schools graduate a smaller number of students than they admit in 9th grade, as long as they provide high-quality educational opportunities for those who complete all four years?<sup>3</sup>

*Student mobility challenges both transient students and the schools that serve them. Transfer students tend to come from poorer families and have lower prior performance than incumbent students.<sup>4</sup> Students who transfer schools during elementary grades are at risk of falling behind academically.<sup>5</sup> Those who transfer in high school face additional academic setbacks and are at a higher risk of dropping out: by some estimates, high school students who transfer are twice as likely to drop out as students who only attend one high school.<sup>6</sup> Those who have transferred schools multiple times are at even greater risk. Transfer students also impose additional costs on their schools, which must adapt to accommodate students' diverse preparation and needs.<sup>7</sup> In many urban areas, particularly those like New York City and Philadelphia, where student transfers can be as high as 30 or 40 percent, student mobility is a perennial challenge.<sup>8</sup>*

Because of the academic and social challenges that often come with transfer students, some fear that unrestricted backfilling would compromise culture and instruction for incumbent students—most or all of whom are also disadvantaged and at risk.<sup>9</sup> In our [paper on high school redesign](#), we argue that the principles of “coherent” high schools, which include high academic and behavioral expectations, can enable personalized learning at scale and support at-risk students. At its core, the backfill debate is over what some perceive to be necessary conditions for school coherence.

Charter schools in a few states face legal requirements to offer vacant seats to students on their waiting lists, or to take other steps to make vacant seats available.<sup>10</sup> Some authorizers, like the Recovery School District (RSD) in Louisiana, also now have policies that explicitly state how and when charter schools must backfill. Most state charter school statutes and

authorizer policies, however, are silent about backfilling. In theory, all charter schools have implicit financial incentives to fill vacant seats (unfilled seats means lost funding), but some schools rely heavily on private dollars to support conservative backfill policies—a practice that charter school funders have begun to question.

This paper takes a practical, not normative, approach to backfill questions in high schools, where learning gaps and dropout risks are greatest. We examine the challenges of accepting transfer students and the conditions that affect school success or failure in serving these students. We also describe several high-performing charter schools' philosophies on and approaches to filling vacant seats. In particular:

- Do they admit new students at some times and not others?
- Do they admit newcomers at random or do they require that new students have passed certain courses or tests?
- Do they require some new students to do extra work, either before entering the school or after?
- Do they provide extra academic and social supports to newcomers?
- Is there a limit to the number of newcomers a school thinks it can absorb at a particular time?
- What are the costs and benefits of backfill from a charter leader's perspective?
- What factors facilitate and challenge effective backfill?

Our findings are preliminary, based on an opportunistic survey of ten leaders in the charter sector who were willing to share their experiences.<sup>11</sup> These leaders predominantly serve students from disadvantaged backgrounds and represent four charter management organizations (CMO) and two stand-alone charter schools that serve high school students.

**A preview of our findings:** Backfill practices and philosophies vary substantially among the charter high schools included in this study. All schools accept some students after initial enrollment, but only half fill vacancies with transfer students whenever they occur. Most school leaders in this study agreed that taking in many transfer students can challenge school culture and academic outcomes. But school leaders conveyed two distinct views: first, that they cannot take large numbers of transfer students because of related challenges to school culture and academic outcomes, and second, that charter schools must accept transfers because of their commitment to serving all students.

Despite these differences, all of the schools work to help incoming transfer students understand the school's high expectations, and require students to engage with structures that support them socially and academically. We also find that high rates of student and staff attrition have an impact on succeeding with backfill students.

Environmental factors also matter; for example, the frequency with which students in a neighborhood move or transfer, the quality of surrounding elementary and high schools, funding levels, and the presence of a school network or other supports.

We provide more detail about these findings on school backfill policies and practices in the next section, and conclude by identifying a number of crucial questions on which there is essentially no evidence. We also suggest a research agenda that, if pursued, would help researchers, practitioners, and policymakers to more fully understand the magnitude of the backfill problem and what conditions and interventions best support at-risk transfer students.

