
BEYOND THE FRINGE

CHARTER AUTHORIZING AS ENROLLMENT GROWS

NATIONAL ASSOCIATION OF
CHARTER SCHOOL AUTHORIZERS

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ABOUT NACSA

The National Association of Charter School Authorizers (NACSA) is working to double the number of students in great public charter schools by advancing policies and practices that promote quality, autonomy, and choice. As an independent voice for quality charter school authorizing, NACSA uses data and evidence to encourage smart charter school growth. NACSA works with authorizers and partners to create the gold standard for authorizing and build authorizers' capacity to make informed decisions. NACSA also provides research and information that help policymakers and advocates move past the rhetoric to make evidence-based policy decisions. More at www.qualitycharters.org.

ABOUT PUBLIC IMPACT

Public Impact's mission is to improve education dramatically for all students, especially low-income students, students of color, and other students whose needs historically have not been well met. We are a team of professionals from many backgrounds, including former teachers. We are researchers, thought leaders, tool-builders, and on-the-ground consultants who work with leading education reformers. For more on Public Impact, please visit www.publicimpact.com.

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EXECUTIVE SUMMARY

Monique Johnson starts her trek...just after 6 a.m. when she and son Shownn, 13, an eighth-grader, catch a ride to a bus stop eight blocks from their home in the city's Brightmoor neighborhood. There are closer stops, Johnson said, but they're pitch black at that hour—and dangerous. They wait for the bus in the glow of a nearby gas station, huddling together under blankets on frigid winter mornings. The No. 43 bus comes around 6:20 a.m....The bus drops the pair at the corner of Woodward and Manchester in Highland Park. Mother and son typically wait 20 minutes for their next bus, the No. 53...

(They) typically arrive at University Prep Science & Math Middle School, a well-regarded charter school in the Michigan Science Center, around 7:30 a.m. and Johnson waits with her son until his classes begin at 7:50. She then makes her way back home—another No. 53, another No. 43—until reaching Brightmoor around 9:30 a.m. That's about three and a half hours before she has to leave again on another four buses to return to Shownn's school and bring him home. Total daily journey: 52 miles, 5-6 hours.

-Excerpt from Six hours, eight buses: The extreme sacrifice Detroit parents make to access better schools (Erin Einhorn, Chalkbeat.org, April 8, 2016)

Shownn and his mother Monique are passionate about getting a good education, and they go to extreme lengths to secure it. This scene is repeated by families across the country, as parents and students seek out quality public schools—better options, options they prefer over the status quo.

High-quality charter schools are providing life-changing opportunities for students, especially in urban locales, and meeting diverse needs in communities across the country. This is real progress that is leading the way to a better life for millions of children.

But charter growth also brings new challenges. Charters began on the fringe of the public school landscape. As charters grow and become increasingly mainstream, the way they work and interact with other public schools and communities must evolve.

The particular transportation challenge Shownn and his mother face is just one access issue that communities must solve, especially as charter schools serve a larger proportion of students. Improving access means growing the number of good schools (especially in neighborhoods of need), providing the information families need to identify schools that meet their needs, ensuring that all students have a fair opportunity to attend high-quality schools, and providing the infrastructure families need to attend the school of their choice.

This report—written primarily for charter school authorizers, especially those with a large or growing number of charters—explores the issues communities must address to ensure equitable student and family access to great public schools. It describes how authorizers in two communities with many charter schools—together with other change agents—are tackling challenges such as transportation, enrollment, equity, accountability, and communication—among the most pressing issues in a growing number of communities across the country (See Table 1).

TABLE 1. ACCESS ISSUES THAT ARISE AS CHARTER ENROLLMENT GROWS

ENROLLMENT ISSUES	RESOURCE ISSUES	STUDENT EQUITY ISSUES	ACCOUNTABILITY ISSUES	COMMUNICATION ISSUES
If schools have different enrollment processes...	If charters do not have access to free or low-cost facilities...	If charters cannot or do not serve a proportional share of students in each grade or the highest needs students , including students with disabilities, English learners, and students who transfer during the year...	If charter authorizers and districts have different criteria for opening and closing schools...	If charters become a more visible part of the education landscape...
<ul style="list-style-type: none"> • Families may struggle to navigate multiple systems. • Districts and charters may face uncertainty related to student counts and funding as students move on and off waiting lists at the start of the year. 	<ul style="list-style-type: none"> • The supply of schools may not match the demand, leaving some families with many choices, while others have few. • Districts may face intense charter competition in some communities and serve the entire student population in others. • Fewer high-quality charters may open. 	<ul style="list-style-type: none"> • Some families may have few or no options. • Districts must find a placement for those students. • Charters may face criticism for failing to serve all students. 	<ul style="list-style-type: none"> • Families may have fewer quality school options because fewer higher-performing schools are replacing lower-performing schools. • Low-performing schools, including district or charter, may be able to continue operating for too long. • There may be fewer opportunities for excellent charters to open and grow. 	<ul style="list-style-type: none"> • Families may want more opportunities to influence and engage with charters. • Disparities between charter and district practices may draw increasing attention and scrutiny to charter leaders.
If the same information and metrics are not available for all schools...	If charter schools do not have access to free or low-cost student transportation...	If some schools are more apt to use exclusionary discipline policies, such as expulsions and out-of-school suspensions...	If some schools are evaluated using accountability systems that are less rigorous than others...	If the district and charters do not have an avenue to communicate with each other...
<ul style="list-style-type: none"> • Families may struggle to compare schools and make educated choices for their children. 	<ul style="list-style-type: none"> • Families must assume the burden of transporting their children to school, or they will have fewer feasible school choices. • Charters must re-direct other funds to transportation or be less accessible to some students. 	<ul style="list-style-type: none"> • Some students may find themselves moving from multiple schools. • Districts must find a placement for those students (and some students may drop out). • Charters may face criticism for failing to serve all students. 	<ul style="list-style-type: none"> • Those schools will appear to families and the public to be better than they truly are. 	<ul style="list-style-type: none"> • They will struggle to address the issues in this table to the detriment of families, districts, and charters.

Good authorizers have always done things such as monitor student recruitment practices, ensure application systems are legal, and evaluate equity in the student enrollment process. Yet the public is increasingly looking to authorizers as systems leaders to help solve a broader range of access issues, particularly as charter schools become a larger part of the public education landscape in their communities.

This report provides a case study of two authorizers—Denver Public Schools and the DC Public Charter School Board—both with strong outcomes in many areas and a high or growing charter enrollment. For each, we summarize how their approach to authorizing has shaped the way they address the issues that arise as charter enrollment grows. We describe how that approach has helped them address specific access challenges. Then we identify issues on the horizon that will need attention.

Access issues are complicated, often localized, and difficult to solve in a way that makes all stakeholders happy. Thus, this report does not provide one “right” way of solving such issues, nor does it advocate for any particular solution. Instead, the report provides ideas, findings, and processes for authorizers and other leaders to consider when tackling such issues in their communities. These takeaways can guide others facing similar challenges:

- **Be a systems leader.** Access challenges impact schools and their students. That’s why authorizers should play a key role in problem solving, even if doing so falls outside their traditional responsibilities. Authorizers can influence the context in which these issues play out by ensuring a quality sector—something that has benefited Washington, D.C. and Denver.
- **Get comfortable with trade-offs and compromises.** Tensions between competing priorities are part and parcel of nearly any solution to access challenges. Stakeholders in a given community may not always agree on the trade-offs or how to weigh them. But authorizers need to be aware of those trade-offs, as well the values they use to evaluate them.
- **Build strong relationships.** Positive relationships with other leaders, even those who may not support charters, are crucial to finding solutions to access challenges. Those relationships take time to build. Today, district and charter leaders in D.C. and Denver can easily pick up the phone and call one another, but that was not always the case.
- **Prioritize access to resources.** In nearly every city, charters lack access to critical resources such as facilities and transportation; this lack of access hinders their growth and financial sustainability and undercuts their efforts to serve all students. Student equity challenges almost always require cities to reallocate resources and organize for efficiencies within sectors.
- **Consider third parties as problem solvers.** It’s no secret that building trust takes time, especially when there’s a history of distrust. In both case studies, third parties played a key problem-solving role. Whether a philanthropic organization, community organization, nonprofit, or other important stakeholder, third parties can help build trust, apply pressure, and sometimes, actually take ownership for problem solving.
- **Get ahead.** Access issues are present from the day the city’s first charter school opens. As enrollment grows, these issues become more acute. Problem solving should not wait. Education leaders, advocates, and funders should get ahead of these issues before they reach a breaking point, and there is no choice but to address them.

