

Principles & Standards for Quality Charter School Authorizing

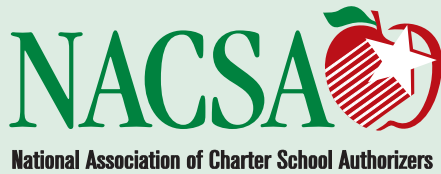
2005 Revised Edition



NACSA 

National Association of Charter School Authorizers

Promoting quality charter schools



The National Association of Charter School Authorizers received invaluable insight and expertise from authorizers and leaders in the charter school community during the development of the *Principles and Standards for Quality Charter School Authorizing*. Special appreciation goes to Bryan Hassel, Paul Herdman, and Nelson Smith for their involvement in this project.

PROJECT ADVISORS

Jeanne Allen, Center for Education Reform
Checker Finn, Thomas B. Fordham Institute
Jim Griffin, Colorado League of Charter Schools
Lisa Graham Keegan, Education Leadership Council
Robin Lake, University of Washington
Bruno Manno, Annie E. Casey Foundation
Katherine Merserth, Harvard University
Anita Nelam, Harte Crossroads Public Schools
Andrew Rotherham, Progressive Policy Institute
John Rothwell, Ohio Charter Schools Institute
Robert Wedl, Education Evolving
Caprice Young, California Charter Schools Association

BOARD OF DIRECTORS

Josephine Baker, D.C. Public Charter School Board (Chairperson)
Brian Bennett, San Diego (CA) Unified School District
Dennis Doyle, Chula Vista (CA) Elementary School District
James Goenner, Central Michigan University (Treasurer)
James Merriman, State University of New York (Vice Chairperson)
Greg Richmond, NACSA (ex-officio)
Jennifer Rippner, Georgia Department of Education (Secretary)
Carlo Rodriguez, Miami-Dade County (FL) Public Schools
Justin Testerman, Volunteers of America of Minnesota

STAFF

Greg Richmond, President
Mark Cannon, Executive Director
Rebecca Cass, Programs & Services Manager
Amalea Hijar, Operations Manager
Margaret Lin, Senior Associate
William Haft, Senior Associate
Andrea Croom, Office Administrator
Rebecca Davenport, Policy Fellow

The *Principles and Standards for Quality Charter School Authorizing* publication is funded by a grant from the U.S. Department of Education.

Dear Colleague:

Charter schools are bringing about a new supply of public schools that are improving the academic performance of hundreds of thousands of students. This is born from an empowering idea that students, parents, teachers and school leaders ought to have some direct say in where they go to school and the quality of education that goes on there. Experience also teaches us that the quality and quantity of charter schools is greatly affected by how authorizers fulfill important responsibilities to approve, oversee and evaluate the performance of charter schools. To put it simply, we need quality authorizing to have quality charter schools.

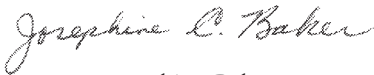
Charter school authorizers play a pivotal role in guiding the school development process, keeping the focus on results, and upholding the public trust. Since its inception, the National Association of Charter School Authorizers (NACSA) has regarded its mission-critical work as increasing the number of quality charter schools.

When the NACSA membership first ratified the *Principles & Standards for Quality Charter School Authorizing* in May of 2004, we envisioned this being a living work. It is a foundational resource for our association and has been used to guide policy discussions in many state capitols and to inform authorizer practices across the country. The 2005 Revised Edition contains modest revisions recently adopted by the NACSA board of directors to keep in step with the growing body of knowledge about quality authorizing.

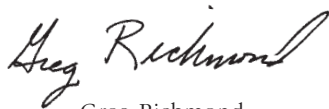
This effort continues to be shaped by the accumulated expertise of authorizers and other leaders within the charter school and education accountability arenas. We are thankful for the grant support of the U.S. Department of Education's Office of Innovation and Improvement and to the many people who have supported this important work.

It is essential that we always make room for innovation and experimentation. The focus of the *Principles & Standards* continues to be on the *ends* that authorizers should be aiming to attain in creating and upholding high expectations for the schools they charter while recognizing that there are many *means* of getting there. Consult this resource often as a guide to understanding and fulfilling the critical responsibilities of charter school authorizers.

