

The Charter School Application Process

The **National Association of Charter School Authorizers (NACSA)** is the trusted resource and innovative leader working with educators and public officials to increase the number of high-quality charter schools in cities and states across the nation. NACSA provides training, consulting, and policy guidance to authorizers and education leaders interested in increasing the number of high-quality schools and improving student outcomes. Visit us at www.qualitycharters.org.

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About NACSA’s Policy Guide Series

The growth and quality of a charter school sector is largely dependent on state policies that define approval, monitoring and renewal structures, criteria and processes. NACSA’s Policy Guide series is intended to support state legislatures in developing policy environments that promote quality authorizing and high-quality charter schools. Additional copies of this Guide are available upon request.

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The Charter School Application Process: The Foundation for Quality

The authority to open and establish a charter school should be granted only to applicants that have a sound plan for, and demonstrate the capacity to operate, a quality, high-functioning public charter school.

■ Background on the Charter School Application Process

As of Spring 2009, there were over 4,600 charter schools in operation across the country. Each of these schools began as an idea for providing an outstanding educational experience to students in a particular community, city, or state. But the power to establish a charter school is a privilege, not a right, which must be earned based on the quality of the idea. The charter school application¹ serves as the blueprint for this idea, and, when combined with demonstrated capacity, is the best indicator of whether that idea will become a quality charter school.

Over the last decade, the charter school sector has learned a great deal about what it takes to establish and operate a quality charter school. Clearly a strong educational program is a critical ingredient for success. Equally important are the organizational and financial practices, systems and leadership that support the program. As more has been learned about the elements of successful charter schools, these lessons have translated into policies and practices for determining which applications should be approved and which should not.

A national study conducted by the Thomas B. Fordham Institute found that authorizers approved 68% of

applications submitted in 2003 – but that the approval rating dropped to 50% in each of the next two consecutive years.² The researchers concluded that this decrease was not due to a decline in the quality of applications. Rather, state policies, as well as individual authorizer practices in evaluating charter applications, improved in that period. In other words, the bar for approval was raised. The study suggests that applications approved through more rigorous, selective processes are more likely to develop into successful charter schools.

In summary, the application process is the gateway by which school developers enter the charter school sector. Authorizers have the responsibility to determine who will enter the charter school space and who will not. Thus, the quality of a charter school sector is largely dependent on how well authorizers, backed by sound state policy, fulfill this gatekeeping role.

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■ Key Considerations for Policymakers on the Charter School Application Process

What information should a charter school application address?

The charter school application serves as the blueprint for the establishment and operation of a new, autonomous and accountable public school. It should

clearly describe to the authorizer and the public the key design elements that will serve as the school's foundation. In addition, it should demonstrate the applicant's capacities to execute the plans described. Most state charter school laws³ require charter school

applications to address key design elements that fall into three broad categories:

- **EDUCATION:** Including mission, educational philosophy and approach, school culture, curriculum and instruction, assessment and services for special populations;
- **ORGANIZATION:** Including governance and management, human resource recruitment and development, student recruitment and enrollment, parent and community involvement and compliance with applicable laws and regulations; and
- **FINANCE AND FACILITIES:** Including short- and long-term financial projections, business management procedures and facility planning.

Some types of charter school proposals — such as virtual school designs, conversions from existing schools, or proposals involving management contracts with education service providers — may require additional details beyond the general information required of any charter application to fully assess the quality of the plans. Similarly, applications to replicate an existing school or program require greater detail about past performance as well as the applicant's capacities to support quality replication (See *Policy Guide on Replication*). State charter school law should take these varying design issues into consideration when defining the requirements for charter school applications and empower authorizers to gather the information needed to make well-informed, sound and merit-based chartering decisions.

While state policy can identify the general parameters of the type of information that ought to be included in a charter school application, it should not hamstring authorizers from requiring additional information needed to implement a rigorous evaluation process. Authorizers should be able to exercise professional judgment in defining the requirements of a charter school application in a manner that is consistent with the purposes of the charter law and national best practices.

In order to create a level of clarity and consistency regarding the requirements of a charter school application, authorizers should release a formal call for applications, or request for proposals (RFP),⁴ that specifies the requirements as set by state charter school law and any additional elements for which the authorizer has set for the charter school application.

How should the standard for approval be set?

As stated above, most charter school laws require applicants to describe the key elements of their plan for a new charter school. But simply providing the required information is not enough. In order to be approved, applications should meet standards of quality. This is an area where the authorizing profession has made tremendous gains based on research, experience, and lessons learned over the past decade on the characteristics of successful schools.⁵

State policy should require authorizers to define specific standards by which applications will be judged and direct authorizers to award charters only when applications have met.

What elements and steps are needed for a quality evaluation of charter school applications?

Conducting a thorough evaluation of a charter school application is as much art as it is science. Quality application evaluation requires a team of individuals bringing the diverse expertise needed to evaluate all aspects of the application. Charter schools are complex organizations that require strong educational, financial, legal, facilities, governance, and management plans. Evaluating the quality of an applicant's plans and capacities in all these areas requires people with a range of experience, expertise and skill. Securing sufficiently broad and deep expertise within their own organizations may not be feasible for some authorizers. Many engage third-party evaluators who can add specialized expertise, credibility, and balance to the process. The Louisiana charter school

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law, for example, requires charter school application evaluations to include the expertise of qualified third-party evaluators.⁶

Furthermore, there are key steps that provide a framework for authorizers to conduct a quality evaluation of charter applications:

- Written application evaluation to rigorously assess the quality of the school's plans in core design areas;
- Applicant capacity interview to assess the capacity to implement the plan as described in the written application;⁷ and
- Solicitation of public input which can take the form of public hearings or a request for written testimony.

