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Supporting Charter School Excellence Through Quality Authorizing

INNOVATIONS IN EDUCATION

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U.S. Department of Education
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Foreword

I'm pleased to introduce this newest edition in the Innovations in Education book series, which identifies real-world examples of innovative education practices that are helping students achieve in schools all across the nation. This guide complements two additional publications in the series, *Charter High Schools Closing the Achievement Gap*, which was released in 2006, and a forthcoming publication regarding high-performing K–8 charter schools.

The charter school movement has come a long way since 1991 when the first charter law was passed in Minnesota. Now, 40 states and the District of Columbia have adopted charter laws, and some 3,600 charter schools are operating throughout the nation, serving over one million children. In many local school districts, charter schools have raised their students' academic achievement and influenced other district schools to do more to raise their performance.

Throughout the last few years, it has become apparent how critical charter school authorizers are in advancing the quality and growth of charter schools. They're the ones responsible for approving new schools, monitoring schools' compliance with applicable laws, providing technical assistance, and evaluating schools' performance. As such, authorizers are in a powerful position to close ineffective schools and champion successful ones so that they can serve as models for others.

One of the most important purposes of charter schools is to give parents *high-quality* options for their children's education. The eight authorizers profiled in this guide share this commitment to quality and remain focused on improving and expanding the education options in their areas.

The *No Child Left Behind Act* recognizes the value and vitality of charter schools, and their important role in helping us reach our goal of every child reading and doing math at grade level by 2014. I hope this guide will prove a helpful resource for policymakers, current charter school authorizers, and potential authorizers so that they may replicate the successful practices described within the following pages.

Thank you.

Margaret Spellings
U.S. Secretary of Education

Acknowledgments

Introduction

Most policymakers, charter school operators, and others immersed in the charter school movement since it began in the early 1990s have focused their attention primarily on charter schools, not on the public bodies that license these schools to operate. As the charter school movement has grown, however, there has been increasing recognition that effective charter school authorizing is critical to the success of the charter school sector. Charter school authorizers are entities charged by law to approve new schools, monitor their compliance with applicable laws and regulations, and evaluate their performance to make decisions about charter renewal and closure. The role of charter authorizers* has become particularly important in the context of increasing accountability under the No Child Left Behind Act of 2001 (NCLB).

Intended primarily for policymakers and charter school authorizers and potential authorizers, this guide describes various ways that authorizers and policymakers can achieve quality authorizing. It provides detailed information designed to help policymakers at the state and national levels and to help current and potential authorizers replicate these successful models and practices.

In order to provide specific illustrations of abstract concepts involved in successful charter authorizing, this guide highlights the practices of eight charter authorizers that have fostered the development of high-quality charter schools. By profiling the work of these authorizers, this guide intends to enhance the knowledge base, capacities, and practices of all types of authorizers, aiming to strengthen the quality and success of charter schools nationwide. The field of charter authorizing is relatively new, though, and there is a great deal of necessary experimentation—and resulting variation—among the offices profiled here.

It is outside the scope of this guide to explore all of the processes and responsibilities in which authorizers engage. Instead, the guide highlights the experiences of authorizing agencies that are successful at the most challenging aspects of quality authorizing (e.g., providing transparent oversight of the schools they authorize). By focusing on these challenging and potentially make-or-break issues, the examples in this guide are intended to help move the field of high-quality authorizing forward.

The type of entity that may authorize charter schools varies by state. During the 2004–05 school year, according to estimates by the

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* For purposes of the federal Charter Schools Program, "authorized public chartering agency" is definited as "a State educational agency, local educational agency, or other public entity that has the authority pursuant to State law and approved by the Secretary to authorize or approve a charter school" (*The Elementary and Secondary Education Act of 1965*, as amended by The *No Child Left Behind Act of 2001*, §5210[4]). Each of the eight profiled authorizing offices has an oversight body that ultimately approves, denies, renews or revokes each charter and meets this federal definition (for more information, see Part II - Policy Considerations).

researchers who developed this guide, there were more than 800 charter school authorizers across the country. Nearly 90 percent of active authorizers are local education agencies (LEAs). The rest are county, regional, or intermediate agencies; colleges and universities; state boards, commissions, and departments of education; nonprofit organizations; independent, special-purpose charter boards; and mayors' offices and city councils.

Most states allow more than one type of entity to authorize charter schools. Most also offer charter school developers some degree of choice in selecting an authorizer. But some states restrict choice to designated geographic areas. In other states, local school boards are the only option for authorizing.

The volume of authorizing varies significantly by authorizer type. Although most authorizers are LEAs, the most typical LEA authorizes only a very small number of charter schools: Almost 80 percent of the LEAs that are active authorizers have authorized only one or two charter schools each.[1]

Process for Selecting Profiled Authorizers

Because there are many strong authorizing offices across the country, the selection process for this guide was challenging. As further described in Appendix A, advisors and researchers with extensive charter school experience conducted several levels of review in order to select the eight authorizers profiled in this guide.

Preparation began with a literature review examining the existing research about authorizing

and oversight of charter schools, including theories and essays as well as reviews of empirical research and major research studies. This review identified variables that the research suggests contribute most to effective authorizing. (For more information on the existing research base, see Appendix B: Resources.)

The set of variables were organized into a framework that was reviewed by an advisory group composed of seven researchers and expert practitioners in charter schools and charter authorizing. Meeting on Feb. 5, 2006, in Washington, D.C., the advisors refined and validated the framework, prioritized key concepts, and suggested methods for authorizer selection.

The variables identified by literature review and refined by the advisory group were used to guide the selection of the sites profiled in this guide and the data collection at these sites. The site selection process involved several steps. In order to narrow the list of authorizers that could potentially be included in the guide, the U.S. Department of Education, Office of Innovation and Improvement, sent out a memo inviting people to voluntarily nominate authorizers that they believed met the initial set of criteria identified by research and confirmed by the advisory board.

Several factors were considered in screening the list of potential sites, including: the number of nominations for a particular authorizer; whether a particular authorizer was nominated by a variety of sources, such as school leaders, charter support organizations, and state-level directors; and whether nominations suggested that a particular authorizer met several of the indicators for success defined by the advisory group.

The advisory board agreed that the authorizers selected for this guide should represent a cross-section of several variables in order to be applicable to a wide audience. Site selection involved two levels of screening: the characteristics that each individual authorizer should have in order to be included and the overall characteristics of the authorizers as a pool.

In order to be considered for this guide, each authorizer had to meet several characteristics, including: 1) strong performance of the schools chartered by the authorizer, as compared to traditional schools within its jurisdiction; 2) some impact on public education as measured by the number of charter schools in its jurisdiction (as a percentage of all public schools), the number of charter school students (as a percentage of all public school students), or both; 3) experience responding to school failure, school renewal issues, or both; and 4) evidence (provided by nominators, interviews with the authorizer's staff, or both) indicating that the authorizer engages in the effective practices.

The individual site selection process also took into account the reality that a single authorizer may be very successful in one or more of its roles, while less successful in others. Each site profiled in this guide exemplifies some successful innovations, even though there may be other areas of each site's work that may need strengthening.

After the pool of potential authorizers was narrowed by applying the criteria listed above, the remaining authorizers were sorted by various characteristics that the advisors felt should be represented in the overall pool of authorizers to be included in the guide. These "pool" characteristics included: 1) diversity by type of authorizer (ideally including one or two local school boards, a college or university, a nonprofit organization, a state-level board, and a mayor or city council); 2) diversity by volume of authorizing; and 3) diversity by authorizing approaches. The advisors also made sure that the final selection of authorizers profiled in this guide included geographic diversity and included a balance between authorizers that had been profiled in several other publications and newer or lesser-known authorizers. Selected variables for each profiled authorizer are provided in table 1 and also in the individual authorizer profiles later in this guide.

The Authorizers Profiled in This Guide

The sites profiled in this guide include two public school districts—Chicago Public Schools and New York City Public Schools. In 2006, each had authorized more than 20 charter schools. A very different kind of locally based authorizer also is included: the mayor of Indianapolis. As the only mayor in the country with authority to authorize charter schools, Mayor Bart Peterson had authorized 16 charter schools as of the 2006–07 school year.

Examples of successful charter authorizing offices that operate within institutions of higher education are the Ferris State University (FSU) Charter Schools Office and the State University of New York (SUNY) Charter Schools Institute. The guide profiles the Minneapolis-based Volunteers of America of Minnesota (VOA of MN) Charter School Sponsorship Program to provide examples of successful practices from a small authorizing office that is part of a much larger nonprofit.

To provide examples of state-level authorizers, the guide profiles practices from two states with very different charter school laws and contexts. The Massachusetts Department of Education is the sole authorizer of charter schools in its state, whereas the California Department of Education fills a discreet role in a state that has over 250 different authorizers.

The guide also includes discussion of successful practices developed by one other authorizer—the Charter Schools Office at Central Michigan University (CMU). Because Michigan state law provides each authorizer with per-pupil funding for every school the authorizer charters, CMU maintains an unusually large and well-resourced authorizing office. As a result, CMU has been able to invest in several key systems that most of the country's other authorizing offices could not afford to create from scratch. Because CMU has made this investment, many of these systems are now available for other authorizers to learn from and reproduce. For example, CMU has created an *NCLB Charter Schools Leaders' Guide,*[2] which translates federal guidelines into an accessible and practical format. CMU provides this guide to other authorizers who request it. The office also has developed an *Individualized Performance Review Assessment*[3] that enables authorizers to evaluate schools on a set of core competencies. Among CMU's most-requested resources is its guide to *Educational Service Provider Policies,*[4] a framework for establishing agreements between charter school boards and charter management companies, which are for-profit and nonprofit companies that manage multiple charter schools. CMU also initiated the development of an electronic Authorizer Oversight Information System (AOIS),[5] an online compliance and document

management system. Other authorizers, such as FSU, have adapted this system and have come to rely on the program to monitor compliance. These resources are described in greater detail in Appendix B: Resources, and other information from CMU that is pertinent to readers is referenced throughout this guide.

Researchers visited each of the profiled sites and conducted interviews in person and by phone with representatives from the offices and a selection of schools that they have authorized. The methodology also included the collection and analysis of numerous documents and extensive data related to the sites' charter authorizing.

Overview of This Guide

Part 1 of this guide describes the common practices of the eight charter authorizers profiled here. Although these authorizers represent very different kinds of entities, they all share several fundamental characteristics, including strong internal capacity, a rigorous process for selecting which schools to authorize, transparent oversight policies, and willingness to make hard decisions. The details of how they implement these processes differ from office to office, but all are focused on constant improvement in the service of expanding education options for students.

In particular, this guide describes how effective authorizers:

- **Build a strong organization** by recruiting and retaining qualified staff members and using external resources strategically.

- **Develop a strong talent pool**, including seeking strong applicants that are aligned with the authorizer's mission.

- **Select for quality** by employing a variety of evaluation methods to assess applicants' capacity, requiring strong evidence of community support, and engaging in responsible risk-taking.

- **Support new school operators** by assisting schools in developing meaningful measures of student performance and supporting schools during the incubation and planning period.

- **Provide meaningful and transparent oversight** by using information and technology to streamline compliance, using site visits strategically, and approaching oversight with a sense of purpose and respect for schools' autonomy.

- **Hold schools accountable for meeting performance goals**, including intervening early as problems arise and closing or renewing schools based on solid evidence.

All of the activities and processes described in Part I are important elements of effective charter authorizing. But the quality of what charter authorizers can accomplish is dependent not only on what the authorizers do—the set of practices described in this guide that authorizers must undertake well in order to be successful—but also is dependent on the broader policy environment in which authorizers operate. Accordingly, Part II of this guide describes the kinds of policy factors that can either support or hinder quality charter authorizing practices.

The policy issues that affect each entity's ability to authorize high-quality charter schools include:

- Level and type of external accountability;

- Level of operational autonomy;

- Vulnerability to political change;

- Limits on charter school growth; and

- Level and type of funding.

As interviews with the authorizers profiled in this guide revealed with clarity, each authorizer operates in a unique environment that has its own set of challenges and opportunities. The strength of many of these offices is that they are able to operate effectively—and to find opportunity—in spite of the policy constraints (such as legal restrictions on the number of charter schools) that could easily limit their effectiveness.

Part III of this guide offers profiles of each of the eight authorizers that are highlighted throughout Parts I and II. The profiles cover the history of each of these authorizers and provide more detail on the contexts in which they operate.

Table 1. Selected Variables of Profiled Authorizers and Their Schools
(Data collected as of 2005–06 school year unless otherwise noted)

Authorizer	First Year as Authorizer	Number of Staff	Number of Schools	Percentage of Applications Approved[a]	Number of School Closures[b]	Total of Students in Authorized Schools	Percentage of Title I Schools
California Department of Education Charter Schools Division	2004	3.5	8, plus 8 charter districts operating 15 schools	55% of appeals 100% of state-wide benefit charters[d]	1	9,440	50%
Chicago Public Schools Office of New Schools	1997	27	27 with 35 campuses	7% in 2005 7% in 2004	3	15,310	80%
Ferris State University	1998	6	16	n/a[f]	1	6,863	69%
Indianapolis Mayor's Office (Data collected as of 2006–07 school year)	2001	4	16	14% in 2006 43% in 2005 36% in 2004	1	2,768	83%
Massachusetts Department of Education Charter School Office	1993	10	57	23%	9	21,706	82%
New York City Office of Charter Schools	1998	5	23	34% in 2006	1	4,494	--
State University of New York Charter Schools Institute	1999	16	36	Avg. 23% for 1999–2005	5	10,326	97%
Volunteers of America of Minnesota	2000	2	12	--	0	1,260	--

[a] Charter school authorizers do not always approve every application they receive for a new charter. This column indicates the percentage of applications that each authorizer has approved out of the total number of applications they have received.

[b] When a charter school does not fulfill the terms of its charter or fails to follow regulatory or other obligations, the entity that authorized the school may choose to revoke the school's charter. This column indicates how many schools' charters have been revoked by each profiled authorizer.

[c] Adequate yearly progress.

[d] The California Department of Education Charter Schools Division authorizes two different kinds of charter schools: 1) schools that appeal to the state after having been denied charters by their local district and county (these schools are referred to as "appeals" in the chart above) and 2) charter schools with a proven record that seek to replicate statewide (called "statewide benefit charters"). These two groups of charters are explained further in the profile of the California Department of Education Charter Schools Division in Part III of this guide.

Percentage of Students by Race/Ethnicity						Percent-age of English Language Learners	Percent-age of Free and Reduced-Price Lunch	Percent-age of Special Education	Percent-age of Schools Making AYP[c]
Asian	African-American	Latino	White	Native American	Other				
6%	19%	40%	29%	< 1%	5%	21%	--[e]	6%	100%
2%	56%	38%	9%	1%	--	4.5%	80%	12%	44%
2%	65%	7%	25%	1%	2%	4%	--	11%	90%
--	66%	4%	26%	--	4%	2%	66%	10%	80%
4%	26%	20%	46%	< 1%	3%	4%	44%	12%	75% English language arts; 74% math[g]
3%	62%	29%	4%	< 1%	--	3%	75%	10%	100%
1%	70%	17%	11%	< 1%	0%	2%	75%	8%	97%
2%	14%	8%	66%	10%	--	3%	47%	19%	71%

[e] Cells with no data indicate that the authorizer did not report this information as of the time of publication.

[f] University-based authorizers in the state of Michigan, where Ferris State University is located, have reached their collective cap of 150 charter schools.

[g] Massachusetts reports AYP separately for the subjects of English language arts and mathematics. AYP also is reported in aggregate for the entire school and for subgroups. The numbers reported in the chart represent the percentage of charter schools meeting AYP in each subject for all subgroups.

Common Practices Among High-quality Authorizing Offices

The eight charter authorizers in this study have developed strong practices designed to strengthen the quality and success of the charter schools they authorize. The authorizers are diverse in many ways: One is part of a much larger nonprofit that has a mission to provide services to marginalized communities, while two others are based in large urban district offices that have chosen charter schools as one strategy to improve student performance. Some are the sole authorizer in their state; while others operate where there are multiple entities with authority to authorize charter schools. Some have chartered dozens of schools; others have far fewer. A checklist at the end of this section summarizes steps for building a strong authorizing program.

Despite these differences, these offices all share several fundamental characteristics—strong internal capacity, a rigorous selection process, transparent oversight policies, and willingness to make hard decisions—that form the basis of successful authorizing (see fig. 1). They implement these core processes in different ways, having developed them in response to their particular contexts, but all are focused on constant improvement. In their drive to improve education options for students, these authorizers have developed essential practices that offer a model for other authorizing offices across the country.

Figure 1. Common Practices Among Highlighted Charter School Authorizers

- Build a Strong Organization

- Develop a Strong Talent Pool

- Select for Quality

- Support New School Operators

- Provide Meaningful and Transparent Oversight

- Hold Schools Accountable for Meeting Performance Goals

Authorizers Build a Strong Organization

Each of these authorizing offices is guided by a leader or a team of leaders who have a clear philosophy about the role of a charter school authorizer. Some have large operating budgets, others have budgets that are more lean; but across the board, these authorizers work with the resources they have to hire staff members with the necessary expertise and experience who also are dedicated to the overall mission of providing strong education options for students. For many of them, building a strong organization requires extensive searches for talented leaders and staff, ongoing professional development, and strategic use of external resources.

Recruit and retain qualified staff members

Each of these authorizing offices is filled with dedicated individuals who have the skills and experience to execute their duties effectively, and also have an allegiance to the office philosophy that informs their daily decisions. Whether office responsibilities are divided by core function or by geographic assignments of schools, each authorizer has its own set of criteria when it comes to hiring. Some require applicants to have previous education or charter school experience. Others look for people who bring an external perspective as well as a particular expertise to the job, such as board governance or finance. Regardless of the particular skill set they seek, all of them agree that recruiting staff members who are interested in and capable of taking on the challenges associated with charter school authorizing is difficult.

Hosanna Mahaley Johnson, the former director of the Office of New Schools within the Chicago Public Schools, says that there is a growing demand for people who have experience in the relatively new field of authorizing. "Because this body of work is so hot," she says, "I really fight hard to keep talented people. We get tons of resumes coming in all the time from people who want to work here for different reasons. But I work really hard to try to keep those who are here because I know that other employers continually attempt to recruit them, and other people in charter authorizing are constantly looking at them because this body of work is growing so fast."

According to Mahaley Johnson, what makes this work so unique is the fact that it is a relatively new field. Charter schools have been around for a mere 15 years, while the traditional public school system has been in existence for more than a century. Because of this, staff members in the Chicago office "need to adapt all the time. They have to be able to put their assumptions on the table and allow them to be questioned, challenged and even overturned if new data become available." Finding people who thrive in such a dynamic environment can be difficult. One way she addresses this challenge is to hire people who have been successful in similar environments elsewhere and who demonstrate real commitment to the work during the interview process.