Sincerely,



Josephine Baker
Chairperson



Greg Richmond
President



Mark Cannon
Executive Director

Introduction

The role of the charter school authorizer is relatively new to public education. In the first decade of charter schools, authorizers have accumulated important experience and understanding of what makes for quality authorizing. To share this expertise, the National Association for Charter School Authorizers (NACSA) has adopted *Principles and Standards for Quality Charter School Authorizing*.

As the professional membership organization representing leading authorizers across the country, NACSA is committed to increasing the number of quality charter schools. A quality charter school is characterized by high student achievement, financial stewardship, and responsible governance.

NACSA is committed to increasing the number of quality charter schools. A quality charter school is characterized by high student achievement, financial stewardship, and responsible governance.

Students deserve outstanding public schools. Nationally, the demand for charter schools far exceeds supply. As more charter schools are created, these *Principles and Standards* will guide authorizer practices to ensure that the autonomy of charter schools is honored and that charter schools are held accountable for high student achievement.

What are the Principles and Standards for Quality Charter School Authorizing?

The *Principles and Standards for Quality Charter School Authorizing* reflect the lessons learned by experienced authorizers. The *Principles* articulate a set of beliefs about quality charter school authorizing. The *Standards* identify core authorizer responsibilities and describe how the principles are upheld within each core responsibility. Together, the *Principles and Standards* create a framework for authorizer practice and highlight the importance of effective authorizing for the overall quality of the charter school initiative. This effort builds on NACSA's prior work under the *Critical Design Issues, Illustrations and Case Studies for Charter School Authorizers*, which identified a set of activities and

practical choices associated with a comprehensive approach to charter school authorizing.

It is important to qualify the purpose of this document by stating not only what it is but also what it *is not*. The *Principles and Standards* **do not** prescribe an exclusive approach to charter school authorizing. They are intended to focus on the *ends* that authorizers should be aiming to attain, recognizing that there are many *means* of getting there. Moreover, NACSA recognizes that authorizers operate under various legal, financial and other constraints that may limit how they operate and what they do. Nevertheless, the *Principles and Standards* assert the authorizer’s role in creating and upholding high expectations for the schools they charter.

How do the Principles and Standards promote quality charter schools?

NACSA strives to promote quality charter schools and seeks to foster quality authorizing practices as a mechanism for doing so. The *Principles and Standards* can help current authorizers reflect on their practices, understand the strengths and weaknesses of these practices, and initiate ongoing improvement. For agencies considering authorizing, the *Principles and Standards* can be a tool for understanding the

*The Principles and Standards are intended to focus on the **ends** that authorizers should be aiming to attain, recognizing that there are many **means** of getting there.*

complexities of chartering and determining how to prepare their organizations for this work. In sum, the *Principles and Standards* will strengthen the practices of charter school authorizers that, in turn, will enhance charter school quality and student performance.

We present the *Principles and Standards* in two parts. The first is a preamble that identifies NACSA’s *Principles for Quality Charter School Authorizing*. The preamble is followed by five *Standards for Quality Charter*

School Authorizing that identify the core authorizer responsibilities and describe how these responsibilities are carried out in practice and, ultimately, uphold the principles.

Preamble

Charter school authorizers embody a new governance role in public education. It is one characterized by the granting and oversight of performance contracts or “charters” that provide autonomy in exchange for accountability. This new relationship is designed to give those closest to the educational process substantial authority over decisions that are essential to making schools perform well.

In return for operational autonomy, charter schools promise to be accountable to high academic and organizational performance. Parents and students make individual accountability real through the decisions they make about whether to enroll in and continue to attend a school. The authorizer makes school-wide and public accountability real by ensuring that a charter school’s performance, as a whole, measures up to the terms of the charter.

Charter school authorizer responsibilities are challenging and can sometimes conflict. Authorizers may guide and mentor schools in their development and then have to make the tough calls in assessing school quality. They may be strong advocates for the charter school concept while being demanding critics of individual school performance. Moreover, the scope of the authorizer’s activity and the availability of resources to support this work are state-specific and vary widely. Yet, for all the complexities of implementation, the ultimate mandate is fairly straightforward—authorizers must determine whether a charter school is doing what it promised to do and act accordingly.