## How Schools Approach Backfill

Backfill practices are varied and reflect a school's circumstances and mission; however, most of the organizations represented in this study limit student transfers in some way. One school stops accepting new students after the beginning of 10th grade. Two schools typically only accept new students at the beginning of each school year, and half of the organizations in our sample admit transfer students at any point, but do so under the conditions that the student agrees to the school's requirements for remedial work and sustained high effort. One charter school in the sample, located in New Orleans, accepts students through the common enrollment OneApp system, which sets the same enrollment requirements for all schools in the city's RSD. The RSD has, however, systemically restricted student mobility, requiring students and families to formally appeal if they wish to transfer schools after a grace period at the beginning of the year.

In New Orleans, where the majority of high school students go to charter schools, backfill looks different than in much of the rest of the country. Students and families in the RSD rank order their preferred schools through the OneApp common enrollment program, which matches students to a school. Families have a short period of time at the beginning of the year during which they can shift schools, but after October 1 students and families must go to a family resource center and make an appeal if they wish to transfer.

A common enrollment system makes all school leaders' obligations to backfill equitable and clear. One leader in the city said, "No one thinks they can avoid it, so everyone innovates." New Orleans also benefits from high funding levels, especially for special education students, which enables schools to provide supports to high-needs transfer students that might otherwise not be possible.

Despite these advantages, some schools' organizational responses to common enrollment and backfill contrast with early visions for charter schools to provide a diverse set of school choices with mission, clarity, and coherence. One New Orleans leader reported that there are few "specialty schools" there and that instead, many high schools now "differentiate internally," or provide a variety of programs for students with different needs.

## Two Views on Backfill

Most charter school leaders in our study report losing about 10 to 20 percent of their students after 9th grade, but the leaders of the two stand-alone charter schools—both seen as beacons of excellence in their communities—fear that transfer students have been poorly prepared by other schools. Leaders of these schools have been unwilling to risk tarnishing their performance records and reputations by taking new students after the end of 9th grade. These principals feel that their schools fill a specific need in the community (preparing at-risk students who graduate ready for competitive colleges at a cost comparable to traditional public schools) and worry that they cannot achieve the same results with students who enter the school late.<sup>12</sup>

Other CMOs in our sample see backfilling as part of their public school responsibility and believe that refusing to do so runs counter to their mission to serve all students. The leader of one such charter network noted that taking transfer students challenges and possibly disrupts the school culture, but also believes that these challenges can motivate schools to develop innovative solutions. Another leader in that network said, “We feel it’s really important to break the stereotype that we’re picking and choosing. Can it cause a drain on resources? It can, but by law, we can’t tell a student that we can’t bring them in because they have too many needs.”

The leader of one small, independent charter high school in a medium-sized urban district said that she has learned the hard way that there is a resource burden to the school community when she admits students who perform far below grade level or are credit deficient. The school has intentionally allocated special education and literacy support staff to the lower grades and weans students off of these supports as they move through the system. So when the school accepts an 11th or 12th grader with intensive needs, resources are sparse and the school ends up disproportionately allocating resources to these students.

Strong accountability pressures for on-time graduation reinforce the leadership’s reluctance to accept transfer students with very high academic needs. In the school’s home state, a student who spends more than four years in any high school reflects poorly on the school that ultimately graduates the student. Therefore, if a student repeated 9th grade in a different school or needed to repeat a grade to meet the charter school’s academic expectations for graduation, the leader confessed that she would not admit the student. She said, “It sounds terrible, but that’s the system. If I would take [a student who needed extra time], it would draw down my graduation rate by more than a percent.”

The school, while under-equipped to serve under-credited students, has a model that works well for students who are academically advanced or require extra emotional support, and city schools regularly refer students with such needs to this charter school. The charter principal indicated that she would be more willing to take a transfer student with emotional or behavioral problems who is performing at grade level than a student who is very academically behind. But she noted that her job is always more challenging when a student misses the trust-building and acculturation that happens at the start of high school. She said, “I think I can do just about anything with anybody if I get them in 9th grade,” but the less time she has with a student, the less confident she becomes.

## Schools Use a Variety of Mechanisms to Support Transfer Students

Although the schools in this study differ in their backfill policies, all of the schools use a variety of mechanisms to support the transfer students they accept, including:

- Informing potential transfer students about what the school offers and what it requires.
- Socializing transfer students through orientations, advisories, or other mechanisms that communicate and reinforce the school's social norms.
- Offering transfer students significant help in meeting the school's academic requirements through (often required) summer courses, tutoring, supplementary coursework, or course repetition.
- Using personalized learning programs that cater to each student's academic needs.
- Offering in-school counseling and health services to support students' non-academic needs.