At the State University of New York Charter Schools Institute (SUNY Institute), former director James Merriman organized his staff by core function (see fig. 2) rather than assigning individual staff members to a group of schools or a geographic area, as some of the other authorizers

Figure 2. SUNY Institute Staff Structure

Charter Schools Institute
The State University of New York
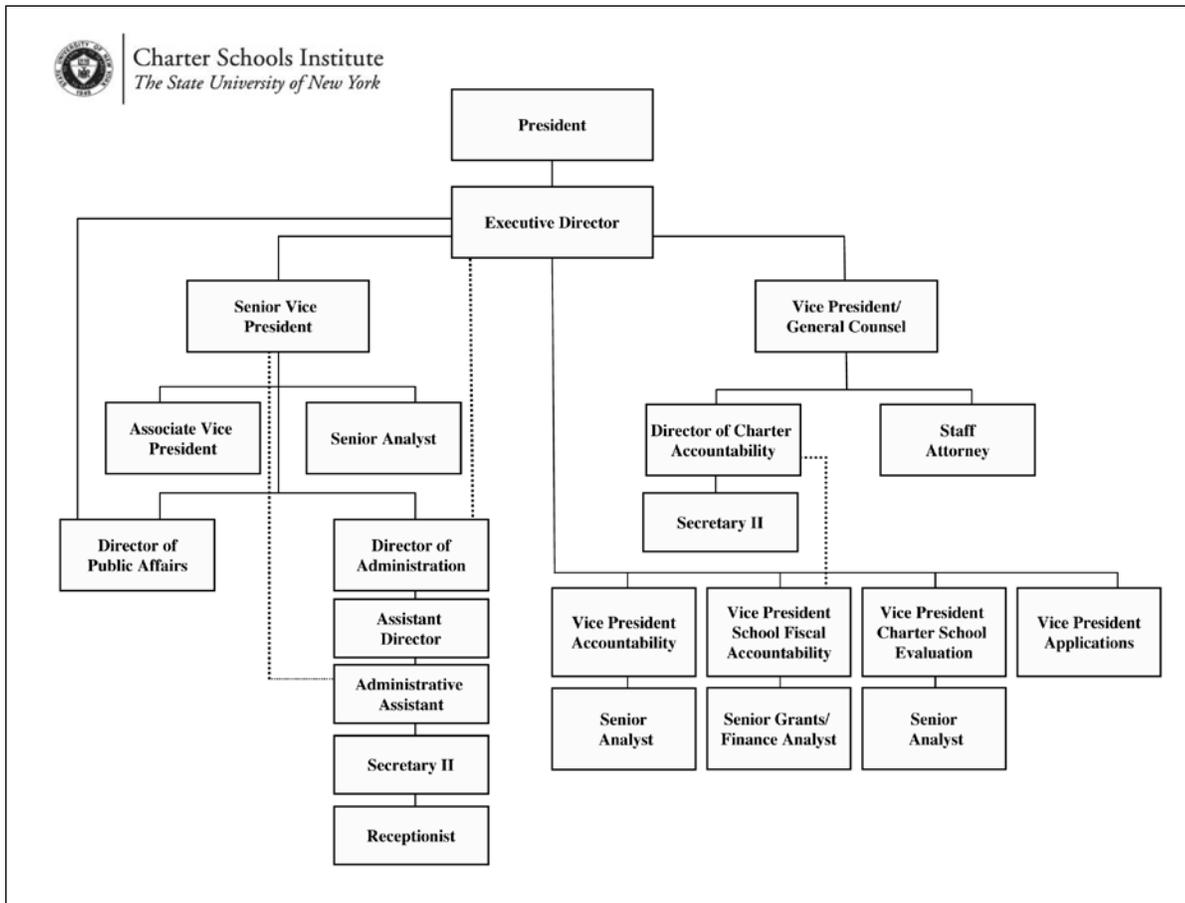
profiled in this guide have done. This way, when school leaders have questions, they call the person who is knowledgeable about a particular area, such as facilities, federal programs, or accountability. Rather than hire people who have subject expertise but little education experience, the SUNY Institute looks for people who have both. "Because SUNY is operating an educational program," Merriman says, he "expects all staff members to understand schools' core business." Filling staff positions with former educators has been an ongoing challenge, however. According to Merriman, "Charter schools have a

hard time staffing, and the authorizing ranks are thin too." In his experience, many people with education experience come from a bureaucratic background where they focused only on compliance. Often, "They don't get it. Their instinct is to do what a superintendent would do, to the detriment of the charter school's autonomy." To find talented staff members who "get it," SUNY Institute has conducted national and regional searches for individuals who can work effectively in a performance-based accountability system.

Like Mahaley Johnson, Merriman has worked hard to retain experienced staff members who can successfully work with schools. One of his key retention tools is the promotion of staff members to senior positions as the office has grown. Another is the provision of consistent professional development through ongoing examination of the staff's practices, feedback from schools, and the schools' learning results. Staff members rely on the resources of the National Association of Charter School Authorizers (NACSA) and meet periodically with an Authorizing Coordinating Team made up of offices from around the state to share best practices, to align their standards for annual school openings in the fall and for renewal, and to discuss common issues, such as board membership and school closure.

At the California Department of Education Charter Schools Division, Marta Reyes has worked to ensure that her staff members share a common mission and vision, despite their different backgrounds and previous experience. When Reyes first came to the division in 2003, she found that some staff members did not fully understand or embrace the charter model. "They'd grown up in a government agency," says Reyes. "In many government agencies the focus is generally on one thing: regulatory compliance." Many of these staff members did not initially take well to the idea of a cooperative relationship with charter schools, focusing instead on monitoring and compliance. Others, who had more experience working with charter schools, had to shift their focus under Reyes' leadership from charter *advocacy* to charter *authorizing*, learning to provide technical assistance while also monitoring compliance and student performance. Reyes accomplished this culture change

by emphasizing professional development to build the skills and develop the division's capacity as an authorizer. The entire staff participated in 18 months of training, which included workshops and off-site retreats to develop a common vision of charter authorizing and a mission for supporting and expanding high-quality charter schools.

Retaining highly qualified staff members is a particular challenge for the Massachusetts Department of Education Charter School Office. Several staff members have left this office over the years to take on leadership positions in other areas of education and at national charter school organizations. Despite the challenges that turnover poses, the current director, Mary Street, is willing to accept this level of change. By setting the bar high, she is able to attract the best people, even if those same people are more likely to move on to other jobs either because of salary considerations or because they want to take on different responsibilities. She finds that the challenges associated with the job—developing more efficient systems and processes, interacting successfully with charter school leaders, advocating for charter schools in a contentious political environment—are attractive to highly motivated people. She believes that her best hope of retaining these people lies in her ability to foster a supportive, collegial working environment where people who have a strong personal interest in the mission of the office are able to do their work effectively.

Barry Barnett, the coordinator of federal programs in the Massachusetts office, was attracted to the charter school idea early on. One of the few staff members who came to the Char-

ter School Office from another branch of the state department, Barnett holds a position that is not typical in charter school authorizing offices. His previous experience in the Office of Program Quality Assurance, conducting special education audits of both charter and non-charter schools, convinced him that charter schools need ongoing technical assistance (e.g., informational workshops) regarding special education and limited English proficiency programs. Over time, he was able to convince others within the department that the state's charter schools would benefit from having a federal programs contact person. In this position, he is able to work actively to improve education outcomes for a segment of the student population that consistently underperforms academically.

Use external resources strategically

All of the authorizers highlighted herein use external resources strategically to supplement their internal staff capacity. Some, such as the SUNY Charter Schools Institute and the Indianapolis mayor's office, have chosen to hire external contractors to assist them with particular aspects of their work. Others have partnered with external support organizations, and some have chosen to utilize the expertise of people in their parent organizations.

The leadership at the SUNY Institute has chosen to use external contractors not only to allow institute staff to focus on their core responsibilities, but also because they believe that these contractors bring an important perspective to the authorizing work. Athough SUNY Institute's own staff members review charter applications, the institute also contracts with external reviewers. Its intent in doing so is to

gain fresh perspective and to draw on the best expertise from across the country. Although institute staff conduct site visits during the first two years of a new charter school, external people are again brought in for third-year site visits. This is in part because the institute has found that school administrators and staff are often more candid with these individuals than with staff. Also, according to Merriman, when the institute's own staff conduct site visits, they focus exclusively on their role as evaluators. He believes that external contractors are able to step out of the evaluative role and also offer schools technical assistance with specific aspects of their programs.

Because Mayor Peterson's charter schools office in Indianapolis has only four full-time employees, many of its authorizing responsibilities are undertaken by external consultants. The office hires consultants for a variety of tasks, including survey administration and data collection, site visits, and data analyses. As the office's former director David Harris explains, "We want the best people in the country who are doing this type of work on our team. We would never have been able to hire the range of expertise that we needed [on our staff]. The most efficient way for us to get the expertise was to contract out for that work."

California's Charter Schools Division also has drawn upon the expertise of other organizations to improve its policies and maximize its internal capacity. The division secured a grant to work for 18 months with NACSA, during which staff created a new memorandum of understanding (MOU) and developed a broader perspective of charter authorizing nationally and in California. The division also worked for a year

with an education services company* to develop an inspection protocol for site visits to state-approved schools. The new MOU, developed with substantial support and assistance from both groups, is now a central feature of oversight for state-authorized charter schools and includes the inspection protocol as well as criteria to guide site visits and the evaluation of documents.

Several of the organizations highlighted herein work in cooperation with other charter groups in their states. The New York City (NYC) Office of Charter Schools, for example, works closely with the New York City Center for Charter School Excellence (CCSE), an independent nonprofit organization based in New York that focuses solely on charter school support and advocacy. The NYC charter office relies heavily upon the CCSE to fill several roles that are outside of the office's defined mission and beyond its current capacity. For example, the NYC office does not focus on recruitment of potential charter applicants. Instead, it relies upon the CCSE to help supply charter applicants that align with NYC's mission and meet their standards. The NYC office also looks to the CCSE to provide technical assistance, resource development assistance, assessment and data management modeling, and to facilitate networking between charter schools and allied organizations in the city. According to the former executive director of the NYC Office of Charter Schools, Mashea Ashton, the CCSE is a unique and valuable resource that allows the NYC office to focus on quality oversight and accountability while feeling confident that the NYC office-authorized

schools have support and advocacy available from another source.

Several authorizers in Michigan, including Ferris State University and Central Michigan University, are members of the Michigan Council of Charter School Authorizers (MCCSA), a membership organization incorporated in 2002 to foster the exchange of information and resources among charter offices in Michigan. MCCSA has developed accountability standards for charter schools and has developed its own standards for authorizing. The council meets periodically to collaborate on best practices and bring uniformity to charter school oversight in the state.

California's Charter Schools Division has developed a strong relationship with the California Charter Schools Association, as well as other statewide and other local organizations that provide technical support, leadership development, and the sharing of best practices. These relationships have enabled the California Department of Education to partner on many key issues related to charter advocacy and policy setting.

One advantage charter authorizers have in working within a state department of education is access to resources in close proximity (e.g., in the office next door or down the hall). Four staff members in California's charter office are responsible for overseeing all state board-approved charters, including reviewing applications, developing contracts, and making recommendations for renewal and revocation. Nine other employees are responsible for overseeing all charter schools in the state, but not in the capacity of an authorizer. The relatively small workgroup dedicated to state

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* To develop an inspection protocol for site visits, the California Department of Education Charter Schools Division worked with Cambridge Education, based in England.

board-approved charters is able to draw upon the expertise of these other colleagues in the charter division for assistance with tasks, such as analyzing achievement data, monitoring compliance with special education and *NCLB* requirements, and resolving issues related to the financing and maintenance of charter facilities. They also are able to rely on experts in other department offices for assistance with legal issues and particular education programs that schools have chosen to use. This external assistance makes it possible for a small staff to oversee eight charter schools and eight all-charter districts (which accounted for 15 schools in 2005–06) that are spread widely throughout this large state.

Both the Massachusetts Charter School Office and VOA of MN's Charter School Sponsorship Program are also able to leverage the resources of the larger organizations of which they are a part in several key ways. Staff members in the Massachusetts office, for example, regularly turn to other departments for information about particular regulations or requirements with which charter schools need to comply, as well as for resources, such as contact lists and program materials. When more specific expertise is needed in an area like finance or law, staff members have ready access to those resources as well. For example, when the Massachusetts Board of Education voted not to renew a school's charter and the school exercised its right to an administrative hearing, the Charter School Office was able to turn to the Massachusetts Department of Education's legal office for guidance. Not only did this save time for the office staff, but it also meant they did not have to use their limited funds on legal advice.

The VOA of MN Charter School Sponsorship Program is part of a much larger nonprofit with a history of serving the most vulnerable populations in the state—children, seniors, juvenile and adult ex-offenders—through a range of social service programs. In all, VOA of MN employs 700 people and has 4,000 volunteers. The Charter School Sponsorship Program is a small office within this much larger organization. With only two full-time staff members (a director and a school liaison), the charter office has had to creatively engage the services of numerous external resources to develop high-quality practices. For general nonprofit management issues, charter office staff members frequently turn to the large staff and board of its parent nonprofit for experienced advice. They are also able to draw on various other services within the larger organization when necessary, including legal, financial, and fundraising expertise.

To easily obtain information about authorizing best practices, Justin Testerman, the director of the VOA of MN Charter School Sponsorship Program, has joined several state and national organizations, including NACSA and the Minnesota Sponsors Assistance Network. Attendance at national charter school conferences also has given Testerman access to materials he would have had to create from scratch otherwise. Some examples of materials that they have adapted from elsewhere include accountability and monitoring tools from the mayor's office in Indianapolis,[6] the Northwest Regional Educational Laboratory checklist for opening new schools,[7] and a five-step intervention process developed by the D.C. Public Charter School Board in Washington, D.C.[8]

Authorizers Develop a Strong Talent Pool

These authorizers are not only focused on developing their internal capacity, many also devote time and resources to developing capacity in their applicant pools. No matter the strength of their own offices, they would be unable to charter successful new schools without a strong applicant pool. Not content to wait for talented and capable charter school operators to apply, many of these authorizers have added publicity and recruitment to their list of responsibilities.

Seek out strong applicants

Many authorizers have found that creating a high-quality pool of potential charter operators requires active recruitment of talented applicants. In states that have not reached their charter school cap, these offices are engaged in strategic recruitment locally and nationally for charter school operators that show strong potential for being successful.

The Renaissance 2010 initiative in Chicago has made recruiting new school applicants a top priority for everyone in the Office of New Schools within the Chicago Public Schools (CPS). In 2004, Chicago Mayor Richard Daley and CPS CEO Arne Duncan announced that they intended to open 100 new schools in Chicago by the year 2010, many of them to replace existing low-performing CPS schools. As the city approaches the cap set by state law on how many charter schools can open (they are at 27, and the cap is set at 30) many of these new schools will not open as charter schools. But all will be charter-like—operating free of many of the regulations that govern other public schools in

such areas as human resources, curriculum, and length of school day—in return for increased accountability for performance.

As a result of this ambitious 100-school goal, the Office of New Schools has developed multiple strategies to attract high-quality applicants. The mayor and CEO have put their public support behind the effort to open new schools. Both are involved in recruiting potential school developers. Previously, many of the charter schools in Chicago were started by community-based organizations. Both the mayor and the CEO believe that such organizations will continue to be sources for strong new schools, so they encourage well-known and respected community-based organizations from across the city to consider designing school approaches that would best meet the unique needs of particular neighborhoods.

Recognizing that they will almost certainly need to supplement local capacity by attracting charter school operators from elsewhere, the Office of New Schools is also in the process of developing a national recruitment strategy. The high profile of the Renaissance 2010 initiative has attracted interest. The office has had inquiries from several national charter school management organizations and there are conversations with some of them to determine if their approaches and expectations regarding school operations are a good fit with the district's needs. In order to get a better grasp on what these organizations have to offer, teams of people from Chicago, including community members from neighborhoods that may host some of the new schools, have begun visiting schools across the country.

From the beginning of their charter school authorizing initiative, officials in the mayor's office

in Indianapolis have known they would need to develop a long-term strategy for recruiting high-quality leaders to start schools. Following a pattern similar to Chicago's, many of the early charter schools in Indianapolis were started by community-based organizations. Recognizing the finite number of local organizations with the capacity and drive to open schools, city officials have addressed what they describe as a local "talent shortage" on three fronts. First, they have used Mayor Peterson's strong public profile to get the attention of several school operators that have had success with similar student populations elsewhere. Second, they have made the climate more appealing to potential charter operators by addressing one of the major barriers to successful charter school operation—the challenge of finding and affording appropriate facilities. By offering an innovative facilities financing plan that allows school leaders to access tax-exempt interest rates for the acquisition, construction, and renovation of a school facility, the mayor hopes to make Indianapolis an attractive option for both national and local applicants. The nation's first city-developed charter school facility financing program draws upon the city's backing and the support of public and private donors to enable charter schools to save millions of dollars on their facilities loans, savings that can be redirected to improving instruction. Finally, Mayor Peterson's office has secured grant money to launch a program designed to recruit and train new entrepreneurs to build a supply of strong charter school leaders in Indianapolis.

While it is too soon to determine how these efforts will ultimately affect the quality and number of applicants in Indianapolis, there are early signs of success. Since 2004, operators of

several national school models* have submitted applications and been granted charters to open schools in Indianapolis. These models include the Knowledge Is Power Program (KIPP), Expeditionary Learning Schools Outward Bound, and Lighthouse Academies.

The authorizing staff at Ferris State University (FSU) in Big Rapids, Mich., is no longer engaged in active recruitment, as the university authorizers in the state have reached their collective cap of 150 charter schools. Before meeting its cap, FSU announced available charters largely by word of mouth, relying largely upon its reputation in the charter school community as a "tough but fair" authorizer to bring quality charter operators to its door. However, FSU faced a localized talent shortage when it sought applications for two types of charter schools—Strict Discipline Academies and Urban High School Academies—that are not subject to the statewide cap. Both of these exceptions to the charter cap were established through state legislation to serve students' unmet needs. Operators of these charters would be required by the legislation to implement additional security measures, such as metal detectors, uniform codes, and strict adherence to behavior policies. The authorizing staff announced a request for proposals to run these schools but found that only one of the applicants met their standards for quality. This outcome forced the question for the first time of how to attract high-quality charter operators to apply for these much-needed urban schools. For the next cycle, the authorizing staff plans to publicize its available charters widely, using its

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* A national school model is a defined set of management and educational approaches that is implemented in many different schools across the country.

monthly newsletter and the charter office's Web site, a statewide charter newsletter, and several Detroit newspapers.

Seek education models that are aligned with the authorizer's mission

While all of these offices have focused their efforts on designing a selection process that accurately identifies strong leaders, some have additional criteria that they use during the selection process. For some authorizers, these additional criteria have given them an opportunity to further the purposes of their states' charter laws; for others, additional criteria have enabled them to align their selection processes with their own organizational missions.

For example, New York state has defined the purposes of charter schools to include increasing learning opportunities for students who are at risk of academic failure. The SUNY Institute has incorporated this objective into its mission by encouraging and favoring education models that have a proven record of success with students at risk of academic failure. In its recruitment and selection decisions, the institute makes clear that before applicants can be considered seriously, they must propose an education model that the applicant team has personally used before with students at risk of academic failure, or they must document research showing that the model has been effective with the type of students that the school expects to serve.

In California, the state legislature recognized the potential for barriers to effective charter authorizing, including the fact that some communities may not attract a range of charter school developers with a demonstrated track record of meeting

or exceeding state performance expectations. In 2004, the state legislature extended a new authorizing power to the California State Board of Education in a strategic effort to replicate high-quality charter schools in high-need areas. The state board was given authority to grant charters for the statewide replication of charter schools with a proven record. Applicants for these charters, called "statewide benefit charters," must demonstrate their ability to provide high-quality instructional services that have been shown to improve student achievement and that could not be provided by a charter school operating in only one school district or one county. Applicants also must be willing to target those areas where local public schools are in Program Improvement—California's designation for schools that have failed to make adequate yearly progress (AYP) in the same subject for two consecutive years. Through this initiative, the Charter Schools Division also is providing ongoing support to charter schools that have a proven track record of success with students who are at risk for academic failure, and the division is helping these schools to locate in areas where district schools are not showing adequate academic progress as defined by state law.

