

## DEALING WITH DATA GAPS

### The Issue: What is a Data Gap?

Some states and districts have suspended or modified state-and-district designed school quality metrics and reporting requirements for the 2015–16 academic year in anticipation of state assessment and accountability transitions resulting from the passage of ESSA.

In addition, in preliminary guidance to SEAs, the US Department of Education (ED) identified two federal academic performance reporting requirements that states will no longer have to comply with:

1. Annual Measurable Objectives (AMO) and some of the Adequate Yearly Progress components (AYP) based on data from the 2014–15, 2015–16, and 2016–17 school years.
2. Annual Measurable Achievement Objectives (AMAO) data from the 2014–15, 2015–16, and 2016–17 school years. This impacts some of the reporting requirements for the performance of English learners.

This means data on charter schools that ordinarily would be available to authorizers may not be generated or reported, including data that relates to performance goals in charter contracts. When taken together—a growing snowball of federal, state, and district changes—the effect can be significant. This will be seen most acutely in data from the 2014–15, 2015–16, and 2016–17 school years.

Any data gap may make it more difficult to accurately assess charter school performance and enforce charter school accountability, especially when the missing data is linked to charter school performance.

When this happens, authorizers will confront a gap between the data they have and the data they need; a gap that comes before pervasive data substitutes (in the form of new state accountability or reporting systems) are in place. Any data gap may make it more difficult to accurately assess charter school performance and enforce charter school accountability, especially when the missing data is linked to charter school performance goals.

This gap will have the biggest impact on authorizing activities—especially renewal, non-renewal, and closure—during the 2016–17 (and potentially the 2017–18) school years. After that period the presumption is that new state assessment and accountability systems will be producing data, and authorizers can then systematically update charter contracts to reflect the new systems.

**Authorizers must pursue a strategy to work around any data gaps during this transition year.**

### Selecting a Data Gap Strategy

*When performing the data-gap assessment, and selecting a strategy to work around the data gap, keep in mind the purpose of authorizing work. Authorizers set performance goals and collect performance data in order to ensure charter schools live up to the promises they make to the public. Data collection is not the goal of the exercise; it is merely the necessary means to determine if a school is performing as promised. Authorizers have a responsibility to the public to make sure that determination is accurate and fair, and then, as a result, renew, non-renew, or close charter schools.*

*Through each step in this process, ask yourself: Does this action help me get the data I need to make and justify a renewal, non-renewal, or closure decision?*

## Step 1: Assess the Impact of the Data Gap on Your Portfolio of Charter Schools

Before selecting a strategy, the authorizer should assess the impact of the data gap. This can be determined by asking two broad questions:

- (1) **Does the missing data have a big impact on charter school contracts?** These questions can help authorizers determine the impact on charter contracts.
  - a. Does the missing data impact an important element of the charter contract, such as a school performance goal?
  - b. Does the missing data mean that I can't prove whether a school has met a statutorily defined renewal, non-renewal, or revocation threshold, such as a bar for renewal or a default closure provision?  
*(Note: Notify your SEA immediately if this is the case. The SEA should issue guidance on how to proceed.)*
  - c. Does the charter contract allow for data substitution, or metric changes, in the event data is unavailable?  
*(Note: some charter contracts contain a clause that allows for data or metric substitution for precisely this kind of state assessment and accountability transition.)*  
**-OR-**  
Will a contract modification, or other formal approval, be necessary to change an impacted contract metric?
  - d. What guidance does the SEA have for the data gap and charter schools?
- (2) **Do I anticipate making any renewal, non-renewal, or revocation decisions during the 2016-17 and/or 2017-18 school years?**
  - a. Think about the identified schools. Are any at risk of closure?

If an authorizer answers YES to both of these questions, the data gap has a significant impact on charter school accountability in the next two years. The more significant the impact, the more time and resources an authorizer may need to devote to the solution.

## Step 2: Select a Strategy Based on Your Assessment

Authorizers have two main strategies to deal with the data gap:

- (1) Generate the Missing Data
- (2) Manage without the Missing Data

The strategy selected should, as much as possible, be consistent across the charter school portfolio and, ideally, the state.

Authorizers should also involve impacted charter schools in this process. Working with schools to problem-solve the data gap may afford authorizers with better data substitutes, giving them more strategy options. In the best scenario, charter schools and authorizers act as partners to find data gap strategy that makes sense for all stakeholders. At a minimum, this must include adequate notification to schools of the data gap and any proposed policy changes, with the opportunity for schools to engage with comments and feedback.