***Schools work hard to inform potential students about what the school offers and what it requires.*** Most schools in our sample meet with students and families to ensure that incoming students understand the school's approach to instruction and expectations for effort and behavior. In addition, all of the schools in our study assess each student's degree of preparation before they begin taking classes by reviewing transcripts or giving diagnostic tests, then place students into courses and grade levels accordingly.

Most student transfers occur in early high school grades, when both school leaders and transfer students are more confident that new students will be able to meet the school's expectations and adjust to the new environment. School leaders in our study report that by 11th and 12th grade, fewer students express an interest in changing schools and many principals express concern about getting students caught up and socially integrated into the school when they enroll so late in their high school careers.

***Schools work to socialize new students once they have been admitted.*** Most of the schools in our sample require new students to participate in a summer orientation or match new students with a buddy or faculty advisor. In a few cases, schools also manage peer-tutoring programs that can help to acculturate new students, improve their academic skills, and fulfill tutors' service requirements.<sup>13</sup>

***Schools require new students in need of remediation to do extra work to meet the school's demands and catch up to the performance levels of incumbent students.***

Remediation may take the form of summer courses, tutoring, extra coursework (whether in school or on evenings and weekends), and/or having students repeat a grade level or course, which they may have passed in a less academically rigorous school.



Only the most motivated or academically prepared students tend to accept such demanding expectations. School leaders reported that when underprepared students do transfer to charter schools, they tend to leave at higher rates than other students. One charter leader said, “We lose families when they believe it’s more important for their child to walk across the stage on time [than to meet the school’s standards].” Another reflected that underprepared students leave the school because they know it will be easier to go to another school and finish. Students know, the leaders reported, that they can go from being a C student at the charter school to being a B+/ A- student in another school and not work as hard.

***Some school models that meaningfully integrate personalized learning systems and mental health services accommodate transfer students particularly well.*** Even holding expectations constant, it is clear that some schools accommodate late-coming students better than others. Schools that provide personalized instruction, intensive remediation, or wrap-around services for all their students find it easier to integrate new students. One CMO leader reported that serving transfer students has become much easier since the organization began using an online curriculum to deliver and assess students’ basic understanding of core content. A leader from this organization said that before using personalized learning systems, “the [backfill] process was just more painful—from the teacher side, it was much harder to get students caught up ... now a kid can just go online and show their mastery in a day.”

Two other networks of charter high schools have established in-school “centers” that provide services like counseling and healthcare to support students who struggle most. Leaders from these organizations noted that their transfer students often enroll with higher needs than incumbent students, but that the centers support the needs of all students in their schools.

After noting its high suspension rates, one charter management organization opened in-school “restorative centers” staffed by a director, a coordinator, and a social worker. Following a student’s third behavioral incident in a day, the student goes to the school center. There, she completes a reflection and may work with a social worker to discuss what happened and the external factors that may have motivated the student’s behavior. School leaders report that these interventions have helped students to develop social skills and, through prevented suspensions, stay up to speed on their academics.

A different CMO that operates turnaround and start-up schools has recognized that its turnaround schools, which serve a more transient population and experience higher turnover, have greater needs than its other schools. The CMO makes counselors, school psychologists, special education administrators and clinical service supervisors available to students in all of its schools, but the organization disproportionately allocates these resources to students at transformation schools, who need them most. These schools have “centers” in the buildings that provide students with extensive health and social services.

Schools in our study that use models that include non-traditional graduation requirements like student internships, job shadowing, and annual portfolio projects find it particularly difficult to integrate late-coming students, who can't easily make up for missing those mandatory experiences.

***Schools that serve transfer students well have capable and stable leadership and faculty.*** Strong and consistent administrators and teachers contribute to a school's overall capacity and ability to serve backfill students. A school that experiences high staff turnover is faced with the challenge of acculturating new adults as well as new students. In addition, significant faculty turnover may be symptomatic of larger organizational problems that complicate serving students who require substantial support.