The VOA of MN Charter School Sponsorship Program is part of the Minneapolis office of VOA of MN, which is an affiliate of one of the oldest nonprofit social service agencies in the country. With a long-standing record of serving the most vulnerable populations in the city, the VOA of MN is much larger than just its charter office and has an overall budget of $40 million and a staff of 700. In addition to charter authorizing, VOA of MN offers a range of services that include mental health clinics, home health care for seniors, and residential

treatment centers for children at risk for health and behavioral problems.

When VOA of MN's CEO Mike Weber was first approached about his organization becoming a charter school authorizer in 1999, he was willing to consider the idea but only if he could create a set of guiding principles for accepting applicants that was aligned with VOA of MN's existing mission and purpose. Having been assured by officials in the Minnesota State Department of Education that the state's charter law granted him this authority, he and the newly hired director of the charter office began developing a set of criteria to use during the selection process. (See fig. 3.) These included: small size; a focus on marginalized student populations; a focus on engaging students in service learning (an educational strategy whereby students gain and apply academic knowledge and critical thinking skills to address community needs); filling a void in the community by assisting in the development of education opportunities that do not currently exist in the community; and a focus on racial, ethnic, and socioeconomic diversity. Each of the 12 schools that VOA of MN's charter office has since agreed to authorize has had to meet these five criteria in order to be considered for VOA of MN sponsorship. According to Justin Testerman, the director of the Charter School Sponsorship Program, these principles have become an effective initial screening tool and also have promoted VOA of MN's intent to target its resources to communities that have the most need.

Authorizers Select for Quality

In the design of everything from the application timeline to the review criteria, all of the authorizers profiled here use their application processes to select high-quality schools to authorize. The application requirements encourage applicants to provide meaningful information about areas of school management that these authorizers have learned are the best indicators of success, including a description of a compelling mission and well-researched educational program, a solid business plan, and well-thought-out governance and management structures. The process also usually requires applicants to provide strong evidence of the community's support for the proposed school. Over the years, these authorizers also have developed review processes that provide reviewers with ample time and a variety of opportunities to get to know the applicants in order to reliably assess their capacity to create and sustain a successful charter school.

Employ a variety of evaluation methods to assess applicants' capacity

Early on in the charter movement, many authorizers relied on only one written application to evaluate the strengths and weaknesses of a potential charter operator. More recently, all of these offices have begun to employ a variety of evaluation methods to assess an applicant's capacity, including a multistage application process, in-person meetings to offer feedback on the application, review by internal and external review teams, and formal interviews. (Table 2 provides a few examples of the main stages in the charter application process used by different authorizers.)

Figure 3. VOA of MN Charter School Sponsorship Program Selection Criteria

The Volunteers of America of Minnesota Charter School Hallmarks

VOA of MN has determined a set of design characteristics, or hallmarks, that charter school applications must possess in order for VOA of MN to consider sponsorship. These hallmarks ensure that we only work with top-quality charter schools whose mission and purpose are in alignment with our organization and help us achieve the goal of creating a cooperating network of schools with enough in common to form meaningful relationships. The hallmarks are:

Small schools- Research shows that students are more successful in small school environments. Students receive more attention and are able to form strong relationships with their teachers in small schools. Their size allows teachers to work closely with parents and students to develop individualized learning plans that address the learning style of the student, resulting in a more beneficial learning experience for all involved.

A focus on marginalized students- VOA of MN is committed to working with children and families in need. Currently, many students are not served well by the traditional public school system. Some of these students fit the traditional "at-risk" profile, but many others have been pushed to the margins for reasons such as unique learning styles, lack of social skills and nonconformity. VOA of MN assists in the creation of schools that will help all students succeed.

A focus on service learning- Service learning is an educational strategy where students gain and apply academic knowledge and critical thinking skills to address genuine community needs. It is a powerful and authentic method of learning that gives students opportunities to reflect on their place in the world. As our name suggests, VOA of MN believes that all persons are assets for their community, and seek to extend to all youth the opportunity to contribute as a volunteer and community-creator.

Schools that fill a void in the community- VOA of MN is committed to assisting in the development of educational opportunities that do not currently exist in the community. In addition to being innovative, schools seeking VOA of MN sponsorship should have curriculum design that is research-based, supported by best practices and aligned with the Minnesota Graduation Standards.

A commitment to racial, ethnic and socio-economic diversity- To counter the trend toward increasing segregation in our schools and our society, VOA of MN strongly believes in the importance of diverse learning environments. A diverse student body and staff enrich the educational experience by exposing students to new perspectives and causing them to examine their own perspectives and experiences.

Table 2. Examples of Different Application Processes

Authorizer	Sequential Stages in the Application Process ➔ ➔ ➔ ➔ ➔ ➔			
Indianapolis Mayor's Office	Letter of intent, including general location, grades served, anticipated enrollment	Prospectus, including summary of school mission, leadership team, prospective students, curricular approach	Final application, including interviews by internal staff and review by external contractors and a charter schools board	
New York City Office of Charter Schools	Intent to apply, including general location, grades served, anticipated enrollment	Concept paper, including vision for the school and capacity of the planning team	Panel interview by charter schools staff	Final application, including proposed leadership, curricular model, start-up and five-year operating budgets
Central Michigan University Charter Schools Office	Initial application, including vision, business plan and proposed curriculum	Training and development, including an on-site seminar for successful applicants to further develop their plans	Full application, including all plans for leadership, funding, and compliance	

In Indianapolis, the mayor's office has a multistep rolling application process (see fig. 4). The applicant's letter of intent starts the process and gives the authorizing staff a sense of how many applications to expect in a given time period. Though not required by law, the mayor's office then requires a prospectus to extend the time for the authorizing staff to get to know applicants and offer feedback to help them improve on their proposals.

The application requires a description of the proposed education model, but according to the mayor's former charter schools director David Harris, "It's not about the model. It's about the people." In retrospect, he cites as an example one of the mayor's newly authorized schools that contracted with a well-respected construction company for the school's facility. The company made a six-figure mistake regarding the cost. The chair of the school's board was a sophisticated and high-profile business person who had access to the resources to solve the problem. "We couldn't have anticipated that problem; they couldn't have anticipated that problem," says Harris. "But they had people who had the ability to do the work and a board that could support them in overcoming unforeseen obstacles."

After the mayor's authorizing staff has reviewed an application, it then presents its findings to the Charter Schools Board—a group of community leaders with experience in education, business, and law. The board invites selected applicants to submit a full application, which

Figure 4. Indianapolis Mayor's Office Application Steps

STEP 1:

Letter of Intent

Applicant is identified as a *new design applicant* or an *existing design applicant*

STEP 2:

Applicant submits a Prospectus

Some applicants asked to reapply.

STEPS 3, 4:
Selected applicant:

• asked to submit a Full Application

• may participate in informal meeting

STEPS 6, 7, 8:
Full Application Review:

• Application preview

• Initial internal review

• Review by Charter Schools Board

STEP 5:

Selected applicant submits Full Application

STEP 9:

Mayor notifies applicant of determination

City-County Council ratifies

Charter documenation finalized

is examined by a team of external reviewers and the Charter Schools Board. These groups expand the authorizing staff's perspective and offer additional expertise to assist the mayor in making his final chartering decisions.

The Office of Charter Schools in New York City (NYC) follows a similar multiphase application process. Reviewers there have learned to look in each stage for proposals that take advantage of the unique features of charter schools while showing tangible ties to the community and a plan for effective oversight. Jim Goenner, executive director of the Charter Schools Office at Central Michigan University (CMU), describes this type of multiphase application process as "both an art and a science." Staff members at CMU follow the "science" as they evaluate the school's financial viability and proposed education plan. Much of the "art" takes place during the second phase, when successful applicants are invited to meet with CMU staff members to discuss and refine their applications.

Require strong evidence of community support

Across all sites, one of the most important determining factors of a school's success is its ties to the local community. Some schools are started by a community-based nonprofit and, as such, they have a built-in understanding of the unique needs of a particular community as well as an established reputation within that community. Other schools are started by the operators of national school models who may have to invest considerable time and energy in learning about the community and in building support for their school among local residents.

Regardless of the school's founder or its mission, these authorizers have learned that schools are most likely to attract students, successfully serve their learning needs, and draw upon local resources if they have strong community support. Whether they require school operators to engage in a formal partnership with a community organization or simply ask for letters of support from community representatives, each of these offices uses its application process to ensure that schools are in touch with the communities they intend to serve.

Building community support has become a major focus of the Renaissance 2010 initiative in Chicago Public Schools (CPS). Because there is opposition to the initiative from the local teacher's union and some community groups concerned about the district's decision to close several low-performing and under-enrolled schools, staff members in the Office of New Schools have invested considerably in a strategy to build neighborhood support for the new schools. Internally, the Office of New Schools has created two staff positions dedicated to community relations. These staff members analyze school data and produce press briefings and other materials that highlight the performance gains made by CPS schools.

Chicago's efforts go beyond public relations, however, to forge deep community involvement in the new schools process. The Office of New Schools sets up Transition Advisory Councils (TACs) in communities that have new charter schools opening in recently closed non-charter school buildings. (See fig. 5 for a flyer used to recruit TAC members.) Each TAC includes 10–12 members of the community who go through an

Figure 5. Flyer to Recruit Members for Chicago Transition Advisory Councils

RENAISSANCE **2010**
100 New Schools for Chicago

Do you want to engage in change in Chicago Public Schools?

Become a TAC Member

The Renaissance 2010 initiative seeks to create 100 high-quality schools in designated communities of need by 2010. These schools will be held accountable for performance through 5-year contracts while being given autonomy to create innovative environments using 1 of 3 governance structures: charter, contract, or performance. With 38 high quality schools created in the first two rounds, Renaissance 2010 is right on track.

What are Transition Advisory Councils (TACs)?
Transition Advisory Councils serve as liaisons between Chicago Public Schools (CPS) and communities to ensure new schools offer high quality educational options that reflect the community's needs and interests.

What is the role of TACs?
- Meet regularly to discuss and determine the community needs in the new school
- Conduct community outreach activities and collect citizen input
- Network and host public forums with community leaders, groups and organizations
- Make recommendations to CPS about the new school proposals

Who is on a TAC?
- Parents
- Faith-based/CBO representatives
- Local business representatives
- Area residents
- Members-at-large
- Alderman
- Educators
- High School Students
- School Alumni

The Office of New Schools is seeking TACs for the following school buildings:
- Collins High School at 1313 South Sacramento (North Lawndale)
- Frazier Elementary School at 4027 W. Grenshaw (North Lawndale)
- Morse Elementary School at 607 N. Sawyer (West Humboldt Park)
- Woodson South at 4444 S. Evans (Grand Boulevard)

Download an application: **www.ren2010.cps.k12.il.us**
Call our office to request a copy: **(773) 553-1530**

Chicago Public Schools | Office of New Schools | 125 S. Clark, 5th Floor | Chicago, IL 60603

application process and are then selected by staff members from the Office of New Schools to represent their neighborhood. TAC members meet regularly and have several responsibilities including: 1) developing a list of guidelines about what type of school they would like in the neighborhood, 2) conducting outreach activities to deliver information to community members about how new school operators will be selected, 3) hosting public forums to collect information about community concerns and deliver information about the school selection process, and 4) recruiting individuals from within the community to operate new schools. In addition, one TAC member participates in the district's process of selecting the new school's operator.

Past concerns of TAC members have included whether a school would take students from the immediate neighborhood and whether a school would train students to work in neighborhood industries. In both cases, district officials addressed these concerns by including questions about them in the application review process. TAC members also have gone on "learning trips" to see successful schools both in Chicago and around the country. At this point, the TAC program is still relatively new, so it is too early to determine if TACs will influence the level of community support for the new schools. But many TAC participants report that they appreciate being involved in the selection process.

When asked to list the top three factors that will determine a school's success, the staff in the mayor's office in Indianapolis reply, "People, people, people." The mayor's charter application requires evidence of parental demand to ensure that the school will fulfill its enrollment projections, as well as several letters of support for the school. Most importantly, however, as part of the review process the staff carefully evaluates the founding group's capacity to access community resources and garner support from the community. Most applicants demonstrate this capacity by partnering with a local business or community organization. Fairbanks Hospital in Indianapolis, for example, partnered with a charter board to operate a school that serves students who are recovering from alcoholism or drug addiction. The Indiana Black Expo, a nonprofit dedicated to showcasing the achievements of African-Americans, led the application for the Andrew J. Brown Academy, a school in eastern Indianapolis; and students at Christel House, a charter school supported by local philanthropist Christel DeHaan, benefit from her local ties as well as her experience managing children's homes and schools around the world. These types of partnerships help ensure that schools authorized by the mayor's office have an authentic connection to the communities they serve, even if the original impetus for the school did not come from that community.

Across all of these authorizers, applicants' demonstrated capacity to draw upon resources in the local community is an important part of the selection process. The NYC Office of Charter Schools requires evidence of an applicant's partnerships with students, parents, and community organizations as collaborators and stakeholders, as well as three letters of support from representatives of the community that the school intends to serve. In California, applicants that come to the State Board of Education (SBE) for approval of their charter through the appeals process must appear before the Advisory Commission on Charter Schools (ACCS), an advisory body

composed of representatives of charter school operators and administrators, teachers, school district and county-level education officials, parents and other community members. The ACCS conducts public hearings that provide an opportunity to explore each school's petition in depth. The charter division uses these hearings as an informal method to gauge community support and the applicant's capacity. If stakeholders are absent from a school's hearing, the ACCS views this absence as a red flag indicating that the school may not have the necessary support within the community to be successful.

Engage in responsible risk-taking with regard to innovative school programs

According to a recent study by Andy Smarick of the National Alliance for Public Charter Schools,[9] 80 percent of the charter school laws that include a preamble or purposes sections mention "encouraging classroom innovation" as one of the purposes of the law. This purpose presents a dilemma for many charter school authorizers who feel pressure to adopt proven models in order to meet the pressing needs of underachieving students but who also want to encourage innovation in the hopes that new ideas in break-the-mold schools will prove successful as well. All of the offices agree that one way to balance the risk involved in authorizing an innovative program is to carefully evaluate the applicant's capacity to implement its plan during the application process.

Justin Testerman, the director of the Charter School Sponsorship Program at VOA of MN, likes to use a venture capital analogy to describe VOA of MN's approach to authorizing schools. According to Testerman, applicants generally fall into one of three categories. First,

there are "whole school models," like Success for All or Core Knowledge Schools, that have a research base to support their approach to improving student achievement. These models require schools to adopt a schoolwide curricular and instructional approach, and in some cases a governance approach, that has been developed elsewhere. Second, there are applicants that base their proposals on best practices. While the entire school program may not have been tried before, there is some evidence, perhaps anecdotal, that these practices have been successful elsewhere with a similar group of students. Finally, there are applicants that submit proposals to try education approaches that have never been done before. As Testerman looks across the 12 schools that VOA of MN has authorized, he notes that there are a few schools that fall into all three of these categories.

According to Testerman, "Trying new things is part of what charter schools are about." EdVisions Off Campus High School is an example of a school that VOA of MN decided to authorize despite the risk entailed in the school's featuring an approach that had not been tried before: project-based learning that is facilitated online. When asked how VOA of MN makes the judgment call to authorize such a higher risk approach, Testerman says it comes down to the people. The VOA of MN staff members ask themselves, "Do we trust these people? Do they have the right capacity?" In the case of EdVisions Off Campus High School, "We had worked closely with EdVisions in the past and knew them to be capable and talented innovators. We also knew the organization was not going to let that school fail and would back it up with their own money if necessary, so we were willing to take a chance on this school."

In Massachusetts, opening innovative schools is a high priority despite ongoing pressure from education officials of the Massachusetts Department of Education who would like the state to offer charters only to conventional, proven school models. A very contentious and difficult school closing in 2005, and the negative publicity it generated,[10] could have caused the Massachusetts Charter School Office not to take risks on innovation, and yet that has not happened. According to Jeff Wulfson, the Massachusetts Department of Education Associate Commissioner for School Finance and District Support, who oversees the charter office, "If we can't stick our necks out, we shouldn't be in the charter business."

In continuing to reward charters to innovative models, the Massachusetts office has remained true to both the spirit and the letter of the state's charter law, which reads:

> *The purposes for establishing charter schools are: to stimulate the development of innovative programs within public education; to provide opportunities for innovative learning and assessments . . . and to provide teachers with a vehicle for establishing schools with alternative, innovative methods of educational instruction and school structure and management.*[11]

Given this mandate, it is not surprising that the state's 57 charter schools represent a broad spectrum of education approaches. There are urban, suburban, rural, arts-focused, college prep, and Montessori schools. In 2006, the state granted a charter to the Fall River Maritime Public Charter School, a fifth through eighth grade program that will be operated under a unique governance model in which teachers own the school. The school will be small (founders project an eventual enrollment of 80), project-based, and focused on marine science.

Because the New York charter school law has a different emphasis, the SUNY Institute's application process is not as focused on innovation as some of the other authorizers. According to the New York charter law, charter schools are intended primarily to increase learning opportunities for students who are at risk of academic failure. With this goal in mind, the SUNY Institute generally seeks out applicants that have a track record of success with schools serving low-income families or applicants that propose a model that has been successful with inner-city students. From the SUNY Institute's perspective, it is too great a risk—and outside the bounds of the law—to approve innovative charter schools for innovation's sake. When faced with a proposal for a school model that has not been tried before in New York, the SUNY Institute staff press the applicant to explain how its model will work with students who are at risk for academic failure. While the SUNY Institute welcomes new approaches, the office has little tolerance for applicants who come without a clear understanding of the proposed education model. According to Jennifer Sneed, Senior Vice President of the SUNY Charter Schools Institute:

> *They can't know everything, but do they understand what they don't understand? Have they gone to visit other schools that are using this model? Have they researched where this model has been tried before with similar types of students? The lay of the land has changed so much. Even five years ago, you couldn't go out to a charter school [in New York] and*

talk to the founders and teachers and board members. You couldn't even see a completed application. Now you can see these things; you can investigate their success.

Authorizers Support New School Operators

After an authorizer grants a charter to the individual or group who will run the charter school, the real work of school start-up begins. The majority of the school's and the authorizer's responsibilities start after the charter is granted: The authorizer and the school must define their obligations to one another and the methods by which the authorizer will hold the school accountable. During the first few months—even up to the first year—of a school's operation, these authorizers provide intensive support to help ensure that the school's goals and responsibilities are clear, and that the school has everything in place that will support its success.

Assist schools in developing meaningful measures of student performance

After the charter is granted, but before the school opens, it is important to define the school's student performance goals and how they will be measured. Most of these organizations follow a yearlong process during which they work with the school to develop rigorous performance goals. In some cases, authorizers allow schools one year after opening to develop their accountability plans. These authorizers report that working with schools over an extended period of time allows them to define meaningful performance goals based on students' incoming performance levels.