BEYOND THE FRINGE: CHARTER AUTHORIZING AS ENROLLMENT GROWS

The best charter authorizers have always pursued practices that improve student access to the schools they oversee. They publicize charter options and work with families to understand and navigate the enrollment process. They push back on onerous application requirements that discourage or otherwise present a barrier to all but a select, few families. And they guarantee that charters follow state and federal laws to provide all students an equal opportunity to enroll in the charter schools of their choice.

Ensuring fair and equal enrollment is absolutely critical. As cities with a large or growing charter sector have demonstrated, however, the battle for truly equitable access doesn't end with enrollment. In those cities, concerns about student access and equity are inexorably intertwined with issues related to resources, accountability, and communications. Consequently, the best charter authorizers must also now pursue practices to address those issues and do so within a citywide context.

WHEN DIFFERENCES MATTER

By design, charter schools and traditional district schools operate differently. The charter movement began in large part to see what might be possible when school operators were free from many of the rules and policies that can stifle innovation in traditional district schools, policies that can force them to emphasize compliance over student outcomes. Differences in how charter and district schools operate, however, create challenges for the district, the charter sector, and the families they serve.

For example, authorizers are generally free to develop their own accountability metrics for evaluating the schools in their portfolios. And more often than not, the surrounding district also uses its own system to evaluate school quality. But if one of those accountability systems is not as rigorous as the other, some schools may appear better than they truly are, making it difficult for parents to accurately distinguish between schools and choose the best option for their children.

Other differences between charter and district schools related to enrollment, resources, student equity, and communication also have consequences (See page 3, Table 1, “Access Issues that Arise as Charter Enrollment Grows”).

Though these issues are present in any community where both district and charter schools operate, it may be possible to avoid or ignore them when charters enroll only a small fraction of students in a city. As charter enrollment grows, however, so too does the magnitude of these issues and the pressure to do something about them.

WHERE CHARTER AUTHORIZERS FIT IN

Whether authorizers are legally responsible for addressing the issues described in the table above, they are increasingly choosing to do so for at least four reasons:

1. **These issues impact students and families.** Charters exist to serve students, and many of the issues that arise as charter enrollment grows directly impact the students and families both charter schools and authorizers aim to help.
2. **These issues intersect decisions for which authorizers are directly responsible.** Although authorizers may not have a legal mandate to address all the issues outlined in the table, the policies they set with respect to school closure, accountability, expansion, and replication have implications for many of those issues, especially as they relate to student access and equity.
3. **Authorizers are a linchpin in addressing systemic issues at scale.** Every charter school has an authorizer. Thus, addressing systemic solutions on any kind of scale will require the involvement, if not the leadership, of authorizers.
4. **The public will increasingly look to authorizers to develop solutions.** As a city's charter enrollment grows and these issues become more pressing, the public will likely look to charter authorizers to help find and implement solutions, whether or not authorizers have sought out this role as representatives of the larger charter sector. Moreover, authorizers will likely face increasing pressure on a range of decisions, regardless of their formal structure or role.

ABOUT THIS REPORT

This report shares the stories of two of the nation's top authorizers—DC Public Charter School Board (DC PCSB) and Denver Public Schools (DPS).¹ Both are the sole charter authorizers in their respective cities, both have experienced

some, if not all, of the access issues described in the earlier table as charter enrollment has grown, and both have grappled to find and implement balanced solutions. Though they represent just two examples, much of their experience will resonate with most authorizers, even if the calculations driving a particular solution, and the context in which they work, may differ.

The case studies that follow draw on nearly a dozen interviews that included authorizers, charter operators, and city-based education organizations and experts in Washington, D.C. and Denver. Although this report includes two cases, it does not compare and contrast the authorizers' methods to draw comprehensive conclusions as to which methods are best. In part, these issues—and authorizers' responses to them—are still relatively new and the long-term impact unclear. In addition, the “right” solution likely differs somewhat for each city based on its politics, policies, and legal structures. Hence, this report is largely descriptive. It describes how two authorizers have approached access issues that have arisen as charter enrollment has grown, the steps they have taken to broker solutions to specific challenges, and the trade-offs and considerations with which the authorizer, charter operators, and the district in each city continue to wrestle as they move forward.

Even these descriptions, however, provide lessons learned for other authorizers. We find that DC PCSB and DPS have different approaches that reflect their position in the city, local politics, access to resources, and perceptions of charter school autonomy. But their stories also share important commonalities that offer food for thought for others that find themselves in a similar situation. Namely, both authorizers acknowledge that as charter enrollment grows, the desire—and the need—for coordination between charters and the district increase and that authorizers have a responsibility to engage with both sectors to find solutions.

As cities with a large or growing charter sector have demonstrated, concerns about student access and equity are inexorably intertwined with issues related to resources, accountability, and communications. The best charter authorizers must also now pursue practices to address those issues and do so within a citywide context.

¹NACSA identified DC PCSB and DPS through its Quality Practice Project (QPP). QPP aims to identify similarities and differences among authorizers with varying degrees of portfolio quality to help build an empirical evidence base of authorizing practices that may be related to strong student and public interest outcomes. Key initial findings, methods, and summaries of practices are forthcoming.

WASHINGTON, D.C.

As charter enrollment has grown in Washington, D.C., so too has the need for the district and charter schools to coordinate on issues such as enrollment and student discipline. In response, the city's sole charter authorizer, the District of Columbia Public Charter School Board (DC PCSB), has encouraged charter operators to better serve students while also guarding charter autonomy. The balance can be difficult, and DC PCSB's approach has not been without criticism. However, by using data to elevate issues, supporting schools to identify and implement policy changes, and holding schools accountable to act on the data presented, DC PCSB played a leading role in the city's adoption of a unified enrollment system and the reduction of student expulsions from charters.

WASHINGTON, D.C.'S CHARTER SCHOOLS

The nation's capital is home to one of the country's largest charter sectors, and it became so rapidly. In the 1996-97 school year, the year after the city's charter law was enacted, D.C. had four charters. Ten years later, 55 charter schools enrolled 30 percent of public school students.² And as of the 2016-17 school year, the District's 118 charter schools enrolled 46.1 percent of the city's 90,061 public school students.³

Washington, D.C.'s charter schools serve a higher percentage of public school students than charters in all but three other cities.⁴ Most of the city's charter operators are locally operated, single-site schools, but nearly a dozen are part of small networks of two or more schools on multiple campuses.⁵ In addition, a few national charter operators, including Democracy Prep Public Schools and BASIS Charter Schools, manage schools in D.C.

DC PCSB has been the city's sole charter authorizer since 2007. The mayor nominates the seven-member board, though it is independent from the traditional public school system,

District of Columbia Public Schools (DCPS).^{6,7}

DC PCSB'S ROLE AS AUTHORIZER

DC PCSB is, above all else, committed to authorizing high-quality charter schools. DC PCSB's portfolio contains a large number of high-performing schools, which it encourages to serve more students, and few low-performing schools. It also has very high academic, financial, and operational expectations for the schools it oversees and consistently holds them accountable for meeting those standards, even if it means closing schools that fall short.⁸

DC PCSB has also made a point of safeguarding charter autonomy, which it considers a critical ingredient of the sector's success. While a very limited set of rules may be necessary to preserve charter integrity and protect student interests, DC PCSB's leadership believes strongly that over-regulation squelches charter autonomy, which in turn hurts school quality. Thus, whenever there is a question, DC PCSB errs on the side of enabling more charter autonomy rather than less.

DC PCSB's prioritization of charter quality and autonomy shapes how it approaches the issues outlined at the beginning of this report, including equitable enrollment of high-needs students and improving student access to charters. In addressing such issues, DC PCSB has relied heavily on three strategies:

- **Using data to elevate issues.** DC PCSB uses the data its schools report to illuminate issues and motivate charters to act. When there are claims that a group of schools or the sector are falling short in some way, DC PCSB turns to the data—first to determine whether there truly is a problem, then to share that data with charters and the schools' governing boards to make clear the need for action.

