

ON THE ROAD

TO BETTER ACCOUNTABILITY:

An Analysis of State Charter School Policies



nacsa
NATIONAL ASSOCIATION OF
CHARTER SCHOOL AUTHORIZERS



Fully implemented, state authorizing policies will give parents and public officials the information they need to understand the quality of their community's charter schools.

Whether they have great charters that should be growing, or charters that ought to be closed, these policies will give them the information and tools they need to take action.



Purpose and Strategy

- Deep dive on policies that can strengthen accountability for charter schools and authorizers;
- Articulate authorizing policy “best practices” & how to adapt it to state context;
- Complement to Alliance Model Law;
- Generate discussion/coverage with annual hook;
- Facilitate involvement by other stakeholders; and
- Compare states that are similar in authorizing structure
 - District dominated;
 - Many authorizers; and
 - One or two dominant authorizers.



This Analysis is NOT about:

1. Local or individual authorizers' policies or authorizer practices;
2. Increasing regulations and bureaucracy;
3. Comparing apples to oranges;
4. Creating a “one-size-fits-all” policy for all states;
5. Utilizing academic, theoretical concepts; and
6. Telling an entire story with a two-page state profile.



Authorizing Policies

- Alternative Authorizer
- School Accountability
- Authorizer Accountability



Authorizing Policies

Alternative Authorizer

- Alternative to the local district
- Ideally an Independent Charter Board
- Not produce a large number, and not too many in a single jurisdiction



Authorizing Policies

School Accountability

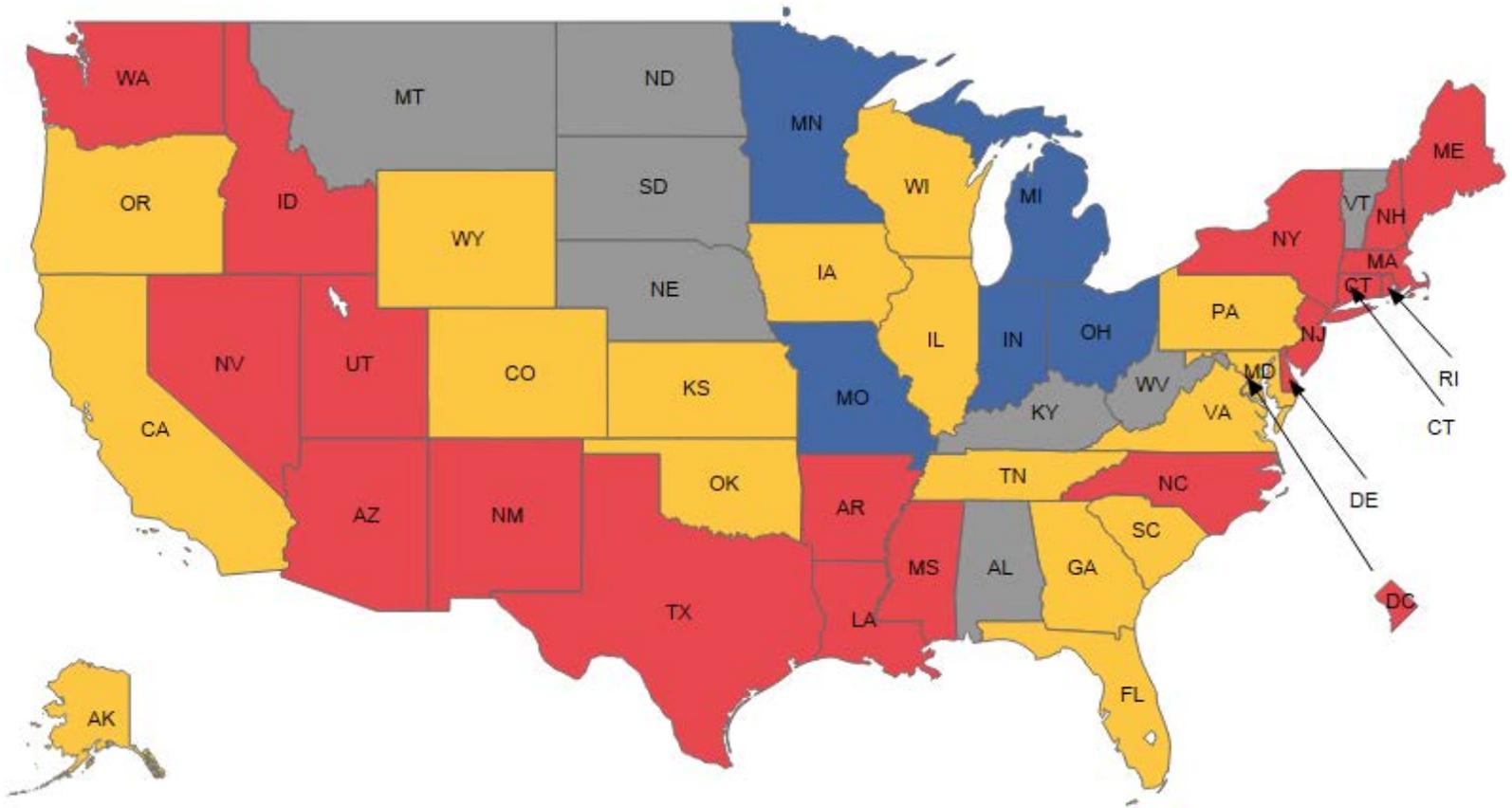
- Performance Management and Replication
- Renewal Standard
- Default Closure