Each authorizer profiled in this guide includes student performance measures that are the same for all of its schools. This allows each authorizer to compare the performance of its schools to each other and to other schools with similar student populations. While some offices continue to include school-specific performance measures in the accountability plan or contract, others do not encourage schools to include school-specific indicators, largely because it is challenging for schools to develop rigorous assessments to measure these indicators. Those who continue to include school-specific indicators argue that such indicators benefit schools because they allow the schools to evaluate their success in meeting unique missions. These authorizers also argue that school-specific indicators allow schools to counter the problems associated with using only one statewide standardized test (such as test results reported too late to be useful to teachers). The Massachusetts charter office, for example, has written guidelines that refer to this dilemma by noting, "The solution to the challenge posed by the limitations of one assessment tool is to use assessments strategically and in combination."

The charter school accountability system in Massachusetts requires schools to establish specific five-year performance objectives designed to measure the school's progress in three areas: 1) raising student achievement, 2) establishing a viable organization (e.g., one that has financial stability), and 3) fulfilling the terms of its charter. These objectives are included in each school's accountability plan. Schools are required to submit their initial plan by Aug. 1 after their first year of operation. Every Aug. 1 thereafter, each school submits an annual report that discusses the school's interim progress

on each goal and presents evidence to validate its claims.

In order to help schools undertake the daunting task of writing an accountability plan that measures progress in so many different areas, the Massachusetts charter office has developed *Guidelines for Writing Charter School Accountability Plans.*[12] This document provides schools with detailed instructions on developing goals and measures and includes references to many common pitfalls. For example, the guidelines note in the first few pages:

> *An accountability plan is not designed to describe all of the outcomes a charter school has set for itself. It sets objectives for the most critical areas of performance that will inform a decision about whether to renew the school's charter. Effective measurement and reporting can require a significant commitment of time and resources, and even concise goals can yield a lengthy Annual Report. A more powerful case is made when schools measure fewer things better than many things incompletely or superficially.*

Relative to the other authorizers, the SUNY Institute and the Indianapolis mayor's office have fairly prescriptive performance requirements for the schools they authorize. SUNY Institute charter schools are required to develop an accountability plan during the first year of their charter that includes goals that are organized into two sections—"academic" and "unique programmatic areas." Charter schools authorized by the Indianapolis mayor's office also are required to develop an accountability plan during the first year of their charter.

In SUNY Institute-authorized schools, student performance must be measured in absolute terms, using value-added measures (e.g., assessments that measure students' academic growth), and compared to the performance of local district schools or the district school where the charter school's students would have been assigned to attend. SUNY Institute expects at least 75 percent of all its schools' students to score at proficiency levels on state reading and math exams. SUNY Institute staff members offer workshops for schools as well as individual guidance to help them develop meaningful and measurable goals for student performance.

Charter schools authorized by the Indianapolis mayor's office are required to measure students' performance not only using state standardized tests but also using the Northwest Evaluation Association's Measures of Academic Progress reading and math tests in the fall and spring. (See fig. 6 for the Indianapolis mayor's office timeline for accountability plan development, implementation, and oversight, which describes when the schools submit testing data and other performance indicators to the mayor's office.) This consistent year-to-year testing allows the mayor's office to assess the "value-added" by each school—the school's contribution to the learning of its students. The charter schools office at CMU also conducts a value-added analysis of its schools' performance, using a Web-based, real-time assessment system called Scantron's Performance Series, which it makes available to all of its schools. Schools administer the test every fall and spring and use the testing data to track students' learning progress over time. The Indianapolis mayor's office also encourages schools to develop school-specific performance goals, but schools are not required to do so.

Figure 6. Indianapolis Mayor's Office Timeline for Accountability Plan Development, Implementation, and Oversight

YEAR 1	
Summer Pre-Opening	School finalizes initial common and school-specific performance indicators and assessments and makes plans for baseline data gathering. A representative from the Mayor's Office visits each school to ensure the school is ready for operation.
Fall	School collects baseline data on all initial performance indicators. External team visits school to assess implementation of basic systems and processes, and provides feedback to school.
Winter	School submits baseline data on all initial performance indicators to the Mayor's Office.
Spring	School continues gathering data on all initial performance indicators. External team visits school to assess implementation of systems and processes, and provides feedback to school. External organization surveys staff and parents at school.
Summer (by June 1)	School submits data reporting annual progress on all initial performance indicators to the Mayor's Office.
YEAR 2	
Ongoing	School continues gathering data on all performance indicators. External team may visit school to monitor performance and provide feedback.
Fall	School submits draft school-specific indicators. Mayor's Office provides feedback on indicators.
Winter	Mayor's Office and schools finalize school-specific indicators.
Spring	External organization surveys staff and parents at school.
Summer (by June 1)	School submits data reporting annual progress on all performance indicators to the Mayor's Office.
YEAR 3	
Ongoing	School continues gathering data on all performance indicators. External team may visit school to monitor performance and provide feedback.
Spring	School conducts self-evaluation of performance. External organization surveys staff and parents at school.
Summer (by June 1)	School submits data reporting annual progress on all performance indicators to the Mayor's Office.
YEAR 4	
Ongoing	School continues gathering data on all performance indicators.
Fall or Spring	External team visits school for several days to corroborate third-year self-evaluation and provide additional information and detailed report to Mayor's Office. Mayor's Office provides feedback to school on issues that may affect the renewal of the school's charter. External organization surveys staff and parents at school.
Summer (by June 1) (to be scheduled)	School submits data reporting annual progress on all performance indicators to the Mayor's Office. School leadership meets with Mayor's Office to discuss an action plan for addressing areas needing improvement identified in the previous academic year's site visit report. If necessary, school completes a memorandum of understanding (MOU) with the Mayor's Office regarding this action plan.
YEAR 5	
Ongoing	School continues gathering data on all performance indicators. School addresses areas needing improvement identified by third-year self-evaluation and fourth-year external report. External team may visit school to monitor performance and provide feedback.
Spring	External organization surveys staff and parents at school.
Summer (by June 1)	School submits data reporting annual progress on all performance indicators to the Mayor's Office.
YEAR 6	
Ongoing	School continues gathering data on all performance indicators. School continues addressing areas needing improvement identified by third-year self-evaluation and fourth-year external report, if not yet resolved. External team may visit school to monitor performance and provide feedback.
Spring	External organization surveys staff and parents at school.
Summer (by June 1) (by Aug. 1)	School submits data reporting annual progress on all performance indicators to the Mayor's Office. School submits *charter renewal application* by August 1st. The renewal application will be an in-depth analysis of the school's performance over the previous six years.

SUNY Institute-authorized schools may include additional measures of student performance beyond outcomes on state standardized tests. (See fig. 7 for SUNY's guidelines for writing accountability plans that include required and optional accountability measures.) However, SUNY Institute does not encourage schools to do so without demonstrating a clear understanding both of how to develop the measures and the determination of what the measures will contribute to students' success. According to Jennifer Sneed, the senior vice president of the SUNY Institute, she and other institute staff tell schools: "If this will help you in the administration of the school, is part and parcel of your mission, and will be useful to you internally, then by all means include it in your accountability plan. But the fact is, it is a lot of work. You may want to do these things, but not include them in your plan." In the development of schools' accountability plans, the SUNY Institute staff members place primary value on students' learning progress and mastery of core subjects. If schools wish to develop additional, school-specific measures of success that assess unique aspects of their school's program (such as arts performance), they must do so largely on their own.

Support schools during the incubation and planning period

These authorizers have found through experience that the most critical phase of a charter school's development is often in the first few months after it receives a charter, during which it must prepare the school for students and staff. Even the most experienced school leaders have probably not had to prepare a facility, hire an entirely new staff, develop a curriculum, attract students and prepare a budget—all in a relative-

ly short time span. Accordingly, these authorizers provide more intensive support during this period—between the initial grant of a charter and the first day of school opening, and in some cases throughout the school's first year—than they provide after this start-up period.

In Minnesota, one of the tools that the VOA of MN charter office uses to help schools become established initially is a detailed checklist of actions they need to take before and during the first year the school is open (see fig. 8). This checklist, which has been through several revisions, is organized as a timeline so that school leaders know what they need to do and when. The Massachusetts charter office uses a similar checklist called "Summary of All Action Items," covering what needs to be done by when. This six-page checklist is at the beginning of a handbook produced by the Massachusetts charter office to guide schools through opening. *The Opening Procedures Handbook*[13] also includes guidelines on such issues as governance, enrollment, school safety, and hiring.

In both Chicago and New York City, authorizers use additional strategies to support schools during this critical period. The Chicago Public Schools Office of New Schools has worked with one of its partners, the Renaissance Schools Fund,* to provide each new school with funding for three staff positions, usually including the school leader, to prepare for the school's opening during the eight months leading up to its first day of classes. In addition, CPS provides optional office space and technology support

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* The Renaissance Schools Fund is an independent, nonprofit organization dedicated to raising money to support the mayor's Renaissance 2010 initiative to open 100 new schools in Chicago by the year 2010.

Figure 7. Excerpt From SUNY Institute's Guidelines for Writing Accountability Plans

_____ Charter (High) School

ACCOUNTABILITY PLAN FOR THE CHARTER PERIOD 2006-2010 [25]

Academic Goals

English Language Arts

Goal: Students will _____

Absolute Proficiency
Required outcome measures

> 75% of each high school accountability cohort[26] will score at least 65 on the New York State English Regents exam.

> Each year, the school's aggregate Performance Index on the State ELA exam will meet its Annual Measurable Objective set forth in the state's NCLB accountability system.

Optional outcome measure(s)[27]

Each year, _____

Each year, _____

Comparative Proficiency on State Exams
Required outcome measures

> Each year, the percent of students in the high school accountability cohort passing the English Regents Exam with a score of 65 or above will exceed that of the cohort of all students from the local school district.

> For each high school cohort, the percentage of students scoring above 65 on the English Regents Exam will place the school in the top quartile of all similar schools as determined by the Institute and based on similar school categories as generated by the State Education Department and New York City Department of Education.

_____

[25] The Accountability Plan for a school operating in its first charter period is in effect for four years, up to the time the school would apply for charter renewal.

[26] The high school accountability cohort is defined as all students who entered the ninth grade anywhere for the first time four years previously and were enrolled in a school on BEDS day of year four (excluding students no longer in the school after BEDS day for extra-ordinary reasons).

[27] The outcome measure includes: an expected level of performance for students to achieve; the assessment tool to determine the performance; who will administer and score the instrument (if it is not a standardized test); when it will be administered, and to which students.

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so that new school leaders have adequate work space as they prepare to open. In 2006, at the time of this study, it was too early to evaluate the impact that this incubation support, which began in 2004, would have on the future success of the new schools, but initial reports from participating school leaders were positive. In the future, the CPS Office of New Schools would like to further improve the start-up process by bringing in intermediary organizations that can provide technical assistance to address common challenges, such as board development and student recruitment.

NYC charter schools have the benefit of a similar program that offers even more direct techni-cal assistance. That is, in addition to incubation space (a desk, phone, and computer) at the non-profit New York City Center for Charter School Excellence (CCSE), leaders of new schools also have access to leadership and management training, school development workshops, facilities planning, and school assessments that high-light students' strengths and weaknesses. (See fig. 9 for CCSE school support plan for development and operational phases.)

Every charter school authorized by the NYC Office of Charter Schools also receives a preopen-ing visit from a staff member from the charter office during the summer preceding its first year.

Figure 8. VOA of MN Charter School Start-up Progress Checklist

Month	Task	Person(s) Responsible	Resources Needed	Progress	Comments
Pre-September	*Financial Management/Business Plan*				
	Create a comprehensive business plan which includes a 4 year budget projection and 4 year market analysis				
	Develop at least two contingency budgets (one with lowest possible operating enrollment and one another enrollment scenario)				
	Identify potential board members with a financial background				
	Governance and Management				
	Ensure contract with VOA is signed and submitted to within MDE 90 days of MDE application approval				
	Determine governance structure				
	Identify legal status, tax-exempt status (file for 501c3 status)				
	Learning Program				
	Identify instructional strategies the school will use to achieve academic goals				
	School Culture				
	Develop mission/vision statements for the school				
	Compose a brief history of the origin of the school and community need for the school				
	Description of school (grade levels served, expected enrollment demographics, etc)				

Figure 9. NYC CCSE Individual Charter School Support Plan

NYC CENTER FOR CHARTER SCHOOL EXCELLENCE - INDIVIDUAL CHARTER SCHOOL SUPPORT PLAN 2005-06 SCHOOL YEAR

Our school support actions are designed to promote quality as a critical friend, impacting new school development and results through open communications, school agreement, strong relationships and effective resource allocation. Our charter school support criteria is driven by a quality charter school model.

FALL 2005

SCHOOL SUPPORT ACTIONS DURING CHARTER SCHOOL DEVELOPMENT PHASE (BEFORE SCHOOL OPENS TO STUDENTS):

Education/Awareness	Planning /Start Up Tools	Consultations/Assessments
Introductory Forums	Capacity Review/Guidance	Technical Assistance Reviews
Web site/Print Materials	Pipeline of New School Opportunities	Alternative Tracks for School Ideas
Strong School Recruitment	Technical Assistance Needs by School	Identification of Strong Schools
Capacity Training and Self Assessment - Quality Charter School Model	Stimulate School Replications	Referrals to Allied Organizations
Application Development Referrals	Planning Grants	Application Issue Identification
Strategic Leadership/Management Training	Governance Development	Assessment of strengths and weaknesses
School Development Workshops (Academics, Governance, Facilities)	Incubation Space	Critical Friends Reviews
Facilitate School Visits	Leadership Identification	Authorizer Information Sharing
Readiness Reviews	Back Office Plan/Structures	Resource Recommendations
Best Practices Sharing	Staffing Plan	Staffing Support
	Facilities Plan	Facilities Setup
	Funding (Public/ Private) Development	Operations Setup
	Leadership Support/Capacity Building	

SCHOOL SUPPORT ACTIONS DURING CHARTER SCHOOL OPERATIONAL PHASE (AFTER SCHOOL OPENS TO STUDENTS):

School Services	School Support Tools	Consultations/Assessments
Academic - Guidebooks, Student Assessment Tool Kit, Training, Coaching, Resources	Grants/Consultancies	School Reviews - Critical Friend School Reviews, Coaching, Authorizer Reviews, Interventions
Operations - Guidebooks, Training, Coaching, Resources, Staffing, Back Office Systems, Shared Services, Obstacle Remover	Use of Center Space	Annual School Reviews and School Needs Assessments
Facilities - Real Estate Development Consultations, Site Identification Assistance, Facility Management Resources	Strategic Planning	Principal Coaching
Principal Development - Pipeline, Training, Coaching	Best Practice Sharing	Governance Development
Teacher Development - Recruiting, Certification Support, Professional Development Networks	Shared Space Support	Weak Spot Action Planning/Strategic Planning
Communications - Materials, Consultations, External Relations	Coordinated Communications Platform - Charter Leader News (CLN) email updates of crucial opportunities for the charter school community	Renewal Preparation Referrals
Governance - Guidebooks, Recruiting, Training, Resources	Cross School Leader Networks	
Fundraising - Guidebooks, Training, Brokering		

All Schools Support: Quality Model, Advocacy Authorizer Process/Systems, Knowledge Management

The visit is based on a "school readiness review" protocol and focuses mainly on elements of successful school opening, including staffing, curriculum, facilities, and board governance. This protocol addresses factors regarding whether the school has what it needs to serve students on the first day. During this visit, staff members collect information, such as certificates of occupancy, fiscal policy manuals, job descriptions, operations manuals, and materials regarding insurance. They also make sure that school administrators know how to obtain any such missing documents before the first day of school.

Many charter school boards seek out and contract for services with school management organizations during this early stage. Such contracts are particularly common in Michigan, and CMU's charter office has become a national leader in helping charter leaders negotiate effective contracts with what they call "Educational Service Providers" or ESPs. The CMU Board of Trustees implemented its *Educational Service Provider Policies*[14] in 1999 to help its charter school boards negotiate agreements with ESPs and establish relationships with ESPs that will be beneficial for the schools. (See fig. 10 for an educational service provider agreement included in the CMU policy guide.) The policies require, for example, that the charter school board retain its own legal counsel and demonstrate a responsible and thorough search for an ESP.

Authorizers Provide Meaningful and Transparent Oversight

All of these authorizers understand that their major responsibility to the public is to monitor their schools' academic performance and compliance with applicable laws and regulations. Beyond carrying out their basic oversight responsibilities as defined in the charter law, these offices have found that ongoing and close monitoring allows them to help schools improve and helps them to make well-informed decisions about whether to renew or revoke a charter.

Each authorizer monitors its schools using a variety of methods. All require some amount of documentation, including annual reports, evidence of legal and regulatory compliance, student assessment results, and nonacademic data, such as student attendance rates and the results of parent satisfaction surveys. They also use site visits to gather additional information about compliance and students' experience in their charter schools. In each of these authorizing offices, both document collection and the site visits are informed by the office's philosophy of charter oversight. Leaders have thought through the appropriate balance between their oversight responsibilities and their duty to respect charter schools' autonomy, and they train their staff members to respect this balance every day in interactions with schools.

Use information and technology to streamline compliance

Charter schools are subject to many regulations imposed by state law.[15] Each of these authorizers has found ways to streamline compliance and reporting requirements to make their state's demands more achievable for their schools, which tend to have smaller staffs and fewer leaders. For example, one of the ways these offices collect the information needed to fulfill their oversight responsibilities while respecting schools' autonomy is to be very clear up front

Figure 10. Educational Service Provider Agreement (Excerpted From CMU Provider Policies)

EXHIBIT A

[Date]

Central Michigan University Board of Trustees
Mt. Pleasant, Michigan

[Name of Public School Academy]
[Name of City], Michigan

> Re: [Name of Public School Academy] Educational Service Provider (ESP) Agreement with [Name of ESP]

Ladies & Gentlemen:

In my capacity as legal counsel to [Name of Public School Academy] (the "Academy"), I have represented the Academy in connection with the proposed Educational Service Provider agreement between the Academy and [Name of ESP]. As Academy legal counsel, I have reviewed copies of the following documents:

1. The Educational Service Provider Agreement, dated as of [Month, Day, 1999], (the "Agreement"), between the Academy and [Name of ESP].

2. The Central Michigan University Charter Schools Office Educational Service Provider Policies ("Policies").

3. The Contract to Charter a Public School Academy and Related Documents, dated [Month, Day, 1999], (the "Contract"), issued by the Central Michigan University Board of Trustees to the Academy.

I have also reviewed other documents, instruments and Academy Board minutes related to the Provider of the Academy which are required or have been requested by the University Board prior to the issuance of the Contract. I have also reviewed the articles of incorporation and bylaws of the Academy, and originals and copies of such other documents, records, and statements of facts as I deemed relevant, and I have made such other investigations and inquiries, as I have determined necessary for the purpose of rendering the opinions set forth herein.

Based upon the foregoing, I am of the opinion that:

1. The Academy is a Michigan nonprofit corporation duly organized, validly existing and in good standing under the laws of the State of Michigan and has full power and authority to enter into the Agreement.

2. The Academy's execution, delivery and performance of the Agreement does not violate any term or provision in the Policies and, to the best of my knowledge after due inquiry, the Academy Board has complied with all terms and provisions in the Policies.

3. The Academy's execution, delivery and performance of the Agreement does not permit or require an improper delegation of the Academy Board's:

> a) statutory and fiduciary responsibilities under applicable law; or
> b) obligations and duties under the Contract.

In addition, the Agreement does not conflict with any of the provisions of the Contract.

