



**STATE OF HAWAII**  
**BOARD OF EDUCATION**  
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September 5, 2019

TO: Catherine Payne  
Chairperson, Board of Education

FROM: Dwight Takeno  
Member, Board of Education

AGENDA ITEM: Board Member Report on conferences and events attended: **(1)**  
National Governors Association's Bridge to Incubating Innovation  
Learning Collaborative

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Last month, I attended the National Governor's Association Education conference in Nashville, Tennessee, from August 5 through 6, 2019. The conference focused on strengthening the knowledge exchange and cross-sector collaboration between charter and district schools. Hawai'i State Public Charter School Commissioner Kalehua Krug and Executive Director Sione Thompson also attended.

One of the most important and meaningful sessions I attended was a presentation by the National Association of Charter School Authorizers ("NACSA") on Authorizing Models and Accountability. The session covered topics, including what NACSA considers to be high-quality models, best practices for charter school authorizing, and best practices for strengthening accountability. Attached is material from NACSA's session. **Exhibit A**, Authorizer Accountability; **Exhibit B**, Putting an End to Authorizer Shopping; **Exhibit C**, Multiple Charter School Authorizers; and **Exhibit D**, Leadership, Commitment, Judgment: Elements of Successful Charter School Authorizing. This material will be helpful and valuable for Board of Education ("Board") members because this Board is responsible for oversight of authorizers and creation of additional charter school authorizers.

I also attended a session that covered the findings in the U.S. 2019 report of the National Education Policy Center's Virtual Schools, including policy recommendations and models for accountability. On the second day of the conference, participants went on a site visit to STEM Preparatory Academy, which is a public charter school in Nashville.

I would like to extend my thanks and appreciation to Board Chairperson Catherine Payne and Governor David Ige for providing me with this opportunity.

**Exhibit A**  
Authorizer Accountability

# AUTHORIZER ACCOUNTABILITY

## HOW CAN SYSTEMS ENSURE THAT AUTHORIZERS ARE HELD ACCOUNTABLE?

### WHY AUTHORIZING MATTERS

Good charter school policy must be part of the solution to address our public education system's greatest problem: too many children lack access to a transformative education. Getting authorizing policy right is critical because good authorizing has the power to transform the lives of not just a few children, but millions.

When done well, authorizing is a catalyst for charter school quality and growth. Unfortunately, the quality of charter laws and authorizing institutions varies across the country, leading to uneven charter school availability and quality. **With the presence of multiple authorizers comes the need for accountability that ensures all authorizers are prepared for the requirements of the job and doing right by children and taxpayers.**

NACSA's policy resources provide information that helps stakeholders understand common authorizing issues and increase the number of high-quality schools available to their students.

## KEY PRINCIPLES OF AUTHORIZER ACCOUNTABILITY

- **Authorizers should be held accountable.** This should be both front-end accountability, ensuring authorizers are aware of and prepared for the requirements of the job, as well as back-end accountability, ensuring authorizers are doing their job well.
- **There should be strong consequences for bad authorizing.** State oversight should include consequences for low-performing authorizers, such as freezing their ability to authorize new schools, removing schools from their authority, or terminating their authorizing authority altogether.
- **Removing low-performing authorizers is only an option when there is a quality alternative.** When a jurisdiction's applicants and schools have access to only one authorizer, removing that authorizer is not an acceptable option.

## AUTHORIZER ACCOUNTABILITY IS ESSENTIAL FOR QUALITY CHARTER SCHOOLS

NACSA believes you can't be a good authorizer of bad schools. In addition to holding schools accountable for individual results, authorizers should be held responsible for the performance of their portfolios of schools. To ensure that authorizer practices support the creation of quality schools, authorizers must also be held to high standards.

This resource provides an overview of authorizer accountability and the policies that help facilitate it. For sample statutory language and examples of states implementing authorizer accountability, please see the [Appendix](#).

## HOW TO ADDRESS AUTHORIZER ACCOUNTABILITY THROUGH POLICY

While each state should modify its approach to its own local context, good state policy should include as many of these authorizer accountability provisions as possible:

1. State policy should endorse professional standards for quality charter school authorizing.
2. A state entity should evaluate authorizers on their practices as well as the performance of their school portfolio.
3. New authorizers should apply, or at least register, in order to authorize.
4. A state entity should enforce consequences for authorizers with bad practices or those with a high proportion of persistently failing schools.

### ***State policy should endorse professional standards for quality charter school authorizing.***

By endorsing authorizer standards in legislation, policymakers guide professional practice. This depoliticizes authorizing and oversight, protecting authorizers, schools, and ultimately, students and families. Once the standards are in legislation, authorizers and other leaders can further refine practice.

State policy should endorse professional standards for charter school authorizing and require authorizers to meet them in their everyday work. The goals of authorizer standards are to maintain high standards for schools; uphold school autonomy; and protect student and public interests.

Authorizer standards are organized around five work arenas:

- Authorizer commitment and capacity
- Application process and decision making
- Performance contracting
- Ongoing oversight and evaluation
- Revocation and renewal decision making

For new or less-experienced authorizers, standards offer an essential road map to develop strong practices and identify areas where additional assistance is needed. For experienced authorizers, standards help identify areas for improvement or refinement to achieve stronger outcomes, as demonstrated by the quality of schools they oversee.

Authorizer standards also ensure that charter school leaders know what to expect—from applications to performance contracting—and have recourse if authorizers are not doing their jobs. Students, parents, and the public benefit from high-quality, transparent, and effective practices. Both schools and authorizers are held accountable for results.

***A state entity should evaluate authorizers on their practices as well as the performance of their school portfolio.***

In states with multiple authorizers, a state entity should conduct an evaluation of authorizers once they are actively authorizing. Some states may opt to have an annual evaluation process, while others will choose a different timeline with regularly scheduled evaluations.

Any evaluation must stem from an authorizer accountability system. Authorizers should know what is expected of them. The system should be created with input from a variety of stakeholders, including authorizers themselves; should align with best practices for authorizing; and should be clear on timelines and process.

Authorizer success is defined by the overall quality of their portfolio. Thus, any authorizer evaluation should include an evaluation of academic, operational, and financial charter school performance. Authorizers should submit an annual report to the state as well as have it publicly available, reporting on the performance of every school in its portfolio. This can inform the authorizer evaluation, as well as provide transparent information to the public on the performance of the sector.

***New authorizers should apply, or at least register, in order to authorize.***

All school districts who wish to authorize for the first time should apply to the state entity that oversees authorizers. In addition, non-governmental agencies, such as institutions of higher education and nonprofit organizations, should apply and be approved by a state entity to begin authorizing. The registration or application should include, but not be limited to, the following:

- The applicant's strategic vision for authorizing
- Evidence of the applicant's budget, personnel capacity, and commitment
- A draft of the annual charter school application, renewal, revocation, and nonrenewal processes
- A draft of the performance framework to be used for oversight

These reasonable barriers for entry into authorizing help stop authorizers who are interested for the wrong reasons and may not have a commitment to quality. It also ensures that authorizers are aware of the commitments and expectations before they begin. These barriers can also limit the number of authorizers, which helps prevent an over-abundance of authorizers and their negative impact on charter school quality.

***A state entity should enforce consequences for authorizers with bad practices or those with a high proportion of persistently failing schools.***

Authorizers with a history of bad practices or a low-performing portfolio should be subject to sanctions. Sanctions should be spelled out in law and can vary, including removal of authorizer authority, inability to authorize new schools, and transfer of schools to other authorizers.

Unfortunately, authorizer sanctions are not a viable option in states without multiple authorizers, since that could result in the complete elimination of the charter school sector in that jurisdiction. This is one reason why NACSA recommends the presence of multiple authorizers ([learn more here](#)). Transparency to the public on the authorizer's practices, as well as the performance of the schools in their portfolio, become important levers instead. Additionally, improvement plans for these authorizers can help them continue to authorize while improving their practices and/or school quality. Authorizer sanctions help ensure that the quality of authorizing in a state is not held back by one or two bad authorizers.

## FINAL TAKEAWAYS

There are almost 1,000 authorizers currently overseeing charter schools serving 3 million students across the country. The accountability of these authorizers should be a top priority in education policy. By restricting which authorizers receive the privilege to authorize and by requiring adherence to quality standards, states can help set up authorizers for success from the very beginning. Authorizer evaluations and, when needed, sanctions, can stop bad authorizing and improve the quality of the charter schools serving children in that state.

**Exhibit B**

Putting an End to Authorizer Shopping

# PUTTING AN END TO AUTHORIZER SHOPPING

## WHY AUTHORIZING MATTERS

Good charter school policy must be part of the solution to address our public education system's greatest problem: too many children lack access to a transformative education. Getting authorizing policy right is critical because good authorizing has the power to transform the lives of not just a few children, but millions.

When done well, authorizing is a catalyst for charter school quality and growth. Unfortunately, the quality of charter laws and authorizing institutions varies across the country, leading to uneven charter availability and quality.

NACSA's policy resources provide information that helps stakeholders understand common authorizing issues and increase the number of high-quality schools available to their students.

## THE ISSUE IN BRIEF

*Originally written by Daniela Doyle of Public Impact in 2014; updated by NACSA in 2019.*

The public charter school movement is premised on the exchange of increased autonomy for increased accountability. Individual schools are given more flexibility in their actions, and then must meet agreed-upon benchmarks of quality. If a school fails to fulfill the terms of its charter or achieve its stated goals, it can be closed.

However, charter schools that are identified for closure do not always shut their doors. Even as charter school authorizers have become more adept at evaluating school performance and enforcing accountability, some schools have tried to avoid closure altogether.

One way that schools evade closure is through authorizer shopping: when a struggling school transfers to a new authorizer to avoid accountability. Experience shows that authorizer shopping is a threat to a state's overall charter school quality if even one authorizer is willing and able to accept failing schools.

## NACSA RECOMMENDS

To prevent authorizer shopping, the National Association of Charter School Authorizers (NACSA) recommends that states focus on enacting policies that hold both schools and authorizers accountable to high standards. States should enact policies that:

- regulate the transfer of charter schools from one authorizer to another;
- prevent charter schools that are closed by one authorizer from securing a new authorizer;

- strengthen the authorizing laws that hold authorizers accountable for their actions. This starts with clearly defined standards and expectations for authorizers and includes regular authorizer reporting, evaluation, and, when necessary, sanctioning of failing authorizers.

These policy changes can be bolstered by collaboration among authorizers and increased public transparency. Authorizers should complement state policy directives by sharing information on schools and operators among themselves to ensure that school quality drives decision making. In addition, research, policy, and advocacy organizations should publicly share data that will identify and illustrate problems when they exist; these organizations should also explicitly call on authorizers to account for their actions.

### THE PROBLEM OF AUTHORIZER SHOPPING

Authorizer shopping occurs when a low-performing charter school attempts to transfer to a new authorizer to avoid accountability measures—usually school closure.

Depending on the jurisdiction, a school can change authorizers in one of two ways:

1. A school can let its current contract expire or be formally non-renewed or revoked and pursue a successive new school contract with a new authorizer. In this scenario, the failed charter school's existing contract is terminated, but a new charter contract from the new authorizer enables the school to remain open.
2. A school can transfer to a new authorizer during its charter term. This happens as it becomes clear, through regular school-level performance reports or other authorizer action, that the school will likely fail to uphold the terms of its charter, and its authorizer will revoke or not renew its contract. The new authorizer assumes responsibility for the school during the remainder of its charter term and is responsible for the subsequent renewal, which will likely be granted, despite evidence of failed performance.

### WHY IT HAPPENS

Why would an authorizer choose to receive and sponsor a low-performing charter school?

1. **The absence of clear expectations for authorizers:** While NACSA's *Principles & Standards for Quality Charter School Authorizing* outlines the attributes of a high-quality authorizer, state policy too often provides little guidance on this topic. This leaves authorizers to set widely varying standards for their schools and their own actions.
2. **Financial incentives to authorize more schools:** For some authorizers, keeping and adding schools to their portfolios offers financial benefits that outweigh school performance considerations.

- **Providing services:** Evidence suggests that a small number of organizations enter authorizing to make money. In these instances, the authorizer can generate large sums of money, not through authorizing activities, but by selling services to the schools it authorizes.
  - **Operating at scale:** Authorizers often receive little state funding to operate, and therefore fund their operating expenses by charging charter schools a fee, often between one and three percent of the school’s per-pupil funding. Consequently, the authorizer must sponsor some minimum number of schools to keep even one dedicated staff person on payroll. Particularly in the absence of authorizer accountability, some authorizers may choose to expand their portfolio size to meet the goal of financial solvency, even at the expense of school quality.
3. **Lack of communication and collaboration among authorizers:** In many states, authorizers do not communicate regularly with one another. They have no mechanism for sharing information about a school that is shopping for a new authorizer and no system for addressing and assessing school transfers.

## **FACTORS IN STATE LAW ENABLE AUTHORIZER SHOPPING**

Misguided motivations may encourage authorizer shopping, but components of state laws make it possible.

**Legislative loopholes:** In some states, loopholes in the charter law allow schools that are non-renewed to make small changes and re-open as “new” schools. For example, in Ohio, several schools reopened after closure without making substantial changes. Changes in Ohio law now make this more difficult, but ultimately, the authorizer always has the responsibility to determine if a school is in fact “new” or not.

**Unrestricted transfers:** When charter schools were created, few state laws contemplated the possibility of a school transferring between authorizers. By default, this often leads to a permissive transferring environment where individual authorizers are left to create their own disparate practices as the need arises. One easy fix for authorizer shopping would be to prohibit schools from transferring authorizers altogether. However, there are limited, valid reasons—unrelated to non-renewal or revocation—for a charter school to seek a new authorizer. For example, when an authorizing entity decides to close its authorizing office, as was the result of 2009 legislation in Minnesota, those “orphaned” schools needed to find a new authorizer. Schools may also seek to transfer to a district authorizer that can offer a subsidized facility.

**Growth in the number of authorizers:** Finally, as the number of authorizers in some states grows, the potential for a low-performing charter school to find another sponsor has also increased. The existence of multiple authorizers supports quality growth, because it allows for a check on the possibility that a lone authorizer would become hostile to charters or develop undesirable behaviors over time. However, the presence of more authorizers also creates more opportunity for a low-performing school to authorizer shop, especially if it is in

the authorizer’s interest. In the absence of clear expectations or accountability for authorizers, the growth in the number of authorizers can allow for more low-quality authorizers to enter the market. A smaller authorizer overseeing just one or two schools is much more likely to allow a low-performing school to join its portfolio, compared to a larger, more established (and often more thoughtful) authorizer.