Authorizing Policies

Authorizer Accountability

- Authorizer Standards
- Authorizer Evaluations
- Reports on Performance
- Authorizer Sanctions



- Group**
- District Authorizing States
 - States with Many Authorizers
 - States with Few Authorizers
 - No Law



Sample Rubric

- 0-6 points awarded for each policy.
- Some policies not counted for certain groups.
- 30 points possible for District and Few Authorizer states.
- 27 points possible for Many Authorizer states.

POLICY	SCORE	DETAILS
AUTHORIZER STRUCTURE		
Alternative Authorizer	4 / 6	LEA ¹ , SEA on appeal ²³
SCHOOL ACCOUNTABILITY		
Performance Management and Replication	1 / 3	State law does not require a charter contract or performance framework. Multiple schools may be operated under a single charter.
Renewal Standard	6 / 6	By law, a charter school may not be renewed unless the school demonstrates academic achievement on state standards or the authorizer determines the school's performance is at least equal to the performance of a school in the school district in which it is located.
Default Closure	0 / 6	State law does not provide for default closure for failure to meet minimum academic standards.
AUTHORIZER ACCOUNTABILITY		
Authorizer Standards	0 / 3	State law does not adopt, provide, or endorse quality standards for authorizers.
Authorizer Evaluations	0 / 3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
Reports on Performance	0 / 3	State law does not require authorizers to produce annual public reports on the academic performance of their portfolio of schools.
Authorizer Sanctions	N/A	N/A. NACSA does not endorse the use of authorizer sanctions in states without additional viable authorizers.
TOTAL POINTS	11 / 30	
RANK WITHIN GROUP	4TH OF 17	



California

GROUP 1: DISTRICT AUTHORIZING STATES

STATE CONTEXT

California has more charter schools than any other state—comprising 18 percent of the nation’s charter sector. California also has approximately one-third of all authorizers in the country, or 319 different authorizers overseeing 1,131 charter schools. Almost all schools are authorized by an LEA, though California has a two-tiered appeal structure in which applicants can also be approved by County Offices of Education or the State Board of Education.

Most of California’s authorizers oversee only a small number of schools each: 92 percent of active authorizers in the state—or approximately 290 authorizers—oversee five or fewer schools. California also has the largest LEA authorizer in the country, Los Angeles Unified School District (LAUSD). Collectively enrolling 136,952 students, charter schools authorized by LAUSD serve one out of every 20 charter school students in the nation. Because of the dominant role that local districts play in chartering, the individual practices of a single district authorizer primarily affect access and oversight only within its own jurisdiction.

California receives points for a strong renewal standard, a statewide appeals process, and a multi-campus policy that encourages replication. California does not receive points for any authorizer accountability policies or for default closure. Regarding default closure, while the law does set a non-renewal threshold, the law provides authorizers with considerable discretion to renew schools that fail to meet the minimum performance standards. As such, NACSA does not interpret California law as making closure the default or

POLICY	SCORE	DETAILS
AUTHORIZER STRUCTURE		
Alternative Authorizer	4 / 6	LEA ¹ , SEA on appeal ²³
SCHOOL ACCOUNTABILITY		
Performance Management and Replication	1 / 3	State law does not require a charter contract or performance framework. Multiple schools may be operated under a single charter.
Renewal Standard	6 / 6	By law, a charter school may not be renewed unless the school demonstrates academic achievement on state standards or the authorizer determines the school’s performance is at least equal to the performance of a school in the school district in which it is located.
Default Closure	0 / 6	State law does not provide for default closure for failure to meet minimum academic standards.
AUTHORIZER ACCOUNTABILITY		
Authorizer Standards	0 / 3	State law does not adopt, provide, or endorse quality standards for authorizers.
Authorizer Evaluations	0 / 3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
Reports on Performance	0 / 3	State law does not require authorizers to produce annual public reports on the academic performance of their portfolio of schools.
Authorizer Sanctions	N/A	N/A. NACSA does not endorse the use of authorizer sanctions in states without additional viable authorizers.
TOTAL POINTS	11 / 30	
RANK WITHIN GROUP	4TH OF 17	