In light of the ultimate goal of educational accountability, authorizers must understand how they fulfill the promise of this role in public education. Therefore, NACSA adopts the following Principles and Standards for promoting the establishment and operation of quality charter schools through responsible oversight in the public interest.

Note: The *Principles and Standards for Quality Charter School Authorizing* offers guidance that experience indicates will strengthen authorizer practices. This is intended as an educational resource only and is distributed with the understanding that the National Association of Charter School Authorizers is not engaged in providing legal advice nor rendering legal or other professional services by its distribution. Charter school authorizers are encouraged to freely and voluntarily associate themselves with the *Principles and Standards* contained herein to the extent that they independently determine such guidance to be consistent with the laws and regulations applicable to their jurisdiction.

Principles for Quality Charter School Authorizing

The purpose of charter school authorizing is to improve student achievement. A quality authorizer engages in responsible oversight of charter schools by ensuring that schools have both the autonomy to which they are entitled and the public accountability for which they are responsible.

In furtherance of this end, quality authorizers should:

- approach authorizing deliberately and thoughtfully with the intent to improve the quality of public school options;
- support and advance the purposes of charter school law;
- be a catalyst for charter school development to satisfy unmet educational needs;
- strive for clarity, consistency, and transparency in developing and implementing authorizing policies and procedures;
- be a source of accurate, intelligible, performance-based information about the schools that they oversee;
- be responsible not for the success or failure of individual schools, but for holding schools accountable for their performance;
- use objective and verifiable measures of student achievement as the primary measure of school quality;
- support parents and students in making decisions and staying informed about the quality of education provided in charter schools; and,
- make the well-being of students the fundamental value informing all decision-making and actions.

The *Principles for Quality Charter School Authorizing* provide the foundation for the following *Standards for Quality Charter School Authorizing* that link belief to practice.

Standards for Quality Charter School Authorizing

Agency Capacity and Infrastructure

A quality authorizer creates organizational structures and commits human and financial resources necessary for conducting its authorizing duties effectively and efficiently.

A quality authorizer:

| | |
|----------------------------------|---|
| Organizational Structures | Implements plans, policies, and processes that streamline and systematize its work. Defines external relationships and lines of authority to protect its authorizing functions from conflicts of interest and political influence. |
| Human Resources | Enlists competent leadership and required content knowledge through staff, contractual relationships, and/or intra- or inter-agency collaborations. |
| Financial Resources | Determines the financial needs of the office and secures sufficient financial resources to adequately fulfill its authorizing responsibilities. Deploys funds effectively and efficiently. |

Application Process

A quality authorizer implements a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school.

A quality authorizer:

| | |
|--------------------------|--|
| Fair Procedures | <p>Communicates chartering opportunities, processes, and decisions openly to the public.</p> <p>Establishes a submission process with realistic and clear timelines, requirements, and expectations for content and format.</p> <p>Explains how each stage of the application process will be evaluated.</p> <p>Defines clearly how the requirements of the application are met.</p> |
| Rigorous Criteria | <p>Requires the applicant to provide a clear and compelling mission, a quality educational program, a solid business plan, effective governance and management structures, and evidence of the applicant's capacity to carry out its plan.</p> <p>Is open to considering innovative educational philosophies and approaches.</p> |
| Charter Decisions | <p>Conducts a thorough evaluation of the applications using reviewers with educational, organizational, legal, and financial expertise.</p> <p>Documents the factors that determined its decision about each application.</p> <p>Grants charters only to applicants that have met the established criteria.</p> <p>Provides prompt notification of decisions and informs applicants of their rights and responsibilities.</p> <p>Makes a separate decision, after the granting of a charter, about a school's readiness to open.</p> |

Performance Contracting

A quality authorizer negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences and other material terms.