## The Environment in Which Backfill Takes Place Matters

Most school leaders we spoke with noted challenges that come with serving students who are new to their program. But the difficulties associated with serving transfer students vary substantially according to the context in which the transfer occurs.

Schools located in areas that have low transiency rates are asked to take in fewer and better-prepared transfer students than schools in high-transiency, often urban, areas. This makes backfilling in low transiency neighborhoods much less challenging than in the most disadvantaged urban neighborhoods. Similarly, schools that lose few students, whether because of preventative measures that the school has taken or because few students in the community seek to transfer, may find it easier to support the small number of students who step into available seats. Some student transiency is unavoidable, but some is a result of families "shopping around" for schools during the year. To minimize the disruption that comes with families moving their children multiple times in a year, some cities have developed information systems that help families to understand what each school provides before the school year begins, and institute policies that discourage families from transferring after a certain cutoff date (the RSD in New Orleans has done both these things).

The quality of elementary and middle schools in a community also impacts a school's likelihood of success with transfer students. In communities with high-performing feeder schools, even students who miss the beginning of a given high school's cultural and academic program will be well prepared and relatively easy to serve. The quality of surrounding high schools similarly shapes transfer students' preparation. Schools that seek to graduate highly proficient students, but that are surrounded by low-performing schools, will expect transfer students to come with academic deficiencies and social needs that have gone unmet elsewhere. In addition, particularly large numbers of underprepared students who have few or no high-quality alternatives may seek the few high-quality schools in town.

Financial resources available to a school—determined by local per-pupil funding, philanthropic support, and the distribution of resources within a school network, also have implications for the number and quality of supports that schools can provide students facing academic and social challenges. Our research suggests that high schools able to provide extensive services are often affiliated with CMOs and benefit financially from economies of scale and philanthropic support. By contrast, stand-alone charter school leaders frequently cited resource constraints as reasons that they limit backfilling.

## More Questions Than Answers

To date, the high school “backfill” debate has focused on opposing principles—the importance of making seats in good high schools available to as many students as possible versus allowing schools to protect their distinctive cultures and academic standards by putting restrictions on the newcomers they admit.<sup>14</sup>

There is also an emerging policy debate about whether state charter school laws should be amended to limit school discretion on whom they admit and through what procedures. Should charter high schools be forced to take any student without restriction, as is true for most district comprehensive high schools, or should they be permitted to operate as boutique public high schools, like magnets or district “application” schools?<sup>15</sup>

These debates are inevitable but they should be informed by evidence, not anecdote and worst-case argumentation. To move the debate forward in both the charter and policy communities, we need to understand the true costs of backfilling (both to the receiving school and its incumbent students), identify innovations that could allow charter schools and district schools to bring transfer students up to speed successfully, and work to create more diverse local supplies of charter high schools so that students who need to transfer can have many options.

This small study has opened up more questions than it has answered. It is now clear that a thoughtful debate, whether among practitioners or policy entrepreneurs, needs to be grounded in answers to questions like these:<sup>16</sup>

- How often do charter high schools backfill and in what way?
- How often do charter high schools succeed with transfer students and how does success vary by time of enrollment?
- How large is the gap between incumbents’ and transfer students’ level of preparation and how much can a school make up?
- At what rate do transfer students graduate from the first school they transfer to, versus transferring again or dropping out? How does this correlate with levels of student preparation, attendance, and effort, and forms of help schools offer?
- What are the most successful approaches to supporting transfer students and what capacities and financial flexibilities do schools need to pursue these?

- Is there a limit to the number of transfer students a school can take before it becomes ineffective with its incumbent students?
- How much does the possibility of successful high school backfilling vary with environmental conditions (e.g., local elementary and middle school performance)?
- How do the answers to these questions vary by school model (e.g., college prep, project-oriented, etc.)?
- How can initiatives outside the individual school (e.g., for elementary feeder patterns, citywide student support programs, school networks or communities of practice, central office and CMO assistance) strengthen backfill efforts?

Answers to such questions may emerge from a larger study that surveys the backfill practices and transfer student outcomes in a broader and more representative sample of charter high schools. Informative research would probe how backfill policies and supports differ by school model and context, and the success of various approaches to supporting transfer high school students.