> Very truly yours,
> [Name of Academy Legal Counsel]

Educational Service Provider Policies
Page 5 of 5

about the information they require (such as annual reports) and the form in which they expect to receive it. New school operators know that as charter school leaders, they will be held accountable in ways that traditional district schools are not. For example, if they do not meet the terms of their charter, charter schools face possible closure. Therefore, many of these leaders report that one of the most important things their authorizer can do to help them meet their goals is to communicate their expectations up front. Chicago has found that providing information about accountability requirements early on has an additional benefit. According to Katie Weaver, the director of accountability of the Office of New Schools, "Giving the information to the schools up front really promotes their autonomy. This way they don't have to call us at the last minute to figure out how something is going to work. They can go back to the documentation they received early on and find the information and the contact person they can call to get more information."

Staff members in the Massachusetts office have invested a considerable amount of time and thought in revising and improving the materials they give to schools to explain their oversight and monitoring system. The *Opening Procedures Handbook* is an example of their guidance, rich with detailed information about what schools need to do in order to meet a host of state regulations and requirements. In order to make such guidance more accessible and useful, staff members have included task checklists, due dates, and sidebars with crucial information highlighted. (See fig. 11 for an excerpted checklist.) Written in a straightforward style, the documents avoid heavy use of jargon and frequently refer readers who need more detail about a spe-

cific topic to additional sources of information. These sources include written materials as well as contacts within the Massachusetts office who can answer questions about a specific topic.

The Massachusetts office also has produced several documents that explain how it monitors schools to see that they are meeting the terms of their charters. These documents are intended to clarify the schools' responsibilities from the outset. One document gives readers an overview of the entire monitoring process. Organized in a series of action steps, the *Guidelines for Writing Charter School Accountability Plans*[16] takes the reader from the beginning of the process, submitting an application, through writing an accountability plan, submitting annual reports on the school's progress in meeting accountability goals, preparing for annual site visits, and finally applying for charter renewal and participating in a lengthy renewal inspection.

Authorizers in Michigan have considerable oversight responsibilities, in large part because state law requires charter schools to adhere to many of the same regulations and policies that govern traditional district schools. To ease the reporting burden on its schools, the Charter Schools Office at CMU commissioned the design of an electronic system to track and maintain information regarding schools' compliance. The Authorizers Oversight Information System (AOIS) allows authorizers and schools access to an online compliance recordkeeping system, provides a daily account of a school's compliance status, and helps track school performance and academic achievement. AOIS is also an electronic filing system, so every document associated with a school is readily available from any location.

Figure 11. Sample From Massachusetts Department of Education *Opening Procedures Handbook*

SUMMARY OF ALL ACTION ITEMS

Action Items – Governance
Due immediately after charter is granted.
- ☐ Obtain a sufficient number of copies of the *Administrative and Governance Guide* for each board member and the school leader(s).
- ☐ Submit Organizational Chart to the Charter School Office.
- ☐ Complete Board recruitment so that minimum membership requirements (as defined by the bylaws) are met.
- ☐ Submit a letter requesting approval of new members of the Board of Trustees to the Charter School Office.
- ☐ Submit a resume for each of the proposed Board of Trustee members to the Charter School Office.
- ☐ Submit an original financial disclosure form (for the previous calendar year) for each of the proposed Board of Trustee members to the Charter School Office.
- ☐ Prepare bylaws.
- ☐ Self-assess bylaws using the Guidance for Charter School Bylaws checklist (Appendix A).
- ☐ Obtain Board of Trustee approval of bylaws.
- ☐ Submit Board of Trustee-approved bylaws to the Charter School Office for DOE review.

Action Items – Enrollment Policies and Application for Admission
Due prior to the start of the school's initial application and enrollment process.
- ☐ Prepare the Enrollment Policy and Application for Admission.
- ☐ Self-assess the Enrollment Policy using the criteria for approval (Appendix C/D).
- ☐ Obtain Board of Trustee approval of Enrollment Policy and Application for Admission.
- ☐ Submit Board-approved Enrollment Policy and an Application for Admission to the Charter School Office for DOE approval.

Action Item – Management Contract (if applicable)
Due 120 days in advance of the intended start date of the contract.
- ☐ Submit the Management Contract to the Charter School Office **to begin** the process of Department of Education Review, as detailed on page 32 of the *Administrative and Governance Guide*.

Action Items – Student Learning Time
Due August 1
- ☐ Carefully read MGL Ch. 69 § 1(g), MGL Ch. 71 § 29, and 603 CMR 27.00.
- ☐ Prepare annual school calendar and student schedule, consistent with 603 CMR 27.00 and the school's charter application.
- ☐ Obtain Board of Trustee approval of school calendar and schedule.
- ☐ Submit Board-approved school calendar and sample student schedule to the Charter School Office for review.

The Ferris State University (FSU) charter office adopted the AOIS system in 2003. One of the first documents that FSU-authorized schools receive after they are granted a charter is a copy of the year's "Master Calendar," a comprehensive document that contains every compliance and reporting deadline that the school is expected to meet throughout the year. As one school principal remarked, "This calendar is what keeps us on top of knowing what's coming and when. Otherwise, I'd have to be thinking about it all the time. The master calendar makes it so much easier." Using the AOIS system, schools submit their compliance documentation electronically and receive periodic reminders through an electronic calendar—for example, "In seven days, your board minutes will be due." FSU also reviews monthly bank check registers from each school, and requires a quarterly financial statement. Both are submitted electronically by each school and managed at FSU in the AOIS software. The electronic system enables FSU staff to quickly identify schools that are experiencing academic, financial, or compliance challenges.

With regard to academic performance, FSU also communicated clear expectations for student testing and annual performance goals. It makes extensive use of a Web site provided by the state department of education to track student scores on Michigan Education Assessment Program tests. With up-to-date performance data at their fingertips, FSU staff members monitor student achievement gains at each of their schools and can quickly identify and assist those schools that face academic challenges.

The SUNY Institute-authorized charter schools also receive a master calendar at the beginning of their charter term that provides a deadline for every document and a date for each site visit that is required, by both the SUNY Institute and the New York State Education Department, during the course of the school's charter term. Evidence of compliance with regulatory and legal requirements (pertaining to facilities, enrollment, grades served, open meetings, teacher certification, and *NCLB* requirements) is reviewed each year in the form of annual reports. The SUNY Institute provides sample reports for schools to follow and collects the majority of documents in hard copy form. Because it shares oversight duties with the New York State Education Department, the SUNY Institute also works to alert its charter schools to issues to which the New York State Education Department pays close attention to, such as fingerprinting of staff, so that when the information is required, the charter schools will be ready.

"Once we have approved a school, it really is our school. We want to work with them. The whole goal is that they are effective. That's why we try to be as transparent as we can from the very beginning, treat schools with respect, and have reciprocity in the relationship to the degree that we can as their authorizer."—Jennifer Sneed, Senior Vice President of the SUNY Charter Schools Institute

Use site visits strategically

While these organizations collect a lot of information regarding performance and compliance

through electronic and paper submissions, relying solely on written documentation would not provide them with a comprehensive view of their schools. The majority of these offices also use focused site visits to gather information that is only apparent on-site at the school. The offices differed in the number and timing of visits, but most agreed that the visits were an effective monitoring tool.

The VOA of MN charter office conducts more site visits than many other offices—four per year. Two visits are informal, and two visits are formal in that the reviewers keep to a set protocol and follow up with a written report. According to Justin Testerman of VOA of MN, when he walks into a school for a visit, he is "looking to see if the reality is consistent with the information in the reports and other materials I have been reading." Often, he can determine this quickly through observation. Is the student work on the walls regularly updated? Are students engaged and attentive? If the answer to such questions is no, he will bring it to the attention of the school leaders and ask them to explain why there is a discrepancy in information provided in reports and site visit observations.

California's charter division has invested a great deal of staff time in refining its site visit protocols. Because of limitations on the office's travel budget and the great distance between Sacramento and most board-authorized charter schools, schools typically receive one preopening site visit and one additional site visit per year from a member of California's charter division staff. These site visits follow a detailed protocol that has been developed with the help of external consultants. Staff members report that this one visit per year provides them with the information they need to make sound accountability decisions. The divi-

sion also uses Web-based software to provide a virtual forum for state-authorized charter schools to check in with division staff and access two-way technical assistance.

California's preopening site visit mainly addresses the adequacy of the facility: Will it effectively and safely hold students and staff on the first day of school? (See fig. 12 for an excerpt from CDE's preopening site inspection checklist.) Subsequent visits assess the school's progress in governance and organizational management, education performance, fiscal operations, and fulfillment of the terms of the charter. The primary purpose of these visits is to assess the student achievement plan, perform a facility inspection, and review records (e.g., student attendance, financial, personnel). Visits typically involve an interview with the school director, staff, students, parents, and board members, and focus on teaching and learning through observation of classroom instruction. Written reports from the site visits inform the California office's decisions about charter renewal. If the school is having trouble, the frequency of visits generally increases.

Rather than rely on internal staff to conduct site visits, FSU's authorizing office hires four "field representatives"—retired principals, administrators, and district superintendents—to conduct site visits. These field representatives are responsible for four schools each, and they conduct at least six site visits to each of their schools per year, attend at least six meetings of the schools' boards per year, and submit written reports to the FSU authorizing staff with information about the school's climate, classroom instruction, parental involvement, facility conditions, and any concerns that require immediate attention or

Figure 12. Excerpt From California Department of Education's Preopening Site Inspection Checklist

General Considerations			Comments
Facilities are sufficient to accommodate estimated student enrollment and to carry out the curricular and instruction program envisioned in the charter.	☐ Yes	☐ No	
Site has adequate space for the support services the school intends to provide to its students (i.e. nurse, counselors, tutors, after-school programs, etc.).	☐ Yes	☐ No	
Facilities include cafeteria or other suitable space for students to eat meals.	☐ Yes	☐ No	
Building placement is compatible (i.e. music room is not next to library).	☐ Yes	☐ No	
Facilities are generally conducive to a learning environment.	☐ Yes	☐ No	
Site is away from freeways, railways, flight patterns, excessive noise, obnoxious odors, toxic conditions, electromagnetic fields, earthquake faults, flood zones.	☐ Yes	☐ No	
Site has good access and dispersal roads.	☐ Yes	☐ No	
Site has separate bus loading, parking areas, and parent drop off areas.	☐ Yes	☐ No	
Facilities operation permits and certificates, including evidence of inspection by a structural engineer, fire marshal and occupancy certificates, zoning variances, building permits, etc. have been secured.	☐ Yes	☐ No	
Site has good access and dispersal roads.	☐ Yes	☐ No	
Facilities are sufficient to accommodate the administrative and business functions, including the storage of student and other records, reports, and documents.	☐ Yes	☐ No	

General Considerations			Comments
Facilities meet requirements of the Americans with Disabilities Act, including (1) accessible routes from outside the school to the entry and from the school entry to all other buildings, and (2) stairs, ramps, toilets and signage that meet accessibility standards.	☐ Yes	☐ No	
Site and facilities are situated to minimize student contact with adults who do not have appropriate clearances as required by Education Code Section 44237.	☐ Yes	☐ No	
Relocatable facilities are single story and meet local seismic safety requirements.	☐ Yes	☐ No	
Site has appropriate security (i.e. fencing, adequate lighting, alarms, etc.).	☐ Yes	☐ No	
Facilities are clean, sanitary, and free from conditions that would create a fire, or other hazard.	☐ Yes	☐ No	

Building Exterior			Comments
Facilities are generally free of chipped paint, cracked floors, uneven surfaces, mold and evidence of leaks.	☐ Yes	☐ No	
Sidewalks, driveways, and outdoor play areas are relatively free of cracks and uneven surfaces, and are good repair.	☐ Yes	☐ No	
Perimeter fences are installed as necessary and are in good repair.	☐ Yes	☐ No	
Graffiti or other signs of vandalism to the building are absent.	☐ Yes	☐ No	
School exterior needs minimal cosmetic repairs, painting, or additional lighting.	☐ Yes	☐ No	
Windows and doors are intact and in good repair.	☐ Yes	☐ No	
Exterior stairs or handrails are in good repair.	☐ Yes	☐ No	
Exits to buildings are free of obstructions.	☐ Yes	☐ No	

continued monitoring. In addition, staff members from FSU also visit the school informally, both announced and unannounced. In all, schools see someone from FSU, either a field representative or a full-time staff member, at least 12 times per year, on average. The use of field representatives allows FSU staff members to have a good sense of what is happening in its schools without having to dedicate office staff to constant travel. (See fig. 13 for field representative's job description.)

The charter school staff of the mayor's office in Indianapolis also uses external teams for many of its school visits. The authorizing staff members conduct an initial preopening site visit to allow them to get to know the school administration, see the facility, and determine whether the school is in compliance to open. Thereafter, a group of experts (including current and former teachers, administrators, and district superintendents) from the Center of Excellence in Leadership of Learning at the University of Indianapolis conducts formal site visits to each school annually. The office uses these external teams because staff members have found that schools are more likely to use the improvement-oriented feedback they receive when the schools do not feel they are being targeted by the authorizing staff. Recurring visits by the same team gives schools an incentive to address problems because they know the team will be coming back to see improvements. Authorizing staff also frequently drop in at schools unannounced for informal visits or to pick up paperwork. These visits are helpful for fostering communication, bringing issues to the office staff's attention, and reminding schools of their upcoming deadlines.

Several schools report that their authorizer's site visits, when well structured and announced in advance, serve as a recurring incentive to reflect on school performance and collect information schools themselves will use. Unannounced and less formal site visits also allow school leaders and staff an opportunity to display their accomplishments and ask questions or share their concerns with the authorizing staff.

Approach oversight with a sense of purpose and respect for schools' autonomy

Each of these authorizers has carefully developed a point of view about how to balance adequate oversight with respect for schools' autonomy. Their approaches are different, but each office has an oversight philosophy that promotes the development of a monitoring process that is thorough but also safeguards schools' freedom to experiment with new approaches to governance, curriculum, and instruction. Having a philosophy about how to manage the monitoring-autonomy balance also has allowed these offices to develop their own approaches to another complex factor that is inherent in the authorizer's role: how to balance staff members' natural desire to offer support with the need to maintain their role as objective evaluators.

At FSU, staff members are so aware of the need to maintain this balance that they regularly refer to it as "The Line," which is their way of describing the border between adequate oversight and infringing upon schools' autonomy as well as between providing necessary assistance to schools versus running the schools' day-to-day operations. This "line" comes up during every

Figure 13. Ferris State University Field Representative Job Description

POSITION TITLE: Charter Schools Office Field Representative(s)
SUPERSEDES: New
EFFECTIVE DATE: January 2, 2003
DEPARTMENT(S):   Charter Schools
F.L.S.A.:   At Will
GROUP:_____Part Time_____

I.   SUMMARY OF FUNCTION: Represent the Ferris State University Charter Schools Office to public school academies authorized by Ferris State University's Board of Trustees. Field Representative(s) will attend academy board of directors meetings, visit observe academy classrooms and administrative operations and submit written reports to the Charter Schools Office.

II.   CHARACTERISTIC DUTIES include the following. Other duties may be assigned.
Essential
1.   During the fiscal year, attend at least six (6) board of directors' meetings for each assigned academy.
2.   Submit a written summary report of each board of directors meeting attended within five (5) days of the meeting.
3.   During the academic year (September - June), make at least six (6) visits to each assigned academy and observe the instructional process and/or administrative procedures.
4.   Submit a written summary report of each visit within five (5) days of the visit.
5.   Immediately report to the Charter Schools Office any activity, that the Field Representatives believes, may be illegal, inappropriate, a safety hazard, or other, unusual circumstance. Such a report should be made by telephone, fax, or e-mail, without delay. A written summery of the circumstances prompting the report is to be submitted within five (5) days.
6.   Attend scheduled Field Representative meetings with the Charter Schools Office Staff.
Marginal
7.   Attend FSU Board of Trustees meetings when requested.
8.   Attend workshops and other training related to charter schools.

III.   RESPONSIBILITIES: Reports directly to the Director of Charter Schools. Responsible for maintaining the confidentiality of designated information. Performs all duties in compliance with applicable University policies and procedures and state and federal requirements.

IV.   REQUIRED QUALIFICATIONS: To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Any equivalent combination of education, training and experience which provides the required knowledge, abilities and skills may be considered. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
Education/Skills
Minimum: Bachelors degree in education.
Preferred: Masters degree in education or related field.
Ability to:
1.) Make sound decisions within parameters of authority.
2.) Communicate effectively both orally and in writing.
3.) Be tactful and courteous at all times.
4.) Handle confidential material.
5.) Attend meeting in inner-city areas at night.
Work Experience
Minimum: Three years of classroom teaching experience and demonstrated experience with managerial and organizational responsibilities in K-12 education.

V.   This description is intended to indicate the kinds of tasks and levels of work difficulty that will be required of this position. It is not intended to limit or in any way to modify the right of any supervisor to assign, direct and control the work of employees under his/her supervision. The use of a particular illustration shall not be used to exclude non-listed duties of similar kind or level of difficulty.

staff meeting and is a part of every policy decision in the office. Before providing assistance, for example, staff members ask themselves whether they are setting a precedent: Is this something they should do for the school or is this something the school should do for itself? Staff members acknowledge that the line differs with every school; those that run into trouble receive more assistance and greater oversight from the authorizer, while those that are doing well require less. Staff members believe that this balance between oversight and autonomy in every policy decision and in their relationship with each individual school helps FSU maintain a strong and healthy authorizing relationship with its schools.

At the Massachusetts Charter School Office, staff members face a similar struggle to preserve their objectivity as authorizers and not step into too much of a supportive role with schools. Schools frequently call individual staff members for help with everything from filling out the application to selecting an external auditor. When faced with such questions, Director Mary Street advises staff members to resist the urge to offer advice. As she defines it, their role is to "hold a mirror up to the schools." That is, all of their monitoring processes are designed to help schools see their own strengths and weaknesses, but not to offer them specific advice about how they should respond to these challenges. Therefore, to do their job well, staff members need to focus on improving these processes so they can provide the schools with the most accurate "mirror" possible. According to Street, offering specific advice not only compromises her staff's role as evaluators, but also means her office could be held accountable down

the line for decisions that the schools make because of her staff's advice.

In Chicago, charter schools themselves are very definitive about the kind of assistance they request from their authorizer. Beatriz Rendon, executive director of the Department of New School Support in Chicago, offers this analysis: "As a group, the charter schools in Chicago are very aware of their autonomy." According to Rendon, several of the schools have expressed concerns that the most recent staff reorganization in her office might lead to a loss of independence on the part of the schools. "They were really afraid," she reports, "that we would come in and start telling them you have to do this kind of curriculum; you have to do this professional development." As a result of this climate, charter schools in Chicago are less likely to turn to CPS for advice about their school programs and more likely to ask about compliance issues. The majority of the phone calls the charter office receives are inquiries about issues such as funding, facilities, or special education requirements. Rarely does a school call to ask for advice or feedback related to the school's educational program.

Staff members at SUNY Institute say they are very conscious of the dilemma of finding the right balance between providing oversight versus going too far and impinging on a school's autonomy. With every report, piece of documentation, and site visit they require of their schools, the SUNY Institute staff members ask themselves, "Is this [information] convenient for us, or is it good for the school?" Over the years they have been tempted to increase their compliance requirements and lengthen their site visit protocol in order to gather additional

information about their schools' day-to-day operations, but they have tried to resist this temptation by consistently revisiting the purposes of their oversight: to ensure that schools are meeting their performance, regulatory, and legal obligations and to provide information that the schools can use to help themselves improve.