11 of 30 Points



STATE CONTEXT CONT'D

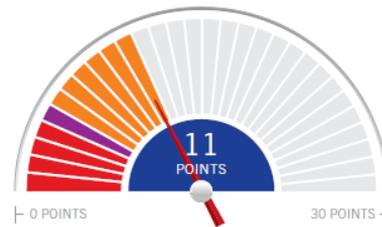
expected consequence for schools that fail to meet a minimum academic standard. Additionally, significant education reforms passed in 2013—collectively referred to here as the Local Control Funding Formula (LCFF) reforms—may impact charter school accountability policies as they are fully implemented over the next several years.

RECOMMENDATIONS

NACSA recommends that California pursue charter school and authorizer accountability policy improvements that can have immediate impact. This includes requiring all authorizers to use strong performance management tools reflecting industry standards, including performance contracts and performance frameworks. These tools can include school-directed performance goals that would complement the community-directed ethos of California’s new Local Control and Accountability Plan, a component of the LCFF reforms passed in 2013. The newly established California Collaborative for Educational Excellence, along with authorizer and charter stakeholders, may be able to play a role in the dissemination and development of these tools.

California should reform its statutory provisions on renewal to create a stronger default non-renewal or closure mechanism. In addition, California law should establish a distinct renewal petition law specifying that renewal petition content should focus on the school’s performance over its current charter term.

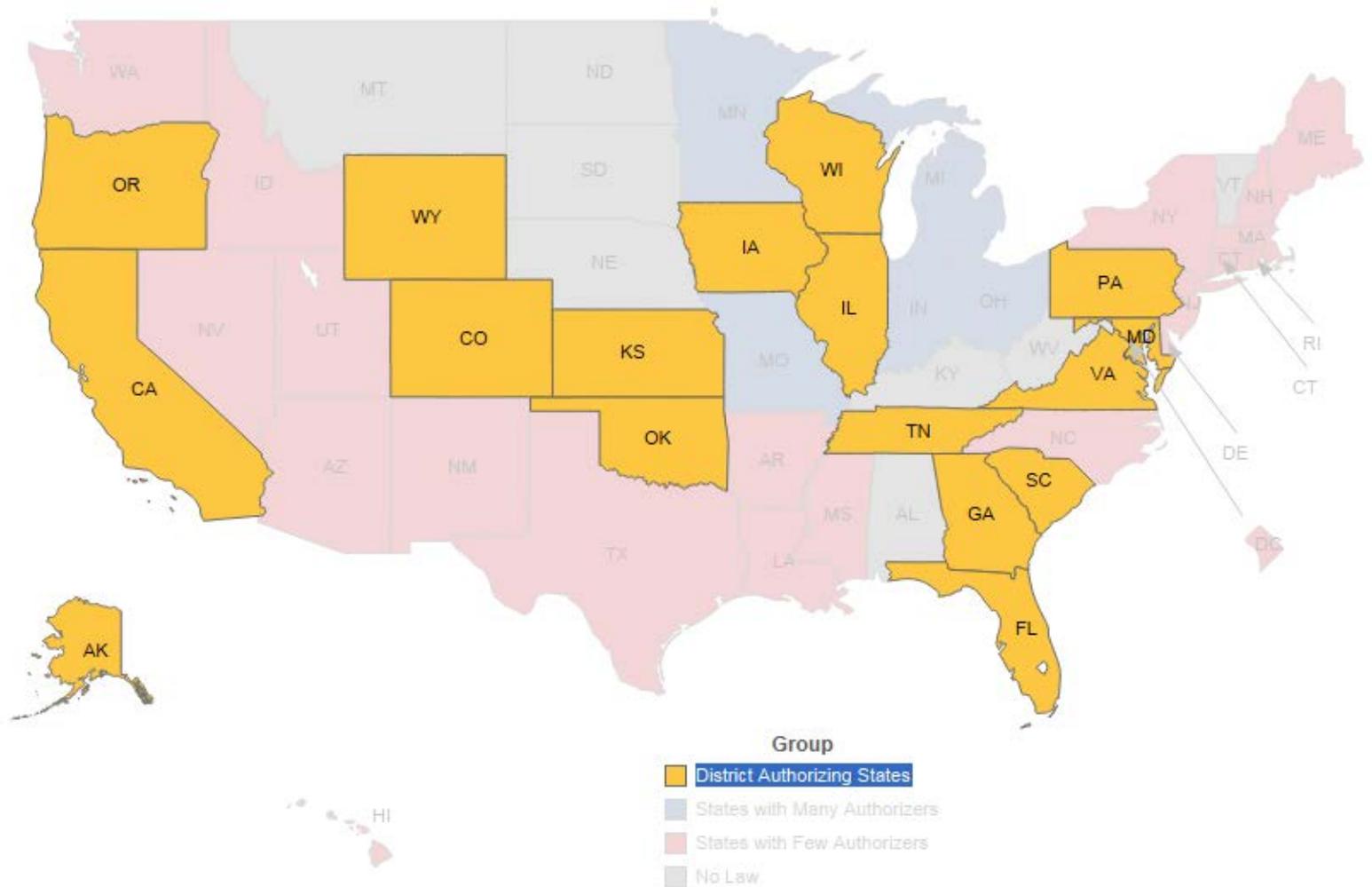
NACSA also recommends that California consider creating a statewide independent authorizer or, given the state’s vast size and population, a small number of independent authorizers for specific geographic regions. These independent authorizers would not only authorize charter schools, but could assist with the development and dissemination of model practices to California’s hundreds of authorizers.