² DC Public Charter School Board. (n.d.) *PCSB Annual Report 2008: Leading the Transformation*. Retrieved from <http://www.dcpsb.org/sites/default/files/2008%20Annual%20Report.pdf>

³ Correspondence with DC PCSB. July 5, 2017.

⁴ DC Public Charter School Board. (n.d.) *2016 Annual Report*. Retrieved from <http://www.dcpsb.org/sites/default/files/2016.07.27-dcpsb-annual-report-single-page.pdf>; National Alliance for Public Charter Schools. (2016.) *A Growing Movement: America's Largest Charter Public School Communities and Their Impact on Student Outcomes*. Retrieved from <http://www.publiccharters.org/wp-content/uploads/2016/11/CharterSchoolEnrollmentShareReport2016.pdf>

⁵ DC Public Charter School Board. (n.d.) "School Profiles and PMF Tiers." Retrieved from <http://www.dcpsb.org/2015-school-profiles-and-pmf-tiers>

⁶ DC PCSB was established under D.C.'s charter law, the D.C. School Reform Act of 1995, and has overseen all of the city's charters since 2007 when the D.C. Council restructured the city's education governance system. D.C.'s charter law originally established two authorizers, DC PCSB and the District of Columbia Board of Education (DC BOE). The DC BOE gave up its authorizing responsibilities in 2006, and in 2007 the D.C. city council transferred oversight of all charters authorized by the DC BOE to DC PCSB. As part of that restructuring, the D.C. mayor took control of DCPS, and a new Office of the State Superintendent of Education (OSSE) was established to serve as the state education agency for all of the city's public schools, including both district and charter. National Alliance for Public Charter Schools. (n.d.) "Get the Facts database: District of Columbia." Retrieved from <http://www.publiccharters.org/get-the-facts/law-database/states/dc/>. District of Columbia School Reform Act of 1995. D.C. Code §§ 38-1802 et seq. (1995).

- **Supporting schools to identify and implement policy changes.** In addition to ongoing monitoring on school data and finances, DC PCSB meets regularly with schools to collaborate on challenges they face. DC PCSB works with school leaders and board members to clarify how school policies and practices may impede school performance or equitable access for students, and to identify policy changes that might remedy the issue, such as strategies to improve service for English learners and their families or other ways to expand and ensure access for all students.
- **Holding schools accountable to act on the data presented.** As much as DC PCSB protects charter autonomy, it also pursues accountability. In the charter bargain, autonomy and accountability go hand in hand. Thus, as part of DC PCSB's oversight, it follows up with schools to ensure that they are collecting the data they should and that they are implementing the policy changes the schools have identified to address any concerns that have arisen. DC PCSB also holds itself to high standards, guaranteeing that DC PCSB policies, systems, and resources are in place so that it can do the work needed to both support its schools and hold them accountable.

In addition to these strategies, DC PCSB has also made a point of having a seat at the table wherever issues relevant to its schools are discussed. DC PCSB currently serves on more than 45 citywide task forces, including a Cross-Sector Collaboration Task Force that makes recommendations to the mayor to improve the coherence of the city's education policies. It also participates in regular meetings with the deputy mayor for education, the state superintendent of education, and the DCPS chancellor. Though participation in these groups shapes primarily how DC PCSB interacts with the district and other government agencies (rather than how it interacts with charter operators), deliberate and consistent communication with both the city and district represent a new

and growing role for DC PCSB as charter growth issues have become more relevant.

REDUCING EXPULSIONS

The Problem

During the 2011-12 school year, the city's charter schools expelled, on average, 72 of every 10,000 students. In contrast, the district expelled just one of every 10,000 (though the district sometimes sent students to a districtwide discipline center or engaged in "involuntary transfers" of students between schools in lieu of expulsion).^{9, 10} Meanwhile, students expelled from charter schools generally returned to DCPS, increasing administrative tasks for the district and disruptions in traditional school classrooms. The problem did not go unnoticed; then-DCPS Chancellor Kaya Henderson raised the issue with DC PCSB's newly hired Executive Director Scott Pearson in January 2012. At approximately the same time, the city council requested charter expulsion data from DC PCSB.

New Option, New Considerations

DC PCSB set out to ensure that the discipline policies used in the city's charter schools were consistent with educational equity and academic quality, and it wanted to do so in a way that would infringe on charter autonomy as little as possible. Its solution focused on collecting, analyzing, and making discipline data public, which gave charter schools the opportunity to compare their practices and outcomes to other charter schools in the city.

This approach did not come without risks, however. DC PCSB recognized the need to walk a narrow line between encouraging schools to take action and mandating it. Schools also needed time to hire staff and implement practices that could provide necessary supports for students who would likely have been removed in the past. Nonetheless, DC PCSB was committed to equitable enrollment in its charters and moved forward.

⁷ OSSE has state-level responsibilities, including overseeing federal programs and grants administered in D.C., developing student performance standards and administering annual student assessments, and collecting school data, and local-level responsibilities, including providing transportation for students with special needs, running school lunch programs, and overseeing student athletic programming.

⁸ Based on NACSA's Quality Practice Project (QPP). Key initial findings, methods, and summaries of practices are forthcoming.

⁹ Brown, E. (January 5, 2013.) "D.C. charter schools expel students at far higher rates than traditional public schools." *The Washington Post*. Retrieved from https://www.washingtonpost.com/local/education/dc-charter-schools-expel-students-at-far-higher-rates-than-traditional-public-schools/2013/01/05/e155e4bc-44a9-11e2-8061-253bccfc7532_story.html?utm_term=.dbdb3329d77f

¹⁰ According to a *Washington Post* analysis of school data from 2010 to 2013, D.C. charter schools expelled 676 students and traditional schools expelled 24. In the 2011-12 school year, charters expelled 227 students while traditional schools expelled three. Brown, E. (January 5, 2013.) "D.C. charter schools expel students at far higher rates than traditional public schools." *The Washington Post*. Retrieved from https://www.washingtonpost.com/local/education/dc-charter-schools-expel-students-at-far-higher-rates-than-traditional-public-schools/2013/01/05/e155e4bc-44a9-11e2-8061-253bccfc7532_story.html?utm_term=.03984faa94b9

Implementing a Solution

DC PCSB's first step was to cast light on the issue. It reasoned that charter school board members overseeing schools with abnormally high expulsion rates were likely unaware of the data and would be uncomfortable when confronted by it, so DC PCSB shared hard statistics on the number of suspensions and expulsions. DC PCSB also released the data publicly; in February 2012, DC PCSB released two years of suspension and expulsion data and released a third year of data the following August. The data showed that while many charters had very few or no expulsions, others were clear outliers. In response, The Washington Post published several articles featuring schools with high expulsion rates, adding to public pressure for change.¹¹

DC PCSB also contacted school operators that had higher-than-normal expulsion rates and asked tough questions, prompting school operators to reflect on practices. The next year, DC PCSB monitored out-of-school suspension and expulsion data each month, following up with school operators who were outliers compared to other public charter schools. DC PCSB held several meetings with charter leaders in which they looked at their rates compared to other schools and gave those leaders the opportunity to brainstorm together and share best practices. DC PCSB also provided training for interested schools in trauma, behavior management, and restorative justice approaches to help schools rethink their approaches. In the rare instances where expulsion rates were particularly high and did not show signs of improving and other key metrics—such as suspension rates and midyear withdrawals—were also above average, DC PCSB held meetings with the school's charter board to elevate the issue further.

DC PCSB also worked with school board members to improve their understanding of discipline issues so they could make informed policy decisions and hold school leaders

accountable. DC PCSB has conducted training for charter school leaders on effective school discipline and practices as well, including alternatives to suspension and expulsion, and ways to improve classroom management and motivate hard-to-reach students.¹² All the while, DC PCSB has done its best to avoid dictating how charters should act and to avoid including specific suspension or expulsion rates in its performance framework or tiered approach to school intervention.

In addition, DC PCSB has turned the light on itself. While working with schools on their exclusionary discipline challenges, DC PCSB realized that schools lacked clear guidance on how long a suspension must be to qualify for reporting purposes. In response, DC PCSB took steps to clarify such policies. If schools refused to follow those policies, DC PCSB was prepared to levy penalties. Finally, DC PCSB integrated several of its data collection tools and systems to look at attendance and discipline data together and added staff to increase its capacity to review and assess discipline data. DC PCSB can now check school discipline data in real time and quickly advise schools when concerns arise.

