

# EXECUTIVE SUMMARY

---

Across America, there is much debate about charter schools. Some of that debate is about the existence of charter schools and whether there should be more or fewer of them. More of the debate is about the quality and oversight of charter schools.

This publication is part of that debate and speaks to the state laws and policies that greatly determine how many charter schools exist (accessibility), the flexibility they have to operate (autonomy), and the standards of quality and oversight they must meet (accountability).

It is easy to find zealous voices arguing for or against charter school policies based on theories or ideologies. Some believe charter schools should be heavily regulated, along the lines of school districts. Some believe that 6,700 charter schools serving more than 2.9 million children can somehow all be eliminated. Others argue for less regulation and faster growth, even in places where some charter schools or types of operators are failing.

The National Association of Charter School Authorizers (NACSA) approaches this debate from a unique position—real-world experience—and that position is reflected in this publication. NACSA is a professional membership organization of the agencies that approve, monitor, renew, and sometimes close charter schools. NACSA staff has worked in virtually every state and major city with charter schools. Here is what we know from our experiences:

***Most of the state laws and policies governing charter school accessibility, autonomy, and accountability need to be improved.***

In communities where charter schools and authorizers are achieving good things, they sometimes are achieving them despite state laws, not because of them. In communities where there are too many failing charter schools, too often the laws do not support quality and accountability.

This publication presents eight state policy recommendations that can provide a solid foundation for better accessibility, autonomy, and accountability for charter schools. It also analyzes and ranks each state's current policies against these eight recommendations.

This is not a rating of the quality of the charter schools in each state, for state laws are only one factor affecting school quality. It is also not a rating of the actions of the authorizers in each state, for authorizers often develop practices that work around weaknesses or vagaries in state law.

Rather, this is a publication that presents policies that NACSA believes would strengthen every state charter school law based on experience. Each state will need to customize these policy recommendations to fit its unique context. But no state should believe that it can ignore or avoid this debate.

The debate about more or fewer charter schools and more or less regulation is upon us. The question is not whether new laws will be passed, but which ones.

At NACSA, we recommend that policymakers draw heavily from these commonsense recommendations that have been informed by years of experience strengthening accessibility, autonomy, and accountability for charter schools.

As the charter school sector continues to evolve and push into new realms of policies and experiences, NACSA is committed to the continual examination of our policy approach and analysis. NACSA is dedicated to ensuring that the policies we promote are supported by the best evidence available to support authorizers, charter schools, and, most importantly, strong student outcomes.

## POLICIES THAT PROMOTE CHARTER SCHOOL EXCELLENCE

These eight policies are not new ideas, nor are they cumbersome rules and regulations. They are simply cornerstones of charter school excellence protected in state law.

Together these policies ensure a legal framework for every state to

- **set high standards for all charter schools;**
- **approve only good new charter schools;**
- **monitor the performance of all charter schools;**
- **empower successful schools to remain open and possibly grow;**
- **close charter schools that persistently fail.**

A strikingly diverse group of states—states that aren't often grouped together in policy discussions, such as Alabama, Delaware, Indiana, Maine, Minnesota, Missouri, Nevada, Ohio, South Carolina, Texas, and Washington—have adopted six, seven, or all eight of these policies. These states can already point to results that matter to families, such as the default closure policy weeding out the schools that aren't doing right by kids, and the replication policy making it easier for successful schools to grow.

On the other hand, when these policies aren't codified in state law—as was the case in Connecticut and Indiana—even the best charter authorizers and schools are in danger.

### 3 Principles and 8 Policies

**AUTONOMY:**  
uphold school autonomy

**ACCOUNTABILITY:**  
maintain high standards for schools

**ACCESSIBILITY:**  
protect student and public interests

#### Authorizer Quality Policies

- 1. Who Authorizes (alternative authorizer):** every charter school can be authorized by at least one body other than the local school district
- 2. Authorizer Standards:** the state endorses national professional standards for quality charter school authorizing
- 3. Authorizer Evaluations:** a state entity can evaluate authorizers on their practices or the performance of their charter schools—regularly or as needed
- 4. Authorizer Sanctions:** authorizers face consequences if they have poor practices or a high proportion of persistently failing schools

#### School Accountability Policies

- 5. Reports on Performance:** every authorizer publishes an annual report on the academic performance of the charter schools it oversees
- 6. Performance Management and Replication:** every charter school is bound by a charter contract and a set of performance expectations; high-performing charter schools are encouraged to replicate
- 7. Renewal Standard:** authorizers can close charter schools that don't meet their academic performance expectations
- 8. Default Closure:** charter schools that perform below a certain minimum threshold are closed

## WHAT'S POLICY GOT TO DO WITH IT?

---

Good policy is the road to stability, consistency, and quality in public school systems.