LAW ENACTED IN 1992
319 AUTHORIZERS
98% OF SCHOOLS AUTHORIZED BY LEAS
1,131 CHARTER SCHOOLS
11% OF PUBLIC SCHOOLS ARE CHARTERS
514,172 CHARTER STUDENTS
8% OF PUBLIC SCHOOL STUDENTS IN CHARTERS

FOOTNOTES

- LEAs include County Offices of Education. The County Office of Education may authorize on appeal and may also directly authorize schools of county-wide benefit.
- California has a two-tiered appeals process. Schools can appeal a decision from the school district to their respective County Office of Education. The County Offices of Education can authorize the school or uphold the denial. If denied by the County Office of Education, the school can then appeal to the State Board of Education (SBE), which can authorize the school or uphold the denial. The SBE can authorize schools of state-wide benefit.





District Authorizing States

District authorizers oversee more than 50 percent of charter schools in the state.

17 states:

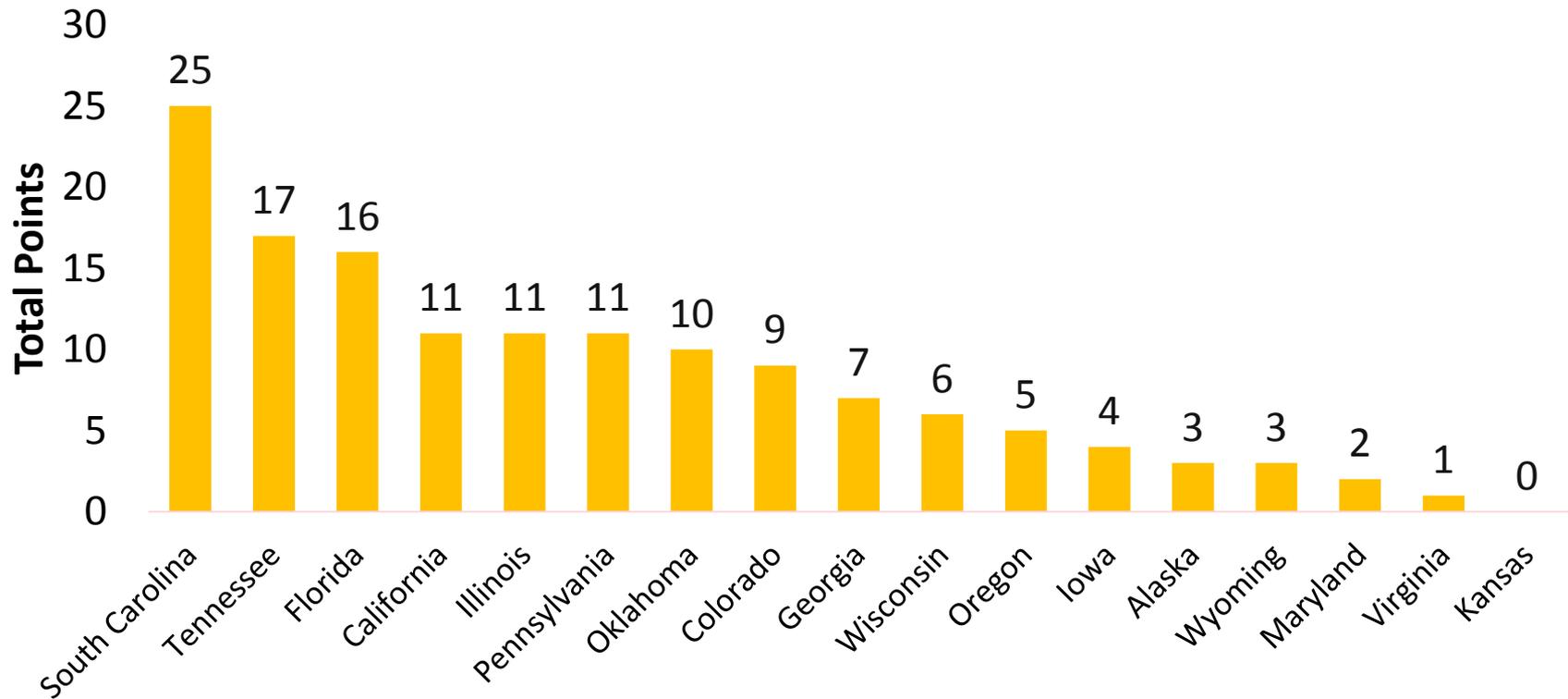
- Alaska*, California, Colorado, Florida, Georgia, Illinois, Iowa*, Kansas*, Maryland, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Virginia*, Wisconsin, and Wyoming*
- 3010 schools (47% of charters)