Results

The results validate DC PCSB's approach. From 2011-12 to 2015-16, the charter expulsion rate dropped from 227 students (0.82 percent) to just 81 (0.21 percent).¹³ Suspension rates have also decreased.¹⁴ Furthermore, DC PCSB, in collaboration with DCPS and the Office of the State Superintendent of Education (OSSE), developed equity reports that publicly report student discipline data, as well as student enrollment, attendance, student achievement, and mid-year entry and withdrawals, by student subgroup for each school in the city. Equity reports helped to standardize how schools across D.C. report this data and cast light on key metrics, allowing families and the public to make apples-to-apples comparisons between schools and hold them accountable for change, if need be. OSSE now publishes the reports for all public schools on its website.¹⁵

¹¹ Turque, B. (February 17, 2012.) "Charters quick to suspend, expel, council told." *The Washington Post*. Retrieved from https://www.washingtonpost.com/blogs/dc-schools-insider/post/charters-quick-to-suspend-expel-council-told/2012/02/17/gIQAQRGIKR_blog.html?utm_term=.ca160c27ad77; Brown, E. (September 21, 2012.) "Some charter schools suspend, expel students at high rates." *The Washington Post*. Retrieved from https://www.washingtonpost.com/blogs/dc-schools-insider/post/charter-schools-suspend-expel-students-at-widely-varying-rates/2012/09/21/8b72ffa0-03f2-11e2-91e7-2962c74e7738_blog.html?utm_term=.afa37dc65fca; Brown, E. (January 5, 2013.) "D.C. charter schools expel students at far higher rates than traditional public schools." *The Washington Post*. Retrieved from https://www.washingtonpost.com/local/education/dc-charter-schools-expel-students-at-far-higher-rates-than-traditional-public-schools/2013/01/05/e155e4bc-44a9-11e2-8061-253bccfc7532_story.html?utm_term=.03984faa94b9

¹² Gross, B., Tuchman, S., Yatsko, S. (2016). "Grappling with Discipline in Autonomous Schools: New Approaches from D.C. and New Orleans." University of Washington Bothell: Center on Reinventing Public Education. Retrieved from <https://www.crpe.org/publications/grappling-discipline-autonomous-schools-new-approaches-dc-and-new-orleans>

¹³ DC Public Charter School Board. (n.d.) "2011-12 School Suspension and Expulsion Data." Retrieved from <http://www.dcpsb.org/report/attendance-discipline-and-truancy-report>; DC Public Charter School Board. (n.d.) "2015-16 Attendance and Truancy Report." Retrieved from <http://www.dcpsb.org/report/attendance-discipline-and-truancy-report>

¹⁴ Lake et al. (2017). "Bridging the District-Charter Divide to Help More Students Succeed." *University of Washington Bothell: Center on Reinventing Public Education*. Retrieved from <https://www.crpe.org/publications/bridging-district-charter-divide>

ADOPTING A COMMON ENROLLMENT SYSTEM

The Problem

As in most places, D.C. charter schools developed their own systems to enroll students. As the number of charter schools in D.C. grew, however, the process of navigating many different enrollment systems became unwieldy for many families to navigate. These differences also created problems for individual schools as students moved on and off waiting lists, causing enrollment numbers to bounce around for several weeks at the start of each academic year and administrators to wonder how much funding they would receive (and whether they could really afford that extra teacher).¹⁶ In addition, the charter sector faced criticism for counseling out or otherwise discouraging some students from applying, though few actually did so.

New Option, New Considerations

In 2012, Executive Director Scott Pearson and Chancellor Kaya Henderson approached the education nonprofit NewSchools Venture Fund (NewSchools) about developing a solution to the problems stemming from schools' different enrollment processes. DC PCSB and DCPS worked with NewSchools and several independent consultants to convene a task force, and discussions quickly led to common enrollment.

Common enrollment would offer charters a number of benefits. It would simplify the enrollment process for families (and likely increase enrollment as a result), reduce the typical wait list shuffle each fall, and help mitigate allegations that charter enrollments were rigged. But at the same time, participating in a unified enrollment system with the district would mean losing control over the application and enrollment processes. Many charters were also leery of the district, and hence, whether a common enrollment system would treat them fairly. Meanwhile, common enrollment would threaten enrollment at traditional district schools by making it easier for families to apply to several charters at once. Nonetheless, the merits seemed to outweigh the risks from the perspective of DC PCSB's leadership, and it got to work convincing charters.

Implementing a Solution

DC PCSB could not force schools to participate in a common enrollment system—nor did it want to usurp school autonomy in that way. But DC PCSB did see an opportunity to get charters on board by their own volition. It focused its initial recruitment efforts on the city's largest Charter Management Organizations (CMOs) that could help build momentum for the initiative, touting the benefits of a common enrollment system. At the same time, DC PCSB's active participation designing the common enrollment system ensured the charter sector's voice in its development, implementation, and governance. In addition, NewSchools hired an external consultant to develop and launch the enrollment system, providing a needed "honest broker" the charter sector—and DCPS—could trust. All the while, Pearson worked behind the scenes, speaking with individual charter operators to allay their concerns and ensure their voices were heard. These efforts paid off, and the city's unified enrollment lottery system, My School DC, launched in 2013 under the auspices of the independent Institute for Innovation in Public School Choice.

DC PCSB has and continues to play an accountability role, as well. It screens charter student recruiting materials for any language that might dissuade applicants and has prohibited application requirements that might do the same. DC PCSB has even gone so far as to initiate a "mystery shopper" program where members of its staff pose as parents seeking to enroll their children.¹⁷ They ask several questions, including questions about enrolling students with disabilities. If the school gives a response signifying a barrier to open enrollment for all students, a different DC PCSB mystery shopper calls again in order to determine if the response was an isolated incident. If not, DC PCSB contacts the school as itself and offers to provide re-training on open enrollment. In addition, DC PCSB can issue a notice of concern to any school found to discourage students from applying or limiting enrollment in any way, and DC PCSB considers such notices in its charter reviews. The goal of this program is not to catch schools acting inappropriately but to identify where a problem exists and work with operators to correct it.

¹⁵ Osborne, D. (2015). *A Tale of Two Systems: Education Reform in Washington D.C.* Progressive Policy Institute. Retrieved from http://www.progressivepolicy.org/wp-content/uploads/2015/09/2015-09-Osborne_Tale-of-Two-Systems_Education-Reform-in-Washington-DC.pdf

¹⁶ Archer, K. (June 29, 2012.) "Create one single lottery for charter and non-charter schools." *Greater Greater Washington*. Retrieved from <https://ggwash.org/view/28192/create-one-single-lottery-for-charter-and-non-charter-schools>

¹⁷ DC PCSB. (2016.) "Review of the Washington DC Mystery Shopper Program." Retrieved from <http://www.dcpsb.org/blog/review-washington-dc-mystery-shopper-program>

Results

Nearly 85 percent of charter schools serving K-12 students participated in My School DC in its first year.¹⁸ In the 2016-17 school year, only six of the city's 100+ charters serving preschool to high school students did not participate.¹⁹ Moreover, the Office of the Deputy Mayor of Education started overseeing the process in 2014, and My School DC now manages waitlists centrally, evidence that both DCPS and charters trust the lottery's legitimacy.²⁰ In addition, students and families show their confidence in My School DC by applying in increasing numbers: there were 23,448 applicants for the 2017-18 school year, an increase of more than 4,500 applicants since the inception of the lottery in 2014-15.²¹

THE PATH AHEAD

DC PCSB successfully worked with charters to reduce expulsion rates across the sector by using data to elevate issues, supporting schools to identify and implement policy changes, and holding schools accountable to act on the data presented. Similarly, DC PCSB's approach led to a common enrollment system without requiring schools to join. As the table at the beginning of this report illustrates, however, many thorny issues remain. And unless charters gain access to district facilities, it is unclear how much more progress the sectors can make deploying only the strategies they've used so far.

The Link Between Facilities and Student Access

With very few exceptions, D.C.'s charters do not have access to district facilities. New charters have still managed to open, and many successful operators have grown. But they must locate where they can find a suitable facility, which may not be where a new charter school is most needed.

As a result, some corners of the city have very few (or no) high-quality school options, while other neighborhoods offer families several good choices. There is also no citywide strategy for growing the supply of high-quality schools.