A quality authorizer:

| | |
|------------------------------------|--|
| Negotiation | Utilizes a collaborative process to ensure mutual agreement over the terms of the contract. |
| Rights and Responsibilities | <p>Executes contracts that:</p> <p>Autonomy Define the school's rights, including those related to the educational program, control of funds, school management decisions, and waivers from traditional public school laws and regulations.</p> <p>Expected Outcomes Define clear, measurable, and attainable student achievement and organizational performance goals against which the authorizer will evaluate the school on an ongoing basis and for renewal. Articulates rigorous performance indicators and standards relative to each of the stated goals.</p> <p>Evaluation Process Stipulate the process for evaluation, including but not limited to: the types of academic, organizational, financial, and compliance data that will be reviewed, and the process and frequency for gathering and reporting such data.</p> <p>Performance Consequences Explain the conditions under which the authorizer may intervene in the school's operation or revoke the contract as well as procedures/protocols by which such interventions may occur. Define the criteria for renewal.</p> <p>Other Material Terms Include the statutory, regulatory, and procedural terms and conditions of operation.</p> |

Ongoing Oversight and Evaluation

A quality authorizer conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law.

A quality authorizer:

| | |
|-------------------------------|---|
| Performance Evaluation | Implements an accountability system that generates all the information needed to determine whether a school is meeting the goals and standards articulated in its contract. |
| Monitors Compliance | Monitors compliance requirements, including those legally mandated and those that are essential to fulfilling the authorizer’s public oversight responsibility. Articulates the consequences for failing to meet compliance requirements. Ensures that schools fulfill their legal obligations to students and parents. |
| Intervention | Provides clear, adequate, and evidence-based notice of problems. Allows reasonable time for remediation. Makes decisions about whether and how to intervene on a clear and consistent basis. |
| Autonomy | Respects the school’s authority over its day-to-day operations. |

Renewal Decisionmaking

A quality authorizer designs and implements a transparent and rigorous process that uses comprehensive data to make merit-based renewal decisions.

A quality authorizer:

| | |
|------------------------------|--|
| Transparent Process | <p>Articulates the criteria for renewal.</p> <p>Publishes a timetable and process for renewal decisionmaking.</p> <p>Clearly communicates the options and consequences available under state law including revocation, non-renewal, renewal with conditions, and renewal.</p> <p>Explains any available rights of appeal, whether to administrative or legal bodies, through which the decisions of the authorizer can be challenged.</p> |
| Comprehensive Data | <p>Analyzes and weighs data regarding a school's performance over time in relation to the goals and terms of its contract.</p> <p>Considers multiple sources of data, including state-mandated, standardized and internal test data, student academic growth over time, evidence of mission-related outcomes, and qualitative reviews, to judge school quality.</p> <p>Solicits parent and public input into the charter renewal process and articulates how community input will affect the decision.</p> |
| Merit-Based Decisions | <p>Grants renewal only to a school with a quality educational program that has achieved the goals and standards identified in its contract, is organizationally and financially viable, and has been faithful to the terms of its contract and applicable law.</p> <p>Outlines a protocol for the orderly closure of a school.</p> |

Adherence to these *Principles and Standards* will guide authorizer practices to ensure that authorizers honor the autonomy of charter schools and hold charter schools accountable for high student achievement.

Who Can Authorize Charter Schools?

The growing trend is for states to allow multiple types of authorizers.