*dead laws



Charter School and Authorizer Accountability Policies: District Authorizing States

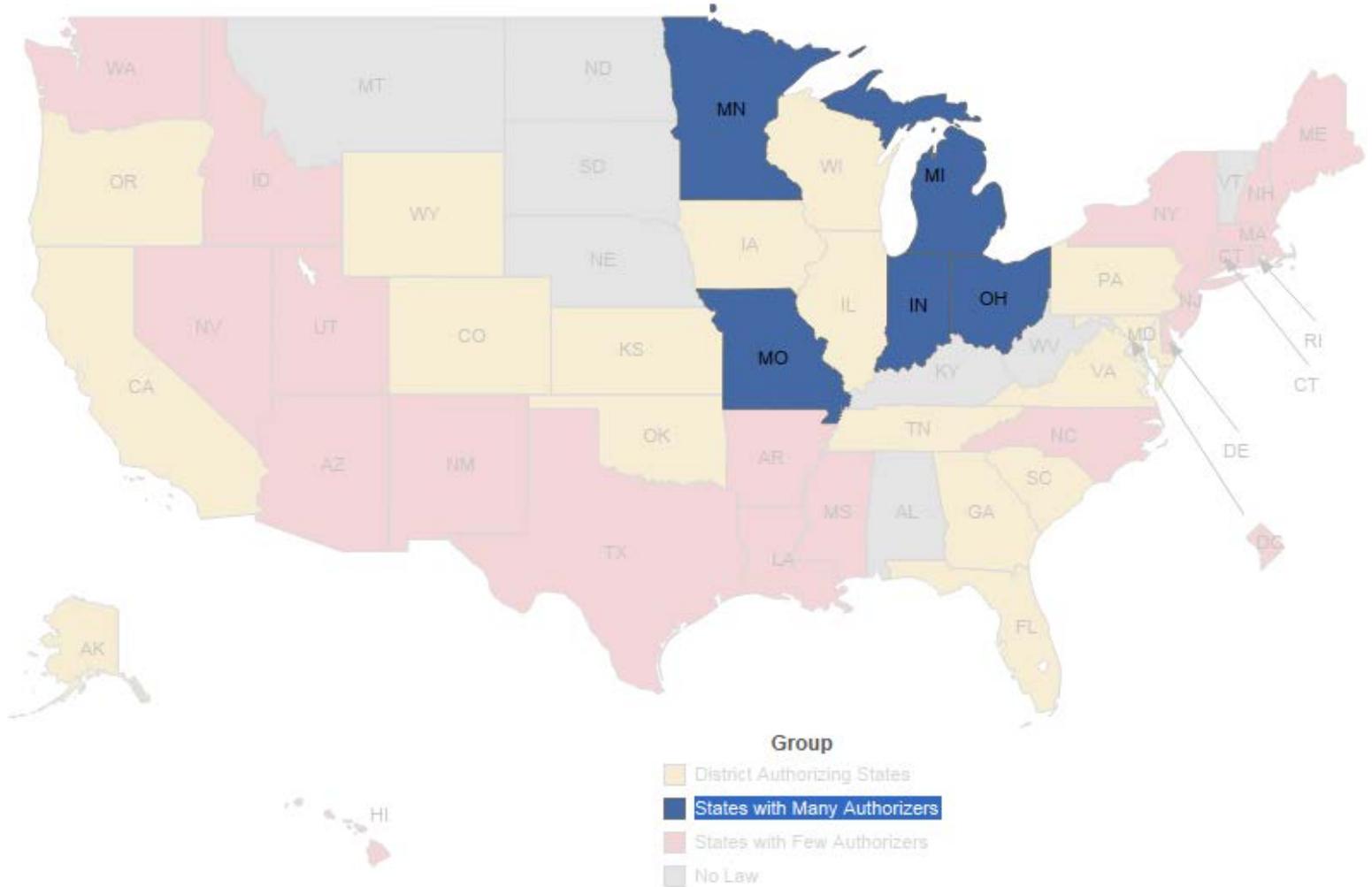
(Score out of 30 possible points for this group of states based on
NACSA's Policy Rubric)