But today's system—which in most states includes charter schools—isn't our parents' public school system. This is a newer, more nimble system of schools built on the premise that it is a privilege to educate America's children. This privilege must be earned, not granted in perpetuity. This newer kind of public school system means we need new policies to protect and guide those who seek this privilege to serve.

NACSA's [\*Principles & Standards for Quality Charter School Authorizing\*](#) were developed a decade ago and are continually updated. The three national professional principles are to uphold school autonomy, maintain high standards for schools, and protect student and public interests. The eight policies reflect those three principles at work within state law—the logical, natural next step of the field's values.

## POSITIVE POLICY CHANGES TO STATE LAW

---

***NACSA's first State Policy Analysis in 2014 was used to understand challenges and push for change. A number of improvements have happened in the months since:***

**Alabama** became the 44<sup>th</sup> state to pass a charter school law. The state's policies receive a nearly perfect score.

**Arizona** added new laws to create mechanisms for the oversight of authorizing activity.

**Colorado** made it easier for high-performing charter schools to replicate.

**Connecticut** adopted a strong renewal standard that links renewal with school performance, instituted annual reporting requirements, and now requires a charter contract with clear performance goals.

**Delaware** modified its display method for annual performance data, ensuring the public can access this data for every charter school.

**Indiana** established an authorizer application and evaluation process and added the final recommended performance management tool. Indiana now receives a perfect score.

**Georgia** adopted new rules that create an authorizer evaluation system, require authorizers to issue annual performance reports, establish a strong renewal standard, and create incentives for the replication of high-performing charter schools.

**Louisiana** made it easier for high-performing charter schools to replicate.

Good authorizer practice—also guided by the same *Principles & Standards*—can get you far, but it is impermanent. Practice alone is not enough. It fills in the voids left by state policy; the larger the void, the more we must trust practices to fill in the details. When we find success in authorizer practices, it is the responsibility of leaders to go back and fill in those voids with smart policies. This ensures that future iterations of our public school systems are stable, consistent, and high quality.

NACSA crafted these policies so that when winds blow, whims shift, or leadership changes, the bedrock of the charter sector in any given state can hold steady. We already have 25 years of experience as a nation getting chartering right, so we know a lot about which policies make the most sense. NACSA's *Principles & Standards* point to these policies, which work in state law to improve charter school sectors using quality authorizing.

**Missouri** made it easier to monitor charter school performance by requiring authorizers to use performance frameworks.

**Nevada** adopted regulations for regular authorizer evaluations and made it easier for high-performing charter management organizations to expand. Nevada now receives a perfect score.

**Ohio** passed comprehensive legislation to address many of the challenges discovered during implementation of earlier charter school reform legislation. This includes creating a strong renewal standard and specific policies to prevent authorizer shopping.

**Oklahoma** passed significant charter school reform legislation that expands charter schools statewide while putting in place performance management and annual reporting requirements, authorizer standards, authorizer sanctions, and mechanisms to close failing charter schools. Oklahoma gained the most points of any existing charter state in 2015.

**Tennessee** issued new rules and guidelines concerning annual reports on charter school performance, ensuring the public has access to robust academic performance information.

**Wisconsin** added additional authorizers, now requires annual reports on charter school performance, and created an incentive for the replication of high-performing charter schools.

# IMPORTANT CHANGES TO THE 2015 STATE POLICY ANALYSIS

This 2015 edition is streamlined and considerably simplified. We use the same rubric and scoring scheme. But last year's more complex grouping of states (based on their authorizing environment) has been replaced by a single ranked list of all 42 states plus Washington, D.C.<sup>1</sup> A universal scoring mechanism makes it easier to see where your state stands and where it can improve. Both of these changes reflect our cumulative experience working in the field. Both help stakeholders focus on one goal: smart policies in every state.