All of these authorizers require different levels of reporting about the schools' financial condition. At one end of the spectrum, officials in the California charter division require schools to submit a preliminary budget, two interim budgets, and annual audits. Other offices require a bit more reporting: the SUNY Institute-authorized schools must submit evidence of fiscal compliance periodically throughout the term of their charter (including a five-year projected budget, one-year cash flow projection, annual audits, and quarterly financial statements). Requirements in Indianapolis are similar: Schools are required to submit quarterly financial reports to the mayor's office and conduct an annual audit. Staff members in the mayor's office review these data closely to determine whether or not the school is financially sound. FSU monitors schools even more frequently and closely. Staff members there review monthly check registries from each school and require quarterly financial statements and annual budgets and audits. At 36 months into their charter term, schools also must submit a statement regarding their assets and liabilities. In order to reduce the reporting burden that this could potentially place on schools, staff members at FSU have focused their efforts on developing an electronic reporting system that allows schools to submit all required documents automatically.

Authorizers Hold Schools Accountable for Meeting Performance Goals

One of the most challenging tasks that authorizers face is to hold schools strictly accountable to the terms of their charters. Much of the work that these offices do at each stage of the authorizing process is designed to make the accountability process as straightforward and objective as possible so they can make sound decisions about whether to allow schools to continue operating when their charters come up for renewal.

Every state with a charter school law is different from one another. States differ both in how they hold schools accountable for the success of education programs and how the states hold authorizers accountable for fulfilling oversight responsibilities. Aside from approving charters and monitoring their progress, most authorizers have two main responsibilities: 1) to revoke a charter at any time when the school is clearly not meeting expectations and 2) to renew or not renew a charter based on information about whether the school has fulfilled the terms of its contract, including its academic performance goals. Renewal decisions are usually made every five years, but this timeframe varies among authorizers.

These offices ensure that they will have the information they need to make sound renewal or revocation decisions by focusing on sound practices from the very beginning of the chartering process. That is, a strong recruitment and application process allows only the most promising schools to open; a thoughtful contracting process encourages schools to develop a set of measurable performance goals; and a thorough and ongoing

monitoring process documents each school's progress toward its goals, which enables the authorizer to intervene early if problems arise.

Intervene early as problems arise

While these authorizers generally take a hands-off approach to education issues, such as curriculum or instruction, each sees it as their responsibility to intervene, to varying degrees, when a school falls out of compliance with other organizational, fiscal, or performance expectations.

Only one of the 12 schools authorized by VOA of MN has performed poorly enough to warrant formal intervention. Staff members at the VOA of MN charter office attribute this success to their ongoing efforts to foster and maintain a strong, close relationship with their schools. In addition to conducting four site visits per year and requiring schools to submit two annual reports, the VOA of MN charter office also collects board minutes monthly and keeps in touch with schools informally through phone calls and e-mail. In the staff members' experience, board minutes are often an early warning sign of trouble. For example, if Testerman, the director of the VOA of MN Charter School Sponsorship Program, says he reads in the board minutes that a school hasn't been able to pay a bill or has initiated a personnel action, he follows up with the school leader by phone to ask for more information. Typically, Testerman acts as a sounding board during these phone calls as he helps the school or board leader decide what steps he or she needs to take to correct the problem. Depending on the nature of the problem, Testerman may recommend that the leader contact another charter school leader who has expertise in the problem area, or he might suggest the school hire a consultant or take some other direct action.

To address school issues ranging from academic downturn to student discipline, the California Charter Schools Division and the NYC Office of Charter Schools both follow structured intervention protocols. In both offices, this process typically starts with a phone call or a visit by a member of the office, specifying the concerns. This initial contact often is followed by a formal notice of concern, in which the authorizer directs the school to decide upon and implement corrective action by a particular date (called a "Performance Improvement Plan" in NYC). Staff members will generally assist the school in taking the corrective action if the school requests assistance. If the agreed-upon improvements are not completed by the target date, the school may be given a notice of probation, which typically lasts one year. Thereafter, if the problem is still not corrected, the charter can be reviewed and possibly revoked.

In practice, interventions by the current NYC charter office staff in daily operations usually relate to facilities issues. Because so many of NYC charter schools share space with district schools, the authorizing staff members often are called upon to serve as advocates for the charter school's use of certain space. Sometimes, however, such staff members intervene on behalf of the district to require the charter operator to change its use of such space to comply with the original agreement regarding both schools' use of facilities. For example, if students of the charter school are using the school gym, but were not allocated use of this space in the original agreement, a member of the authorizing staff will meet with both school directors and work out a compromise that serves the best interests of all children.

Based on its early experiences, FSU's charter office also has developed specific guidelines for addressing problems that arise in its schools. In its first years of authorizing, the staff addressed an ongoing lack of compliance at one of its schools simply by meeting with the school's board and suggesting that it replace the school director. The intervention was successful in that case, but since then, FSU has developed a more structured plan for intervention. This plan involves an initial phone call to the school director or a board member to make them aware of the problem, followed by a formal letter outlining the specific practices or requirements that need to be addressed (issues usually concern compliance or financial management). Schools are given one year to correct the problem, during which FSU staff carefully document all of their communication with the school. If the school is unable to correct the problem by the end of that year, FSU will recommend revocation of its charter.

Fortunately, FSU also has found over the years that ongoing involvement in its schools and careful attention to compliance throughout the year heads off many challenges that would call for such an intervention. It has only had to close one school (out of the 16 it has authorized) for a failure to address major governance and organizational problems.

> *"Constant ongoing monitoring is the best substitute for significant intervention."*
>
> *—David Harris, former director of the Indianapolis mayor's charter schools office*

Base decisions regarding intervention, renewal, and closure on solid evidence

Several of these offices have been faced with the difficult decision of whether to close a school that has not lived up to the terms of its charter. In some cases, clear financial mismanagement has been the reason. In other cases, schools have not met their academic goals. In many cases, a combination of factors, operational and academic, is the cause. In every case, however, closing a school has caused the office to carefully rethink many of its earlier processes. James Merriman, the former director of the SUNY Charter Schools Institute, says, "Every time we've closed a school, it's clearly a reflection of a failure on our part to make the right decision." For this reason, he and his staff use each nonrenewal decision as an opportunity to reflect on their approval standards, oversight and intervention policies, and renewal decision-making.

According to several of these organizations, the most difficult decisions they face involve schools that have not lived up to their charter but still are a better option for parents than the other schools that their children would attend (e.g., as when the charter schools have a safer school climate). Understandably, parents in this situation are likely to argue vigorously against the closure decision, resulting in contentious public hearings and negative media attention.[17] Authorizers that have experienced controversial school closings agree that without solid evidence that schools have not met the terms of their charters, they would be unable to see their way through such situations.

In 2005, the mayor's office of Indianapolis revoked a school's charter due to numerous

problems experienced over a two-year period, including failure to report enrollment and attendance records, graduating students who did not meet requirements, poor student test scores, lack of certified teachers, and a debt of almost $150,000. Despite the preponderance of evidence that the school had not met the terms of its charter, the prospect of this closure sparked great community and parent resistance. The mayor's office took at least two actions that eased the situation somewhat. First, the mayor and his staff were able to present careful documentation of each problem leading up to the decision to close, and second, they appointed a trustee who managed the process for communicating with parents and closing down the school's affairs.

When SUNY Institute recommends a school for nonrenewal, parents, students, and community members have an opportunity to present their concerns to the institute staff in a public forum. Each time a charter has not been renewed, a group of parents has requested a hearing. The SUNY Institute's staff members have found over the years that many parents and community members do not fully understand the reasons a school can be shut down. So, during these hearings, staff members begin by explaining the charter renewal process and the reasons for their nonrenewal decision. Just as when talking with school personnel about a closure, the SUNY Institute staff members want to ensure that parents clearly understand the institute's expectations and the renewal process. During the hearing, they also give parents an opportunity to be heard and are committed to staying until the last parent leaves.

In the case of one recent nonrenewal, the school had multiple problems, including a lack of programmatic leadership and the lowest test scores in the lowest-performing district in the state. Starting in year one and every year after, the SUNY Institute staff and outside contractors laid out to the school administrators the short-comings they saw at the school in instruction and student learning and the improbability that the school would be able to make a compelling case for renewal. SUNY Institute staff members directed school leaders to respond with a plan for improvement. The school was unable to institute the type of change or bring in staff with the necessary expertise to improve the school's performance. Over time, it became clear that the school did not have the capacity to turn itself around. Institute staff explained these problems and its responses to parents and community members present at a public forum, and thereafter directed the school to close its doors.

In Massachusetts, since the state began granting charters in 1993, six charter schools (out of the 57 it has authorized) have closed. Two of these were not renewed, while two charters were revoked, and two others voluntarily closed their doors. The most recent revocation occurred in 2005, when a school had its charter revoked due to significant under-enrollment, a spiraling deficit, failure to keep adequate records, failure to meet special education and English immersion requirements, and a lack of oversight by its board of trustees. The Charter School Office documented its findings in a report to the Massachusetts Board of Education, which voted unanimously in September 2005 to close the school.

Instead of agreeing with the state's ruling, the school challenged the decision and refused to close, citing the continued support of parents as its rationale for remaining open. The

decision then meant administrative hearings for several days, during which the testimony from parents indicated that many of the families that had enrolled their children in the school did not understand the charter school "bargain"—that schools have some increased freedoms in return for increased accountability. Despite the testimony of parents, the hearing officer at the hearing ultimately upheld the decision to close.[18] Throughout this contentious and difficult process, the Charter School Office was able to rely on its monitoring system and the data it had collected through this system to justify its decision. Had staff members not had these data, they would have been in a much weaker position when the decision was contested.

Part I Conclusion: Common Practices

The eight authorizers profiled have years of expertise, carefully honed procedures, and useful materials that can aid in empowering other authorizing offices across the country to improve their own oversight and support of high-quality charter schools. Each of these authorizers follows established policies and employs fundamental processes that foster success. They approve and oversee their charter schools with an eye toward what will best serve students and families in their communities, and they constantly strive to improve their practices.

The field of charter authorizing is relatively new, though, and there is a great deal of necessary experimentation—and resulting variation—among the offices profiled here. These authorizers have come to different conclusions regarding the specific form their recruitment, approval, oversight, and accountability efforts will take because of the unique circumstances in which they operate. Other authorizers across the country also will want to consider their context—demographic, political, financial—when developing and refining their policies and procedures. They would do well, however, to carefully consider the common themes that emerge from the experiences and comments of the authorizers profiled in this guide (summarized in fig. 14, "Checklist of Common Practices Used by Highlighted Charter School Authorizers").

Figure 14. Checklist of Common Practices Used by Highlighted Charter School Authorizers

Build a Strong Organization

☑ Recruit and retain qualified staff members, building a staff of dedicated individuals with the skills and experience to conduct authorizing responsibilities effectively and with an allegiance to the office philosophy.

☑ Use external resources strategically, such as external contractors or staff in a parent organization, to supplement internal staff capacity.

Develop a Strong Talent Pool

☑ As allowed by charter law, engage in strategic recruitment of local and national school models that show strong potential for operating successful charter schools.

☑ Build criteria into the application process that provide an opportunity to align selection with the authorizer's organizational mission.

Select for Quality

☑ Employ a variety of evaluation methods to assess applicants' capacity, using methods such as a multistage application process, in-person meetings, and reviews by internal and external teams.

☑ Use the application process to ensure that schools are in touch with the communities they intend to serve, such as by requiring letters of support or evidence of claimed partnerships with community organizations.

☑ Balance the risk involved in authorizing innovative charter programs by carefully evaluating the applicant's capacity to implement its plan.

Support New School Operators

☑ Allow school operators sufficient time to develop rigorous performance goals to ensure goals are based on students' incoming performance levels.

☑ Ensure that each school has the support it needs between the initial grant of its charter and the first day of school, and, in some cases, throughout the school's first year.

Provide Meaningful and Transparent Oversight

☑ Streamline compliance and reporting requirements and be very clear up front about the information schools are required to collect and the form in which to submit it.

☑ Use focused site visits to gather information that can be observed only on site.

☑ Craft a monitoring process that is thorough but also safeguards schools' freedom to experiment with new approaches to governance, curriculum, and instruction.

Hold Schools Accountable for Meeting Performance Goals

☑ Intervene early when problems arise and follow a predetermined protocol when a school falls short of organizational, fiscal, or performance expectations.

☑ Collect sufficient evidence on both student performance (e.g., achievement test results) and school performance (e.g., financial viability) in order to build a solid case for school renewal or closure.

Policy Considerations

The first part of this guide focused on the design elements that support high-quality authorizing—elements over which authorizers themselves have some control. But quality authorizing is not just a function of what the authorizers do—the set of practices that authorizers must undertake well in order to be successful—but also is dependent on the policies, laws, and regulations that shape the context in which authorizers operate. Accordingly, this section of this guide describes the kinds of policy factors that either can support or can hinder quality charter authorizing practices. The checklist at the end of this section gives concrete steps that policymakers can take to improve the policy environment for charter school authorizing.

From the point of view of the authorizers profiled in this guide, the answer to whether the policy context affects their ability to operate successfully is a resounding yes. (See fig. 15.) Each authorizer has its own challenges in this regard, but none of them is insulated from the wider policy arena. How they are held accountable, their ability to operate with autonomy, their vulnerability to political change, whether there are caps imposed on charter school growth, and the funding each authorizer receives can seriously impact their ability to do their jobs effectively.

Level and Type of External Accountability

In designing charter school legislation, policymakers have focused a great deal of attention on the specifics of the authorizer-charter school bargain (i.e., that charter schools are given certain freedoms as long as they produce results). If charter school leaders cannot improve student performance, operate a financially viable organization, and satisfy parents who have a choice about whether to send their children to this school, then the school will be closed. On

Figure 15. Policy-related Factors That Affect the Quality of Charter Authorizing

- Level and Type of External Accountability
- Level of Operational Autonomy
- Vulnerability to Political Change
- Limits on Charter School Growth
- Level and Type of Funding

the other hand, if a school meets and exceeds the terms of its charter, it can continue to operate and even expand.

As with any bargain, there are two sides to this relationship. The research literature[19] and the focus of charter school legislation itself indicate that policymakers have given far less attention to the authorizer side of the bargain. What happens if the authorizer does not set up a rigorous screening process? Monitor schools consistently? Hold schools accountable for results? Experience suggests that student performance suffers if these responsibilities are not carried out.

So, how should policymakers hold authorizers accountable for their performance? What types of entities should oversee the authorizer? What should they monitor? How should they measure results? How much oversight is desirable, and how much would be burdensome? What role, if any, should the public play in this process?

Charter school legislation regarding authorizer oversight varies greatly from state to state, both in terms of what agencies provide the oversight and what their roles are. To move toward a more coherent policy, one that manages the balance between responsible oversight and freedom to act, policymakers need to know more about what works best. The experiences of the authorizers featured in this guide offer some insights into what types of entities generally hold authorizers accountable and how they exercise their oversight responsibilities, but there is more work to be done to determine how authorizers themselves should be held accountable for overseeing a system of high-performing schools. By directing more resources to examine these emerging questions, policymakers, foundations,

advocacy groups, and government offices could improve our understanding of what level and type of oversight is most desirable.[20]

On the surface, there are multiple levels of oversight for the authorizing staff in the Ferris State University Charter Schools Office. Staff members report to the university's vice president for academic affairs and the dean of extended learning, and, ultimately, to the university Board of Trustees, which has the final say on all decisions about charter approval, renewal, and closure. But in actuality, these offices rarely intervene in the operations of the authorizing office. Neither the university administrators nor the board sets policy or guides the office's mission. Instead, they focus on the big picture: ensuring that no charter school poses a serious risk to its students, its community, or the university. This hands-off role leaves the daily work and decision-making to the authorizing staff, which has the expertise and tools to work most effectively with its schools.

Authorizers in Massachusetts, New York, and California make recommendations to state-level bodies that ultimately grant charters and approve closures. In California, this takes the form of an appointed Advisory Commission on Charter Schools that makes recommendations to the State Board of Education, which then makes all final decisions. Through advocacy, presentations, and annual reports, the California charter office answers to both of these groups for the integrity of its relationship with its schools and for the quality of their academic performance. The situation in Massachusetts, where the statewide authorizer is the only authorizer, is similar. The Massachusetts office answers directly to the state commissioner of education, who makes

recommendations to the Massachusetts Board of Education. The state board ultimately makes all decisions. The NYC Office of Charter Schools also makes recommendations to the NYC public schools chancellor who then proposes them to a legislatively empowered board—the New York State Board of Regents—for final decisions regarding charter approval, renewal, and closure.

In the cases of Massachusetts and California, the state board almost always follows the charter office's recommendation. This is not the case with NYC, where the New York State Board of Regents has been known to reject the recommendations made by the charter office. This situation is attributable in large part to differing levels of risk tolerance. In general, the NYC Office of Charter Schools is more open to innovative school models than the Board of Regents. When the Board of Regents disagrees with the proposed leadership, education focus, or location of a new charter school, its word is final.

Because of the way the charter school law is structured in Minnesota, the state commissioner of education ultimately approves and renews the charter, but the authorizing staff acts as a "sponsor" in the sense that it is responsible for ongoing oversight responsibilities. The state education commissioner in Minnesota does occasionally deny an application, particularly if the commissioner does not believe the authorizer will implement strong oversight practices.

As part of the Volunteers of America of Minnesota (VOA of MN), the Charter School Sponsorship Program also answers to the board of directors of this larger nonprofit for key aspects of its operations, such as its mission and budget. Yet it has a lot of freedom to design its own

processes and to make decisions. The CEO of its parent organization—VOA of MN—is actively involved to the extent that he participates in the application process and is familiar with the processes and the schools, but the charter office director and school liaison have built the actual day-to-day operations themselves. They have created the materials and processes, and they field all school inquiries.

In every state with a charter school law, the state itself is ultimately responsible for the quality of education offered by charter schools. State policymakers can meet this responsibility by holding the authorizing organizations that directly monitor charter school quality accountable for results. In order to do so, the individuals who sit on these oversight bodies—the state board of education, the board of the larger nonprofit (as is the case with VOA of MN), and the university board of trustees (as is the case with FSU and SUNY)—must themselves be familiar with strong authorizing practices.

Level of Operational Autonomy

Related to the issue of accountability is the level of autonomy under which these offices operate. Theoretically, higher-level bodies could pose a threat to an authorizer's autonomy by getting involved in the day-to-day workings of the office, but, in most of these highlighted offices, this situation does not seem to occur. While some higher-level entities do exercise their right to reverse decisions made by the authorizing office, state and city education boards, in general, have a lot of other responsibilities and seem content to leave the ongoing work of authorizing up to these offices. According to

the authorizers themselves, other bureaucratic bodies that share joint oversight over charter school operations pose a greater threat to the authorizers' autonomy than do their own oversight bodies.

In New York, for example, both the SUNY Institute and the NYC Office of Charter Schools share oversight responsibilities for all of their schools with the State Education Department (SED). By law, the SED is empowered to interact directly with charter schools regarding compliance and performance and has the authority to revoke a charter—regardless of who granted it—if a school fails to comply with SED requirements or the terms of its charter. This situation creates an additional layer of compliance and reporting requirements for charter schools, as they must report both to their authorizer and to the SED. Staff members in the SUNY Institute and NYC offices have sought to protect their schools as much as possible from duplicative reporting requirements, but, in doing so, they have found it necessary to align many of their own policies or deadlines with the SED's established policies and deadlines.