## **PREVENTING AUTHORIZER SHOPPING WITH STATE POLICY**

No single policy is likely to curb authorizer shopping entirely. Rather, a combination of legislative actions governing authorizers and charter schools is needed. It is often much easier to implement these policies in states establishing new charter laws, before authorizer shopping becomes an issue, than after the fact.

### **Start with State Policy**

Policies that aim to tackle authorizing shopping directly and those that strengthen authorizing more generally are both crucial parts of the solution.

In states considering the addition of new authorizers, these policies should be established in the same legislation that creates these new authorizers, to stop authorizer shopping before it ever starts. In addition, new laws should address any potential loopholes in the state’s existing charter laws, such as clearly defining what constitutes a “new” school and restricting the amount of money that authorizers can receive for services rendered.

1. Explicitly regulate school transfer and closed schools. Several states’ laws explicitly block authorizer shopping. These concepts can be applied to states where authorizer shopping is occurring as well as states where authorizing shopping could arise with the creation of additional authorizers. These laws:
  - Limit the conditions for transferring authorizers. States can require a third-party approval for transfer (such as from the Department of Education) or prohibit or impose conditions on the transfer of chronically low-performing schools. For example, Minnesota law requires that both the incoming and outgoing authorizers must grant approval, or the transfer cannot take place.
  - Make closure the default action for chronically low-performing schools. Default closure laws ensure that chronically low-performing charter schools are closed, absent extenuating circumstances identified by their authorizer. In addition, laws should ensure that schools closed for performance remain closed and prohibit authorizers from authorizing schools that have been closed.
  - Identify an entity to handle exceptions. Extenuating circumstances can arise and state policy should identify which entity can determine if a legitimate exception needs to be made. For example, Indiana law requires any non-renewed school to submit a proposal to the state

board describing how it will address its deficiencies. A new authorizer can sponsor the school only if the state board approves the proposal.

2. Set and support minimum performance standards for authorizers while practicing authorizer accountability. Good authorizing policies can also address many of the misguided motivations for authorizer shopping described earlier. The following policies prevent shopping by setting a minimum floor for authorizing actions and establish basic authorizer accountability:
  - Adopt standards for charter school authorizing, such as NACSA's *Principles & Standards for Quality Charter School Authorizing*, to create universal expectations for authorizer practices.
  - Evaluate authorizers on how well they meet those expectations for authorizer practice.
  - Require authorizers to publicly report on the academic, fiscal, and operational health of schools in their portfolios.
  - Set clear expectations for how and when the state will hold authorizers accountable for both the performance of schools in their portfolios and for authorizer actions.
  - Empower the state to act if an authorizer fails to meet those expectations for portfolio or authorizer performance, including sanctions on or closing the authorizer, if need be.
  - Fund authorizers in a way that minimizes incentives to approve or renew low-performing schools. For example, Florida, Minnesota, New Hampshire, and Utah utilize performance-based funding for the virtual charter schools in their states. By requiring evidence that the schools have made progress before paying schools in full, the policies help prevent the growth and expansion of any virtual schools that aren't meeting the needs of students.

## **ADDITIONAL WAYS TO HELP PREVENT AUTHORIZER SHOPPING**

### **Complement Policies with Industry Collaboration**

These legislative options work best when authorizers complement those efforts through cooperation and collaboration.

In Indiana, the three largest authorizers meet regularly to discuss shared challenges and brainstorm possible solutions. In addition, when any authorizer denies a charter application or non-renews a school, it shares data and discuss its decision. As a result, authorizer shopping among these large authorizers has been significantly reduced.

Of course, willing authorizers can self-regulate through authorizer cooperation and communication, but it is often authorizers outside of these groups that will accept a low-performing school into its portfolio. That is why

state policies must create and enforce uniform policies against authorizer shopping.

### **Reinforce Policies with Public Transparency**

Other local stakeholders, such as research, policy, and advocacy organizations, can also play a meaningful role in curbing authorizer shopping by using data to identify and illustrate problems that might otherwise fly under the radar. For example, the California Charter School Association (CCSA) issues an annual “Public Call for Non-Renewal” of charter schools that have not met CCSA’s minimum performance standard. California, historically, has not struggled with authorizer shopping due to its authorizing structure. However, if those laws were to change, this public call for non-renewal would likely help prevent authorizer shopping by making it clear which schools were trying to avoid accountability.

## **CONCLUSION**

As authorizers bolster their accountability measures, some schools will turn to authorizer shopping to avoid closure. Well-designed policies and appropriate authorizer oversight by the state, the authorizing sector, and the public can address the causes and effects of authorizer shopping.

Several states with a history of authorizer shopping are already implementing many of these new policies, as well as finding ways to foster authorizer collaboration and public transparency.

States that experience authorizing shopping and/or are considering the addition of new authorizers should implement policies and practices to prevent authorizer shopping and ensure failing schools remain closed.

For more information on authorizer shopping and authorizing practices, visit the National Association of Charter School Authorizers: [www.qualitycharters.org](http://www.qualitycharters.org).

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2014 paper retrieved from [https://www.qualitycharters.org/wp-content/uploads/2015/08/PolicyBrief\\_AuthorizerHopping.pdf](https://www.qualitycharters.org/wp-content/uploads/2015/08/PolicyBrief_AuthorizerHopping.pdf)

**Exhibit C**

Multiple Charter School Authorizers

# MULTIPLE CHARTER SCHOOL AUTHORIZERS

## WHY AUTHORIZING MATTERS

Good charter school policy must be part of the solution to address our public education system's greatest problem: too many children lack access to a transformative education. Getting authorizing policy right is critical because good authorizing has the power to transform the lives of not just a few children, but millions.

When done well, authorizing is a catalyst for charter school quality and growth. Unfortunately, the quality of charter laws and authorizing institutions varies across the country, leading to uneven charter availability and quality.

NACSA's policy resources provide information that helps stakeholders understand common authorizing issues and increase the number of high-quality schools available to their students.

## THE VALUE OF MULTIPLE CHARTER SCHOOL AUTHORIZERS: QUALITY, DIVERSITY, AND CHOICE

Quality authorizing is the backbone of successful charter schools. Good authorizers—those with strong portfolios of charter schools—are creating better educational opportunities for students across the country.

While the quality of authorizing is more important than the quantity, the number of authorizers in a given jurisdiction or state does matter. Why? Because experience shows that the presence of multiple authorizers can strengthen a state's charter school sector. A diversity of authorizers can promote professional practices among authorizers and provide checks and balances in charter approval, oversight, and renewal decisions. But too many authorizers in a given community can dilute the overall quality of the charter sector, so it is critical for policymakers to strike the right balance.

While NACSA strongly recommends the presence of multiple authorizers, an authorizing structure only works if it creates a quality chartering ecosystem that produces more good schools for children.

## BACKGROUND

As of 2018, multiple authorizers exist in 19 of 45 states with charter laws, representing roughly 50 percent of the nearly 7,000 charter schools in the country.<sup>1</sup>

There are six types of authorizers nationwide. More detailed information on the most common types of alternative authorizers—Independent Chartering Boards, State Education Agencies, and Higher Education Institutions—can be found in our resources.

TYPE OF AUTHORIZER	EXAMPLE
Independent Chartering Board (ICB)	DC Public Charter School Board
State Education Agency (SEA)	Massachusetts Department of Education
Higher Education Institution (HEI)	State University of New York
Local Education Agency (LEA)	Nashville Metro Public Schools
Non-Educational Government Entity (NEG)	Mayor’s Office of Indianapolis
Nonprofit Organization (NPO)	Thomas B. Fordham Foundation

***Allowing only school districts to authorize charter schools is problematic.***

1. While some school districts embrace the role of an authorizer, many view it as a burden. Authorizing is complex work; doing it well requires commitment and the dedication of sufficient resources.
2. School districts are often reluctant or opposed to approving new charter schools that they perceive as competition for funds and students.
3. District-only authorizing environments prevent the sanctioning of bad authorizers, since doing so would eliminate charter schools from that jurisdiction.

***Multiple authorizers can provide checks and balances on unwanted behaviors.***

There is always a risk that an authorizer will adopt inappropriate behaviors over time, such as a cumbersome application process, or that a change in leadership will lead to biased decisions. The existence of multiple authorizers provides checks and balances on these types of behaviors: it allows for consequences for the authorizers who do not uphold their duties, without restricting charter school growth.

***Too many authorizers can stifle quality.***

In a state with many authorizers, each one often oversees only a small number of schools. For an authorizer to build enough capacity and resources to carry out its responsibilities effectively, it should authorize five or more

<sup>1</sup> Overview of Independent Chartering Boards: <http://www.qualitycharters.org/wp-content/uploads/2018/05/Overview-of-Independent-Chartering-Board-Authorizers.pdf>; Overview of State Education Agencies: <http://www.qualitycharters.org/wp-content/uploads/2018/05/Overview-of-State-Education-Agency-Authorizers.pdf>; Overview of Higher Education Institutions: <http://www.qualitycharters.org/wp-content/uploads/2018/05/Overview-of-Higher-Education-Institution-Authorizers.pdf>

schools. Authorizing only one or two schools is unlikely to produce the concentration of expertise and staffing needed to ensure quality authorizing. A large number of authorizers in a jurisdiction can also produce extreme variations in standards and practices among authorizers. In some cases, low-performing schools closed by one authorizer will go to another authorizer for approval (known as “authorizer shopping”). In these situations, a state is better served by having a smaller number of authorizers committed to quality chartering; quality is more important than quantity.

*Good authorizing is about what gets results; there is no one particular authorizing structure that works best in all circumstances.*

Good authorizing is about function more than form; there is no one particular authorizing option that works best in all circumstances. Good authorizing requires a relentless focus on quality—approving only strong applications, providing effective oversight, and exercising appropriate interventions. It requires attentiveness and sufficient capacity. Adequate funding and strong leadership, staffing, and expertise are essential resources.

## RECOMMENDATIONS AND BEST PRACTICES FOR STATE POLICYMAKERS

- **Identify institutions that will embrace the authorizing role.** Quality authorizing is closely linked to a commitment and capacity to do the work. Every state’s mix of authorizers should be committed to professionally fulfilling the role. Authorizers should be required to apply or register to be able to authorize.
- **Offer charter school applicants at least two quality authorizer options.** The presence of at least two quality authorizers provides choice to charter applicants and promotes authorizer quality.
- **Give authorizers the resources to do it well.** Authorizer fee structures or other funding streams should be available to authorizers to ensure they have the resources to build capacity to perform their job well. There is no one best formula for authorizing funding, but it should be set by the state and applied uniformly across all authorizers. If funding will be generated by collecting a fee from authorized charter schools, two to three percent of per-pupil funding is usually considered adequate.
- **Hold all charter school authorizers to high standards.** Just as charter schools are held accountable for results, authorizers should be expected to prove themselves. A well-developed state system for evaluating authorizer performance against professional standards of practice can ensure all types of authorizers are effectively fulfilling their responsibilities. When the authorizer’s practices are weak or inappropriate, or the performance of their portfolio is especially poor, sanctions should be available.

## APPENDIX: LIST OF CHARTER SCHOOL AUTHORIZERS BY STATE

STATE	AUTHORIZERS ALLOWED BY LAW	ON APPEAL ONLY	LIMITED JURISDICTION	ALLOWED BUT NOT CURRENTLY IN OPERATION
Alabama	ICB			LEA
Alaska	LEA			
Arizona	ICB, HEI			SEA
Arkansas	SEA			
California	LEA	SEA		
Colorado	LEA	ICB	ICB	
Connecticut	SEA			
Delaware	LEA, SEA			
District of Columbia	ICB			
Florida	LEA		HEI	
Georgia	LEA, ICB, SEA			
Hawaii	ICB			HEI, NEG, NFP
Idaho	LEA, ICB			HEI
*Illinois	LEA	ICB		
Indiana	LEA, HEI, ICB, NEG			
Iowa	LEA			
Kansas	LEA			
Kentucky			LEA, NEG	
Louisiana	LEA, SEA			
Maine	ICB			LEA
Maryland	LEA			
Massachusetts	SEA			
Michigan	LEA, HEI			
Minnesota	LEA, HEI, NFP			
Mississippi	ICB			
Missouri	LEA, HEI, ICB			SEA
Montana	<i>No Charter Law</i>			
Nebraska	<i>No Charter Law</i>			
Nevada	LEA, ICB			HEI
New Hampshire	LEA, SEA			
New Jersey	SEA			

STATE	AUTHORIZERS ALLOWED BY LAW	ON APPEAL ONLY	LIMITED JURISDICTION	ALLOWED BUT NOT CURRENTLY IN OPERATION
New Mexico	LEA, SEA			
New York	LEA, SEA, HEI			
North Carolina	SEA			
<i>North Dakota</i>	<i>No Charter Law</i>			
Ohio	LEA, SEA, HEI, NFP			SEA, NEG
Oklahoma	LEA, HEI	SEA	ICB, NEG	
Oregon	LEA	SEA		HEI
Pennsylvania	LEA	SEA		
Rhode Island	SEA			
South Carolina	LEA, ICB, HEI			
<i>South Dakota</i>	<i>No Charter Law</i>			
*Tennessee	LEA	SEA	ICB	
Texas	LEA, SEA			
Utah	LEA, ICB, HEI			
<i>Vermont</i>	<i>No Charter Law</i>			
Virginia	LEA			
Washington	ICB, LEA			
* <i>West Virginia</i>	<i>No Charter Law</i>			
Wisconsin	LEA, HEI		NEG	
Wyoming	LEA			

**Updates coming soon to NACSA website:**

- \*As of June 2020, IL will no longer have an ICB
- \*As of June 2021, an ICB will replace the SEA in TN
- \*A charter law just passed in WV. Only LEAs will be allowed to authorize.

NACSA develops quality authorizing environments that lead to a greater number of quality charter schools.

Learn more about NACSA at [www.qualitycharters.org](http://www.qualitycharters.org).

National Association of Charter School Authorizers, 2018

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**Exhibit D**

Leadership, Commitment, Judgment: Elements of Successful  
Charter School Authorizing



# LEADERSHIP, COMMITMENT, JUDGMENT: ELEMENTS OF SUCCESSFUL CHARTER SCHOOL AUTHORIZING

*Findings from the  
Quality Practice Project*

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NACSA would like to thank authorizing board members and staff, charter school operators, advocacy organizations, and other local actors who provided valuable data, feedback, and insight for this report and throughout the Quality Practice Project. We are also grateful to staff from Public Impact who were thought partners from the beginning of this project, led the data collection and analysis efforts on academic performance, participated in advisory panel meetings, participated in multi-day site visits with NACSA staff, and assisted in making sense of the findings. All content, errors, omissions, and conclusions are solely those of NACSA.