## Strategy 1: Generate the Missing Data

The least disruptive option is finding a method to generate the missing data. With this method, the authorizer can maintain consistency with the original charter contract, possibly eliminating the need for any contract modifications.

- **Strategy 1A: Minimize:** A state may still collect and generate the impacted data even if it no longer reports that data to ED or on state report cards. If your state does collect this data and can calculate the impacted indicator, it may grant you—or the schools in your portfolio—access to that data. This is the simplest way to overcome the data gap.
- **Strategy 1B: Self-Calculate:** A state may still collect many or all of the component data points that go in to calculating the missing data pieces, particularly AMO or AYP. Equipped with the state AMO or AYP formula and the component data points, an authorizer or school may be able to calculate the impacted indicator on its own, providing a reliable “proxy” for the missing state-calculated data. This strategy should only be used when there is a high degree of confidence in the ability of the authorizer to accurately replicate the data. This may require significant authorizer resources depending on the complexity of the missing indicator.

### A FAULTY SOLUTION: A TEMPORARY PAUSE IN NON-RENEWAL OR REVOCATION

Authorizers may face pressure to institute a temporary pause in non-renewal or revocation during the ESSA transition. The call for a pause may be based on real or perceived data gaps, a desire to “move on” from the prior state assessment or accountability metrics or determinations that are being phased out, or petitions for equal treatment to a traditional school system that, in some ways, is being “held harmless” during the ESSA transition.

We urge authorizers to resist this pressure and continue the needed work of holding charter schools accountable for their performance. A charter school is identified for non-renewal or revocation because, based on its past performance, it is unfit to continue educating children. Period. A potential change to a metric, at some point in the future, does not erase or excuse a charter school’s inability to fulfill its contractual obligations. Just as it does not release authorizers from their responsibility to hold charter schools accountable.

Authorizers should be aware that, while these strategies have the least disruption on the charter contract, they do not address any arguments surrounding the validity of the measure the data is reporting on.

For example, if a state is transitioning to a new assessment, it may decide to suspend data reporting on the prior assessment to recognize curricular or other changes taking place across all schools in the state. Using this strategy the authorizer would find or recreating this “discarded” measure and data—a measure stakeholders may argue should no longer be a valid basis for high-stakes decisions because it is being phased out by the state.

## Strategy 2: Manage Without the Missing Data

It may not be feasible to generate the specific missing data needed. If this is the case, authorizers have several options for maintaining accountability without this data. These strategies generally require adjustments to the terms of the charter contract, as they modify what data an authorizer is using to determine if a school is successful, though some charter contracts allow for streamlined revisions in the event of a change in state data systems. Authorizers should check to see what is allowed under the charter contract and be aware of any formal contract modification or policy approval process needed to proceed before selecting this strategy.

- **Strategy 2A: Substitute and, as Necessary, Reweight:** An authorizer and school may agree to an alternative metric to replace the missing data point. This could be another metric generated by the state accountability system, such as a proficiency or growth metric from the state assessment that is not

included elsewhere in the charter contract, or a metric generated at the school level, such as through an alternative, reliable, mutually-agreed to assessment. The alternative metric does not replace all available performance data, but rather provides the needed supplemental data to evaluate school performance in light of the data gap.

- For example, if a state is suspending a high school exit exam, it may be acceptable to substitute in a collection of end-of-course exams taken by the same grade span.
- **Strategy 2B: Eliminate and Reweight:** If an acceptable data substitute cannot be found, it may be necessary to eliminate the missing data point from the charter contract for the effected year and reweight the other available performance data to fill in the gap.
  - For example, instead of using three academic metrics to assess the impacted year, the authorizer will discard the metric that is missing data and instead use the two remaining academic metrics.

Both of these strategies include the possibility of reweighting the unaffected metrics in the charter contract. This ensures authorizers do two things: (1) make sure summation of all metrics adds up to 100%; and (2) adjust the relative weight of each remaining metric in the charter contract to allow an accurate assessment of school quality.

For example, a charter contract has three academic metrics: student growth (25%); student proficiency (50%); and AYP (25%). A data gap causes AYP to be unavailable. An authorizer may:

- A. Decide to substitute in a different indicator (e.g., NAEP results) that has some overlap with student proficiency. As a result, the authorizer decides to reweight the indicators to account for the overlap: student growth (25%); student proficiency (40%); NAEP (35%).
- B. Eliminate AYP and reweight the remaining indicators: student growth (40%) and student proficiency (60%).