The Chicago and Massachusetts authorizing offices both share some joint responsibility for the schools with other departments within their larger organizations. While the application, contracting, and performance reporting processes are managed by authorizing staff directly, other departments within the larger organization also require schools to submit reports (e.g., on school attendance) and meet compliance requirements. In Massachusetts, for example, there are two full-time staff members who oversee schools' implementation of federal programs. These staff members make regular site visits, field inquiries,

and require schools to submit information about how they are implementing federal requirements. Charter schools in Massachusetts also are monitored by the program quality assurance unit in the department, which conducts coordinated program reviews of federal programs in all districts in the state. These reviews operate on a cycle that creates an additional layer of oversight for each of the schools.

In the past, charter schools in Chicago reported to multiple offices within Chicago Public Schools (CPS). Because many office personnel within these other departments (special education, finance, accountability) did not have experience with charter schools, misunderstandings occurred when these staff members did not know whether charter schools were required to meet particular regulations. In January of 2007, the Office of New Schools moved toward a single point-of-contact system whereby schools have an assigned staff member that they use as their initial contact. Because this system has yet to be implemented, it is too early to know if it resolves the difficulties that some schools currently experience, but the hope is that with well-trained, responsive staff members in those contact positions, schools will get the information they need more quickly.

Authorizers housed in larger organizations that focus on areas outside of elementary and secondary education do not tend to share oversight responsibilities with other departments and, therefore, operate with a larger amount of autonomy. The Ferris State University (FSU) charter office is an example, as is the nonprofit authorizer the VOA of MN Charter School Sponsorship Program. Staff from these authorizers mentioned that while they may occasionally turn

to other offices within their parent organization for support, members of their larger organization rarely seek to influence or guide their work.

The experiences of these offices point to an important aspect regarding charter law—how to give the authorizing office enough autonomy to perform its job effectively while still monitoring students' safety, academic performance, and their rights under federal law. One option is to allow state and district entities that monitor compliance to continue to do so alongside charter authorizers. But authorizers that share joint day-to-day oversight with other entities report that this shared responsibility can impose a burden on their schools. A more promising option is to hold authorizers accountable and empower them with the capacity they need to monitor schools themselves. Authorizers that do not share joint oversight report that, with proper attention and diligence on their part, they are able to monitor schools' compliance with state and federal regulations successfully.

Vulnerability to Political Change

Some authorizers report that they operate in a climate of political vulnerability. In Chicago, New York, and Indianapolis, for example, the effort to open quality new schools is driven by high-level political leaders. Chicago's mayor, the CEO of Chicago Public Schools, and the chancellor of the NYC Public Schools all have tied their political fortunes to their respective new schools initiatives through frequent media appearances and public efforts to personally recruit high-quality organizations to open schools. In Indianapolis, the mayor has launched the charter schools effort from his own office,

thereby taking full responsibility for the schools and their results. If any of these elected officials loses a future election or—in the case of the CEO and chancellor—is replaced, there is a danger that the charter school reform effort could collapse under new leadership.

In a very direct way, the political vulnerability that these offices operate under acts as a powerful incentive. Staff members cannot afford complacency—they need to recruit and approve strong schools that get measurable results—and they need to promote their successes widely to gain public support for their work. To varying degrees, this pressure also encourages staff members to institutionalize their processes as much as possible so they are less vulnerable to future leadership change. The authorizing staff in Indianapolis, for example, has worked hard to publicize its schools' successes so that the charter school initiative has strong public support no matter who the next mayor is, and regardless of how committed to charter schools he or she might be. They also have developed a series of handbooks outlining how to implement various processes to ensure continuity for the schools.

According to these authorizers, political pressure is desirable to the extent that it motivates them to improve their practices. It is also desirable to the extent that it reflects the wishes of the broader public. But research and experience suggest that the most common barriers to merit-based authorizing decisions are political—such as those arising from influential community groups that have a weak charter application but think they have a good idea, or from administrators who do not want to upset parents by closing a school, or from parents who want to

keep "their" school open, regardless of its performance. Even if these particular authorizers have not fallen prey to such problems, policymakers should consider ways to minimize the power that their specialized influences can exert if they destabilize authorizers' policies and threaten their ability to make merit-based decisions. Policymakers also should consider the amount of time and money these offices spend building public and political support for their initiatives. According to these authorizers, when staff members have to spend an inordinate amount of time responding to the concerns of special interest groups, it compromises their own internal practices.

Authorizers that operate transparently—sharing both their decisions and their processes with the public—may be more insulated from these types of pressures. It is difficult for opponents to argue against hard evidence of a school's success or failure, for example. Specialized committees, such as California's Advisory Commission on Charter Schools, that make recommendations to the final decision-maker also give the public a voice while helping to ensure that an authorizing office and its successful charter schools are less vulnerable to political change.

In addition to protecting individual authorizers from disruptive politics, policymakers also can insulate the state's overall system of authorizing. By empowering a diverse set of authorizers with different kinds of political and institutional bases, several of the states where the authorizers profiled in this guide are located have established systems in which high-quality authorizing is likely to endure even if political change affects the work of one particular authorizer.

Limits on Charter School Growth

Despite their successful track record, several of these authorizers are unable to charter any more schools because their state has reached its statutory cap on the number of charters that can be awarded. According to the National Alliance for Public Charter Schools, state-imposed caps severely constrained charter school growth in 10 states* in 2006.[21] Five of the authorizers in this guide are located in one of these 10 states. (The chartering caps identified below were in effect at the time of this study, in the summer and fall of 2006.)

In Massachusetts, there is a limit on the total number of schools that can operate, the percentage of the state's public school population that can attend charter schools, and the percentage of funding that districts can provide to charter schools relative to their other funding. A maximum of 30 charter schools can operate in Chicago, and 27 were open in 2006. In New York, a total of 100 charters can be issued, and both SUNY Institute and the New York State Board of Regents authorized their fiftieth charter in 2006. State universities in Michigan, the most active type of authorizer in the state, reached their cap in 1999. Because of a special modification in the law, these universities can still authorize 15 charter high schools in Detroit, but are otherwise restricted from approving any new schools. While the overall situation is less restrictive in Indiana, the mayor's office operates under a cap as well—it can approve no more than five charters per year.

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* The 10 states mentioned in the report are Connecticut, Hawaii, Iowa, Massachusetts, Michigan, North Carolina, Ohio, Rhode Island, Illinois, and New York.

Caps in these states were included in the original charter legislation in order to appease opponents of charters or to limit charter schools' growth until they showed some success. They are still in place despite these authorizers' demonstrated ability to open and support charter schools that consistently outperform traditional district schools. Aside from narrow exceptions, several of these authorizers can open new schools only if another school closes. According to the National Alliance for Public Charter Schools, 39 percent of charter schools surveyed in 2002–03 reported having a waiting list, averaging 135 students. This translates to thousands of families who would like to enroll their children in a charter school and cannot.

It is important in every state to ensure that growth in the charter school movement leads to more high-quality schools, not just more schools. But external limitations upon charters' growth, such as caps, do not ensure charter school quality. Other methods that have proven to be effective include providing adequate resources, improving how authorizers themselves are held accountable for results, and allocating charters among authorizers based on performance outcomes similar to the performance outcomes that authorizers set for their schools. Authorizers that open successful schools (as judged by a common measure, such as AYP, or by comparison to traditional district schools) could "earn" the authority to charter additional schools. Those authorizers that continue to approve failing schools or neglect to intervene in or close such schools could forfeit their ability to approve any additional schools.

Level and Type of Funding

Funding levels vary greatly among these authorizers, depending on how the state law structures authorizer funding and depending on the availability of financial support from external organizations or the organization in which an authorizer office is located. While several have shown success with very lean operating budgets, others are limited in their ability to authorize additional schools or to implement particular initiatives because of funding constraints. The form and amount of financial support provided to authorizers is a key consideration for policymakers to ensure that authorizers are able to perform responsibly and effectively.

In some states, authorizer funding is tied to a per-pupil administrative fee. In Michigan, a state with a generous funding structure, authorizers are allowed to retain up to 3 percent of a school's per-pupil revenue. CMU retains the full 3 percent, which adds up to an overall budget of around $5 million to oversee approximately 70 schools, a budget that far exceeds the budget of most authorizers in other states. FSU also retains a 3 percent fee but is able to return almost a third of these fees to its schools in the form of incentives, grants, technology (such as software), and cash rewards for compliance. The remaining 2 percent is sufficient to allow the office to maintain a full-time staff of five to oversee 16 schools with 20 campuses.

Minnesota law allows authorizers to collect a per-pupil allotment as well, but at a much less generous level. Authorizers get $30 per student in the first three years of the school's existence (capped at $10,000 per school) and $10 per student after that (capped at $3,500 per school).

This level of funding makes it very difficult for authorizers to implement high-quality authorizing practices without external support. In the case of VOA of MN, the charter office receives roughly $40,000 in per-pupil funding. The larger VOA of MN organization subsidizes the office's operations by providing approximately $80,000 in additional funds to support its work. At this funding level, as VOA of MN charter office staff members look toward the future, they will be unable to authorize many more schools unless they attract additional resources.

Funding constraints also affect the operation of the Massachusetts Department of Education Charter School Office. Current funding, from a variety of courses, is almost completely targeted, offering very little room for discretionary spending. For example, the department's state administrative budget line item provides funding for salaries, as does the *Individuals with Disabilities Education Act (IDEA)* funding, which provides for two staff positions dedicated exclusively to monitoring and supporting charter schools for IDEA compliance. Funding for non-salary-related expenses, such as outside consultants and research, is very limited.

California's Charter Schools Division faces a similar fiscal dilemma. Although it receives funding through the California State Department of Education as a budget line item, the money is reserved for salaries and basic division needs, such as travel to schools for site visits. In addition, as the oversight agent for charter schools approved by the State Board of Education (SBE), the division collects a statutorily authorized oversight fee (reflecting actual oversight costs up to 1 percent of each charter's general revenues). But the budgeted dollars limit the

division's ability to invest in professional development, research, and other additional activities. The director of the California division has been successful in attracting external money to cover the cost of some of these services, but the overall budget situation remains challenging.

While it is difficult to determine in a categorical way what level of funding is appropriate given the differences between authorizing offices, these authorizers' experiences suggest that there is wide variation in both the type and level of funding available to support high-quality practices. Although some of these authorizers have been adept at securing additional resources, more supportive funding structures could prove a critical lever in improving authorizing practices across the country. Policymakers should consider the advantages and disadvantages of their own funding systems and then work to design policies that ensure that all of the authorizers in their state have sufficient resources to support high-quality authorizing practices.

Part II Conclusion: Policy Considerations

Each of the authorizers profiled here operates within a unique policy environment, with its own advantages and challenges for effective authorizing. Rather than viewing the environment in which they work as an impediment, all have worked to understand and use their state's charter policies to their advantage and perform the practices associated with high-quality authorizing because of *and* in spite of their environment.

Still, it is vital for state policymakers to create as strong an environment as possible for effective charter school authorizing. To support authorizing as a key to high-quality charter schools, policymakers must examine what should be changed in their state to ensure that authorizers have the accountability, autonomy, and support to enable them to work effectively. While there are many ways policymakers can approach each of these challenges, the experience of the authorizers profiled here suggests a common set of issues that all policymakers should take into account (summarized in fig. 16, "Checklist of Policy-related Factors that Affect the Quality of Charter Authorizing").

Figure 16. Checklist of Policy-related Factors That Affect the Quality of Charter Authorizing

Level and Type of External Accountability

☑ Define authorizer "success" and devise systems to hold authorizers accountable for meeting these standards.

☑ Since authorizers' environment is already complex, make these systems as least burdensome and as results-oriented as possible.

Level of Operational Autonomy

☑ Provide authorizers with sufficient autonomy to pursue their authorizing missions and carry out their responsibilities.

☑ In cases of joint oversight of charter schools by the authorizer and other entities (e.g., the New York State Department of Education), foster a streamlined relationship between monitoring entities that maximizes efficiency and minimizes the administrative burden upon charter schools.

Vulnerability to Political Change

☑ Empower a mix of authorizers so that quality authorizing will continue in the state despite political change.

☑ While exposing authorizers to accountability for results, insulate authorizers from specialized interests and protect their ability to make merit-based decisions.

Limits on Charter School Growth

☑ In cases where authorizers have a proven ability to open and monitor successful schools, remove caps on the number of charter schools that can operate in a given locale.

☑ Foster success by providing authorizers with adequate resources and holding them accountable for results.

☑ In states with caps, consider rewarding authorizers that open and monitor successful schools by allowing them to authorize additional schools. Conversely, disempower authorizers that do not meet expectations.

Level and Type of Funding

☑ Analyze the current funding structure to determine if it provides adequate resources to support high-quality authorizing practices.

☑ Improve funding if necessary by increasing the amount of per-pupil funding, the availability of external funding, the level of institutional support, or by some other means.

Profiles of Authorizers Highlighted in Parts I and II

California Department of Education Charter Schools Division

Authorizer Profile: Selected Characteristics (as of 2005–06 school year)

First year of operation	Number of staff	Total number of schools	Number of students	Total number of school closures
2004	3.5	8 schools and 8 all-charter districts operating a total of 15 schools*	9,440	1

* The Charter Schools Division is partially responsible for the all-charter district schools.

California State Charter Law: http://www.cde.ca.gov/sp/cs/lr/csedcodemar04.asp

In a state as expansive as California, traveling from one place to another can take a full day or more. The state's size presents special challenges to the Charter Schools Division of the California Department of Education (CDE) in its role as the only statewide charter authorizer in California.

California has over 250 different authorizers, but most are local districts, and the majority—about 80 percent—authorize only one or two charter schools. By contrast, the state charter division fills a discrete authorizing role: It is empowered to recommend for approval charter schools that appeal to the state after having been denied at the district and county levels and to recommend charter schools with a proven record that seek to replicate statewide. This latter role results from a 2002 state policy change creating a new type of charter, known as a "statewide benefit" charter. Under this policy, a successful school may be allowed to open additional sites that all operate under one charter. Statewide benefit charters, coupled with an anticipated rise in the number of charter applicants being denied at the local level and appealing to the state, are likely to yield a dramatic rise in the number of schools overseen by the California charter division.

In addition, the California division can recommend "all-charter districts" for California State Board of Education (SBE) approval. This process involves a school district converting all of its schools to charter status after demonstrating the purpose of the all-charter district and the relationships among the schools and the district and county offices of education. Once it

receives all-charter district status, a school district is technically under the oversight of the Charter Schools Division, but the county office of education in which the district is located continues to monitor certain aspects of the district's operations. The partnership between the state and the county office of education is essential to the oversight of all-charter districts. In the 2005–06 school year, eight state-authorized all-charter districts enrolled 6,306 students in 15 schools.

The mission of the CDE's Charter Schools Division includes promoting high-quality charter schools as a way to reform public education, developing partnerships to promote the expansion of high-quality charter schools, analyzing student performance data and providing feedback to schools, and becoming a premier state model for support and expansion of high-quality charter schools.

The CDE has strategically approved its eight schools and eight all-charter districts to create a mix of innovative and proven approaches and to encourage schools to open in communities where most of the district's schools are in program improvement. With direction from the SBE, the charter division intends to use its statewide benefit charters to expand school choice particularly in California's isolated rural communities and heavily populated urban districts where students have been trapped in failing schools. The first two of these statewide benefit charters will likely open in 2007.

There is strong support at the state level for charter schools: State Superintendent of Public Instruction Jack O'Connell and the Chief Deputy Superintendent Gavin Payne are very supportive of charter schools, as is the SBE, the secretary of education and Gov. Arnold Schwarzenegger. The support has led to extra funding for charter schools and for the Charter Schools Division, and it allows them a great deal of autonomy as an authorizer. The California Charter Schools Association also has a strong presence across the state and acts as the CDE's partner on many issues related to charter advocacy.

For all authorizing decisions, the CDE's Charter Schools Division reports to an Advisory Commission on Charter Schools. The commission, appointed by the SBE and the state superintendent, is composed of district superintendents, charter schools, teachers, parents, members of the governing boards of school districts, county superintendents of schools, and the California state superintendent of public instruction. The SBE makes all final decisions regarding charter grants, renewals, and closure. This structure makes oversight inherently political, particularly because the SBE is appointed by the governor and because the superintendent is elected. Teachers unions are a strong force in California, and they tend to oppose the creation of charter schools. But their position hinders the CDE's ability to authorize successfully only inasmuch as it prevents the superintendent's office from taking political risks on new charter policies.

As student enrollment has been declining in most of California's public school districts, the tension between districts and charter schools has increased. Charter schools are perceived by some people as a potential threat that could "steal" much-needed per-pupil dollars. With many local districts less inclined to authorize charter schools, CDE's authorizing role has become that much more important. The department, which serves as an advocate for charters statewide, is seen as

offering an alternate authorizing route for charter operators who think they will be turned away by a local district.

The CDE's Charter Schools Division dedicates three staff positions (two of them full-time, the other half-time), in addition to its director, to oversight of charter schools and the all-charter districts authorized by the state. These staff members are responsible for reviewing applications, developing contracts, overseeing performance and compliance (in cooperation with other charter schools office staff), conducting site visits, and making recommendations for renewal and revocation. The Charter Schools Division also has nine other staff members who are responsible for overseeing the hundreds of other charter schools in the state, but not in the capacity of an authorizer. These staff members do offer expertise to the state-authorized schools in several areas of oversight, such as monitoring achievement data, complying with special education requirements, critiquing program design, and assisting with facilities and financing. The Charter Schools Division also draws on the expertise of staff outside of its own office. If a portion of a charter operator's application is particularly innovative or looks risky or unfamiliar, division staff may consult colleagues within the CDE for their perspective on its feasibility.

The CDE's Charter Schools Division has put a high priority on its staff expertise, ensuring that all staff interactions with charter schools are based on the same core philosophy. The CDE's Charter Schools Division underwent an 18-month training with NACSA during which all staff members were involved in development and implementation of new authorizing practices. Even the CDE staff members who are not involved in oversight of state board-approved charters received the training, so that they could see the "big picture" of charter schools and understand the process of approving and overseeing a charter school. The division's philosophy is woven into each of the policies it developed with NACSA and was a part of each workshop that staff attended during the course of their training. This training created a culture of collaborative partnerships with charter schools (instead of a strict compliance approach) and treating charter schools as clients.

Charter schools in California are held to specific performance requirements for renewal based on the state's Academic Performance Index (API), a measure of student performance on state assessments. To qualify for renewal, charter schools must earn an API ranking that is similar to district schools with comparable student populations and meet all AYP criteria for the previous three years.

The Charter Schools Division has developed a memorandum of understanding (MOU) that clearly and transparently outlines the key areas involved in the oversight process. The standard MOU then is tailored to each charter school and is reviewed annually. The CDE commonly negotiates governance, facilities plans, and special education arrangements with its charter schools. Measures of academic achievement are less flexible, but have been modified in the past for schools with innovative programs that have a track record of success.

The Charter Schools Division stays in touch with its schools primarily through frequent phone contact and Web-based, interactive discussions. Schools also may subscribe to three listservs,

which periodically provide information via e-mail about grant opportunities, compliance updates, and other relevant updates. Aside from this and their reporting requirements, CDE-authorized schools are left on their own. They can call for help and will receive extra assistance if they are having trouble. But schools that are performing well and meeting the terms of their charters are given a great deal of autonomy.