| State | Year Law Passed | Type of Authorizers | State | Year Law Passed | Type of Authorizers |
|----------------------|-----------------|-------------------------|----------------|-----------------|---------------------|
| Alaska | 1995 | LEA | Missouri | 1998 | LEA, SEA, HEI |
| Arizona | 1994 | LEA, SEA, ICB | Nevada | 1997 | LEA, SEA |
| Arkansas | 1995 | SEA | New Hampshire | 1995 | LEA, SEA |
| California | 1992 | LEA, RIA, SEA | New Jersey | 1996 | SEA |
| Colorado | 1993 | LEA, ICB | New Mexico | 1993 | LEA |
| Connecticut | 1996 | SEA | New York | 1998 | LEA, SEA, HEI |
| Delaware | 1995 | LEA, SEA | North Carolina | 1996 | SEA |
| District of Columbia | 1996 | LEA, ICB | Ohio | 1997 | LEA, RIA, HEI, NFP |
| Florida | 1996 | LEA | Oklahoma | 1999 | LEA |
| Georgia | 1993 | LEA, SEA | Oregon | 1999 | LEA, SEA |
| Hawaii | 1994 | SEA | Pennsylvania | 1997 | LEA, SEA |
| Idaho | 1998 | LEA, ICB | Rhode Island | 1995 | SEA |
| Illinois | 1996 | LEA, SEA | South Carolina | 1996 | LEA |
| Indiana | 2001 | LEA, HEI, MUN | Tennessee | 2002 | LEA |
| Iowa | 2002 | LEA | Texas | 1995 | LEA, SEA |
| Kansas | 1994 | SEA | Utah | 1998 | LEA, ICB |
| Louisiana | 1995 | LEA, SEA | Virginia | 1998 | LEA |
| Maryland | 2003 | LEA, SEA | Wisconsin | 1993 | LEA, HEI, MUN |
| Massachusetts | 1993 | SEA | Wyoming | 1995 | LEA |
| Michigan | 1993 | LEA, RIA, HEI | | | |
| Minnesota | 1991 | LEA, RIA, SEA, HEI, NFP | | | |
| Mississippi | 1997 | SEA | | | |

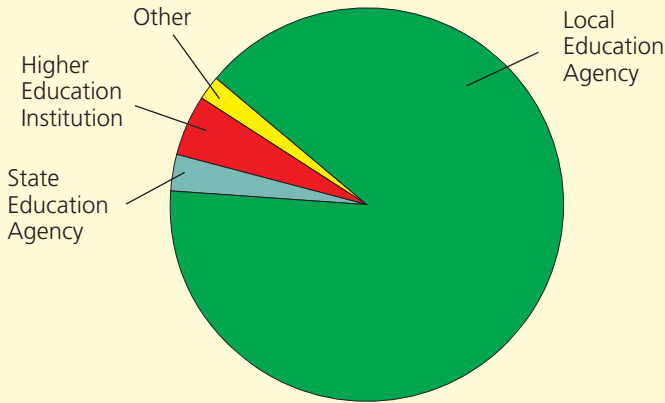
KEY

| | | | |
|-----|------------------------------|-----|------------------------------|
| LEA | Local Education Agency | HEI | Higher Education Institution |
| RIA | Regional/Intermediate Agency | MUN | Municipal Office |
| SEA | State Education Agency | NFP | Not-For-Profit Organization |
| ICB | Independent Chartering Board | | |

The above table is intended to give a snapshot, using broad categories, of the types of entities with the authority to approve and oversee charter schools in a given state. Individual state laws may contain provisions that restrict the authority of certain chartering entities. Furthermore, state laws are subject to amendments that may affect the validity of this information in the future. Please consult a given state's charter school law for more detailed information.

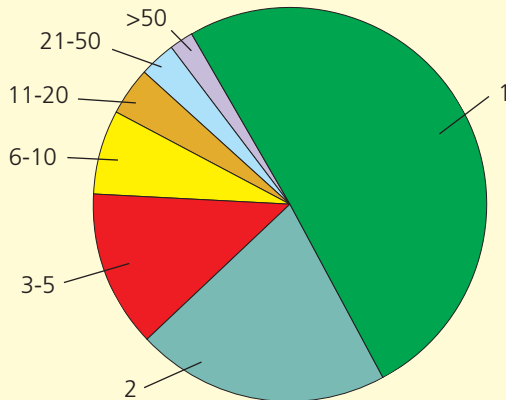
Who Are Authorizing Charter Schools?

PERCENTAGE OF ACTIVE AUTHORIZERS BY TYPE



The vast majority of charter school authorizers are local education agencies that each charter one school. The tendency is for other types of authorizers (as well as many urban LEAs) to each charter a greater number of schools, thus they often possess greater scale and capacity within their agencies for effective charter school oversight.