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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](http://www.qualitycharters.org).

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# FROM THE DESK OF M. KAREGA RAUSCH, NACSA VP OF RESEARCH EVALUATION

I had the privilege of authorizing charter schools in Indiana for over a decade. Our still young profession—only 25 years old—has the humbling and exciting responsibility of determining the quality of charter schools in every city and state.

How do we deliver on that responsibility? That is the single most important question authorizers spend time on. I know we did.

Our field has been well-served by the foundational practices established through the wise counsel and guidance of some of the nation's first authorizers and trailblazers. Yet, the quality of charter school portfolios still varies tremendously from authorizer to authorizer. It's clear the profession needs to know more, dig deeper, and perhaps most importantly, connect practices to results for students and communities.

Fortunately, we are now at a point where there are authorizers and communities with very high-performing charter schools. What are the nation's best authorizers doing differently to achieve great outcomes?

This question was at the heart of NACSA's three-year research project to identify authorizer practices associated with high-quality school portfolios. We launched the Quality Practice Project (QPP) by examining the practices of authorizers with the strongest sets of charter schools in the country, as measured by many student and community outcomes. We then looked at the practices of authorizers with average portfolios. When we compared the two, we were able to see clear distinctions.

Here, we release the first results of this groundbreaking research. We learned a lot. Among the most important is that while successful authorizers are grounded with smart systems and tools, they are **empowered to make the best decisions for children through great leadership, institutional commitment, and strong professional judgment.**

I urge you to spend some time with our key findings, the practices that separate authorizers with exemplary from average portfolios, and the case studies of five great authorizers.

Of course, this work is never done. NACSA will work with authorizers and the field to incorporate these findings into their day-to-day work. In addition, since the needs of students, families, and communities continue to evolve, so will what we need to know about authorizing practices that meet those needs.

We are excited to share the results of this first-of-its-kind research project on charter school authorizing. We are confident that this work will, over time, lead to stronger results for students and communities across the country.

Sincerely,



M. Karega Rausch, Ph.D.

# ABOUT THE PROJECT

The *Quality Practice Project* (QPP) is NACSA's multi-year research initiative to identify what high-performing authorizers do to achieve stellar student and public interest outcomes. Participants and researchers collaboratively investigated the perspectives and practices of high-performing authorizers compared with a sample of authorizers achieving moderate, but not weak outcomes. This first-of-its kind research and NACSA's report based on its findings are an important step toward developing a more evidence-informed connection between practices and outcomes.

## Selecting Authorizers Based on Outcomes

NACSA enlisted the talents of a diverse and well-recognized group of authorizers and accountability experts to develop a set of outcome criteria used to judge authorizers. This Advisory Panel agreed on a set of 11 indicators separated into two broad categories:

*Portfolio Outcomes* (e.g., student performance, protecting student and public interest, transparency) and *Performance Outcomes* (e.g., closing failing schools, allowing quality schools to expand).

## Studying Similarities and Differences

Intensive case studies were conducted with authorizers with strong and moderate outcomes. This involved document reviews, artifact reviews, multi-day on-site visits, interviews with authorizing institution members, and interviews with other key stakeholders in the authorizer's context (e.g. charter associations, school leaders). Areas of commonality and difference were examined and tested, resulting in a list of practices and contexts that appear similar and different across these two groups of authorizers.

## Validation and Engagement

Initial findings were presented to the Advisory Panel and participating authorizers, who provided feedback. Additional non-participating authorizers (through NACSA's Leaders Program) and internal staff were given the opportunity to provide feedback on findings. Those engagement and feedback opportunities resulted in a strengthened and validated set of findings.

## Using Findings

NACSA and authorizers with strong portfolios will work with the field to promote adoption of QPP practices and contexts for successful authorizing. In addition, NACSA will work with authorizers to more deeply understand which practices and approaches seem to make the strongest contributions to improved outcomes.

The method and process used by the QPP has been used successfully in other educational and business research to identify correlates of success. It does not, however, yield causal relationships. Thus, findings from the QPP are best positioned as strong correlates of outcomes worthy of consideration, adoption, and further testing. More research is needed to yield causal relationships between authorizer practices and outcomes.

*A list of the QPP Advisory Panel members, QPP Sample & Methods, descriptions of Portfolio and Performance Outcomes, and the Interview & Document Review Protocol are all available in the appendices.*

# KEY FINDINGS

Great authorizers—those with strong school portfolios and performance outcomes—implement foundational best practices that NACSA has promoted for years. But to achieve outstanding outcomes, more is needed. When compared to others nationally, great authorizers also share certain additional unmistakable characteristics:



## LEADERSHIP

Great authorizers are dedicated to a mission of giving more children access to better schools through the proactive creation and replication of high-quality charter schools and the closure of academically low-performing ones.

- **The State University of New York’s Charter School Institute (SUNY)** sent a clear message early in its existence with several high-profile closures of failing schools, which signaled it would put the interests of students above all else and that trustees and staff were serious about upholding standards. These early moves helped improve the quality of their portfolio in another way: stronger charter school operators who value tough but supportive oversight have flocked to them, while those desiring to fly under the radar or not interested in strong accountability have tended not to apply to SUNY.
- **Metropolitan Nashville Public Schools** created a successful, well-vetted application process that is the key to the quality of its portfolio. With smart application and opening tools in place, the authorizer was able to successfully recruit both homegrown operators that grew into networks and national charter management organizations to the district. It was also able to remain focused on quality during a period of increased application activity that followed sweeping education reforms in Tennessee in 2009-11. In addition, their Office of Charter Schools advocates for charter schools within the district, helping them navigate intra-district issues and ensuring that schools receive the resources and support to which they are entitled.

*“We authorize strong schools that not only create a love of learning, but actually ensure students learn. If still more parents want that program, we replicate it. When schools fail to live up to their mission, they close.”*

*–Susie Miller Carello, Executive Director, SUNY Charter Schools Institute*



## JUDGMENT

Great authorizers make decisions based on what will drive student outcomes, not based on checking boxes or personal beliefs.

- Leaders and staff at the **Massachusetts Department of Elementary and Secondary Education** and its Office of Charter Schools and School Redesign have created a strong culture of professional judgment. Despite having created many of the processes and tools now regarded as best practices in charter authorizing, key application and intervention decisions—to a remarkable extent—are grounded in the professional judgement of staff. The highest value is often the collective wisdom of an experienced and highly-skilled team, whose understanding of quality is well aligned and routinely fine tuned. As a senior staff member put it, “Authorizing isn’t paint by numbers.”
- When collecting key accountability data, **Washington, D.C.’s Public Charter School Board** allows schools to correct erroneous data, even if the deadline

has passed. This ensures that high-stakes accountability is based on accurate information. They engage in a holistic approach to reviewing new and expansion charter applications, using a balanced assessment of strengths and weaknesses of leadership, academic program, finance, and equity that a scoring rubric would not. Board and staff join together for a final evaluation called “defense day,” where they debate what the decision should be. They have built a strong procedural foundation while building flexibility and discretion into decision making.

*“Outcomes in authorizing matter: you have to know whether, and to what extent, you’re impacting student outcomes and changing lives. Specifically, are the resources—time, money, people, professional development—substantially changing the education landscape for the better?”*

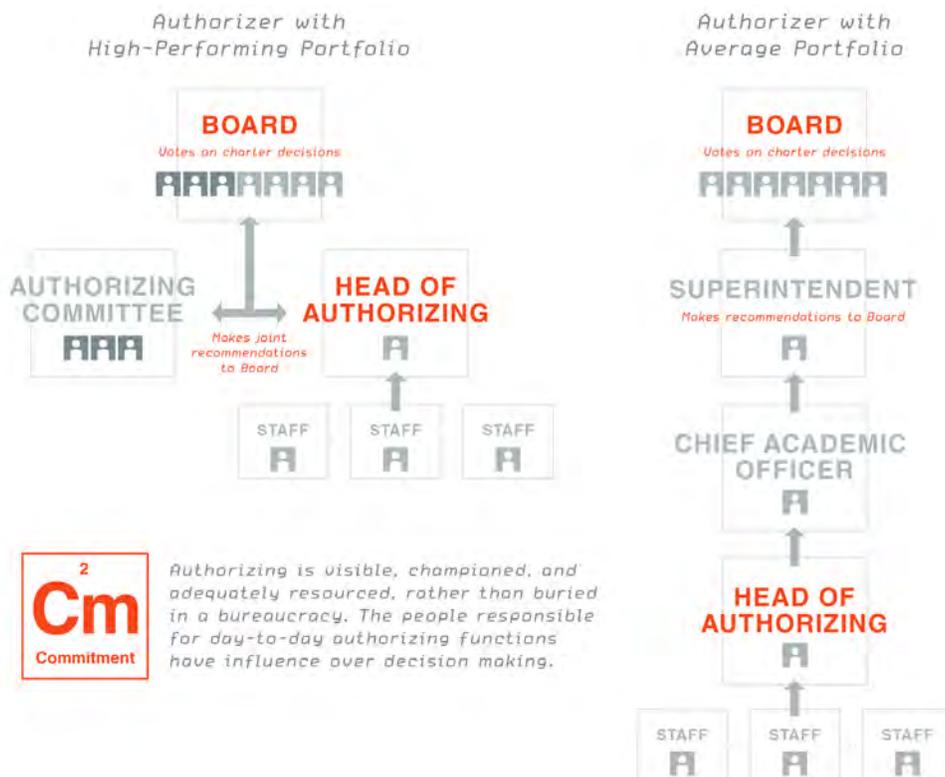
*—Kathryn Mullen Upton, Vice President of Sponsorship & Dayton Initiatives, Thomas B. Fordham Foundation*



**COMMITMENT**

Great authorizers reflect their institution’s commitment to quality authorizing. Authorizing is visible, championed, and adequately resourced, rather than buried in a bureaucracy. The people responsible for day-to-day authorizing functions have influence over decision making.

**Sample Organizational Charts:**



- The **State University of New York (SUNY)** Charter School Institute’s commitment to expanding quality options has been fostered by its structure of political accountability. The Institute is not part of the State Education Department, home of New York’s other statewide authorizer. The Institute’s leadership reports directly to SUNY’s Trustees (the final decision makers on high-stakes authorizing functions and decisions), providing important, direct influence on these decisions. The governor appoints the Trustees to seven-year terms, which provides the Institute with a layer of electoral accountability, as well as some insulation from influences and agendas unrelated to the Institute’s mission. This political independence gives the organization a kind of nimbleness.
- Authorizing is one of three ways the **Thomas B. Fordham Foundation** works to increase school quality. The Foundation has maintained this organizational commitment to quality authorizing since 2005 by supporting—financially and in terms of human capital—a largely autonomous, highly visible authorizing operation. While day-to-day decisions are left to the authorizing staff, Fordham has an experienced and engaged leadership team (which includes head authorizing staff) and board of trustees. Their input helps to guide staff work and is critical to high-stakes decision making. Fordham’s commitment goes beyond quality authorizing of great schools: it seeks to be an exemplary authorizer for others to emulate.

# PRACTICES THAT MATTER

NACSA examined the contexts and practices of authorizers with some of the strongest portfolios of charter schools in the country and those of authorizers with average portfolio performance. When we compared the two groups of authorizers, many distinctions emerged.

The following contexts and practices apply to authorizers with strong charter school portfolios. Although there are clear distinctions that set authorizers with strong portfolios apart from those with average portfolios, findings associated with both cannot be dismissed as unimportant. Our research did not examine authorizers with low-performing schools; while not tested, some findings may be necessary for at least an average school portfolio, or foundational for a strong portfolio of schools.

For ease of discovery, we've organized our findings into four categories:

1. Authorizer culture and characteristics
2. Application and school opening
3. Monitoring and intervention
4. Renewal, expansion, and closure

NACSA encourages authorizers to review these findings against their own work and ask questions about how they could improve. In some settings, authorizers may encounter barriers preventing the replication of some of these practices and contexts. In these instances, authorizing institutions, authorizing staff, local advocates, and policymakers should work together to remove such barriers.

# AUTHORIZER CULTURE AND CHARACTERISTICS

## Decision Making and Culture

GOAL SETTING	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>• Authorizer goal setting and planning tends to be focused on annual core authorizing activities and are not part of a long-term (multi-year) traditional strategic plan.</li> <li>• Authorizers tend to have goals and activities specific to cyclical authorizing functions (e.g., application season, renewal season, site visit season).</li> <li>• Authorizing goals and key activities are updated at least annually and are specific to local context.</li> <li>• Authorizers have an intentional goal alignment process, in order to avoid conflicting goals and activities and/or to ensure they have adequate capacity to execute multiple goals.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

DATA “OBSESSED” CULTURE	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
 <ul style="list-style-type: none"> <li>• Actively and intentionally acquire school data, including collecting data that may be disconfirming to perceptions. Data is actively explored, and incorporated into decision making (aligned with key decisions that need to be made, used to make all high-stakes decisions).</li> <li>• Only ask schools for information they are unable to reliably and accurately get from other sources.</li> </ul>	<ul style="list-style-type: none"> <li>• Use accumulation of evidence to answer key questions. Authorizer never relies on one piece of data/evidence.</li> <li>• Authorizing staff provides comprehensive, data-based rationales for unambiguous high-stakes recommendations to board. This is designed to provide the board with clear direction, information, and justification to make high-stakes decisions.</li> </ul>

## DECISION MAKING

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
 <ul style="list-style-type: none"> <li>Professional staff is not bound by protocols, templates, or other authorizing tools that limit their decision making. Staff has a clear belief and orientation that such tools assist, not dictate, decisions (a high degree of professional judgment is used in decision making).</li> <li>Staff do not use professional judgement in decision making based on opinions or beliefs, or independent of tools and protocols. Rather, they make decisions grounded in facts, data, and expertise from a robust body of evidence.</li> <li>Create and use protocols and processes that allow for nuanced discussions, and collect numerous qualitative and quantitative data to inform and justify decisions with evidence.</li> <li>Do not require or prefer an “if-then” type of intervention system post school opening (i.e., a system that lays out an authorizer’s response/requirements to specific offenses/ issues that come up a priori). Rather, preferred intervention system includes professional judgment, deliberative conversations, and utilizing past responses that were effective in remedying situations.</li> </ul> 	<ul style="list-style-type: none"> <li>Have well-developed protocols and tools that are used in decision-making.</li> <li>There are no “point totals” that solely dictate decisions.</li> </ul>