Consequently, district and charter schools have at times found themselves in direct competition. Such was the case in 2014 when a new charter school opened across the street from a district school serving the same grade levels and with the same science and technology focus.²²

From DC PCSB's perspective, these consequences are acceptable trade-offs because more high-quality charter schools are preferable to fewer, even if they could be more impactful or make better use of public resources elsewhere in the city. Not only do charters outperform district schools on average, but they have spurred district improvements as DCPS aims to compete for enrollment.²³

Nonetheless, most would agree that school siting in Washington, D.C. can be improved, and access to public school facilities seems in many ways the linchpin of more deliberate charter growth that can counter the drawbacks of the current approach.

Facilities as an Incentive to Take Risks

Facilities also seem an important carrot to encourage charters to adopt new practices that will allow them—and consequently, the city as a whole—to expand student access. By and large, D.C. charters serve similar shares of the city's most disadvantaged students, though discrepancies exist within individual schools.²⁴ Equity reports published since 2013 increase pressure for schools to address those discrepancies by highlighting where they fail to pull their weight.

But even when they want to, it is not always easy for charter schools to adjust, because change can be risky, as well as expensive. For example, holding seats for students transferring into the city or changing schools after the start of the school year could mean losing out on valuable per-pupil dollars while those seats sit vacant. Serving students with significant disabilities requires deep technical knowledge that many charters lack and creates expenses that charters may struggle

¹⁸ Email correspondence with Sujata Bhat, Senior Manager, Education Forward. July 5, 2017. Note that D.C. charter schools for adults do not participate in My School DC. My School DC. (n.d.) "School Options Outside My School DC." Retrieved from <http://www.myschooldc.org/find-schools/school-options-outside-my-school-dc>

¹⁹ D.C. charter schools for adults do not participate in My School DC. My School DC. (n.d.) "School Options Outside My School DC." Retrieved from <http://www.myschooldc.org/find-schools/school-options-outside-my-school-dc>

²⁰ OSSE began running My School DC in fall 2017. Correspondence with DC PCSB. July 5, 2017.

²¹ Correspondence with DC PCSB. July 5, 2017.

²² Brown, E. (July 5, 2014.) "New D.C. charter school highlights debate over planning." *The Washington Post*. Retrieved from http://www.washingtonpost.com/local/education/new-dc-charter-school-highlights-debate-over-planning/2014/07/05/e0273644-02ea-11e4-b8ff-89afd3fad6bd_story.html?utm_term=.1460a5b4a395

²³ Mead, S., Mitchel, A., Rotherham, A. (2015.) *The State of the Charter School Movement*. Bellwether Education Partners. Retrieved from <https://bellwethereducation.org/sites/default/files/Charter%20Research%200908%20FINAL.pdf>

to afford if they cannot spread the costs of acquiring it across several schools. And students transferring into and out of a school may disrupt the school's culture, undermining the success some schools have managed to achieve.

Given these risks and others, charters sometimes have little to gain but much to lose by changing how they operate. Meanwhile, DCPS, and the city of Washington, D.C. more broadly, have yet to effectively leverage facilities as “opportunities” to encourage—and create the capacity for—charters to serve as more equal partners in addressing the needs of all students. Though various mechanisms are in place that allow DCPS and the mayor to give charters access to school buildings, they are seldom used.

Admittedly, it is also not as easy for DCPS to make its facilities available to charters as it is in other cities. Both the mayor and the city council have a say in how current and shuttered school buildings are used, though in at least one case, the district has given a charter operator direct facility access.²⁵ Regardless, access to facilities seems a critical piece if DCPS and its charters are going to continue the progress they've started.

DC PCSB's leadership has fostered progress, and it has done so while preserving charter autonomy.

CONCLUSION

The district-charter issues described in this report are particularly urgent in Washington, D.C., where nearly half of all students attends a charter school. Consequently, the list of obstacles the sectors must work through to provide all students with equitable access to the school of their choice is long. But as the decline in charter expulsion rates and the creation of My School DC illustrate, DC PCSB's leadership has fostered progress, and it has done so while preserving charter autonomy.

²⁴ DC PCSB. (2016.) 2015-2016 DC School Equity Reports, Public Charter Schools. Retrieved from http://www.dcpsb.org/sites/default/files/report/2016_Equity_Reports_Charter_Trends_.pdf

²⁵ DCPS selected DC Scholars to restart Stanton Elementary School in 2011, which gave the charter operator access to the public facility.

DENVER

Denver Public Schools (DPS) both operates the city's traditional district schools and authorizes its charters as part of a "portfolio management" strategy aimed at growing the number of great schools across the city. In that role, DPS seeks to treat schools the same based on quality. But differences in how district and charter schools operate, and the resources available to them, can undermine those efforts. In response, DPS has engaged charters to discuss pressing issues and develop solutions. It has also leveraged district resources to support charters as they standardize key enrollment practices, such as enrolling students that transfer after the start of the school year, and serve new student populations, including students with significant disabilities.

DENVER'S CHARTER SECTOR

Charter growth has been slow and steady in Denver. Charters enrolled 8 percent of students in 2005-06.²⁶ Five years later, charter enrollment reached 11 percent. And in 2016-17, it was 20 percent, accounting for nearly 18,500 public school students.²⁷ Although more than 50 charter schools operate in Denver, three operators—Denver School of Science and Technology (DSST), Knowledge is Power Program (KIPP) Colorado Schools, and STRIVE Preparatory Schools—enroll nearly half of the city's charter students.²⁸ And just one authorizer—DPS—oversees them all.

DPS'S ROLE AS AUTHORIZER

The district's authorizing functions take place within the Office of Portfolio Management. Charter authorizing is not a distinct line of work for DPS. Rather, it represents one "hat" the district wears in its role as a portfolio manager working to increase the supply of and access to great public schools of all kinds across the city—including district, charter, and semi-autonomous "Innovation" schools.²⁹

Like other high-quality authorizers, DPS has not been shy about exacting accountability, including closing charter schools that do not meet their high standards, and approving only strong applications for new schools. As a result, DPS's charter sector has steadily improved. In 2015-16, more than

two-thirds of charter students attended a "high-quality" school as measured by the district's School Performance Framework—the highest percentage of students of any type of school operator. DPS's charters also tend to be strong financially and organizationally.³⁰

The Office of Portfolio Management's vantage point differs from that of some other high-quality authorizers, however. Unlike independent authorizers or even some district authorizers with a dedicated authorizing office, the Office's perspective is rooted in the district's responsibility to create a healthy ecosystem of schools that can meet both the current and future needs of students across the city. Its approach also reflects the fact that it has access to the district's resources.

Guiding Equities

In 2010, DPS and all of the city's charter operators signed a district-charter collaboration compact as part of an initiative of the Bill & Melinda Gates Foundation to broker healthy relationships between the sectors. Through that work, district and charter leadership agreed to the "three equities" that continue to govern all public schools in Denver, including district-run and charter:

- **Equity of opportunity.** All schools have the same access to resources, including per-pupil dollars, tax override revenues, support services from the district, and to the maximum extent possible, access to district facilities on the same cost basis.
- **Equity of responsibility and access.** All schools must offer equitable and open access to all students—regardless of socio-economic, ability, language, or other status—and share equally in districtwide responsibilities, such as the cost of districtwide special education.³¹
- **Equity of accountability.** All schools have the same accountability system and the same rules and standards for opening new schools and closing existing schools.

These three equities translate into practice in two key ways. First, DPS is willing to play a leading role to find solutions to the challenges identified at the start of this report because doing so ultimately allows it to serve students better.

²⁶ National Alliance for Public Charter Schools. (n.d.) "The Public Charter Schools Dashboard." Retrieved from www.publiccharters.org/dashboard/home

²⁷ Denver Public Schools. (2017.) "Accountability Report May 2017."

²⁸ Though KIPP is a national charter school network, individual regions are local CMOs.

²⁹ Innovation schools are semi-autonomous schools that DPS manages but that have received waivers from provisions of district policy, state statute, and collective bargaining agreements with the goal of encouraging schools and districts to design and implement innovative practices in a wide variety of areas for the purpose of improving student outcomes. Nearly 50 Innovation schools operated in 2016-17.

³⁰ Based on NACSA's Quality Practice Project (QPP). Key initial findings, methods, and summaries of practices are forthcoming.

³¹ DPS is the LEA for all schools, including charters.