Policy Considerations for District Authorizing States

- Alternative authorizer essential for fair treatment.
- District practices have no effect outside district.
- Small authorizers less likely to close schools, make default closure important.
- Standards high priority with many small authorizers.
- Authorizer sanctions require viable alternative.





States with Many Authorizers

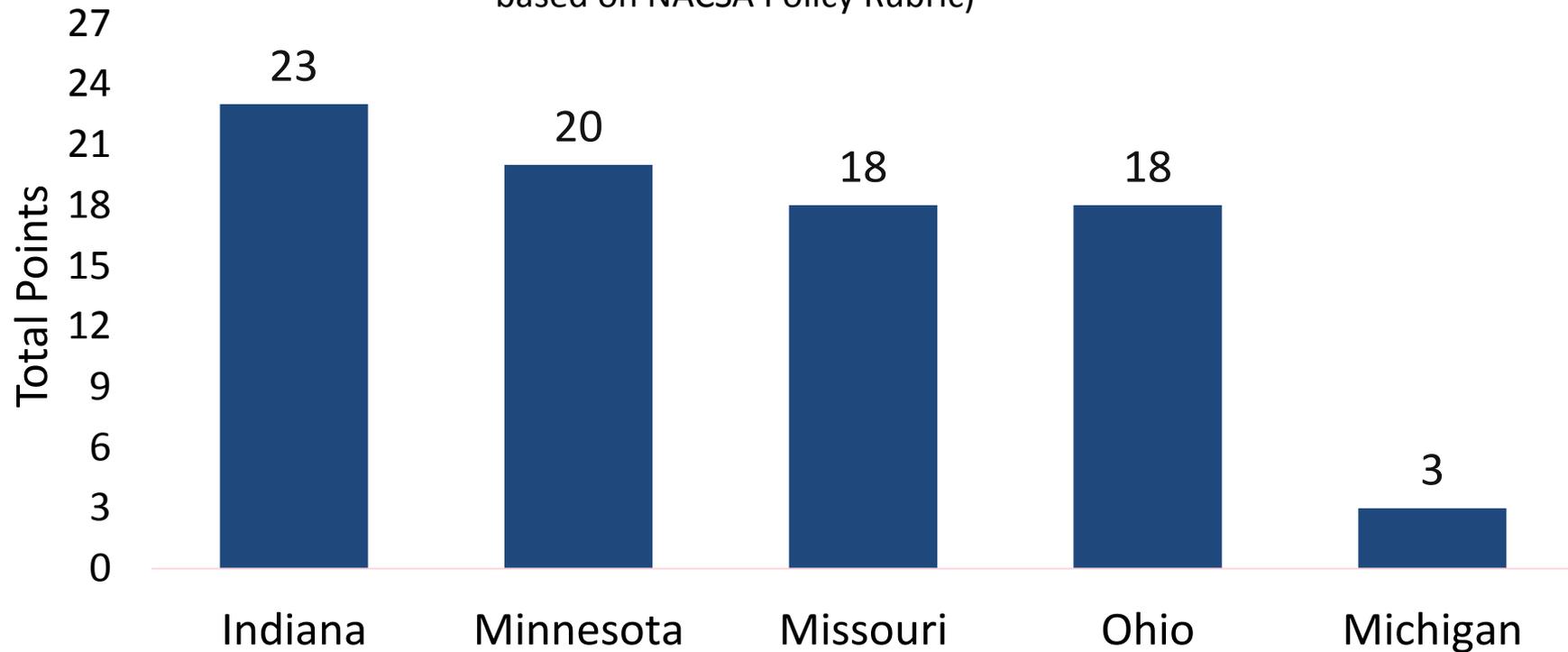
More than two active, non-district authorizers that oversee five or more charters each.