## RELATIONSHIP TO SCHOOLS

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>Authorizers view role as supporting school success, not as a “compliance cop.” Yet they also draw a very clear line between providing “support” and “direction,” the latter of which is strongly avoided.</li> <li>Intentionally develop relationships with school staff and leadership, typically through visits to the school and phone calls, outside of formal accountability processes.</li> </ul>	<ul style="list-style-type: none"> <li>Authorizers have a sense of humility about their work in relationship to that of people in schools. This sense of humility results in an orientation that authorizers not only shouldn’t, but can’t, give schools direction on how to improve.</li> </ul>

## CONTINUOUS CREATION, IMPROVEMENT, AND DISSEMINATION

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>• Avidly seek out new/best practices from other authorizers (and at times other sectors), and modify to fit their context.</li> <li>• Structured, cyclical opportunities for staff reflection and self-critique on practices and systems.</li> <li>• Continually (typically annually) review policies and procedures, and roll back unneeded paperwork or compliance burdens on schools.</li> </ul>	<ul style="list-style-type: none"> <li>• Entrepreneurial in creating new authorizing practices or new ways of executing existing authorizing practices.</li> <li>• “Open-source” culture; share practices with other authorizers.</li> </ul>

## Mission and Environment

### MISSION STATEMENT AND PURPOSE

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Authorizers have a mission statement specific to authorizing that speaks to the organization’s unique strengths or circumstances. Authorizers that exist within a larger “parent” organization also have an authorizing-unique mission statement.</li> <li>• Mission and vision statements are varied, likely connected to local context.</li> <li>• Authorizers are principally focused on authorizing strong schools, but also explicitly see their role as larger than that function (e.g., filling community gaps/ needs, catalyzing systemic change in public education, revolutionizing authorizing).</li> </ul> 

## ORGANIZATIONAL VALUES

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
 <ul style="list-style-type: none"> <li>Organizational values are explicit and reinforced through a range of activities, such as being posted in visible locations throughout the office or staff readings and discussions about original and current authorizing purposes.</li> <li>Authorizers actively share and inculcate staff in their “creation story” in order to influence and shape current culture (i.e., how they became an authorizer and important early actions that continue to reinforce their values and principles, such as early closure of low-performing schools).</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>

## EXTERNAL ENVIRONMENT

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>N/A</li> </ul>	<p>Authorizing often exists in a supportive charter school ecosystem with:</p> <ul style="list-style-type: none"> <li>A state association (or equivalent) focused on state level advocacy and that is often aligned with authorizer needs around quality (although some healthy tension was noted in many places).</li> <li>Support organizations that help with application and new school development, often explicitly aligned with the authorizer’s written expectations (application areas and pre-opening spaces).</li> <li>Support organizations that help with existing school improvement.</li> </ul>

AUTHORIZING WITHIN LARGER PARENT INSTITUTIONS	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
 <p>Authorizing is a highly important and visible function within the larger “parent” organization.</p> <ul style="list-style-type: none"> <li>• Role of authorizing is explicitly mentioned in the larger parent organization’s strategic plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Non-authorizing staff within larger organization is encouraged to participate and add value to key authorizing activities (e.g., applications); however, decisions on which non-authorizing staff to include reside within authorizing senior leadership.</li> </ul>

SENIOR AUTHORIZING LEADERSHIP	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<p>Highly empowered in decision making. Examples include:</p>  <p>Authorizing head (e.g., Executive Director) reports to Board and/or authorizing staff makes high-stakes recommendations directly to the Board.</p> <ul style="list-style-type: none"> <li>• History of long-tenured senior leadership, including multiple long-tenured executive directors (typically 5+ years).</li> <li>• Senior authorizing leadership has needed exemptions from “parent” organization policies, if any, in staff hiring, development, and termination.</li> <li>• Authorizing office is not subject to institutional forced placement (formally or informally pressured).</li> </ul>	<ul style="list-style-type: none"> <li>• Set a tone of urgency, provide a buffer from political and other distractions, and build bridges to external sources of information and support.</li> <li>• Clear conceptual agreement between senior authorizing staff and board on purposes of authorizing and decision-making alignment.</li> </ul>

BOARD RELATIONS	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>• Board subcommittees help staff with high-stakes decisions including serving as a thought partner and facilitating larger board decision making.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

## STAFF DEVELOPMENT

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
 <p>Staff develop explicit strategies to ensure a shared understanding of and expertise in quality authorizing. Examples include:</p> <ul style="list-style-type: none"> <li>• New hires are trained in more than just their role (i.e., cross-training on other authorizing functions).</li> <li>• Cross-team work (“all hands on deck” work) is explicit and required, and leads to “bench strength.”</li> <li>• Authorizing staff development is a critical organizational commitment and tends to be developed around the needs of individual staff members aligned with organizational goals.</li> <li>• Staff attend and present at major conferences.</li> <li>• Specific and concrete steps are taken to ensure alignment among staff (e.g., retreats, re-norming exercises), and avoid decisions by anecdote or opinion.</li> </ul>	<ul style="list-style-type: none"> <li>• Authorizing staff, not larger parent organization, drives professional development.</li> <li>• Parent organization provides relevant professional development opportunities typically outside of authorizing, but are still relevant to staff (e.g., trainings on new state laws/policies, human resources).</li> <li>• Authorizers have multiple examples and an organizational culture of “promotion from within.”</li> <li>• The number of staff dedicated to authorizing generally and to specific authorizing functions varied across authorizers, but each ensured enough staff to manage core authorizing functions.</li> </ul>

## Application and School Opening

APPLICATION DEVELOPMENT	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
 <ul style="list-style-type: none"> <li>• Authorizer provides denied applicants detailed feedback to (a) provide a public record of why an applicant was denied and (b) assist the applicant in reapplying in a later cycle. Denying an applicant (with clear feedback on the reasons for that denial) is not seen as a negative outcome for the authorizer.</li> <li>• When conditional approval is granted, its purpose is to specify technical changes to the proposal that need to be made, not as a method to allow the applicant to further develop and improve their proposal.</li> </ul>	<ul style="list-style-type: none"> <li>• View application process as an “iterative” process. It is not uncommon for a denied applicant to reapply in a future application round.</li> <li>• Applicants are encouraged to contact the authorizer for informal conversations regarding the application process. Authorizers may also provide formal applicant training specific to the steps in their application process and common errors prior applicants have made. They do not, however, provide evaluative feedback on any individual application prior to submission.</li> <li>• Authorizer has a multi-stage process in which applicants are provided feedback at each stage and are permitted to respond to feedback during the process.</li> <li>• Authorizer has an application amendment process and/or awards conditional approval to strong applicants, allowing some minor additional development prior to opening.</li> <li>• Authorizer gives the applicant the opportunity to withdraw the application prior to a formal notice of denial.</li> </ul>

TRANSPARENCY	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>• Authorizer provides applicants and the public detailed information about the application process including timelines, evaluation criteria, previously submitted and reviewed applications, feedback and correspondence with prior applicants, and recordings of board meetings and application hearings.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

## APPLICATION STAFFING

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"><li>• Specific authorizing staff are assigned to oversee the application evaluation process.</li><li>• Authorizing and/or other parent organization staff members responsible for access and equity questions/issues are involved in application review.</li><li>• Reviewers receive detailed training on the application criteria and “normed” regarding what constitutes a successful application.</li></ul>	<ul style="list-style-type: none"><li>• Staff from across the larger parent organization participates in application evaluation process (i.e., not just the staff assigned to “authorizing”), at the direction of senior authorizing staff.</li><li>• Multiple reviewers evaluate each application.</li><li>• Reviewers are trained on the application criteria.</li><li>• Application reviewers come from different professional backgrounds and have diverse expertise, but are not necessarily “external” to the authorizer.</li></ul>

## APPLICATION CRITERIA, DUE DILIGENCE, AND SCORING

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>• All application requirements have associated evaluation criteria and are formally evaluated.</li> <li>• The application only includes elements necessary to evaluate the quality of the application.</li> <li>• Evaluation criteria describe both the rigorous standard and the specific information required to meet the standard.</li> <li>• Authorizer focuses on the strengths and weaknesses of each applicant and reaches an evidence-based recommendation via discussion, debate, and professional judgment.</li> </ul>  <ul style="list-style-type: none"> <li>• Authorizer ensures that all parts of the application are internally coherent and reinforcing. It does not evaluate an application solely by its ability to meet standards in the discrete areas of education, business/finances, and organizational capacity.</li> </ul>  <ul style="list-style-type: none"> <li>• Authorizer does not have stated preferences for certain school missions or types of educational models. The authorizer may identify geographic areas or communities of educational need, but does not specify a preference for specific types of schools.</li> <li>• Has different requirements depending on the type of application received (e.g., start-up, replication), in-portfolio versus out-of-portfolio replications, type of school proposed (e.g., virtual, Alternative Education Campus [AEC]) and who is involved in the application (e.g., charter management organization [CMO], education management organization [EMO], independent).</li> </ul>	<ul style="list-style-type: none"> <li>• Authorizer has systems to conduct due diligence on the performance of existing operators.</li> <li>• Reviewers do not simply “score” the application, but identify strengths and weaknesses in each application.</li> <li>• Require applicants to demonstrate community outreach and demand for the school. Demonstrating outreach and demand can be done through a variety of mediums including community hearings, surveys, and other sources of evidence of demand presented within the written application. Pointing to less than adequate academic performance among similar schools in an area is not enough to demonstrate demand and insufficient in demonstrating community outreach. All authorizers saw value in outreach and demand, although some noted it’s also in statute and not discretionary.</li> </ul>

## APPLICANT INTERVIEW

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"><li>• Authorizers do not interview all applicants, but do interview all “qualified” applicants based on pre-existing standards established by the authorizer.</li><li>• Authorizers are systematic and formal about developing interview questions. Questions are developed ahead of the interview, are based on a thorough review of the written application, are coordinated across interviewers to eliminate redundancy, and are often scripted.</li><li>• Interview team looks for both the content of the answers and also who answers the question. They look for and evaluate the degree to which there is broad understanding of the application, issues raised, and if appropriate people are answering key questions (e.g., if the CMO/EMO is answering questions that board members should answer).</li></ul>	<ul style="list-style-type: none"><li>• The applicant interview is an essential component of the application evaluation process.</li><li>• Authorizer has specific “red flags” (that vary across authorizers) that indicate that an applicant group lacks the capacity to operate a school.</li><li>• Interview questions are prepared ahead of time, are tailored to the applicant, and designed to gather more information about application weaknesses or areas of the application that lack clarity.</li><li>• Interviews are in-person. Multiple members of the applicant group are asked to attend the interview and multiple authorizing staff members participate in the interview.</li></ul>

## APPLICATION DECISION MAKING

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"><li>• Final submitted (and approved) application is a detailed blueprint for school opening and operation. Very little is left for later development.</li></ul>	<ul style="list-style-type: none"><li>• Authorizer relies on successive stages and multiple sources of information to reach application decisions, and applications can be denied at each stage.</li><li>• Authorizing staff submits recommendations for approval to the Board, but makes denial decisions without board input.</li></ul>

## PRE-OPENING PROCESS

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
 <ul style="list-style-type: none"> <li>• Unlike other areas of authorizing practice, authorizers are very hands on (sometimes quite intensively) in the pre-opening process, including directing schools on areas for change, collaborating with school support organizations, providing explicit informational and step-by-step resources for schools, and advocating on behalf of schools when necessary.</li> <li>• Authorizers use the pre-opening process to build relationships, set expectations, and provide technical assistance to schools.</li> </ul>	<ul style="list-style-type: none"> <li>• Authorizer has a pre-opening process to identify whether a school has demonstrated it is ready to open.</li> <li>• Authorizer isn't afraid to hold schools accountable for not successfully completing pre-opening process, including not letting a school open.</li> </ul>

## CONTINUOUS REFLECTION AND IMPROVEMENT

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>• Authorizer reviews its application process after each cycle to improve its efficiency and validity. The authorizer typically makes small technical updates to its application process after each cycle, and when reviews suggest a need for substantial changes, makes such changes after that cycle.</li> <li>• Authorizer seeks input from staff, reviewers, applicants, and the community regarding changes to the application process.</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

## Monitoring and Intervention

MONITORING	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
 <ul style="list-style-type: none"> <li>• Ongoing monitoring is clearly aligned with contract/charter expectations. Schools know exactly what the authorizer is monitoring and why. Similarly, because authorizer intervention is aligned with contract expectations, schools knew what things would and would not lead to authorizer intervention (although how an authorizer intervenes/responds varied; see section on use of professional judgment).</li> <li>• Authorizers require detailed plans, of which every part is analyzed, for student enrollment processes and systems. Plans are typically approved annually, but the authorizer collects data to identify issues more frequently, typically monthly or quarterly.</li> <li>• Authorizers have internal authorizing staff with an explicit focus on equity and access (although this was typically not the staff members' only responsibility area). Specific to ongoing oversight/monitoring, such staff is responsible for school monitoring, performance framework data collection, and renewal decision-making information.</li> <li>• Frequently collect data/monitor (monthly or quarterly) and have internal capacity to tell the difference between concerning financial performance data (e.g., data that might trigger a conversation with or notice to the school) compared to serious short- or long-term financial crises (e.g., data that required an immediate response from the school and/or immediate authorizer action).</li> </ul>	<ul style="list-style-type: none"> <li>• Authorizers have conversations with schools when any issues are identified prior to issuing any formal notices (and many don't issue formal notices unless circumstances are dire and/or school is unresponsive)</li> <li>• Authorizers used a number of different methods to collect and hold schools accountable for organizational oversight. While an individual authorizer typically does not use all methods, a list of commonly used methods includes meetings with schools, written inquiries, stakeholder surveys and focus groups, attending governing board meetings, online monitoring systems in which schools uploaded data, site visits, and an annual report from schools that included reporting on organizational performance indicators.</li> <li>• Alignment between staff operating the authorizer's monitoring and intervention system (with a preference for the same person or people managing both). Such a system provides schools with a monitoring-intervention process that seemed to increase the chances that corrective actions were aligned with findings from ongoing monitoring.</li> </ul>

## CHARTER FOCUS AND AMENDMENTS

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"><li>N/A</li></ul>	<ul style="list-style-type: none"><li>Contracts/charters are limited in scope and focused on only two things: (a) what is required by state law and (b) what is necessary to hold a school accountable as determined by the authorizer.</li><li>Authorizers set a high bar for charter amendments, reserving approval for changes only to areas deemed “material.” In addition, authorizers intentionally limit “material” areas that require formal authorizer approval to maximize school autonomy.</li></ul>