Second, DPS aims to treat all schools the same way based on school quality and how the school addresses student need. In other words, DPS believes all schools should face the same expectations and play by the same core set of rules. As Jennifer Holladay, executive director of the Office of Portfolio Management, explains, “We can’t create rules that treat some schools well and others badly. We have to treat all schools with equity to make sure they can serve all children equally well.”

Getting Everyone to Play by the Same Rules

Of course, charter schools arose precisely to play by different rules that would free them from many of the constraints district schools face. Hence, there is a tension between playing by the same rules and charter autonomy.³² Ultimately, the more rules charters must follow, the less autonomy they will have. At some point, there is a risk that charters may lose so much of their autonomy that they will not be substantively different from district schools. Moreover, authorizers cannot simply mandate that the charters in their portfolio abide by a particular set of rules from which they are exempt under law.

Recognizing these tensions, DPS aims to protect charter autonomies related to school governance and program autonomy. But it has taken steps to convince charters to follow the same enrollment rules as the city’s other public schools. To do so, DPS has relied largely on two strategies:

- **Regular dialogue.** Since becoming a Gates district-charter compact site in 2010, DPS and charter operators have regularly met to discuss their concerns and develop solutions to pressing issues that affect students across all public schools. Today, a nine-member District-Charter Collaborative Council meets monthly, and comprises four district and five charter representatives. In addition, five working groups focus on specific topic areas, such as special education and school finance, to make policy recommendations to the Council.³³ Any charter school may volunteer for those working groups.

When an issue arises, DPS’s first move is to raise it with charter operators within the Council, grounding discussions in the three equities. The Council may then decide to create a working group that can begin developing a solution (though that process may take months or even years). DPS claims that these collaborative conversations have done much to mobilize both sectors on issues because they share the same goal: serving all students.

- **Leveraging resources.** As Superintendent Tom Boasberg describes it, opportunity and responsibility are different sides of the same coin. Hence, DPS acknowledges that if charters are to assume responsibility for serving more high-needs students, it must provide them equal access to the resources needed to do so, including levy dollars and facilities.

The next section looks more deeply at two instances where an issue related to charter growth came to the forefront, and DPS engaged charters in dialogue and leveraged resources to implement a solution.

CREATING ENROLLMENT ZONES

The Problem

In 2012, Denver launched SchoolChoice, a single enrollment system that allows students to apply to any district or charter school through a single process adhering to the same timeline.³⁴ Though unified enrollment was a major policy shift, other differences in enrollment practices between school types continued to cause issues for both schools and families. Most notably, charter schools did not have to enroll students after the start of the school year or fill vacancies (backfill) when a child left. Though several charter operators took these steps anyway, the district was largely responsible for accommodating transfer students, which was logistically difficult, especially as charter enrollment grew. Students transferring into and out of the district or moving between DPS schools mid-year also tended to have some of the greatest academic needs, and hence were some of the most difficult to serve.

³² There have also been instances where DPS changed the rules for district schools to match those of charters.

³³ Denver Public Schools, Office of School Reform and Innovation. (2011). “Collaborative Council: Council Overview, Structure and Function.” Retrieved from <http://portfolio.dpsk12.org/wp-content/uploads/2015/08/Council-Overview-Structure-Function-v2.pdf>; Denver Public Schools. (2012). *Denver District-Charter Collaborative Council*. Retrieved from https://www.charterschoolcenter.org/sites/default/files/files/field_publication_attachment/Best%20Coop%20Practices%20Presentation%2C%20Denver%202012_0.pdf

³⁴ Although both Washington, D.C. and Denver have created a unified enrollment system, this report aims to highlight different kinds of solutions to the challenges outlined in the earlier table. In Denver, we focus on the creation of enrollment zones and the creation of special education centers in charter schools, while in Washington, D.C., we focus on reductions in charter expulsions and the creation of a unified enrollment system. This is not to diminish the significance of unified enrollment in Denver but to include a wider breadth of examples.

Some enrollment processes created barriers for families, as well. Students who did not choose a school were automatically enrolled in a district school, and students transferring into the district had little access to charters. At the same time, charters faced public criticism for not serving as many transferring and mobile students.

New Option, New Considerations

In response, DPS recruited charters to participate in new “enrollment zones” it was creating.³⁵ Students have preference in any school in their enrollment zone serving their grade level, rather than just one neighborhood school. In addition, schools in an enrollment zone must hold a small number of seats (5 percent) at the start of the year to accommodate students who transfer into the district. Transferring students can then choose from any school with availability in their zone using the city’s enrollment system.³⁶

In addition to helping to address the challenges described above, DPS hoped that charter participation in enrollment zones could increase the number of high-quality schools in several rapidly growing communities where few such options were available and perhaps even create more integrated schools in communities where housing patterns had become increasingly segregated.

Participating in an enrollment zone, however, had trade-offs for both charter and district schools. Enrolling students at different points of the year and in different grades also meant having less continuity with respect to both school culture and curriculum. The impact would be most significant for charter schools that struggled to fill their seats each year or fell into a particularly small enrollment zone with just one or two other schools serving the same grade levels. With more available seats and fewer schools with which to share the responsibility (and burden) of accommodating students transferring into the zone, student mobility within those schools could increase significantly.

At the same time, however, participating in an enrollment zone offered charters with low enrollment a dedicated pool of students from which to draw—students that had previously defaulted into district-run schools—though these students often had considerable academic needs. Meanwhile several district-run schools were leery of losing students. And in a district where funding is directly tied to student enrollment, such changes matter greatly.

Implementing a Solution

“We approached [these issues] the same way we approach a lot of things,” Superintendent Boasberg recalls. First, DPS had a conversation with charters acknowledging the challenges they both faced with respect to existing enrollment policies. They also discussed how enrollment policies impacted student equity. According to both Boasberg and the charter operators we interviewed, charter operators’ desire to meet their mission and serve all students largely motivated them to work towards a solution despite the challenges and risks of doing so.

DPS could also offer operators the opportunity to access district facilities. As enrollment zones began forming across the city, charter operators placed in a district facility were required to abide by the rules of the enrollment zone as part of their facility contract. Charters could decline the facility if they were not comfortable with the rules (although DPS could not point to an example where one did, in fact, decline). And in fact, many pre-existing charters have also chosen to participate in enrollment zones.

Results

As of the 2016-17 school year, charters participated in all nine enrollment zones in which they were located, providing transferring students greater choice and more equally sharing responsibility for serving those students across schools.³⁷ The city has also made progress getting students to the schools of their choice. For example, a busing system called “Success Express” travels to all area schools in the Far Northeast enrollment zone—including both district and charter-

³⁵ Three additional changes were instituted at the same time: (1) charter schools serving a restart function for a boundary school (where all students in the same grade within the boundary default to a single school) would continue to serve students in the boundary, including mid- and late-year arriving students; (2) all charter schools, through their contracts, would set aside 5 percent of seats for late- and mid-year arriving students; and (3) all schools—including district and charter-operated—would use a shared process for student transfers between DPS schools during the school year, and leaders of both the sending and receiving schools would have to provide consent.

³⁶ Schools do not receive student funding for those empty seats unless they are filled by the October count date, so this provision could cause schools to lose funding. According to DPS, schools in the enrollment zone are expected to serve their fair share of mid- and late-year arriving students once all schools are full, even if it means exceeding the 5 percent set-aside charters are contractually obligated to hold. This remains an area of ongoing negotiation, however.

³⁷ There are 11 enrollment zones in Denver, though charters are located in just nine.

operated schools (which charters purchase as a service). The program allows students to hop on and hop off, much like a city bus line. DPS does not offer a similar service in all areas of the city, however, and charters cannot generally afford to purchase traditional single-site bus routes from the district or a private provider. Consequently, most students must still provide their own transportation to charter schools, hampering student choice and highlighting how much work remains to provide true access.³⁸

SERVING STUDENTS WITH SIGNIFICANT DISABILITIES

The Problem

Approximately 1.9 percent of DPS students (or nearly 1,400 children) have significant disabilities.³⁹ These students attend center-based programs within schools across the city that provide specialized education services to meet their needs in a dedicated classroom setting.⁴⁰ Center students generally spend most of the day in a self-contained classroom but may join other students for electives such as art, science, and physical education.