PERCENTAGE OF AUTHORIZERS BY NUMBER OF CHARTERS GRANTED



SOURCE: Rhim, L. M., Lange, C., Ahearn, E., (2005). Considering special education as a critical policy force driving the "structuration" of charter school authorizer policy and practice. Paper presented at the Annual Meeting of the American Educational Research Association, April 11-15, 2005 Montreal, Quebec. [Supplemented by L. M. Rhim, personal communication, April 7, 2005.]

NACSA's members first ratified the Principles & Standards for Quality
Charter School Authorizing on May 14, 2004.

AUTHORIZER MEMBERSHIP

| | | | |
|----|--|----|--|
| AZ | Arizona State Board of Charter Schools | | Taliaferro County Schools |
| CA | Alameda County Office of Education | | Thomas County Schools |
| | California Department of Education | | Walton County Schools |
| | Ceres Unified School District | | Whitfield County Schools |
| | Chula Vista Elementary School District | HI | Hawaii Department of Education |
| | El Dorado County Office of Education | IL | Chicago Public Schools* |
| | Fresno Unified School District | | Illinois State Board of Education* |
| | Kern County Office of Education | IN | Ball State University |
| | Lake County Office of Education | | Indianapolis Public Schools |
| | Los Angeles County Office of Education | | Indianapolis Mayor's Office |
| | Los Angeles Unified School District | MD | Anne Arundel County Public Schools |
| | Placer County Office of Education | | Baltimore City Public Schools |
| | Riverside County Office of Education* | | Frederick County Public Schools |
| | San Diego Unified School District | | Harford County Public Schools |
| | San Joaquin County Office of Education | | Maryland State Dept. of Education |
| | Solano County Office of Education | MA | Massachusetts Department of Education* |
| CO | Colorado Springs School District* | MI | Central Michigan University* |
| | Denver Public Schools | | Eastern Michigan University* |
| | Douglas County School District* | | Ferris State University* |
| | Durango SD 9R | | Lake Superior State University |
| | Jefferson County Schools R-1 | | Oakland University* |
| | Pueblo School District | | Saginaw Valley State University* |
| CT | Connecticut Department of Education | MN | Volunteers of America of Minnesota |
| DE | Delaware Department of Education* | | Minnesota Department of Education |
| DC | DC Board of Education | MO | Missouri Dept. of Elem. & Secondary Education |
| | DC Public Charter School Board* | | |
| FL | Brevard County Schools | NV | Nevada Department of Education |
| | Miami-Dade County Schools | NH | New Hampshire Department of Education |
| | Osceola County Schools | NJ | New Jersey State Department of Education |
| | Polk County Schools | NY | Buffalo Board of Education |
| GA | Atlanta City Schools | | New York City Department of Education |
| | Bulloch County Schools | | State University of New York* |
| | Carroll County Schools | NC | North Carolina Dept. of Public Instruction |
| | Chatham County Schools | OH | Cincinnati Public Schools |
| | Clayton County Schools | | Ohio Council of Community Schools |
| | Clinch County Schools | | Thomas B. Fordham Foundation |
| | Cobb County Schools | OR | Oregon Department of Education |
| | Coweta County Schools | | Portland Public Schools |
| | DeKalb County Schools | | St. Helens School District |
| | Dougherty County Schools | PA | Philadelphia School District* |
| | Douglas County Schools | TN | Memphis City Schools |
| | Fulton County Schools | TX | Lubbock Independent School District |
| | Georgia Department of Education | UT | Utah State Office of Education |
| | Griffin-Spalding County Schools | WI | The Institute for the Transformation of Learning |
| | Marietta City Schools | | Milwaukee Public Schools |
| | Mitchell County Schools | | New London School District (Castle) |
| | Oglethorpe County Schools | | University of Wisconsin, Milwaukee |
| | Quitman County Schools | | University of Wisconsin, Parkside |
| | Talbot County Schools | | |

Asterisk () denotes a founding member.*



1125 Duke Street
Alexandria, VA 22314

(703) 683-9701 (tel.)

(703) 683-9703 (fax)

www.charterauthorizers.org

NON-PROFIT ORG.

US POSTAGE

P A I D

ALEXANDRIA, VA

PERMIT NO. 6054