## SCHOOL FEEDBACK AND SITE VISITS

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"><li>A strong feedback loops exist between the authorizer’s monitoring system and schools, which gives schools clarity on where they stand relative to authorizer expectations.</li><li>Authorizers provide schools with feedback documenting areas of strength or concern through a variety of mediums (site visit reports, informal conversations, compliance reports) immediately or shortly after monitoring activities occurred.</li><li>Use formal site visits to collect information about schools, and use the site visit process to facilitate difficult conversations with schools when needed. Information from site visits are used to provide a more robust assessment of school performance, and often augment and amplify other quantitative performance information. Data collected during site visits are intentionally and specifically planned, and site visits are not organized as a “gotcha” exercise.</li></ul>	<ul style="list-style-type: none"><li>Authorizer publishes, at least annually, individual school performance reports aligned to framework expectations on at least academics, operations, and finances.</li></ul>

## PERFORMANCE MEASURES & EXPECTATIONS

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>Performance measures are legally binding in some way, meaning they can be legally enforced via an accountability plan or performance framework. Those measures are typically included as part of the contract between an authorizer and school (or incorporated by reference) or other means by which the authorizer had legal standing to enforce performance expectations.</li> <li>Schools can establish school specific goals that are approved by the authorizer, but authorizers varied in their encouragement of schools establishing their own indicators.</li> <li>Academic accountability frameworks typically include measures of student growth, student proficiency, post-secondary indicators, college and career readiness indicators and school specific goals. Authorizers establish a common set of required academic goals (and, as noted previously, schools can set additional goals if they choose to).</li> <li>Financial accountability measures include both near-term and sustainability measures.</li> <li>In addition to governance, other common operational areas included facilities requirements, requirements to adhere to applicable law, requirements for special populations (i.e., reporting requirements and adherence to applicable law), enrollment process compliance and results, reporting and compliance requirements, student health and safety expectations, requirements for the school environment, teacher and staff licensing requirements, and financial management reporting requirements.</li> <li>There is variance between authorizers on the degree to which financial and operational goals are uniformly applied or school-specific.</li> </ul>

## Charter Renewal, Expansion, & Closure

RENEWAL	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>Academic performance expectations for renewal represent the bar for a quality school, not the minimum expectations to avoid closure.</li> <li>Ensure schools are not held accountable for expectations that are not present or known throughout the charter term (i.e., “no surprises”).</li> <li>To ensure renewal decisions are unambiguous, authorizers have clear alignment of renewal documents, renewal criteria, renewal rubrics, renewal application ratings, performance frameworks, charter contract clarity on renewals, and recommendations.</li> </ul>

EXPANSION & REPLICATION	
<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<div data-bbox="142 1119 235 1213" style="float: left; margin-right: 10px;"> </div> <p>Authorizer’s criteria and standards for school operator past performance is exceptionally clear. Schools seeking to replicate or expand know if they should even apply or not.</p> <ul style="list-style-type: none"> <li>Replication application is not automatically approved, even for schools that meet past performance criteria and standards. The review for potential replicators is different but never automatic and never without a thorough review. Decisions for replication are based on a number of factors (e.g., capacity to replicate, potential location), but are most heavily weighted on past academic, financial, and organizational performance.</li> <li>Authorizers provide incentives for replication or expansion (e.g., reducing per-student oversight fee and expedited application process, charter amendment process rather than new or expedited application process, access to facilities).</li> </ul> <div data-bbox="142 1707 235 1801" style="float: left; margin-right: 10px;"> </div>	<ul style="list-style-type: none"> <li>In-portfolio replicators (i.e., those already in the authorizer’s portfolio) have an expedited application review process.</li> <li>Potential replicators, particularly in-portfolio replicators, are not required to submit any information the authorizer already possesses or can easily acquire.</li> </ul>

## CLOSURE

<i>Strong Portfolios Only</i>	<i>Both Strong and Average Portfolios</i>
<ul style="list-style-type: none"><li>• When a school's performance meets the authorizer's standards for closure, authorizing staff prefers to work with the school's board to relinquish the charter rather than initiate a formal closure by the authorizer.</li><li>• Authorizer informs the school and its board of underperformance years in advance of the end of the school's charter term. Through multiple feedback loops described in other sections, including formal face-to-face meetings with the school leader and school's board, the authorizer ensures the school is aware of performance that may lead to non-renewal, typically multiple years in advance of the school's renewal cycle.</li><li>• Authorizer takes an active role when a school is closed. This can include trying to find a replacement operator and project managing (either directly or through other organizations) the process of ensuring students have access to another school.</li></ul> 	<ul style="list-style-type: none"><li>• N/A</li></ul>

## ELEMENTS IN ACTION: FIVE CASE STUDIES

At the heart of QPP is the close-up study of a small group of stellar authorizers, chosen for the strong outcomes of their portfolios of schools. By spending significant time on the ground with these five authorizers—studying, observing, questioning, learning, cataloging—NACSA has significantly expanded knowledge about what great authorizing looks like.

The process involved document reviews, artifact reviews, multi-day on-site visits, interviews with authorizing institution members, and interviews with other key stakeholders in the authorizer’s context (e.g., charter associations, school leaders). The result is tangible examples of the authorizer practices associated with high-quality charter school portfolios.

What follows are snapshots of each of the five case studies, which are available in full on our [website](#). Each sketch highlights examples of three essential elements in action in that particular authorizer’s office: leadership, commitment, and judgment.

# DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD



*“We have learned over many years, across many states and cities, that good authorizing is more likely to result in a strong charter school sector. NACSA has for years defined the basic building blocks of good authorizing. The QPP project takes that a step further, looking beyond basic practices to more foundational conditions, such as the beliefs, approaches, and organizational structures that characterize strong charter authorizers.”*

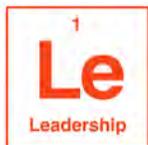
— Scott Pearson, Executive Director, District of Columbia Public Charter School Board

## Why DC PCSB?

The District of Columbia Public Charter School Board (DC PCSB) is one of the top charter school authorizers in the country, based on an 11-point evaluation of school portfolio and authorizer performance outcomes. Some facts of note about DC PCSB:

- DC PCSB opened its first charter school in 1998 and is the sole charter school authorizer in the District of Columbia. By 2017-18, it had grown to be authorizer of 120 charter schools and 46% of public school students in the district were attending charter schools.
- DC PCSB holds its charter schools accountable for their performance, closing 23 schools over the past six years.
- DC PCSB actively encourages high-performing schools to grow. Those efforts appear to have had their intended impact: during the last four years, the DC PCSB approved the expansion of 31 high-performing schools.

## Leadership, Commitment, Judgment at DC PCSB



**Leadership:** DC PCSB approves schools to open in neighborhoods that desperately need good schools, even in the face of pressure to not open new schools. They minimize personal preference in models and approaches by creating policies and frameworks that narrowly focus on student academic achievement expectations, equity of access and learning, and financial stability. The authorizer has pioneered robust transparency in school results, including the areas of discipline and finances, despite pushback from schools about potential damage to their image. They have been rigorous about closing low-performing schools, even in the face of political pressure not to.



**Commitment:** The DC Public Charter School Board has a single mission: to provide high-quality public charter schools to students and families. DC PCSB's board is independent and committed to their job of quality authorizing, while maintaining a larger vision to serve as a national model for authorizing. The authorizer has exclusive control over the use of funds, and consistently invests in systems to improve authorizing. For example, they now have a data team to allow staff to better focus on school results and outcomes.



**Judgment:** When collecting key accountability data, DC PCSB has always allowed schools to correct erroneous data even if the deadline has passed. This ensures that high-stakes accountability is based on accurate information—more important to them than adhering to data submission deadlines. They engage in a holistic approach to reviewing new and expansion charter applications that uses a blended and balanced assessment of strengths

and weaknesses of leadership, academic program, finance, and equity that a scoring rubric would not. Board and staff join together for a final evaluation called “defense day,” where all staff who have participated in the review gather to debate what the decision should be. They have built a strong procedural foundation while building flexibility into decisions, allowing leadership some discretion in decision making.

## IMPACT

DC PCSB has closed 23 schools over the past six years and their results continue to significantly outpace district averages. Despite an oversight fee 1/3 that of many authorizers, they are amply funded. Having control over their resources allows them to be efficient and at the same time direct resources where needed. Their poorest neighborhoods have over a dozen high-quality “Tier 1” schools (a marker of quality in the DC community) and more students in Washington, D.C. attend these schools than ever before. DC Equity Reports are a national model in data transparency about school performance in multiple areas.

They are not afraid to take risks in approving great, yet unproven, ideas, and indeed have approved some excellent schools that might have failed a strict rubric. One example is Monument Academy, which serves foster students and is becoming a national model in this area.

The full case study, *A Look at District of Columbia Public Charter School Board: Case Study Analysis for the Quality Practice Project*, is available on our website at <http://www.qualitycharters.org/research/quality-practice-project/>.

## THOMAS B. FORDHAM FOUNDATION



*“Outcomes in authorizing matter: you have to know whether, and to what extent, you’re impacting students and changing lives. Specifically, are the resources—time, money, people, professional development—substantially changing the education landscape for the better? NACSA’s in-depth work to identify practice-linked outcomes is important to the profession because it identifies key characteristics of top authorizers. This enables others in the field to capitalize on this information and in turn improve the sector as a whole.”*

*—Kathryn Mullen Upton, Vice President of Sponsorship & Dayton Initiatives, Thomas B. Fordham Foundation*

### Why Fordham?

The Thomas B. Fordham Foundation (Fordham) is one of the top charter school authorizers in the country, based on an 11-point evaluation of school portfolio and authorizer performance outcomes. Some facts of note about Fordham:

- By 2017-18, Fordham was authorizing 13 brick and mortar charter schools located throughout Ohio, educating just over 5,000 students.
- Fordham charter schools have full autonomy within the bounds of federal and state law. Fordham does not exert direct control or any undue influence over their schools’ governance, operations, or educational plans.
- The majority of its charter schools were in the “Very High” or “High” academic growth categories in Reading and Math at the time of NACSA’s analysis.

### Leadership, Commitment, Judgment at Fordham



**Leadership:** Fordham has other functions besides authorizing; however, the authorizing work has never been subordinate to the other work of the organization. Fordham leadership and board recognize that the organization can have a positive and significant impact via the authorizing work, and they have supported that growth, due mainly to the replication and expansion of existing, high-quality charter school models. Fordham values risk-taking, a sense of urgency, and a commitment to excellence at all levels. It tries to be crystal clear in its communication with schools.



**Commitment:** Fordham has made an institutional commitment to quality authorizing since 2005, supporting this work financially and in terms of human capital. While day-to-day decisions are left to the authorizing staff, Fordham has a thoughtful, experienced, and engaged leadership team (which includes the head of Fordham’s authorizing shop) and board of trustees whose input helps to guide staff work and is critical to high-stakes decision making. Fordham’s commitment goes beyond quality authorizing of great schools: it seeks to be an exemplary authorizer for others to emulate.



**Judgment:** Fordham believes that box-checking should never drive decisions; rather, decisions should be made based on how students will best be served. They have created solid accountability mechanisms, but decisions ultimately rely on professional judgment. Staff use trigger areas more than rubrics. These trigger areas are performance indicators showing significant change in a school, which staff then investigate. They have no formal process for intervention. What makes it work? The caliber of personnel, teamwork, respect,

and experience. Another example: Ohio's law requires authorizers to provide technical assistance to their schools. Fordham takes a conservative view of what assistance is appropriate and doesn't sell services to schools. They see school leaders as the experts, and respect school autonomy. If schools are producing the required outcomes, Fordham stays out of their way.

## Impact

Fordham's institutional commitment to quality authorizing is reflected in the success of its schools, seen in trustees' decisions to approve expansions and replications of existing, high-performing school models. These models are then able to serve more students, which translates to a broader impact on successful student outcomes. One model has expanded from a founding class of 56 students to over 1,500 (and growing) today. This school perennially posts some of the highest student growth outcomes in the state.

Leadership is dedicated to a mission of giving more kids access to a great education, evident in Fordham's portfolio growth from 2,700 students in 2005, to 5,000 students in 13 schools (and growing) in five Ohio cities today.

The full case study, *A Look at Thomas B. Fordham Foundation: Case Study Analysis for the Quality Practice Project*, is available on our website at <http://www.qualitycharters.org/research/quality-practice-project/>.

# MASSACHUSETTS BOARD OF ELEMENTARY AND SECONDARY EDUCATION



*“The Quality Practice Project has been a great opportunity to work with others in the authorizing community, using an evidence-based lens to take stock of authorizing practices across the nation. Education leaders and stakeholders must be willing to think differently and creatively in order to stay relevant and effective. In Massachusetts, our authorizing practices—and judgment in how they are used—help us navigate the creative tension between accountability and autonomy.”*

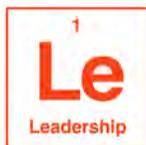
*—Cliff Chuang, Senior Associate Commissioner for Educational Options, Massachusetts Department of Elementary and Secondary Education*

## Why BESE?

The Massachusetts Board of Elementary and Secondary Education (BESE) is one of the top charter school authorizers in the country, based on an 11-point evaluation of school portfolio and authorizer performance outcomes. Some facts of note about BESE:

- By 2017-18, BESE authorized 82 charter schools serving almost 45,000 students (4.5% of state enrollment).
- BESE provides the public accurate and transparent information about the performance of its schools with annual performance reports available on its website.
- Massachusetts had more charter schools and students in “High” or “Very High” academic growth categories in NACSA’s analysis, compared to schools and students in “Typical” growth categories in more than two academic years across both English/Language Arts and Math.

## Leadership, Commitment, Judgment at BESE



**Leadership:** BESE leaders and staff are passionate about continuous improvement, knowledgeable and thoughtful about charter school development and accountability, and integral to all relevant decision making. They feel responsible for maintaining the state’s strong reputation as the inventor of many charter oversight best practices. One example of their leadership in action: They recruit and approve applications from developers with the capacity to create high-quality schools intending to serve disadvantaged students. They do this through targeted recruitment of successful operators; supporting and training new developers; and ensuring developer capacity through a rigorous application process.



**Commitment:** Massachusetts demonstrates an institutional commitment to quality authorizing. As the state’s sole authorizer, BESE has a mission to strengthen the Commonwealth’s public education system so that every student is prepared to succeed. The Office of Charter Schools and School Redesign (OCSSR) reports to the Commissioner of Elementary and Secondary Education. During BESE meetings devoted to charter issues, staff have direct interactions with BESE’s appointed members, where they answer questions and debate the merits of granting, amending, or renewing a charter. History shows strong alignment between BESE’s decisions and staff recommendations.