- Only five states:
 1. Indiana
 2. Michigan
 3. Minnesota
 4. Missouri
 5. Ohio
- 959 Schools (15% of charters)



Authorizer and School Accountability Policies: States with Many Authorizers

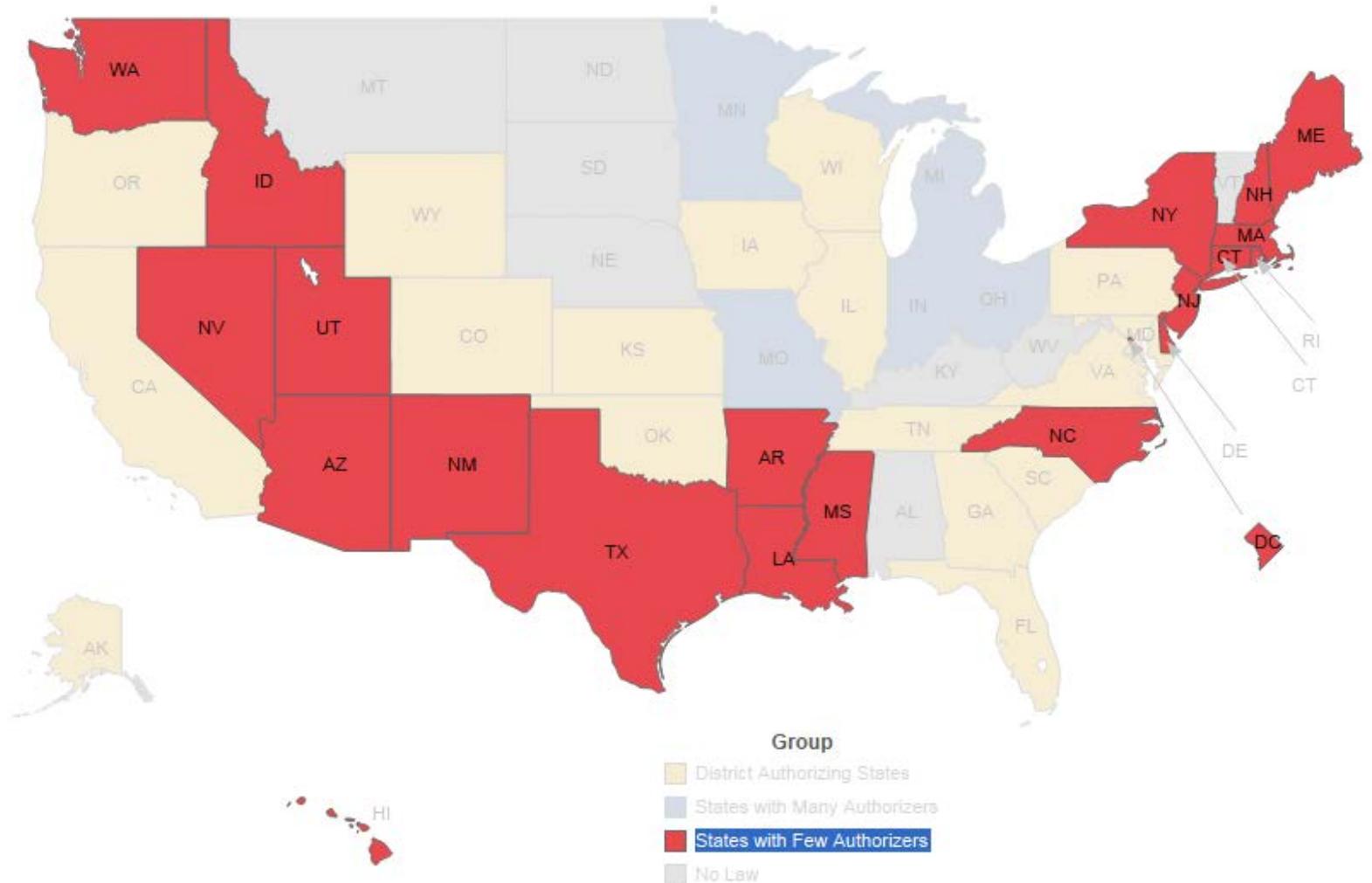
(Score out of 27 possible points for states in this group;
based on NACSA Policy Rubric)





Policy Considerations for States with Many Authorizers

- Additional authorizers not recommended.
- Prioritize school and authorizer accountability.
- Default closure addresses risk that large number of authorizers will produce some authorizers with low standards.
- Authorizer standards create consistency.
- Evaluate all new authorizers and periodically evaluate current authorizers as needed.
- Sanctions appropriate to address authorizers with low standards and weak performance that threatens sector.





States with Few Authorizers

One or two non-district authorizers oversee most charter schools.