How can the timing of a charter school application process impact quality?

To support a quality application process that provides predictability to authorizers and charter applicants alike, state policies should allow authorizers to establish a defined application process, with clear deadlines and timelines.

The amount of time allowed for the evaluation of an application is important. A thorough charter school evaluation cannot happen overnight, nor should it drag on endlessly. State charter school laws typically set a specific timeframe by which chartering decisions must be made, often a specific number of days upon receipt of a charter application. The timeframe should allow authorizers sufficient time to conduct a thorough, multi-stage evaluation.

The establishment of a charter school application cycle should take these two considerations into account

and work backwards to set a deadline most conducive to a quality process. Operators will need no less than six months from the time an application is approved to the first day of operation in order to appropriately plan and prepare to serve students well. Authorizers will generally need at least 90 days to conduct a thorough charter school evaluation.

Is the right to appeal a chartering decision necessary?

The right to appeal a charter application decision ensures proper due process. In states that do not have multiple types of authorizers, policymakers should establish a process that is fair and transparent and provides appropriate checks and balances in chartering decisions while limiting the administrative burden on any single body.

What post-approval steps should charter schools be required to complete before beginning operation?

An approved application is simply the first critical step in establishing a new charter school.

All newly approved charter schools should be required to execute a legally binding contract between the school's governing body and its authorizer before beginning operation (*See Contract Policy Guide*).

Next, before opening its doors to students, a newly approved charter school should be required to demonstrate its readiness to begin operation. To be prepared to serve students well, charter schools must complete numerous important tasks between charter approval and the first day of operation. These activities range from securing proper insurance and building occupancy permits to passing final safety

inspections. Many authorizers have established “pre-opening procedures” that a charter school must complete before beginning operation.⁸ State policies

should ensure that these post-approval steps occur before a new charter school is permitted to first open its doors.

■ Recommendations and Best Practices for State Policy on the Charter School Application Process

To establish a sound foundation and parameters for the approval of new charter schools, NACSA recommends the following best practices:

- **Define the essential educational, operational and financial information to be included in a charter school application.** State charter school law should set general parameters for the types and minimum levels of information that applicants are required to provide in an application to establish and operate a public charter school. Such requirements should be limited to information important to assessing the quality of the applicant’s educational, operational, and financial plans for the school as well as the capacity to implement those plans. At the same time, the law should make clear that authorizers have discretion to require additional information that is necessary to fully evaluate each applicant’s plans and capacities.
- **Allow authorizers to set a charter school application cycle and annual timeline that meets the needs of both charter school applicants and authorizers.** State policy should allow authorizers to set an annual deadline by which applications must be submitted. State policy should also indicate how much time an authorizer has to evaluate an application. NACSA recommends no fewer than 90 calendar days.
- **Require authorizers to implement a sound multi-stage application process that thoroughly evaluates the applicant’s capacity to open a quality public charter school.** Chartering decisions should

be informed by a multi-stage evaluation process that includes a comprehensive review of the written application, assessment of applicant capacity, mechanism(s) for gathering public input, and an evaluation team that brings the diverse expertise needed to evaluate the application fully.

- **Empower authorizers to define and enforce standards for charter school approval.** Chartering decisions should be based solely on whether or not the plan for a new charter school – and the demonstrated capacity supporting that plan – meets educational, organizational, and financial standards. Authorizers should set these standards in accordance with statutory requirements and national best practices and award charters only to applicants that have met defined standards. To be approved, applicants should demonstrate capacity to succeed in all aspects of school operations, including the academic program, governance, management, finances and facilities.
- **Require approved applicants to execute a contract with their authorizer and demonstrate readiness to operate prior to school opening.** Prior to opening its doors to students, an approved applicant should be required to demonstrate its readiness to operate a quality charter school. The execution of a contract between the charter school governing board and authorizer and the completion of defined pre-opening requirements are key steps for ensuring an approved charter school is prepared to begin operation.

■ Resources and Further Analysis

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¹ State charter school laws use different terminology, such as petition or proposal, when defining a charter school application. Application is used for the purpose of this guide.

² See Gau R., *Trends in Charter School Authorizing*, at 10.

³ See *A New Model Law for Supporting the Growth of High-Quality Public Charter Schools*, Section IV, at 38 which provides model language for charter school application elements that ought to be required by state charter school law.

⁴ See *A New Model Law for Supporting the Growth of High-Quality Public Charter Schools*, Section IV, at 36.

⁵ See *Principles and Standards for Quality Charter School Authorizing: Application Process*.

⁶ See Louisiana Charter School Law R.S. 17:3981(4) and R.S. 14:3982(A)(1)(a).

⁷ See Cornell-Feist, M. *Good to Govern: Evaluating the Capacity of a Charter School Founding Group*, at 6.

⁸ See *A New Model Law for Supporting the Growth of High-Quality Public Charter Schools*, Section VI(2)(a), at 38.