**Judgment:** BESE’s authorizing staff is long-tenured. They work closely together and have an unusually reflective practice, devoting time each year to reviewing and adjusting norms and judgment criteria. They also periodically test their ratings of schools against other outcomes to

ensure that their judgments are holding up. The longevity of staff, promotion from within, and direct experience with charter schools have been huge assets. This has provided for important leadership stability, both within the OCSSR and with charter schools in the Commonwealth, and has allowed managers to have a deeper knowledge of the work of their direct reports because they themselves have also performed these tasks. According to one staff, “Nobody does work alone, and nobody is doing a job that one of us has not done.”

## Impact

BESE has created an environment where charter schools are thriving. The authorizer employs clear, transparent, rigorous, and measurable criteria. Charter applicants and existing schools understand the criteria and acknowledge that BESE has established rigorous expectations. Without this comprehensive work to authorize charter schools through a transparent and cohesive system, it is likely that the quality of charter applications and schools would decline. BESE ensures fidelity to the vision of charter schools as a way to offer more quality education options to Massachusetts children.

The full case study, *A Look at Massachusetts Board of Elementary and Secondary Education: Case Study Analysis for the Quality Practice Project*, is available on our website at <http://www.qualitycharters.org/research/quality-practice-project/>.

## METROPOLITAN NASHVILLE PUBLIC SCHOOLS



*“The profession of authorizing has developed in many different ways over the last 20 plus years. The QPP is incredibly important as it seeks to link practices to outcomes and identify those practices that seem to result in high-quality educational opportunities for all students. While the project has not yet yielded a causal relationship between authorizer practices and outcomes, there are enough successful correlates to draw conclusions that there are indeed best practices and policies that, if applied, result in excellent opportunities for all students.”*

*—Carol A. Swann, Coordinator of Charter Schools,  
Metropolitan Nashville Public Schools*

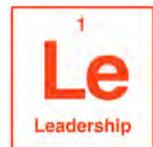
### Why Nashville?

The Metropolitan Nashville Public Schools (MNPS) is one of the top charter school authorizers in the country, based on an 11-point evaluation of school portfolio and authorizer performance outcomes.

Some facts of note about MNPS:

- When the Charter Schools Office formed, MNPS was the authorizer of three existing and two soon-to-be-open charter schools. By 2017–18, MNPS was authorizer to 29 operating schools, and had closed four poor-performing schools.
- They have strongly encouraged those schools that serve students well to replicate, and as a result have several CMOs with as many as five schools in their network.
- The majority of Nashville charter schools demonstrated high academic growth across both Reading and Math with very few charter schools in the “Low” or “Very Low” academic growth categories of NACSA’s analysis.

### Leadership, Commitment, Judgment at MNPS



**Leadership:** After Charter Office leaders chose to partner with NACSA on a Formative Authorizer Evaluation, staff participated in NACSA’s federally-funded work to study and develop exemplary policies and procedures relating to performance management, replication, and closure. Those rigorous authorizing policies and procedures shaped this strong charter sector. The Office’s leadership sees themselves as a catalyst for change—including within the district. Collaborative but impatient, the Office feels a direct responsibility toward students that is its touchstone in relation to both the district and the schools it oversees.



**Commitment:** Since the inception of the Charter Office in 2009 to the time of our study, MNPS has been solely focused on providing students with more access to high-quality educational opportunities. At the time of our research, the office was an integral part of the district, and staff made recommendations directly to the board. Many of the authorizer’s policies have been adopted statewide, and they are proud of their strong relationship with the state department of education. The district’s last two strategic plans, MNPS Achieves (2009-13) and Education 2018: Excellence for Every Student (2013-18), have had a significant focus on transforming district operations and positioned charter schools as a district priority.



**Judgment:** The Office has created a successful, well-vetted application process that is key to the quality of their portfolio. With respect to oversight decisions, there are processes on the books for probation, but the actual decision to refer something to the Board is discretionary, relying heavily on the Director’s professional judgment as to whether a particular infraction merits a

frank conversation or raising the issue to the level of Board attention. The Office of Charter Schools advocates for charter schools within the district, helping them navigate intra-district issues and ensuring that schools receive the resources and support they are entitled to. In a similar situation, some authorizers might dictate prescriptive mandates infringing on a school's autonomy, or not help schools navigate the complex and at times contentious relationships with district staff who hold unfavorable opinions of charter schools. Not so Nashville's charter office, which serves as an important bridge between schools and other district offices.

## Impact

Nashville sees the raising of expectations and increasing quality opportunities as contagious. The district is significantly increasing outreach to and inclusion of its charter schools, creating partnerships to benefit students district-wide. Two examples: Newcomer Academies, a district initiative to serve the district's high population of students whose first language is not English, are housed in charter schools; and one of the authorizer's charter partners opened its summer coding academy to all interested district students. The authorizer intends to expand these partnerships: they think a school's governance model is of no consequence if that school is instrumental in facilitating high student achievement.

Nashville believes that strong oversight, closing poorly performing schools, and encouraging replication of excellent ones, go together to create a robust charter sector. If any of those pieces are missing, the result is likely schools that do not move the needle for students academically, who are operationally deficient, and who are fiscally unsound. Those schools undermine public confidence in charter schools, and public education as a whole, not to mention the damage done to students.

The full case study, *A Look at Metropolitan Nashville Public Schools: Case Study Analysis for the Quality Practice Project*, is available on our website at <http://www.qualitycharters.org/research/quality-practice-project/>.

## THE STATE UNIVERSITY OF NEW YORK



*“Our focus is on giving parents strong choices. We authorize strong schools that not only create a love of learning, but actually ensure students learn. If still more parents want that program, we replicate it, because that gives parents more strong choices. When schools fail to live up to their mission, they close. The Institute’s mission? #moregreatseatsforkids”*

—Susie Miller Carello, Executive Director, SUNY Charter Schools Institute

### Why SUNY?

The Charter Schools Institute at SUNY is one of the top charter school authorizers in the country, based on an 11-point evaluation of school portfolio and authorizer performance outcomes. Some facts of note about SUNY:

- SUNY authorized its first charter school in 1999 and had 185 authorized schools by 2017–18.
- SUNY’s portfolio of charter schools are fully accessible to all students including students of color, low-income students (those receiving free or reduced lunch), students with disabilities, and English language learners.
- SUNY holds its charter schools accountable for their performance: 9% of SUNY-authorized charter schools have not been renewed by the SUNY Board of Trustees.

### Leadership, Commitment, Judgment at SUNY



**Leadership:** SUNY sent a clear message early in its existence with several high-profile closures of failing schools, which signaled it would put the interests of students above all else and that trustees and staff were serious about upholding standards. These early moves helped improve the quality of its portfolio in another way: stronger charter school operators who value tough but supportive oversight have flocked to them, while those desiring to fly under the radar or not interested in strong accountability have tended not to apply to the Institute. SUNY also shows leadership by replicating high-performing schools of all types. The Institute’s portfolio contains many independent charter schools as well as many CMOs that started with a single school. Once authorized, SUNY schools receive leeway to make changes to their educational programs without significant bureaucratic hurdles but with the explicit understanding that they will still be held accountable for measurable student achievement. SUNY strives to be a nationally recognized repository and disseminator of research, training, and best practices for charter schools, public school choice, and authorizing.



**Commitment:** Institutional commitment is reflected in how the Charter Schools Institute is situated within the SUNY system. Unlike many other higher education authorizers, the Institute is not a sub-unit of another department within SUNY. Institute leadership reports directly to the Charter Schools Committee, comprised of university trustees and charged with high-stakes decision-making. From the Institute’s origins, the commitment to expanding quality options has been fostered by its structure of political accountability. The governor appoints SUNY’s Trustees to seven-year terms. The arrangement provides the Institute with a layer of electoral accountability, as well as some insulation from influences and agendas unrelated to the Institute’s mission. This political independence gives the organization an important nimbleness in its operations and decisions.



**Judgment:** SUNY has some of the best-developed charter oversight architecture of any authorizer in the country, and many of its systems have been used by other authorizers. But it also has to make tough decisions. The Institute has built judgment capital through explicit efforts to develop the professional expertise of its staff, complemented by a fairly long average staff tenure at the time of the study. Part of the onboarding process is giving new staff an opportunity to work in all phases of authorizing. Among the key tenets of that system are crossfunction training. Staff strongly believe that new hires need to have more than just knowledge of their job and responsibilities. It is equally important for staff to understand how their role fits into the larger authorizing functions. Staff accomplish that goal by actually doing parts of the work of other teams and positions and observing key actions such as Charter Schools Committee meetings and closure hearings. SUNY also has a deep commitment to staff professional development sending staff to conferences nationally related to charter schools and other educational areas.

## Impact

More than 80% of SUNY's charter schools provide measurably stronger educational choices than the districts in which they are located. SUNY proudly points to college acceptance videos, get out the vote flashmobs, modern day Shakespeare music videos, chess champions, culinary programs, community organizing, disaster relief—in addition to academic success—as some of the results SUNY-authorized charters produce for children. SUNY also offers strong parent interest as another proofpoint: 100,000 parents a year apply to SUNY-authorized charters.

The full case study, *A Look at State University of New York (SUNY) Charter Schools Institute: Case Study Analysis for the Quality Practice Project*, is available on our website at

<http://www.qualitycharters.org/research/quality-practice-project/>.

# CONCLUSION

Charter school authorizing is, ultimately, an intensely human endeavor that should be grounded in good laws and policies, sound principles and standards, and—day-to-day—smart processes, rubrics, and benchmarks.

But by getting closer and looking more carefully at the authorizers whose portfolios of schools are highly successful, we can begin to understand the connection between this success and certain contexts and practices. These contexts and practices are shared by the strongest authorizers, and the rest of the field should pay close attention to them.

Our nation's strongest authorizers create environments where charter schools thrive. They help charter schools live up to their fullest potential. The best authorizers are doing certain things differently to achieve great results within their communities. NACSA will continue to share, test, and refine these findings and collaborate with authorizers around the country to apply them on the ground and grow the successes of our nation's public charter school sector.

# APPENDIX

## A. Advisory Panel Members

- Alison Bagg, Massachusetts Department of Elementary and Secondary Education
- Scott Bess, Purdue Polytechnic High School
- Susie Miller Carello, SUNY Charter Schools Institute
- Cliff Chuang, Massachusetts Department of Elementary and Secondary Education
- Al Fan, Minnesota Comeback
- Gail Greely, Formerly with Alameda County Office of Education (now retired)
- Ethan Hemming, Formerly with the Colorado Charter School Institute (now out of authorizing)
- Bonnie Holliday, State Charter Schools Commission of Georgia
- Mark Modrcin, Formerly with Tulsa Public Schools (now with Nevada State Public Charter Authority)
- Tiffanie Pauline, Miami-Dade Public Schools
- Scott Pearson, DC Public Charter School Board
- Greg Richmond, National Association of Charter School Authorizers
- Marcus Robinson, Memphis Education Fund
- Margo Roen, Formerly with the Tennessee Achievement School District (now an independent consultant)
- Elliot Smalley, South Carolina Public Charter School District
- Carol Swann, Metropolitan Nashville Public Schools
- Kathryn Mullen Upton, Thomas B. Fordham Foundation
- Robbyn Wahby, Missouri Charter Public School Commission

## B. QUALITY PRACTICE PROJECT SAMPLE & METHODS

### METHODS AND CRITERIA FOR PORTFOLIO AND PERFORMANCE OUTCOMES

NACSA enlisted the talents of a diverse and well-recognized group of authorizers and accountability experts to identify and define key outcomes, as well as important areas to probe as a part of the case study process of the Quality Practice Project (QPP). This Advisory Panel agreed on a set of 11 indicators that can define quality authorizing outcomes. These 11 outcomes are separated into two broad categories of Portfolio Outcomes and Performance Outcomes.

The full list of Portfolio Outcome and Performance Outcome measures, including how each was assessed, is included as Appendix C at the end of this document. In general, schools in an authorizer's portfolio were assessed on the following areas:

1. Proportion of high-performing schools;
2. Proportion of low-performing schools;
3. Financial viability;
4. Socio-demographic representation;
5. Ethical resource management;
6. Availability of school performance information;
7. Extent of autonomy in decision making;
8. Extent of strong new school openings;
9. Closing schools with egregious academic, operational, financial, or unlawful practices;
10. Closing schools with very poor academic performance; and
11. Expansion of schools with strong academic performance.

Due to data availability, resources, and time, some of the assessment methods used are indirect proxies of the outcome(s) of interest. While the measurement method of each individual outcome indicator is imperfect, the combination of strong performance across indicators provides greater confidence that selected authorizers are authorizers worth studying.

### AUTHORIZER INCLUSION CRITERIA

Given the need to narrow the scope of the project to authorizers of most interest, the Advisory Panel provided guidance on initial selection criteria. Those criteria included authorizers that:

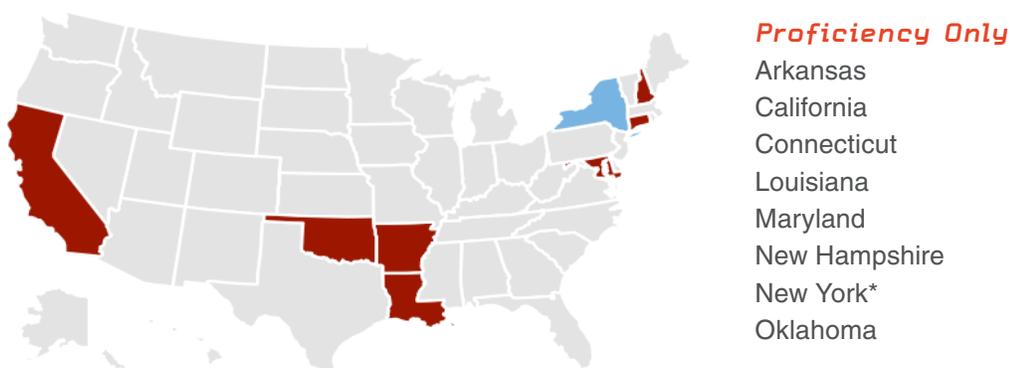
- **Chartered at least seven schools.** This was a proxy measure for capturing authorizers who see chartering as part of a meaningful change strategy and not a “one-off” program they engaged in;
- **Were in operation for at least seven years.** This criterion was established in order to examine the track record of high-stakes decisions and practices; and
- **Opened or closed at least one school over the past five years.** This criterion ensures that potential authorizers are active in authorizing practices.

The Advisory Panel indicated that while smaller authorizers—especially those with only a few schools—are important to learn from, the types of practices they adopt are likely fundamentally different than authorizers with some level of scale. The Panel agreed that smaller authorizers should be studied separately and not part of the initial QPP.

Application of the three inclusion criteria yielded 103 potential authorizers for inclusion (using data from 2015).