Our preliminary research suggests that some schools—particularly those with complicating environmental circumstances—have serious, and potentially valid, concerns about academic and cultural threats that come with unrestricted backfill. But some schools with more resources, more extensive support structures, or that are less sensitive to slight dips in student achievement are innovating in ways that they believe support success for transfer students. The true effectiveness of such programs and the scale of backfill challenges, however, remain unknown.

Traditional public schools have lived with the problem—and the inequities between selective schools and those that take on all students—for a long time without working out a solution. But the charter movement has pledged to find innovative ways to provide the students who are most difficult to serve with an excellent education. Leaders of that movement—school providers and CMOs, scholars that study charter schools, and the philanthropies that support the whole enterprise—need to address the backfill challenge, openly and with candor.

## Endnotes

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1 Democracy Builders, [\*No Seat Left Behind: The Unfilled Potential of Empty Seats in Charter Schools\*](#) (New York, NY: Democracy Builders, 2015).

2 Ibid.; Sarah Darville (2014) [“The Quieter Charter School Divide: What You Need to Know About ‘Backfill’,”](#) *Chalkbeat New York*, March 11, 2014.

3 Such issues are not new to public education. Traditional school districts, in New York and other cities, also provide diverse secondary-level options, some of which set requirements for admission and can decide who transfers in and out. Neighborhood and comprehensive schools must admit anyone who needs a place, but even they can arrange “swaps” for troubled students and assign some to last-resort alternative schools. These arrangements existed before charter schools and continue to this day. The criteria used to assign students within districts are not always clear, and the results are often attacked as inequitable. See for example, Toi Sin Arvidsson, Norman Fruchter, and Christine Mokhtar, [Over the Counter Under the Radar: Inequitably Distributing New York City’s Late Enrolling High School Students](#) (Providence, RI: Annenberg Institute, 2013).

4 Lisa Melmen Heinlein and Marybeth Shinn, “School Mobility and Student Achievement in an Urban Setting,” *Psychology in the Schools* 37, no. 4 (2000): 349-357; Perry S. Nelson, Jane M. Simoni, and Howard S. Adelman, “Mobility and School Functioning in the Early Grades,” *Journal of Educational Research* 89, no. 6 (1996): 365-369.

5 Russell W. Rumberger, [Student Mobility: Causes, Consequences, and Solutions](#) (Boulder, CO: National Education Policy Center).

6 Gary M. Ingersoll, James P. Scamman, Wayne D. Eckerling, “Geographic Mobility and Student Achievement in an Urban Setting,” *Educational Evaluation and Policy Analysis* 11, no. 2 (Summer 1989): p. 148; Russell W. Rumberger and Katherine A. Larson, “Student Mobility and the Increased Risk of High School Dropout,” *American Journal of Education* 107, no. 1 (1998): 1-35; Melissa Roderick, *The Path to Dropping Out: Evidence for Intervention* (Westport CT: Auburn House, 1993): p. 55.

7 Rumberger, *Student Mobility*, p. 10.

8 Rumberger, *Student Mobility*.

9 Michael J. Petrilli, [“Backfilling Charter Seats: A Backhanded Way to Kill School Autonomy,”](#) *Education Next*, February 4, 2015.

10 These states include Connecticut, Idaho, Maine, Massachusetts, and Rhode Island.

11 In addition to conversations with charter leaders, we spoke with leaders of several independent schools, which both severely limit transfer students and strongly support those they do admit.

12 Of the schools in this study, stand-alone charter schools limited student transfers more than charter management organizations, but our sample is small and we cannot make any conclusions related to organizational structure and backfill policies.

13 Leonard A. Jason et al., *Helping Transfer Students: Strategies for Educational and Social Readjustment* (San Francisco, CA: Jossey-Bass, 1992); Roderick, *The Path to Dropping Out*.

14 Petrilli, “Backfilling Charter Seats;” Democracy Builders, *No Seat Left Behind*; Robert Pondiscio, [Charter Schools and Backfill: The Debate We’re Not Having](#) (Washington, DC: Thomas Fordham Institute, April 15, 2015).

15 We have focused here on charter high schools but the same issues and unanswered questions also apply at the elementary level.

16 Many of these questions are equally relevant for traditional public high schools, both comprehensive and magnet. Turnover and dropout rates are high in many big-city districts, but individual schools are seldom subject to the kind of close scrutiny that charter schools invite and get.