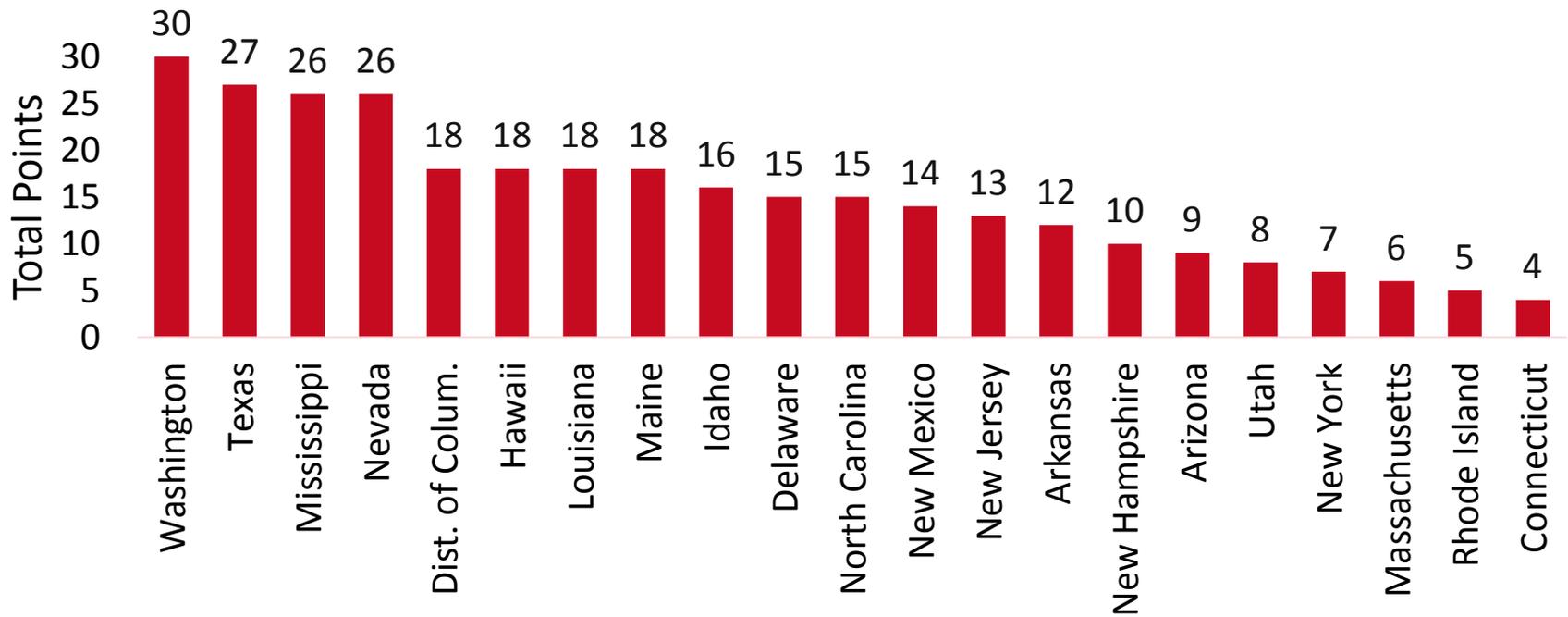
21 states:

- Arizona, Arkansas, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Louisiana, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Rhode Island, Texas, Utah, and Washington
- 2471 schools (38 % of charters)



Authorizer and School Accountability Policies: States with Few Authorizers

(Score out of 30 possible points for states in this group; based on NACSA Policy Rubric)





Policy Considerations for States with Few Authorizers

- Urgency of additional authorizers reduced if all applicants have access to committed, high-quality authorizer.
- Codifying authorizer standards, contracts, performance frameworks, and quality replication policies is safeguard against authorizer turnover. If these are already in practice, changes to law are less important.
- Codified renewal standard and default closure can prevent costly judicial or administrative appeals when the authorizer implements high quality standards.
- Sanctions inappropriate with one or two authorizers.
- If state law allows additional authorizers, sanctions and evaluations become relevant as more authorizers are added.



Cross-State Conclusions

- Policies can be (and have been) adapted to be appropriate for any state authorizing structure.
- Relatively minor changes can have a big impact.
- Solutions look different in different states. Flexibility is important.
- Most significant state policy change happens when:
 - (1) a state want to pre-empt failure; or
 - (2) something goes poorly in a state;



Contact the NACSA Policy Team

Alex Medler: Alexm@qualitycharters.org

Amanda Fenton: Amandaf@qualitycharters.org

Christina Ricordati: Christinar@qualitycharters.org