Historically, these centers have been housed almost exclusively in district-operated schools. In large part, it was simply the norm for the district to serve students with the most significant disabilities. And since charter networks operate far fewer schools than the district, most charter schools lacked the resources and technical expertise to sufficiently support students with significant disabilities, as well as the scale necessary to make such an investment.

As a consequence, however, students with the greatest needs have had the fewest educational options, and they sometimes have to travel long distances to enroll in a suitable program. Meanwhile, DPS bore nearly full responsibility for finding placements for those students, and charters faced criticism for being inaccessible to some, even as a growing number of operators sought opportunities to become accessible to more students.

New Option, New Considerations

As part of the 2010 district-charter collaboration compact, DPS and charters committed to ensuring equity regarding special education. Subsequently, the District-Charter Collaborative Council convened a special education task force, and a handful of charters even opened centers. However, student enrollment continued to grow, fueling the need for new centers in certain parts of the city. Soon it became clear that some center programs would need to move from district to charter schools to ensure equity of access and responsibility across the city's system of schools.

Operating high-quality centers would be a challenge for charters with no prior experience doing so, however, and likely very expensive. It would also require charters and DPS to coordinate closely and share resources in a new capacity. But doing so would offer charters the opportunity to serve a new student population and silence naysayers criticizing them for selective enrollment policies.

From DPS's perspective, there were also risks and rewards associated with charters operating centers. DPS looked forward to the opportunity to share the operational responsibility of serving Denver students with the most significant disabilities. But as the Local Education Agency (LEA) for charters, DPS would retain full legal responsibility for center students attending a charter school, and hence, the risk.

Implementing a Solution

To facilitate implementation, DPS secured bond funding to retrofit facilities to accommodate these centers—including centers at charters housed in district-owned facilities.⁴¹ DPS was also able to offer the charters operating centers the same per-pupil funding it allocated to district schools. Opportunity and responsibility intersected, and charter operators began stepping up. Omar D. Blair Charter School was the first charter to offer a center program in 2010-11. Three more charter networks, including two of the city's largest—Knowledge Is Power Program (KIPP) Colorado Schools and STRIVE

³⁸ Robles, Y. (March 21, 2017.) "How limited transportation undermines school choice—even in Denver, where an innovative shuttle system has drawn Betsy DeVos's praise." *Chalkbeat*. Retrieved from <http://www.chalkbeat.org/posts/co/2017/03/21/how-limited-transportation-undermines-school-choice-even-in-denver/>

³⁹ Rhim, L., Sutter, J., Campbell, N. (January 31, 2017.) "Improving Outcomes for Students with Disabilities." *Center for American Progress*. Retrieved from <https://www.americanprogress.org/issues/education/reports/2017/01/31/297746/improving-outcomes-for-students-with-disabilities/>

⁴⁰ Rhim, L., Sutter, J., Campbell, N. (January 31, 2017.) "Improving Outcomes for Students with Disabilities." *Center for American Progress*. Retrieved from <https://www.americanprogress.org/issues/education/reports/2017/01/31/297746/improving-outcomes-for-students-with-disabilities/>

⁴¹ Public dollars may not be used for private facilities, including those housing charter schools.

⁴² Soar At Oakland also opened a center in 2012, though the charter subsequently closed due to performance issues.

Preparatory Schools—opened new center programs in 2012, while the city’s third big charter network—DSST Public Schools—opened its first center program in 2013.⁴²

During the same period, DPS also launched an “inclusive schools” cohort to support new strategies for serving students with significant disabilities outside of the more contained center program approach. Highline Academy Southeast and REACH Charter School, two charters in private facilities, engaged in this program.

Results

In 2016-17, 25 charter schools offered center or inclusion programs to approximately 175 students, representing 12 percent of all center students in Denver’s public schools. Those figures have already increased nearly threefold since 2012-13 and are set to double again by 2017-18. At that point, the charter sector will serve a proportional share of students with significant disabilities.⁴³ Further, all charter contracts now include a provision requiring charter operators to open a center if the need arises in their neighborhood or region.⁴⁴

More equitable enrollment of students with significant disabilities has been just one outcome of these efforts, however. The sectors have also made improvements in the way centers open and operate. DPS has developed a Center Program Plan to address frequently asked questions for schools opening centers. It is also formalizing its process and criteria to identify new center sites, as well as the standards to which centers will be held. Prompted by STRIVE charter schools, all schools opening a new center—including both district and charter—now receive a small amount of funding for a planning year before opening their doors.

The District-Charter Collaborative Council continues to work on other challenges. For example, some charters have expressed concern that their centers are merely replicating district practices to increase student access and ensure

compliance, rather than prioritizing quality. While they acknowledge the legal responsibility DPS has for serving the city’s special education students, they believe that there could be more flexibility and that the city is missing out on an opportunity to capitalize on charter innovation to develop new, and potentially better, delivery models. In addition, the Council is exploring ways to finance building modifications for charters located in privately owned facilities (within legal limitations) and possibilities to increase funding for center students.

THE PATH AHEAD

Denver is a national leader in addressing the issues that arise as charter enrollment grows. DPS and the city’s charter schools not only implemented a unified enrollment system, they adopted enrollment zones in which all schools—including charters—accept students after the start of the school year and backfill when students leave. Charters are also on track to serve a nearly equal share of students with significant disabilities within the next year. DPS shares key resources with charters, including levy dollars and facilities, and assesses all schools using the same performance framework. In addition, leaders from both sectors meet regularly to discuss and address concerns as part of the District-Charter Collaborative Council.

Nonetheless, there is still much work to do to ensure all students have access to a great public school in Denver. Moreover, student enrollment is leveling off, and district-owned facilities are becoming scarcer, changing the education landscape in which DPS and the city’s charters have operated. As a result, DPS will likely need to adjust how it engages the charters it authorizes in the years ahead.

Fewer Kids, Fewer Opportunities for a District Facility

Denver’s student enrollment grew for more than a decade.⁴⁵ In response, new schools of all kinds opened, and many new charters found homes in DPS-owned facilities, including new construction and buildings that had been shuttered. Both sectors benefited, and there was room for both to grow.⁴⁶

⁴³ Denver Public Schools. “Multi-Year Center Plan.” Shared by DPS July 6, 2017.

⁴⁴ Correspondence with DPS. July 6, 2017.

⁴⁵ Denver Public Schools. (2016.) *Report of Student Membership Based on the 2016 Pupil Count Submission 2016-17*. Retrieved from http://thecommons.dpsk12.org/cms/lib/CO01900837/Centricity/domain/31/student%20submissions/forms/OC_Membership_2016.pdf

⁴⁶ Many smaller charters were not happy with the district’s process for awarding facilities, which they felt favored the city’s largest CMOs.

⁴⁷ Denver Public Schools. (2016.) *Report of Student Membership Based on the 2016 Pupil Count Submission 2016-17*. Retrieved from http://thecommons.dpsk12.org/cms/lib/CO01900837/Centricity/domain/31/student%20submissions/forms/OC_Membership_2016.pdf

⁴⁸ Murray, J. (April 1, 2016.) “In Denver, a growing number of marijuana shops are close to schools.” Denver Post. Retrieved from <http://www.denverpost.com/2016/04/01/in-denver-a-growing-number-of-marijuana-shops-are-close-to-schools/>

But that growth is slowing. In the fall of 2016, just 951 additional students enrolled in all Denver public schools compared to the previous year, and 829 fewer students attended a district-run school.⁴⁷ As a result, new construction has become a rarity, and there are no more shuttered facilities to re-open. School operators—including both district and charter—may still gain access to a district facility by restarting a chronically low-performing school, but DPS identified only two such schools for the 2016-17 school year, and the district community matching process awarded neither to charters.

