

POLICY RECOMMENDATION: Endorse and Apply Authorizer Standards

This policy recommendation is part of a larger policy agenda and multi-pronged campaign designed to provide one million more children the chance to attend a great school that will prepare them for success throughout their lives. By engaging authorizers and a broad nationwide coalition to close failing charter schools and open many more good ones, the *One Million Lives* campaign is working to get one million more children into 3,000 high-performing schools over the next five years. www.qualitycharters.org/one-million-lives.



Given the large number and variety of charter school authorizers, industry standards for authorizing can help to steer all authorizers toward stronger practices. There are currently 979 authorizers responsible for monitoring approximately 5,997 charter schools nationwide. Authorizer experience and practice vary widely, yet can significantly impact both the autonomy and accountability of each charter school. It is important that authorizers promote a charter sector that appropriately balances rigor with autonomy, and represent the interests of all parties, in particular, students and tax payers. Rigorous and consistently applied authorizer standards can help ensure that authorizers do their jobs well.

NACSA's Recommendation

NACSA's policy recommendation centers on five elements:

- State endorsement of national industry standards;
- Adoption of Best Practices in Performance Management and Replication: charter contracts, performance frameworks, and quality replication;
- Periodic evaluation of a subset of authorizers within the state against these standards;
- Production of an annual report by authorizers on the performance of their schools; and
- In states with multiple authorizers, sanctions for the authorizers that are not meeting those standards or those with failing portfolios.

State Endorsement of Standards

The state should endorse national industry standards of quality charter authorizing and require all authorizers to meet these standards. Ideally, these standards will be NACSA's *Principles & Standards for Quality Charter School Authorizing*. Alternatively, the state should develop or endorse standards that may be different from NACSA's, yet still adequate to inform strong authorizer practices.

Adoption of Best Practices in Performance Management and Replication: Charter Contracts, Performance Framework, and Quality Replication

Each authorizer should be required to enter into a charter contract with each of its charter schools. The contract should be a separate document—distinct from the charter petition or application. Each authorizer should also be required to use a performance framework for all its schools. These performance frameworks should be the basis for authorizers' renewal decisions. States should also adopt policies that promote the replication of high-quality schools. Options include using a differentiated application process for the best schools seeking to replicate or allowing charter operators to run multiple campuses under one charter.

Evaluation of Authorizers

Some entity in the state should periodically evaluate an appropriate subset of authorizers on adherence to authorizer standards. In most circumstances, the entity evaluating authorizers would be the State Education Agency (SEA). Not all authorizers would require evaluations. In most cases, evaluation would be reserved for authorizers with low performing portfolios or allegations of egregious authorizer practices. In some states, responsibility for conducting evaluations may rest with the authorizers themselves or other parties.



Annual Reports

Each authorizer should publish an annual report on the performance of its schools. This report should include measures of school performance as measured by the state accountability system and the school performance framework.

Authorizer Sanctions

Authorizers may face sanctions if they do not meet professional standards or if their schools do not perform adequately. Sanctions may include removal of authority to authorize schools, removal of authority to authorize new schools, and transfer of schools to other authorizers. A state policy of authorizer sanctions is counterproductive for the charter sector when there is only one authorizer in the state or in particular jurisdictions. In states with limited authorizers, standards can still inform expectations and evaluations, but they must enable efforts to improve practices rather than harming applicants' or charter schools' access to authorizers.

Current Statutory Standards and Requirements: Performance Management and Replication

Charter Contract			Performance Framework	Quality Replication
Alaska	Massachusetts	Oklahoma	Arizona	Arkansas
Arizona	Michigan	Oregon	California	California
Arkansas	Minnesota	Pennsylvania	Delaware	Delaware
Colorado	Mississippi	Rhode Island	Hawaii	Florida
Delaware	Missouri	South Carolina	Idaho	Hawaii
Florida	Nevada	Tennessee	Maine	Michigan
Georgia	New Hampshire	Texas	Mississippi	Minnesota
Hawaii	New Jersey	Utah	Nevada	Oklahoma
Idaho	New Mexico	Vermont	New Jersey	Texas
Illinois	New York	Virginia	New Mexico	Utah
Indiana	North Carolina	Washington	Texas	Washington
Louisiana	Ohio	Wisconsin	Washington	
Maine		Wyoming		

Maine: “1. Charter contracts. When an application is approved, a charter contract must be executed in accordance with this section.

A. After approval of an application and no later than 60 days prior to the opening date of the public charter school, the authorizer and the governing board shall execute a charter contract that sets forth:

- (1) Performance provisions describing the academic and operational performance expectations and measures by which the public charter school will be judged;
- (2) Administrative provisions articulating the administrative relationship between the authorizer and the public charter school, including each party's rights and duties; and
- (3) A description of the standards and processes under which the authorizer may pursue revocation of the charter contract.” [2011, c. 570, §10 (AMD).]

Arizona: “R. The sponsoring entity of a charter school shall have oversight and administrative responsibility for the charter schools that it sponsors. In implementing its oversight and administrative responsibilities, the sponsor shall ground its actions in evidence of the charter holder's performance in accordance with the performance framework adopted by the sponsor. The performance framework shall be publicly available, shall be placed on the sponsoring entity's website and shall include:

1. The academic performance expectations of the charter school and the measurement of sufficient progress toward the academic performance expectations.



2. The operational expectations of the charter school, including adherence to all applicable laws and obligations of the charter contract.
3. Intervention and improvement policies.” 15-183

Current Statutory Standards and Requirements: Authorizer Standards

Authorizer Standards	Evaluate Authorizers on Standards	Authorizers Submit an Annual Report on Their Portfolio	Sanctions for Failing Authorizers
Hawaii Illinois Indiana Louisiana Maine Minnesota Mississippi Nevada New Mexico Texas Washington Wisconsin	Hawaii Missouri Ohio Washington	D.C. Hawaii Illinois Indiana Minnesota Mississippi Nevada New Mexico Texas Washington	Hawaii Indiana Louisiana Minnesota Missouri Nevada Ohio Washington

Washington: “(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board, which includes:

- (a) The authorizer’s strategic vision for chartering and progress toward achieving that vision;
- (b) The academic and financial performance of all operating charter schools overseen by the authorizer, including the progress of the charter schools based on the authorizer’s performance framework;
- (c) The status of the authorizer’s charter school portfolio, identifying all charter schools in each of the following categories: Approved but not yet open, operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened;
- (d) The authorizer’s operating costs and expenses detailed in annual audited financial statements that conform with generally accepted accounting principles; and
- (e) The services purchased from the authorizer by the charter schools under its jurisdiction under RCW [28A.710.110](#), including an itemized accounting of the actual costs of these services.” RCW 28A.710.100

Minnesota: “If, consistent with this section, the commissioner finds that an authorizer has not fulfilled the requirements of this section, the commissioner may subject the authorizer to corrective action, which may include terminating the contract with the charter school board of directors of a school it chartered. . . . If the commissioner terminates a contract between an authorizer and a charter school under this paragraph, the commissioner may assist the charter school in acquiring a new authorizer.” 124D.10(3)(i) “The commissioner may at any time take corrective action against an authorizer, including terminating an authorizer’s ability to charter a school for: (1) failing to demonstrate the criteria under paragraph (c) under which the commissioner approved the authorizer; (2) violating a term of the chartering contract between the authorizer and the charter school board of directors; (3) unsatisfactory performance as an approved authorizer; or (4) any good cause shown that provides the commissioner a legally sufficient reason to take corrective action against an authorizer.” Minn. Stat. 124D.10(3)(j).