

Connecticut: Modernizing State Law in Face of Opposition

Connecticut's charter sector has, for years, relied on the solid reputation of many great schools, with little concern that the state's rudimentary charter school law had been virtually untouched in 20 years. That changed in 2014 when significant problems were uncovered in one local network of charter schools. Without an existing law that codified quality authorizing practices, a plethora of policy proposals—some of which would have done more harm than good—were introduced. After robust legislative debates, Connecticut law now includes many smart accountability provisions. The political battle surrounding those provisions, however, should serve as a warning of what can happen when statutory policy does not reflect the new demands of quality authorizing. The law helps ensure strong authorizing now and into the future.

CHALLENGES

Connecticut charter school law was outdated and not as strong as it needed to be to weather controversy. In particular, it lacked strong and smart accountability provisions that would protect strong authorizing practices and extend quality oversight. Everyone agreed it needed to be modernized, but the large holes also gave charter opponents room to advance anti-charter provisions, including a moratorium.

” Connecticut Stakeholders Said: “The old law allowed opponents to put a bunch of terrible stuff in the modernization law under the guise of accountability...[I]t would have been better to have a strong law in place in the first place to defend rather than fighting off bad new ideas...”

POLICY FIXES

Driven in part by heightened public attention after a very public scandal in a local charter network, Connecticut's legislators chose to make significant changes to policies that impact transparency, accountability, and charter school regulation.

Public Act No 15-239¹ contained these authorizing and accountability elements:

- **Formal charter school contracts that must include academic and organizational goals used by the State Board to evaluate charter school performance**
- **Enhanced financial and organizational transparency measures**
- **The required use of performance frameworks**
- **The establishment and use of renewal standards tied to school performance**
- **Annual reporting on school performance**
- **A comprehensive set of new application requirements, including requiring the State Board to conduct due diligence regarding potential charter school operators**
- **A comprehensive set of new provisions that must be included in contracts for whole school management services**
- **A strengthened set of criminal background check requirements and conflict of interest policies**

” Connecticut Stakeholders Said: “The more rigorous transparency requirements are key. That will help with things such as performance expectations and management contracts....[T]he annual reporting will also ensure clear lines of communication and feedback between the State DOE and charter schools.”

EVIDENCE OF PROGRESS

- **Protection:** Strong authorizing policy in state law is a critical protective element and can help advance a quality-focused charter school agenda.

” *Connecticut Stakeholders Said: “It [new legislation] clarifies accountability measures so the public is getting all the [information] it deserves.”*

THE ROAD AHEAD

- Connecticut must now focus on implementation of these new accountability policies, which include a smooth transition for existing charter schools. The State must pay attention to balancing the demands of accountability and compliance to ensure that autonomy and innovation in the sector are not stifled.
- Connecticut policymakers can focus on other needed reforms for the law, such as measures to protect autonomy and equitable charter school funding levels and procedures.
- One aspect of the legislation—requiring the dual approval of the General Assembly (in addition to the State Board of Education) before a new charter school approval is finalized—could politicize the approval process as well as cause problems in attracting and cultivating quality school operators.

” *Connecticut Stakeholders Said: “We had a really tough fight on trying to explain why certain provisions were not actually facets of strong and quality authorizing...[We] should continue to educate policymakers and authorizers on their respective roles, as well as what charter authorizing policies should be all about: balancing flexibility with accountability and transparency without compromising [school] quality.”*

1. Full text of Public Act No 15-239 (Senate Bill 1096 as signed by the Governor) can be found at <https://legiscan.com/CT/text/SB01096/2015>