At the same time, private facilities have become harder to come by, due in part to a growing marijuana industry that is competing for larger warehouse spaces. To make matters worse, schools may not open within 1,000 feet of a facility that grows or dispenses marijuana.⁴⁸

The tightening facilities market has slowed down charter growth. As of this writing, just three new charters were scheduled to open in Denver for the 2017-18 school year, and all were to open in private facilities. It is the fewest new charters opening in Denver in five years and fewer than half of the eight schools that opened at the peak of charter expansion in 2015-16.⁴⁹ However, DPS approved charters for an additional 12 schools in its last review cycle, meaning that most of those new charters will sit on shelves.⁵⁰

How to Grow the Supply of Quality Schools

Slower charter growth is not itself a problem. School supply should match student enrollment needs, so it is logical for there to be fewer new schools as student growth slows. Having the right number of schools is not the only consideration, though. School quality is at least as important, and by and large, charters outperform district-run schools.⁵¹ In fact, 85 percent of students enrolled in schools operated by Charter Management Organizations (CMOs) in 2015-16 attended a high-performing school—the highest percentage across all operators in Denver’s portfolio of schools—and these CMOs also tend to serve the highest proportion of students who qualify for free and reduced-price lunch, as well as students of color.⁵²

DPS is actively working to provide access to a high-performing school to at least 80 percent of its students by 2020.⁵³ In doing so, it is trying to walk a tight line between competing trade-offs and priorities. These complex considerations become more urgent as facilities competition heightens. For example, in a city where fewer than half of schools meet DPS’s quality benchmarks, are the district’s criteria for closing or restarting schools appropriate, or should they be adjusted to create more opportunities for proven operators to grow? How important is it that the district provide better options for the students currently enrolled in a failing school by restarting it versus starting fresh, which could potentially attract even more top operators? What role should community input play in selecting new school operators? And do the criteria DPS has adopted to identify schools for closure or restart and assign facilities include substantial guardrails to ensure all schools are not subject just to the same rules but that those rules treat all operators fairly?

It is beyond the scope of this report to determine how best to grow the supply of quality schools in Denver or which criteria should guide those decisions. But as enrollment slows and facilities become scarcer, new challenges and trade-offs are inherent. Moving forward, DPS and the charters it authorizes will likely need to revisit how they work together to find the proper balance to these questions rather than relying solely on the strategies that have gotten them this far.

CONCLUSION

Denver’s charter enrollment has grown substantially, from 8 percent to 20 percent in nearly a decade. In turn, this growth has put increasing pressure on both charters and district-operated schools to respond to issues related to student access and equitable enrollment. DPS and the charters it authorizes are keenly aware of and have taken steps to improve both, even if some of those efforts have raised new questions and concerns. As such, DPS offers a prime example of an authorizer working with charters to get ahead of these issues.

⁴⁹ Denver Public Schools. (n.d.) “Charter Schools of DPS.” Retrieved from <http://portfolio.dpsk12.org/our-schools/charter-schools/charter-schools-of-denver-public-schools/>

⁵⁰ Denver Public Schools. (n.d.) “Application Hub.” Retrieved from <http://portfolio.dpsk12.org/our-processes/call-for-new-schools/current-and-historical-call-documents/>

⁵¹ ERS. (2017). “ERS System 20/20 Analysis of Denver Public Schools March 2017.” Retrieved from <https://www.slideshare.net/ERSslides/ers-system-2020-analysis-of-denver-public-schools-march-2017>. See slide 14.

⁵² Denver Public Schools. (2017.) “Accountability Report May 2017.”

⁵³ Denver Public Schools. (n.d.) “Great Schools in Every Neighborhood.” Retrieved from <http://greatschools.dpsk12.org/en/>

TAKEAWAYS

While the issues facing Washington, D.C. and Denver hold true in any city with a large or growing charter enrollment, the context can vary considerably. Every authorizer is not the sole authorizer in a city but must sometimes find a way to coordinate with others. University authorizers or community organizations that authorize charters may face different constraints and opportunities than a district authorizer such as Denver or an unaffiliated and independent authorizer such as DC PCSB. And of course, every city has its own unique history, legal nuances, and political environment. Consequently, the best strategy in one city may not be best in another.

Nonetheless, the examples from Washington, D.C. and Denver show that solutions are possible. They also offer six lessons for others facing similar challenges:

1. BE A SYSTEMS LEADER.

The issues that arise as charter enrollment grows impact both the charter schools that authorizers oversee as well as the students they aim to serve. Hence, there is a key role for authorizers to play in developing and implementing solutions to those issues, even if doing so falls outside their traditional responsibilities or if they approach the issues from different perspectives. At a minimum, authorizers can influence the context in which these issues play out by ensuring a quality sector—something that has paid dividends in Washington, D.C. and Denver.

2. GET COMFORTABLE WITH TRADE-OFFS AND COMPROMISES.

The case studies highlight the many tensions education leaders must navigate to address the issues that rise to the forefront as charter enrollment grows. Should policies prioritize immediate needs to create a better school option in a particular area or for a particular group of students, even if another approach might better serve students in the long term? Which charter autonomies are critical to charter success and must be safeguarded at all costs, and in which areas could charters potentially “play by the same rules” as district schools with little consequence, if doing so would benefit students and families? Any solution requires trade-offs between competing values. Stakeholders in a given community or even within the charter sector will not always agree on those trade-offs or how to weigh them. But

authorizers need to be aware of those trade-offs, as well the values they use to evaluate them.

3. BUILD STRONG RELATIONSHIPS.

DPS and its charters meet monthly as part of an official District-Charter Collaborative Council. In Washington, D.C., the DC PCSB participates in more than 45 citywide task forces and meets with the district chancellor, deputy mayor of education, and state superintendent bi-weekly. Although these structures now feel well established, and the district and charter representatives on them can pick up the phone and call one another with relative ease if they have a question or concern, such was not the case just a few years ago—and is still not the case in many other cities, despite the common goals that unite them. Any authorizer that is serious about finding solutions to the issues described in this report must first find a way for leaders from both sectors to talk to one another, build trust, be transparent with one another, and develop meaningful relationships. Though such relationships take time, effort, and resources to develop, they are invaluable once they form.

4. PRIORITIZE ACCESS TO RESOURCES.

Access to resources is central to many of the most pressing issues posed by a growing charter enrollment. In nearly every city, charters lack access to critical resources, such as facilities and transportation; the lack of these resources hinders their growth and financial sustainability and undercuts their efforts to serve all students. Both the resource issues and the student equity issues outlined in the beginning of this report are unlikely to have a lasting solution without re-allocating resources to some extent. As the Denver case study illustrates, money, buildings, and buses can offer charters opportunities in exchange for assuming new responsibilities. Or as the Washington, D.C. case study shows, an unwillingness or inability to share resources may shape charter policies in ways that cause the district and charter sectors to seemingly work against each other, even when students could be better served if they worked together. As a third option, authorizers may also consider helping charter operators pool resources and expertise to be more efficient and effective across the sector, especially in areas such as special education and transportation.

5. CONSIDER THIRD PARTIES AS PROBLEM SOLVERS.

Not only are the issues that arise as charter enrollment grows difficult to navigate, but a history of distrust between the sectors can discourage either side from even trying. In both cities, third parties played important roles as the district and charters first attempted to work together. In Denver, the Gates Foundation incentivized charter and district leaders to sit around the table together, and once they saw the value, they kept the practice going themselves. In Washington, D.C., the press increased pressure for charter operators to take action when it highlighted the high expulsion rates at some schools. Similarly, NewSchools Venture Fund was key to the launch of the city's unified enrollment system by serving as a neutral and trusted third party that not only funded the endeavor but also helped both sides overcome their initial apprehensions about working together. Similarly, there could be an opportunity for new organizations to take ownership of some of the additional responsibilities authorizers may face as charter enrollment grows. Authorizers in other cities would be wise to consider how foundations, city-based nonprofits, or other organizations with a citywide focus might be able to provide the support or the push needed to move things forward.

Charters and districts must work together to serve all the students in their city, and to serve them well. Authorizers can and should lead in this effort.

6. GET AHEAD.

The issues highlighted in this report are present from the day the very first charter school opens in a city. As charter enrollment grows, however, those issues become more pressing. Districts, charters, and other education leaders in a city should not wait until these issues are inexorable to act. In fact, it is in students' best interest for schools to get ahead of these issues and develop solutions in a way that allows for discussion, compromise, and reflection.

CONCLUSION

Each new charter school offers families the possibility of a better education—perhaps one that can even transform a child's life. But it is not enough for a school to be great. It must also be accessible to the students who need it. Minimizing barriers to enrollment and ensuring no family is discouraged from applying to the school of its choice have been important steps in improving equitable access. As charter enrollment grows, however, the sectors must do more. Charters and districts must work together to serve all the students in their city, and to serve them well. Authorizers can and should lead in this effort. As we learn from Washington, D.C. and Denver, solutions exist. These solutions are well worth the work it takes to put them in place for the sake of great public schools for all children.