This report describes how each of these eight policies promotes quality and accountability in charter schools across the country. State-by-state profiles provide a road map to address shortcomings and safeguard what's working. The focus here is state policies that set expectations for and requirements of both authorizers and the schools they oversee—not on local or individual authorizers' policies or practices.

In this analysis, states receive **points (A)** for each recommended policy in their law (or partial points for partial policies). The points are added to determine the **score (B)** for each state's charter law. Based on this score, each state receives a corresponding **rank (C)**.

Each state's two-page profile gives score and rank, and some quick data on the chartering sector. We provide a comparison between 2015 and 2014, highlight any improvements, and share recommendations. The opposite page dives into each of the eight policies and why that state received the points it did.

**CONNECTICUT**  
**RANK 21, SCORE 15/33**

**C (rank)** → RANK 21

**B (score)** → SCORE 15/33

**A (points)** → 15 POINTS

**22 CHARTER SCHOOLS**  
**8,036 CHARTER STUDENTS**  
**1% OF PUBLIC SCHOOL STUDENTS**

**STATE WITH FEW AUTHORIZERS**  
**1 AUTHORIZER**  
**100% ARE AUTHORIZED BY THE STATE BOARD OF EDUCATION**

**YEAR LAW ESTABLISHED: 1996**

**SCORE: 15/33**  
**RANK: 21**  
(TIED WITH MA, NC, WI)

**AUTHORIZER QUALITY (BY POLICY)**

**SCHOOL ACCOUNTABILITY (BY POLICY)**

YEARLY COMPARISON									
	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	4	0	0	0	2	3	6	0	15/33
2014	4	0	0	0	0	0	0	0	4/33

**NOTEWORTHY IN 2015**

**SCORE INCREASE: +11**

**Reports on Performance (+2).** New state law requires charter schools to annually submit a report to the Commissioner of Education on the school's progress in meeting academic and organizational performance goals in the charter. State law also requires these reports to be posted on the Commissioner's public website.

**Performance Management and Replication (+3).** New state law requires a charter contract that includes academic and organizational performance goals and indicators, the key components of a performance framework. New state law also clarifies that a charter school may receive approval to operate an additional facility under its existing charter contract, similar to opening an additional campus.

**Renewal Standard (+6).** New state law requires the authorizer to evaluate the charter school according to academic and organizational performance goals in the charter contract when considering renewal.

New laws increase transparency for charter schools, authorizers, and charter management organizations.

Legislation in 2015 modified the charter school approval process. The State Board of Education may grant only initial certificates of approval to new charter petitions. The initial certificate of approval is then submitted to the General Assembly along with a summary of the required public hearing. The final charter is considered granted only when the General Assembly appropriates funds for the Department of Education for the proposed charter school. The State Board of Education remains the authorizer.

**NACSA RECOMMENDS**

- Endorse professional standards for charter school authorizing.**
- Simplify the annual charter school appropriation mechanism** to make funding levels more predictable for charter schools. Connecticut has an unusual charter school funding process that requires the legislature to annually appropriate funding for each charter school seat through a budgetary line item. This process was further codified in 2015 through a new initial certificate process, described above, whereby a charter petition is not considered approved until funding is appropriated, often fewer than three months before the start of the school year. This process creates uncertainty for students and families at new schools, existing schools, and at those

**nacsa**  
NATIONAL ASSOCIATION OF CHARTER SCHOOL AUTHORIZERS

2015 State Policy Analysis: Connecticut  
Page 1 of 2

## CLOSING THOUGHTS

---

This publication analyzes the current policy reality of each chartering state, not authorizers' day-to-day practices.

It isn't designed to tell the whole story of a state charter school law or the whole story of a state's charter school sector. We focus here on policy to ensure quality both tomorrow and for years to come, in recognition that increased accountability is how to open and sustain more great public schools for our nation's kids. The publication tells a unique story that is a complement to other publications in the field.<sup>2</sup>

At NACSA, we believe all kids deserve a quality public education. We want to work with decision makers to ensure a policy environment to make that more likely, not less likely. Let's create a policy environment where great schools can be created and sustained so more kids get that chance that is their unalienable right: the chance to attend a quality public school.