The Advisory Panel strongly encouraged NACSA to focus most heavily on student growth outcomes relative to student proficiency. There were eight states that did not have a growth model or accessible growth information despite multiple data acquisition attempts in 2015. Those eight states are included in Figure 1. For all authorizers in states without growth information, proficiency rates were examined using the same targets as authorizers with growth information.

**FIGURE 1: STATES EXAMINED VIA PROFICIENCY RATES ONLY**



*\*Note: We were able to obtain growth information for the State University of New York (SUNY) but unable to obtain those data for other authorizers in the state of New York.*

### **AUTHORIZER SELECTION METHOD: STRONG PERFORMANCE GROUP**

The Advisory Panel indicated that not having an academically strong portfolio of schools was a “deal breaker”—meaning strong academic performance was a requirement for inclusion in the group of authorizers with strong outcomes. Given the primacy placed on student academic outcomes, and student growth in particular, outcomes on Indicators 1 and 2 were assessed first. Twenty-two (22) authorizers met the targets for both Indicator 1 and Indicator 2. Approximately 15 more authorizers could be considered close to meeting targets. Most of those authorizers had an equal or lower proportion of schools in the high/very high growth area compared to their proportion of schools/students in the typical/average growth category. Only the 22 authorizers meeting targets for Indicator 1 and Indicator 2 were included in subsequent analyses.

Of the 22 authorizers meeting student academic targets, 12 failed to meet targets on the remaining nine indicators. In some cases, authorizers were removed from consideration for failing to meet one of the remaining indicators, but more often authorizers that failed to meet one indicator also failed to meet others.

Thus, 10 authorizers were deemed to have met targets on evaluated indicators and formed the group of authorizers in the strong performance group. Following the advice of the Advisory Panel, the selection of the initial group of five authorizers was based on several factors including generalizability by authorizer type, portfolio size, and area of the country. The pool of 10 potential authorizers contained a disproportionate number of authorizers from the east. Thus, while the project was able to achieve significant diversity in type and portfolio size, the first five research group authorizers are not widely spread across the country: three are from the East, one from the Midwest, and one from the South.

	<i>Portfolio size [# of Schools]</i>	<i>Type</i>	<i>Geographic Region</i>
<i>Authorizer 1</i>	111	ICB	East
<i>Authorizer 2</i>	11	NFP	Midwest
<i>Authorizer 3</i>	81	SEA	East
<i>Authorizer 4</i>	25	LEA	South
<i>Authorizer 5</i>	125	HEI	East

*Note: ICB: Independent Chartering Board; NFP: Not-For-Profit; SEA: State Education Agency; LEA: Local Education Agency (school district); HEI: Higher Education Institution. The number of schools in each authorizer's portfolio is from the 2015-16 academic year.*

### **AUTHORIZER SELECTION METHOD: MODERATE PERFORMANCE GROUP**

The group of authorizers with moderate performance was selected based on two criteria:

- Similarity to strong performance group authorizers. The set of moderate performance group authorizers were selected to be as similar as possible as the strong performance group in terms of size, type, and region of the country.
- Moderate, but not weak, academic outcomes. We intentionally looked for and selected authorizers whose academic Indicators 1 and 2 can be characterized as less strong relative to the strong performance group, but also not weak. Generally, that included authorizers with a relatively high percentage of schools making “typical” academic growth/proficiency, and that had between 30-40% of their portfolio with low growth/proficiency. The purpose of selecting authorizes with moderate academic performance was to increase the precision and applicability of recommendations made to the field.

Four moderate performance group authorizers met these expectations, were willing to participate, and were thus included in the study.

	<i>Portfolio size [# of Schools]</i>	<i>Type</i>	<i>Geographic Region</i>
<i>Authorizer 1</i>	32	ICB	South
<i>Authorizer 2</i>	24	SEA	East
<i>Authorizer 3</i>	49	NFP	Midwest
<i>Authorizer 4</i>	13	HEI	Midwest

## CONTENT & CASE STUDY PROCESS SUMMARY

After selecting authorizers for inclusion in the study, a deep investigation of perspectives and practices ensued. Following the case study process as outlined by Yin (2015), researchers from NACSA and *Public Impact* engaged in a range of activities designed to provide a comprehensive description of the approach to authorizing, including:

- **Case Study Protocol:** Building from the domains used by NACSA to evaluate the practices of authorizers as well as the advice of Advisory Panel members, researchers created a case study protocol and specific domains of inquiry. Key questions and domains of inquiry can be found in Appendix D. Each research team dyad was responsible for one of the four key domains of inquiry (e.g., Application Systems, Organizational Structure, Organizational Culture, and Performance Management), and explored that domain for both groups of authorizers.
- **Document and Artifact Review:** Researchers reviewed a range of documents and artifacts (available in Appendix D). These data were used both to describe authorizing practices and to more clearly focus individual interviews.
- **Interviews and Site Visits:** Researchers spent two days at each QPP strong performance group site interviewing authorizers and other key stakeholders. The purpose of the interviews and site visits was to (a) get clarification on authorizing practices after examining documents and artifacts, and (b) more clearly understand how and why authorizers engage in specific practices. Individual and small group interviews were conducted at each site. Most interviews were with authorizers (e.g., day-to-day decision makers, board members), but researchers also interviewed other key stakeholders (e.g., school operators, charter support organizations) to deepen and triangulate data analysis. The same process was used for moderate performance group authorizers, although telephone interviews were used in lieu of on-site visits.

## KEY FINDING GENERATION AND VALIDATION PROCESS

### *Case Study Reports for Strong Performance Group Authorizers*

Research team dyads wrote their respective section for the case study reports (e.g., dyad

responsible for Application Systems & Process wrote that section for each of the five case study reports of authorizers with strong outcomes). Those reports were shared and critiqued by all members of the research team. The project's senior researcher lightly edited and modified each section for consistency in tone and approach, but initial research team dyads signed off that no substantive content was changed. Case study reports were also shared with key stakeholders at each of the five research group sites, asking for feedback (e.g., member check<sup>1</sup>). Edits were made from feedback received, and the reports were sent to those stakeholders a second time requesting any additional feedback before they were finalized.

### ***Findings Between and Across Groups***

Research team dyads drafted a written description of practices for strong performance group authorizers, relying on case study reports. Those teams then compared findings across the five strong performance group authorizers to identify similarities across that group. Those drafts were circulated and critiqued by all members of the research team. That process yielded a list of authorizer practices and contexts that appear to be similar across strong performance group authorizers.

Research team dyads used those findings to create a set of hypotheses specific to practices that are similar across strong performance group authorizers. They then tested those hypotheses against findings from the moderate performance group of authorizers. That process resulted in a list of practices that appear to be (a) common across both groups of authorizers (hypothesis not supported because practices were also common across moderate performance group authorizers), and (b) unique to strong performance group authorizers (hypothesis supported because practices not found to be common across moderate performance group authorizers).

### ***Validation and Vetting***

Findings comparing the strong and moderate performance groups were shared with many key stakeholders for further vetting and validation.

**QPP Advisory Panel.** The QPP Advisory Panel reviewed all findings during an in-person meeting. That meeting was used to engage the expert judgement of key authorizers and others in the field. In small and large groups, Advisory Panel members discussed findings they agreed with, findings they had questions about, findings they disagreed with, and findings they wanted to know more about. Four of the five strong performance group sites participated in this advisory panel meeting.

**NACSA Leaders Program.** Authorizers comprising NACSA's Leaders Program similarly engaged the key findings. Members of the Leaders Program reviewed key findings in advance, and in small and large groups provided feedback to the research team.

**Internal NACSA Staff.** Content experts—primarily from NACSA's Talent & Engagement and Authorizer Development Divisions—also provided feedback on the findings. During three 1.5 hour meetings, internal staff provided specific and detailed feedback on key findings.

Data from this internal vetting resulted in a slightly modified list of key findings, with enhanced external validity. In no instance were any findings changed without strong support of the data.

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<sup>1</sup> A research technique also known as informant feedback or respondent validation.

In most instances of question or disagreement—of which there were not many—participants sought additional clarity on what the practice looked like. Subsequently, the research team made changes to provide additional descriptions of that practice. In other cases, participants asked questions beyond the scope of the original QPP. Those questions will inform future authorizer quality research work NACSA will pursue.

#### ***A Note About Causality***

The method and process described here has been used successfully in other educational and business research in identifying correlates of success. It does not, however, yield causal relationships. Thus, key findings from the QPP should be positioned as correlates of strong outcomes that likely are worthy of adoption, but additional work will be needed to understand any causal relationships.

## C. PORTFOLIO AND PERFORMANCE OUTCOMES

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### PORTFOLIO OUTCOMES

#### 1. Portfolio contains few academically poor-performing schools

- **Data Used:** Academic growth data over the last three available testing years. Graduation rate<sup>2</sup> and state test score proficiency data was also used.
- **Method/Targets:** No more than 30% of schools or students in the authorizer’s portfolio were in low or very low growth<sup>3</sup> categories in more than one academic year across English/Language Arts and Mathematics. In addition, no more than 10% of schools in the authorizer’s portfolio were in the bottom 5% of the state’s proficiency distribution across English/Language Arts and Mathematics.
- **Additional Information:** As growth and proficiency information and distributions within each state were used, authorizer portfolio analysis on this indicator is relative to the performance of other schools in that state. Thus, “poor-performing” schools are relative to the growth and/or proficiency distribution within that state, not across states. In addition, while most states used student growth percentiles, states employed varied methods to assess academic growth (e.g., value-added gain index). In each case, the analysis uses the state’s method of assessing growth and evaluates authorizer portfolios relative to the state’s definitions. Descriptions of how each state assesses growth and state targets for very high, high, typical, low and very low growth/proficiency categories are available upon request.

#### 2. Portfolio contains many academically high-performing schools

- **Data Used:** Academic growth data over last three available testing years. Graduation rate and state test score proficiency data also used.
- **Method/Targets:** More schools and students in “high” or “very high” growth categories compared to schools and students in “typical” growth categories in more than two academic year across English/Language Arts and Mathematics.
- **Additional Information:** Like Indicator 1, growth and proficiency information and distributions within each state were used. Consequently, authorizer portfolio analysis on this indicator is relative to the performance of other schools in that state, not across states.

#### 3. Portfolio contains schools that are financially viable

- **Data Used:** Authorizer reported financial data for each charter school in their portfolio.
- **Method/Targets:** Examination was customized to financial data collected and reported by each authorizer. Data were examined across three years. Both short- and long-term financial data was analyzed, typically including school financial audits (especially uncorrected/continuing audit findings), debt/income ratio, debt/asset ratio,

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<sup>2</sup>Four authorizers had a significant proportion of students and schools in middle/high school grades (60% or more students/schools in middle/high schools), making examination of their graduation rates critical in describing the overall academic performance of the authorizer (i.e., enough students/schools that would far outweigh test score data typically available for grades 3-10). In each case, the graduation rate data did not demonstrably differ from conclusions drawn from state test score growth and/or proficiency information. None of those four authorizers were included in the strong performance group.

<sup>3</sup>Some authorizers were evaluated on a proficiency-only basis due to lack of growth data availability, as described earlier in this document. The same method and targets were used for authorizers evaluated via growth or proficiency.

and cash flow. On this indicator, 90% or more of schools in the authorizer’s portfolio were deemed to be financially viable to meet inclusion targets. Targets for each indicator are available upon request.

- **Additional Information:** Some slight modifications were made for new charter schools to be deemed financially viable. New charter schools that had not yet been in operation for a full academic year did not have an audit, so other measures were more heavily scrutinized (e.g., cash flow).

#### **4. Portfolio contains schools that are fully accessible to all students**

- **Data Used:** Publicly available data on student enrollment for the most recently available academic year. Data examined included the proportion of students of color, students living in low-income households (proportion of students receiving free or reduced lunch), students with disabilities, and English Learners. Only data at the authorizer portfolio level (aggregated information) was used in the comparisons.
- **Method:** A comparison group of non-charter schools was selected for each evaluated authorizer. Generally, for authorizers with statewide chartering authority, all non-charter schools in the state were selected as the comparison group. For authorizers with geographically limited authorizing authority, non-charter schools in that same geography formed the comparison group (i.e., a district authorizer data was compared to non-charter data in that same district). In the few cases, an authorizer had a more expansive chartering authority but had the vast majority of schools in a particular geography (e.g. statewide authorizer but with 90% of schools and students in one district), that particular geography was used as the comparison group.
- **Targets:** No more than 10 percentage points below the comparison group in two evaluated areas (students of color and low income), and no more than five percentage points below the comparison group for English Learners.
- **Additional Information:** Consistent with guidance given by the Advisory Panel, no upper limit (i.e., aggregated data on any indicator above the comparison group) was set. Eight of the 22 authorizers meeting targets for Indicators 1 and 2 did not meet targets for this indicator, with discrepancies ranging from mild (11 percentage points below comparison for free/reduced lunch proportions) to moderate (18 percentage points below comparison for free/reduced lunch). Of note, the majority of authorizer portfolios had higher proportions of students of color and lower income students than their comparison group, and in many cases much higher (20 to 30 percentage points higher in a number of cases). Discrepant rates for English Learners was rare, with virtually all evaluated authorizers having rates within 3 or 4 percentage points of their comparison group. No targets were set for the proportion of students with disabilities, given that the Advisory Panel deemed proportions of students with disabilities to be heavily influenced by school decisions. Data on students with disabilities was collected and analyzed for egregiously low rates that could have informed final selection of authorizers as a “tie-breaker.” In practice, however, no authorizer meeting performance indicators 1 and 2 had more than a six-percentage point difference than their comparison group, and among the five authorizers selected for the strong-performance group, none had more than a four-percentage point variance from their respective comparison group.

### ***5. Portfolio contains schools that manage resources ethically***

- **Data Used:** Publicly available data (via internet searches) on instances of fraud, conflict of interest, cheating, or other unethical use of financial or human capital resources.
- **Method/Targets:** Internet searches were conducted for any/all instances of unethical behavior among schools in an authorizer's portfolio. Searches were conducted using the following descriptors: "fraud", "corruption", "financial mismanagement", "conflict of interest", and "cheating". Searches were conducted with each of these terms and with the names of each school in the authorizer's portfolio. Data was collected and analyzed going back three years. A qualitative analysis of the collection of unethical behavior in the portfolio was conducted that included the aggregate number of unique instances of unethical behavior to determine the degree to which there was a pattern of widespread unethical behavior in the portfolio (rubric is available upon request). Generally, authorizers with multiple instances of the same kind of unethical behavior by different schools, or more than three instances of unethical behavior were deemed to not meet the target for this indicator.
- **Additional Information:** Very few instances of unethical behavior were uncovered among authorizers meeting performance indicators 1 and 2. Two of those authorizers were deemed to have widespread unethical behavior in their portfolio (one had multiple instances of financial fraud across different schools, and another had multiple instances of a host of unethical behavior issues across a number of schools operated by a single management organization) and were excluded from consideration.

