

POLICY RECOMMENDATION: Standards of Renewal

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.



Renewal Standards

Strong state laws permit authorizers to close schools that fail to meet the performance expectations in their charter contracts when they come up for renewal. Other state statutes, however, only permit the authorizer to not renew (i.e., close) schools if they fail to “make progress toward” these expectations. These weaker provisions presume authorizers should renew charters if a school can demonstrate “progress” toward their goals. This effectively puts the burden on authorizers to prove the absence of any progress. As a result, authorizers become less willing to attempt closure, particularly if their decisions are subject to appeal. When decisions are subject to appeal, as is the case in many states, these weaker provisions make it more likely they will be reversed. Directing authorizers to renew charters when schools fail to reach these standards but “make reasonable progress” toward them is simply too weak a standard to ensure accountability.

NACSA’s Recommendation

With default closure in place, the authorizer can still use its discretion to renew a school that is not reaching all its performance expectations but is performing near expectations and showing dramatic progress. The new standard shifts the burden to failing schools to prove that they deserve to stay open. It thus supports efforts by authorizers to hold schools accountable by closing those that chronically underperform. Schools that do not meet the performance expectations in their charter contract should be required to prove why their authorizer should renew their charter.

Current Statutory Renewal Requirements

Among the 12 states that require schools to meet requirements for renewal, three states (Arkansas, California, and Indiana) require schools to meet state standards. Seven states require schools to meet the academic goals in their charter. One state, Pennsylvania, allows non-renewal if the school fails to meet either the state standards or the academic achievement goals in its charter.

States with renewal standards based on “meeting expectations”		States that use the term “reasonable progress” for renewal		
Arkansas	Missouri	Alaska	Kansas	Oklahoma
California	Nevada	Arizona	Maine	Oregon
DC	New Hampshire	Colorado	Maryland	Rhode Island
Florida	New Jersey	Connecticut	Massachusetts	South Carolina
Idaho	North Carolina	Delaware	Mississippi	Tennessee
Indiana	Pennsylvania	Georgia	New Mexico	Utah
Louisiana	Texas	Hawaii	New York	Virginia
Minnesota	Washington	Illinois	Ohio	Wisconsin
Mississippi		Iowa		Wyoming



Examples of Current Statutory Language

Below are examples of current legislative language. NACSA has model language available.

North Carolina: “(a) The State Board of Education, or a chartering entity subject to the approval of the State Board of Education, may terminate or not renew a charter upon any of the following grounds: (1) Failure to meet the requirements for student performance contained in the charter; (2) Failure to meet generally accepted standards of fiscal management; (3) Violations of law; (4) Material violation of any of the conditions, standards, or procedures set forth in the charter; (5) Two-thirds of the faculty and instructional support personnel at the school request that the charter be terminated or not renewed; or (6) Other good cause identified.” N.C.G.S.A. § 115C-238.29G.

Arkansas: “(a) The State Board of Education may place a public charter school on probation or may modify, revoke, or deny renewal of its charter if the state board determines that the persons operating the public charter school: (1) Committed a material violation of the charter, including failure to satisfy accountability provisions prescribed by the charter;... (4) Failed to meet academic or fiscal performance criteria deemed appropriate and relevant for the public charter school by the state board. (b) Any action the state board may take under this section shall be based on the best interests of the public charter school’s students, the severity of the violation, and any previous violation the public charter school may have committed.” A.C.A. § 6-23-105.

New Hampshire: “By the end of its final contract year, the chartered public school shall meet or exceed the objective academic test results or standards and goals as set forth in its application. If the school does not meet these results or standards and goals, it shall not be eligible for renewal of its charter.” N.H. Rev. Stat. § 194-B:16(VI).