### ***6. Performance of individual schools is accurate, transparent, and widely accessible to interested stakeholders***

- **Data Used:** Publicly available authorizer- or state-produced school performance reports.
- **Method/Targets:** Internet searches for school performance reports were conducted. Most were found on the websites of state departments of education and the authorizers themselves. Examination of the content of those reports was conducted. Reports had to include data for every school in the authorizer's portfolio in the following areas (a) academic/student outcome data, (b) financial performance data, and (c) organizational data (e.g., enrollment, socio-demographics). The availability of individual school data in those three categories at least twice over the last three school years was deemed sufficient to meet the inclusion target.
- **Additional Information:** Eight authorizers meeting indicator criteria 1 and 2 did not have school-level financial information publicly available (either authorizer produced or state produced).

### ***7. Portfolio contains schools that have full autonomy within the bounds of federal/state law***

- **Data Used:** State policy (charter school governance provisions) and authorizer policy on school governance.
- **Method/Targets:** A comprehensive understanding of how authorizers extend autonomy to schools was examined as a part of the case study process and is

thus considered a practice rather than an outcome. However, minimum autonomy standards as articulated in state law and authorizer policy were examined to determine the degree to which authorizers had and exercised direct control over school governing boards. Authorizers were excluded if they appointed individual charter school governing boards or if the school district's governing board also served as the governing board for individual charter schools.

- **Additional information:** Among authorizers meeting Indicators 1 and 2, two district authorizers were excluded because their elected governing board also served as the governing board for charter schools in their portfolio.

## PERFORMANCE OUTCOMES

### 8. *Open strong schools*

- **Data Used:** State reported data on school openings and closings.
- **Method/Targets:** Examination of schools in each authorizer's portfolio that opened and closed prior to that school's 2<sup>nd</sup> year serving students (e.g., a school that opened and served students in the fall of 2013 but subsequently closed any time before the beginning of the 2014-15 school year is deemed a 1<sup>st</sup> year closure). Any instance of a 1st year closure in the authorizer's portfolio over the last two years excluded them from consideration.
- **Additional Information:** Four authorizers meeting Indicator 1 and 2 targets were excluded from consideration due to first year closures.

### 9. *Revoke/close charters for egregious operational, financial, or unlawful practices*

- **Data Used:** Publicly available data (via internet searches) on instances of fraud, conflict of interest, cheating, or other unethical use of financial or human capital resources (see Indicator 5 for complete description). In some instances, cross-references identified schools with state reported databases on charter school closures.
- **Methods/Targets:** Examined degree to which schools identified with unethical and unlawful behavior were closed. Target is for all schools found to have egregious negative practices to have subsequently closed.
- **Additional Information:** Of the two authorizers deemed to have egregious unethical/unlawful behavior among schools in their portfolio over the last three years, one was excluded because those two schools had not closed two years post-infraction. In those instances, the school was restructured with some new board members and leadership, but not closed.

### 10. *Close schools that fail to meet rigorous academic performance standards*

- **Data Used:** Academic proficiency data and state data on closures.
- **Method/Targets:** Examination of schools in the bottom 5% of the states' proficiency distribution of English/Language Arts or Mathematics. Authorizers were deemed to meet these criteria if (a) they have no schools in the bottom 5% of proficiency over the

last three years or (b) they have closed at least one school in the bottom 5% over the last three years.

- **Additional Information:** Only schools meeting targets for Indicators 1 and 2 were evaluated on this Indicator; thus, there were very few authorizers with schools in the bottom 5% of their state’s proficiency distribution. There were three authorizers that appeared to have a relatively large number of schools (3-5) in the bottom 5% that (a) had been open for more than five years, (b) were not classified as an alternative education campus, and (c) had not yet closed. Those three authorizers failed to meet targets set in other indicators so no follow-up was conducted to ascertain any legitimate reason those schools remained open.

#### ***11. High-performing schools/operators expand to serve more students***

- **Data Used:** Student performance growth/proficiency data and school-level enrollment over the last three available testing years.
- **Method/Targets:** Inspection of enrollment changes (over a three-year period) in a random sample of schools in each authorizer’s portfolio that met criteria for “high” or “very high” growth (or proficiency for authorizers in states with no-growth data) in two of three years in either English/Language Arts or Mathematics. Any increase in enrollment among 75% of sampled schools was deemed sufficient to meet this indicator.
- **Additional Information:** Virtually all (90% or more) of sampled schools showed some growth in enrollment. Visual inspection of schools with average growth showed similar growth patterns as high-growth schools. Thus, while high-growth schools were expanding to serve more students, so were average-growth schools. Unfortunately, it was very difficult to ascertain schools that were replications of existing high-performing schools and thus only enrollment growth among high performers was used for this indicator.

## D. Interview & Document Review Protocol

*(Distributed to participating authorizers)<sup>4</sup>*

### **DOMAIN 1: ORGANIZATIONAL PURPOSE & CULTURE**

#### ***Area Description***

This domain will describe your unique approach to authorizing and your organizational culture. We will want to explore four primary areas with you and staff including how you:

- Approach authorizing generally;
- Execute authorizing consistent with your mission;
- Think about growth and type of schools in your portfolio;
- Extend autonomy to schools; and
- Manage systems related to equity issues.

#### ***Suggested Interviewees***

- Authorizer/School Board Member (Note: we will also be asking him/her questions in other domains)
- Superintendent or Equivalent – if applicable (Note: we will also be asking him/her questions in other domains)
- Executive Director/Authorizing Staff Leader
- Lead staff member that works on compliance and accountability functions with schools

#### ***Documents Reviewed***

- Most recent strategic plan
- Mission statement
- Any descriptions of special/unique practices for the following areas:
  - » Special Education
  - » English Language Learners
  - » School Discipline
  - » Backfill
  - » School-level racial/ethnic and/or socioeconomic diversity

#### ***Interview Questions***

##### **Purpose/Approach**

- What is your organization's purpose for authorizing?
- Would you describe your approach to authorizing decision making to be more focused on creating strong processes for making decisions, or more focused on utilizing the professional judgment of staff and other experts?

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<sup>4</sup>At each site, we also interviewed other relevant stakeholders. These stakeholders typically included school/network leaders, charter association or other education reform community leaders, and others noted as important to the charter sector in that locale. Interview questions were customized for those audiences at each site from document reviews, information acquired from authorizers, and knowledge of that organization.

- How would you describe your district’s views on authorizing?
- How much attention do you pay to the overall success of charter schools across the country?
- To what degree do you think that charter schools are/should be:
  - » A replacement to the district-run sector
  - » A hub of innovation for the district-run sector and public education writ large
  - » A competitive force for change and improvement in both sectors
  - » A set of schools that fill in gaps in local district programs/schools
  - » Akin to local district programs/schools (i.e., like magnet schools)

**Portfolio Growth**

- How important is growing the number of schools in your portfolio?
- How much do waiting list numbers from your existing schools factor into decisions to charter new schools?
- Would you describe your office’s approach to new schools to be more (a) proactively seeking out and recruiting new schools, or (b) open to new schools that apply to your office?

**Management Organizations**

- Does your organization have a preference for “independent” schools compared to “managed” (CMO- or EMO-run) schools? If so, what and why?
- In recent years, what types of applications have you received more of and why do you think that is?
- How do you incorporate (or perhaps define) the needs of the local community in your decision-making processes?

**Autonomy**

- To what degree do you think charter schools should have complete autonomy in how they spend their money, decide on staff, and operate their educational program?
- What areas do you think it’s OK/necessary to limit charter school autonomy and why?

**Equity**

- How do you think about—and what, if anything, do you do relative to---the following areas of student/school equity?
  - » Special Education
  - » English Language Learners
  - » Discipline
  - » Backfill
  - » School diversity

## **DOMAIN 2: ORGANIZATIONAL CAPACITY**

### ***Area Description***

This domain will describe your staffing, planning, and development processes. We will want to explore four primary areas with you and staff including how you:

- Set goals and establish strategic priorities;
- Create and execute strategic planning;
- Conduct human capital identification and development; and
- Establish relationships with organizations/entities outside of your authorizing office.

### ***Suggested Interviewees***

- Executive Director/Authorizing Staff Leader
- Staff that lead any part of your human capital system
- Staff that lead relationship development/management with non-charter school external entities (e.g., other education reform organizations, community organizations, etc.)

### ***Documents Reviewed***

- Organizational chart (showing titles and lines of reporting, if possible)
- Organizational budget

### ***Interview Questions***

#### **Goal Setting & Strategic Priorities**

- What do you think is exceptional about how your organization is structured that contributes to strong performance?
- How do you determine success in authorizing?
- How do you share (internally and externally) success and challenges?

#### **Strategic Planning**

- How does your office do strategic planning (if at all)?
- How do you align resources to achieving strategic ends (including use of external consultants, if applicable)?
- What are your sources of support (human capital, financial, etc.) to achieve organizational goals?

#### **Human Capital Identification & Development**

- How has your office staffing structure changed, and how do you see it changing over the next five years?
- How do you hire new staff (i.e., talent identification and selection)?
- How do you do staff professional development, retention, promotion, dismissal, and performance feedback?

#### **Relationships with Entities Outside of Authorizing Office**

- How involved are you with (and why/why not):
  - » Other Internal Divisions

- » State policymaking/makers
- » Education reform organizations
- » Community organizations
- » Other authorizers with schools in your market (if applicable)

### **DOMAIN 3: APPLICATION SYSTEM AND PROCESS**

#### ***Area Description***

This domain will describe your application system and process. We will want to explore four primary areas with you and staff including how you:

- Develop your application materials and other application-related documents;
- Develop and execute criteria for new school applications;
- Evaluate new charter school applications; and
- Interact with your Board on the application process.

#### ***Suggested Interviewees***

- Staff responsible for leading any/all part(s) of the application process
- Superintendent or equivalent, if applicable (can combine questions in this domain during a single interview time slot with the Superintendent)
- School/Authorizing Board Member (can combine questions in this domain during single interview time slot with school board member)

#### ***Documents Reviewed***

- Example(s) of a Request For Proposals (if applicable)
- Application Packet
- Evaluation criteria and rubric
- Sample applications received and decisions made (this can be a simple list of the applicant name, year applied, and if they were approved, declined, or pending)
- Applicant Interview process and rubric
- One example of a recent completed application and authorizer evaluation products (e.g., completed application, scoring rubrics, and/or reviewer analysis)
- Example of recommendations and any supporting materials presented by staff to the board in preparation for board decisions
- Examples of any notice provided to applicants regarding approval or denial decisions

#### ***Interview Questions***

##### **Application Materials and Process**

- How do you identify demand/need for new charter schools?
- What guidance and materials does your office provide charter school applicants?
- What parts of your application process and systems are public?

## Application Criteria

- What are your requirements and criteria for:
  - » Educational program
  - » Business/Financial plan
  - » Operational plan
  - » School leadership
- Do you have specialized criteria for specific types of applicants beyond traditional start-ups (i.e., existing operators, alternative education schools, virtual school applicants, applicants planning to contract with a management organization)?
- If your application process has several stages (e.g., LOI, prospectus, final application), how do you manage that process and how are decisions made?

## Application Evaluation

- What, in detail, is the process used from application receipt to final decision?
- How does your office run its charter application interview process?
- Does your office use external reviewers to evaluate charter applications? If so, how do you find them and how do you use them?
- How are recommendations for approval or denial reached?

## Authorizing Board Responsibilities

- How does the Superintendent (or equivalent) and Authorizer/School Board participate in the application process?
- What products are provided to the Superintendent (or equivalent) and/or Authorizer/School Board (written report, verbal summary, etc.)?
- How are approval/denial decisions reached at the board level?
- What is the form and extent of your final evaluation decision? (E.g., Are rubrics/notes provided to the applicant? Is a summary provided? How are decisions reported to the public?)

## DOMAIN 4: PERFORMANCE MANAGEMENT

### *Area Description*

This domain will describe your approach to oversight and accountability. We will want to explore the following areas with you including how you:

- Execute your pre-opening systems and processes;
- Use your performance framework;
- Conduct general oversight of schools in your portfolio;
- Execute your renewal and revocation systems; and
- Think about and execute systems related to replication and growth.

### *Suggested Interviewees*

- Executive Director/Authorizing Staff Leader

- Staff responsible for any/all parts of performance management, including pre-opening, compliance, accountability, renewal, contracting, and revocation systems
- Superintendent or equivalent, if applicable (will combine questions in this domain during a single interview time slot with the Superintendent)
- School/Authorizing Board Member (will combine questions in this domain during a single interview time slot with a school board member)

### ***Documents Reviewed***

- Example of a fully executed charter contract
- Pre-opening checklist
- School Performance Framework
- Accountability Compact
- Master calendar of reporting requirements or similar document (e.g., description of required academic, financial, and legal/organizational reporting by schools)
- Intervention system description, particularly under what conditions you decide to intervene and the nature of that intervention
- Site visit process (if you conduct them), including protocol, rubric, and other supporting information
- Most recent accountability report (or ways you make school data public)
- Sample of a charter school annual report required by the authorizer (if applicable)
- Renewal process
- Revocation policy and process
- School Closure and “wind down” policy
- Replication and/or extension policies (if applicable)

### ***Interview Questions***

#### **Pre-Opening Systems and Practices**

- Please describe your system from application approval to first day of school opening
- What autonomy rights/responsibilities are clearly laid out in the charter contract?

#### **Performance Framework**

- What are your performance expectations for schools in:
  - » Academics
  - » Finances
  - » Operations
- How do you make clear what those expectations are?

#### **Performance Accountability**

- What systems do you use for monitoring school performance expectations?
- Describe your intervention system including how you determine the need to intervene—and what are your intervention practices?

- What kind of technical assistance does your office provide in executing your intervention system?
- What is your process for utilizing site visits to monitor and evaluate school performance and compliance? How valuable do you find site visits (if conducted) and why?
- How do you communicate to schools and the public regarding how schools are performing?
- What and how do you monitor compliance with charter law and policies that fall outside of your performance framework?

### **Extension, Renewal, and Revocation**

- What are your standards for extensions and renewals?
- Please describe what you do when a decision for non-renewal is made.
- What is your process for revocation?

### **Replication and Growth**

- What (if any) policies and practices do you have to guide decisions for replicating and expanding charter schools in your portfolio?
- How actively do you encourage the replication and expansion of quality schools?