Because of constraints on the CDE's geographic reach in such a large state, the charter division is pursuing the possibility of contracting with county offices of education, local nonprofits, colleges and universities, and other entities to be regionally available to its charter schools and conduct site visits, so that state-authorized schools will have an authorizing representative available nearby in their part of the state. This would not change the authorizing bodies but would involve these community stakeholders in the oversight of charter schools.

Signs of Success: California Department of Education Charter Schools Division

- In 2006, five out of six (83 percent) state board-authorized charter schools met their annual growth targets on the state's Annual Performance Index, a measure of student performance on the state's Standardized Testing and Reporting (STAR) tests.

- Also in 2006, 80 percent of state board-authorized charter schools exceeded the annual performance growth of 100 other non-charter schools that had similar demographic characteristics.

Chicago Public Schools Office of New Schools

Authorizer Profile: Selected Characteristics (as of 2005–06 school year)

First year of operation	Number of staff	Total number of schools	Number of students	Total number of school closures
1997	27	27	15,310	3

Illinois State Charter Law: http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=010500050HArt%2E+27A&ActID=1005&ChapAct=105%26nbsp%3BILCS%26nbsp%3B5%2F&ChapterID=17&ChapterName=SCHOOLS&SectionID=17524&SeqStart=150000000&SeqEnd=151600000&ActName=School+Code%2E

Somewhat unusual among public school districts, particularly large urban ones, Chicago Public Schools (CPS) has truly embraced charter schools as an important option for its students. "When I talk to my colleagues in other cities, I'm not sure I have seen a situation where you have the city and the district embracing new schools in the way that we do," reflects Hosanna Mahaley Johnson. As the former chief of staff to CPS's chief executive officer, Mahaley Johnson oversaw the Office of New Schools, which deals with the city's charters.

Chicago has nearly reached the cap of 30 that was set by the state for the total number of charters it can authorize. But far from winding down, the CPS Office of New Schools is actually expanding. As part of the mayor's Renaissance 2010 initiative, the office is responsible for opening 100 new schools in Chicago by 2010. Given the state's cap, most of these will not be charters, but the district's charter experience has been a positive one, and the Renaissance 2010 effort builds on that experience in many ways, including in its commitment to accountability for the new schools.

All of Chicago's charter schools are held accountable for student performance based on a plan that includes several absolute performance indicators as well as a comparison of each school's performance to the schools in the neighborhoods where its students live. Schools also frequently exercise their option to propose unique learning standards. CPS staff proactively monitor compliance, but use a hands-off approach when schools are performing well. About 44 percent of Chicago's charter schools made AYP in 2004–05, compared to about 31 percent of all schools in Chicago. Although not all charters have met student performance targets, charters overall have been improving at a rate of 7 percent per year, while other CPS schools have been improving at a rate of 2 percent, according to Mahaley Johnson.

The commitment to accountability has been possible in part because of the strong support of Chicago's Mayor Richard Daley and the school district's CEO Arne Duncan. The mayor and CEO have stood by decisions made by the district regarding who gets a charter and who gets renewed, despite occasional political pressure to do otherwise. The mayor and CEO also have been strong recruiters for the district, actively encouraging community organizations and other groups to apply to open new schools.

Chicago's Office of New Schools recruits locally for potential new school operators and uses a strategic multistate recruitment process to attract operators with a proven record of success from all over the country. The office has stepped up its effort to recruit by visiting successful schools both in Chicago and around the country (e.g., North Star Academy in Newark, N.J.) and by putting out a request for proposals that invites operators of national school models to apply and offers approval (if qualified) for five years with the ability to open multiple campuses.

Despite support from the mayor, CPS leadership, and from strong business partnerships, the Office of New Schools faces significant teacher union opposition to charters and also has had to address some community resentment remaining in neighborhoods where schools have been recently closed for poor performance. The office has worked to improve overall community relations. It has created two new staff positions that are responsible for community relations. These staff members focus on analyzing school data and presenting it in easily digestible ways for the public.

For neighborhoods where new schools are being opened in buildings that experienced school closings, the district also created local Transition Advisory Councils (TACs), which consist of community members who apply to be part of the process. Members are usually parents, faith-based community leaders, business leaders from the community, and sometimes some of the teachers from the closed school. They meet regularly to discuss community needs for the new school, conduct community outreach activities, host public forums, and make recommendations to CPS. "We have a strong belief that if you want to change the school, you have to have buy-in from the people who live there," says Mahaley Johnson.

As the city has neared the limit of the state's cap on charter schools, one approach has been to replicate existing charter schools where possible. Those that opened before 2003 and that meet certain criteria are eligible to apply to open additional campuses that do not count against the cap on new charter schools.

Because of the combined pressure of the cap and the Renaissance 2010 initiative, the Office of New Schools has been undergoing a significant transition. Mahaley Johnson and Beatriz Rendon, executive director of the Department of New School Support, both joined the Office of New Schools in March 2005 at approximately the same time the first group of Renaissance 2010 schools were awarded. They revamped the office to improve communication with schools, to increase accountability oversight of schools, and to ramp up for opening so many new schools by 2010.

Also, with the charter cap almost filled, the office is in the process of developing other options for opening new schools. Because district leadership supports high-quality options and accountability, CPS has introduced a "contract school" process (the details of which are still under negotiation) for opening new schools and, in order to encourage more teacher-led groups to open new schools, a "performance school" option, which entails opening unionized schools with a five-year performance contract.

The details of these new options are still being worked out, but they are intended to build on the district's experience with charters and are being designed in part to work around the charter school cap. CPS stresses the importance of high achievement and meeting community needs,

giving preference to schools that will be located in certain priority communities in Chicago.

"Renaissance 2010 was an evolution of the charters," Rendon says. Reflecting on the mix of charters and other new school options, she adds, "Even though there are these distinct types of schools, there are more similarities than there are differences because the common thread amongst all of them is that they have these accountability agreements and they all certainly have some level of need for support during incubation."

Mahaley Johnson also focused on improving the office's support for the charter schools and other new schools. She would like the office to be known for providing support that is, in her words, "world class." She added new staff positions; each of these staff members acts as the main point of contact for a set of schools and is responsible for contacting and visiting those schools regularly, as well as for answering their questions.

A longer-term goal is to learn from the charters and other new schools in ways that help improve achievement throughout the district. "One day we'd like to be known for the sharing of best practices," says Mahaley Johnson. "When 2010 is at its end, and we've opened 100 schools, we will be serving 17 percent of the students in the district. So, I'd like to see us as a catalyst. When we look at our data, we see that the growth of the charter schools is three times the district schools' growth. So, I want to know what they are doing and then share that with other schools, so that it isn't just a side initiative, but we're really trying to transform the district."

"We're not in it to say charters are better than non-charters," adds Rendon. "We're in it to say,

why is it that our charters are so successful? Why is it that they're ranking in the top five of any given indicator? And how can we share those practices across the district to ensure that we have as many quality options as possible? . . . We really see this as the next chapter in urban education. It's not that it's the right solution for every school, but this definitely has to be part of our portfolio. The only way we can succeed is with proven results. Nobody can argue with results."

Signs of Success: Chicago Public Schools Office of New Schools

- In the 2004–05 school year, 17 out of 19 of Chicago's charter schools that reported Iowa Test of Basic Skills (ITBS) reading scores had a higher percentage of students performing at the national average than similar schools in the same neighborhood as the charter schools.

- In the 2004–05 school year, 18 out of 19 of Chicago's charter schools that reported ITBS math scores had a higher percentage of students performing at the national average than similar schools in the same neighborhood as the charter schools.

- Chicago's charter schools and campuses outperformed their comparison neighborhood schools on 86 percent of student performance measures in the 2004–05 school year.

- All eight of Chicago's charter high schools reported higher graduation rates than their comparison neighborhood schools in 2004–05.

Source: *Chicago Public Schools Charter Schools Performance Report 2004–2005*; http://www.ren2010.cps.k12.il.us/docs/2004-2005_Performance_Report.pdf [accessed on Feb. 19, 2007].

Ferris State University

Authorizer Profile: Selected Characteristics (as of 2005–06 school year)

First year of operation	Number of staff	Total number of schools	Number of students	Total number of school closures
1998	6	16	6,863	1

Michigan State Charter Law: http://www.legislature.mi.gov/(S(dbwu0zydduq3zr55ukspg145))/mileg.aspx?page=getobject&objectname=mcl-380501&queryid=18059774&highlight=public%20AND%20school%20AND%20academy

In Michigan, local districts, intermediate school districts,* community colleges, and state universities are all eligible to authorize charter schools. But only state universities can authorize schools anywhere in the state. The others only can authorize schools in their own geographic area. State universities have been the most active authorizers in Michigan, and among these, Ferris State University (FSU) has been one of the most active and effective authorizers.

Teacher unions are very powerful in Michigan, a historically pro-labor state, and typically oppose charter schools. This powerful opposition has created anti-charter sentiment among many school boards and in many communities, where charter schools are seen as a threat to district schools. Statewide authorizers, such as FSU, are typically more willing to open charter schools than local districts, irrespective of politics.

FSU has an enormous stake in the success of its charter schools. As a state university with mostly in-state students, its own success depends greatly upon the academic and personal growth of Michigan's K–12 students. The university's

efforts are also very visible and answer to several types of constituents—the governor, investors, alumni, and the academic community. The university's interest also is tied to its own academic reputation and financial security.

FSU's charter schools office seeks to improve education options for students in urban and rural communities throughout Michigan. They meet this goal by authorizing high-quality charter schools across the state that offer a quality education option where the traditional schools have failed.

FSU's charter office is accountable ultimately to the university's board of trustees, which has the final say on all decisions about charter approval, renewal, and closure. Current board members are primarily pro-charter and generally have acted based upon the recommendations of the FSU charter office's staff. The board does not set policy or guide the office's mission, but rather ensures that no charter school poses a serious risk to its own students' safety or to the university's reputation as a high-quality authorizer. Policies and mission are left to the office staff to determine.

Staff members report that their level of resources is sufficient. The office receives all of its funding from a 3 percent fee assessed from each charter school, but the office's facility is subsidized by

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* In Michigan, local school districts are grouped into intermediate school districts, which are regional services agencies that provide various student and administrative services to their member districts.

the university. FSU is able to return almost a full 1 percent of its funding to the schools in the form of incentives, grants, technology (such as software), and cash awards. Michigan has high per-pupil funding for charters, which ensures that authorizers have better than ordinary financial resources from their withholding of a percentage of these funds. FSU currently requires no sources of funding outside of the 3-percent fee.

FSU collaborates with several other university authorizers in Michigan. For example, FSU has partnered with Central Michigan University to track student performance data and develop a compliance software program that it likely could not have developed on its own. The combined effort also allowed both organizations greater influence with the Michigan Department of Education in regard to gaining access to student scores on the Michigan Educational Assessment Program (MEAP) statewide tests. These authorizers also share best practices with each other.

FSU also depends on the Michigan Council of Charter School Authorizers, the Michigan Association of Public School Academies, the National Charter Schools Institute (based in Michigan), and the National Association of Charter School Authorizers for perspectives about the areas in which FSU is excelling or is in need of improvement and for resources that FSU has used to improve its authorizing practices.

FSU is not engaged in active recruitment, but has found most of its charter applicants as a result of FSU's visibility within statewide organizations that support charter schools. FSU has a reputation among charter operators and authorizers as being "tough but fair," in the words of FSU's charter office's former director Jimmie Rodgers, meaning that it holds its schools to

stringent standards but provides them the best support they can for meeting those standards. FSU's reputation and visibility in the state have meant that FSU has not had to do much recruitment to find charter applicants.

Currently, however, a legislative cap[22] on charter schools in Michigan hinders FSU's ongoing authorizing abilities. Public universities in Michigan are allowed to authorize a total of 150 charter schools, a number that was reached several years ago. FSU must work in collaboration with the other university authorizers to decide which authorizer will oversee any new charters that come available. While there are additional charters available for two special types of charter schools that are exempt from the cap—Strict Discipline Academies and Urban High School Academies—FSU has been able to find only one talented applicant for these kinds of charters. Because FSU is not willing to lower its quality standards, so far it has been able to move forward with only one charter school under these exempt programs since the exemptions were established in 1999.

For 16 schools spread out across the state, FSU has a five-person office staff and a four-person field staff. The office staff relies heavily upon technology to make sophisticated ongoing monitoring possible without significant staff time. Pairing oversight and assessment technology with field representatives has allowed the staff to accomplish office administrative duties while providing more face time in the schools and at board meetings.

For schools that adequately meet expectations, FSU provides ongoing support to ensure each school's continued success. FSU collects a lot of data on compliance and student performance

and has the capability of analyzing it for a variety of purposes. Staff members can track student performance to certain aspects of schools' operations, which allows them to get a better sense of which school characteristics contribute most to student learning and which detract from performance. This information helps the staff better advise their boards, target particular areas of assistance to their schools, and often informs their decisions at renewal time as well.

FSU requires schools to track scores from state and national tests. FSU tracks Michigan Education Assessment Program (MEAP) scores online via the state's department of education Web site, requiring no reporting from the schools. Results from other tests can be submitted automatically if the school uses the Scantron system. FSU reviews monthly check registries from each school and requires a quarterly financial statement. Schools must annually submit a budget and conduct an audit. At 36 months, they must submit a statement regarding their fund equity. FSU also requires evidence of compliance with all FSU requirements as well as state and federal laws and regulations. Financial and compliance information is submitted through FSU's online compliance monitoring system.

FSU's four field representatives work throughout the state and are required to conduct six site visits to each of their schools per year. They also are required to attend at least six board meetings per year; many attend several more. Their visits result in written reports that are submitted to the FSU authorizing staff, with reports including information on school climate, observations from classroom visits, degree of parental involvement, facility conditions, and planned future focus. The authorizing staff also visits informally, both announced and

unannounced. Informal visits provide staff with useful information about the school and provide school staff an opportunity to express any concerns, but are not typically captured in a formal report. Schools see staff members at least 12 times per year, on average, at site visits, at off-site training sessions, and at an annual dinner for all charter school employees.

FSU staff persistently ask themselves if they are near "The Line," referring to the line between adequate oversight and infringing upon schools' autonomy; between assisting schools and running their day-to-day operations; and between providing incentives for performance and overcommitting their limited resources.

Signs of Success: Ferris State University

- In the 2004–05 academic year, the Michigan Educational Assessment Program (MEAP) showed FSU-authorized charter schools gaining on the state proficiency averages. In particular, the majority of FSU-authorized schools moved students from Level 4, the lowest of the MEAP performance levels, to Level 3, the next higher level of scoring.

- In the 2004–05 school year, 54 percent of FSU-authorized charter schools made greater gains on state MEAP tests in reading and math in comparison to the local school district in which each charter school is located.

- In the 2004–05 school year, one FSU-authorized school scored 100 percent proficient on the science MEAP test. Three FSU-authorized schools had 75 percent or more students scoring proficient in math, science, or reading.

Indianapolis Mayor's Office

Authorizer Profile: Selected Characteristics (as of 2006–07 school year)

First year of operation	Number of staff	Total number of schools	Number of students	Total number of school closures
2001	4	16	2,768	1

Indiana State Charter Law: http://www.in.gov/legislative/ic/code/title20/ar24

Indianapolis Mayor Bart Peterson is not only a strong supporter of charter schools, his office is the only mayor's office in the country granted the power to authorize charter schools by the state charter law. The mayor's office oversaw 16 charter schools in the 2006–07 school year, four of which opened in that year. In the 2004–05 year, 100 percent of the mayor's schools made AYP, compared to 38 percent of schools in the Indianapolis Public Schools system. Still in its early years of authorizing, beginning in 2001, the mayor's office has been focused on developing strong selection and oversight processes instead of rapidly opening large numbers of schools.

Authorizing through the mayor's office brings high visibility, ready political and financial resources, and familiarity with community-based organizations and neighborhood needs. It also offers immediate accountability through Indianapolis voters. Mayor Peterson has made his charter efforts very public through press releases, public addresses, and an annual report on charter schools. The report includes detailed performance assessments and profiles of each mayor-authorized charter school based on the office's Charter School Performance Framework.

Under charter law in Indianapolis, the mayor and his staff are able to make authorizing decisions without interference from the state or district. The Indiana State Board of Education can overturn chartering decisions but cannot grant its own charters.

The mayor's overarching goal for charter schools is to expand public education opportunities throughout the city, specifically by opening more charter high schools, increasing financing for charter school facilities, attracting top education leaders to Indianapolis, and engaging the business community in Indianapolis public schools.

So far, the mayor's office has made significant progress on all four of these fronts. Nine of its 16 schools in the 2006–07 school year include high school grades. The mayor's office also provides low-cost capital financing for charter school facilities. A bank provides up to $20 million in loans—backed by the city's Local Public Improvement Bond Bank—for qualified charter schools, which can borrow at tax-exempt rates to purchase, construct, renovate, or lease a facility. The mayor's office recently helped launch a new nonprofit organization, the Mind Trust, to attract talented leaders into the city to launch new schools and start other education ventures in Indianapolis. And most charter schools authorized by the mayor's office operate in partnership with local community organizations and businesses, which help them make local connections and draw upon community resources.

To make authorizing decisions, the mayor's office is advised by the Indianapolis Charter Schools Board, a group of community leaders with experience in education, business, and law. The board's primary role is to assist the mayor's office with decisions about approvals. The board also has helped develop criteria by which to judge charter school applicants, has reviewed and approved the application process that the mayor's office uses, and provides continuing oversight of the achievement, finances, staffing, and facilities of charter schools authorized by the mayor's office. Once the mayor decides to grant a charter, the City-County Council votes on whether to ratify his decision. As of January 2007, the City-County Council has ratified all of the mayor's decisions to grant charters.

Staff in the mayor's charter schools office describe their office as a "bureaucracy-free operation." It has only four staff members, and its director reports directly to the mayor. These staff members handle core tasks, such as communication with school leaders about regulations, compliance and policy-setting in the school. The mayor's office also relies heavily on external consultants for more intermittent responsibilities, such as site visits, accountability reports, and parent surveys. Several of the external consultants are leading experts in their fields—from school accountability to opinion surveys.

In partnership with these consultants, the mayor's team has developed tools and best practices that are used by other authorizers around the nation, including a comprehensive accountability framework[23] and a monitoring system that gauges school performance on governance, finance, and student achievement several times per year.

The office is continually revising its processes. The charter application, for example, has been revised five times, as has the timeframe in which schools are expected to open—both in response to feedback from their schools and experience gained from watching these schools get up and running.

The mayor's office has been very strategic about recruitment of new charter applicants, addressing a "talent shortage" on three fronts: attracting successful school models nationally that have the capacity to replicate in Indianapolis; creating a climate that is conducive to charter school success, including creating a city-backed charter facilities financing program; and recruiting and providing training to build a supply of strong charter school leaders in Indianapolis. Indianapolis has been able to recruit several national school models to replicate in the city, including Knowledge Is Power Program (KIPP), Expeditionary Learning Schools Outward Bound, and Lighthouse Academies.

When asked what is most important in charter applications, the mayor's office staff members are likely to answer, "People, people, people." The Indianapolis staff views people as the most meaningful factor in a school's success: applicants' capacity, not just their abilities or their intentions. In the words of David Harris, former director of the office, "It's not about the model. It's about the people. For example, one school dealt with a well-respected construction company that made a six-figure mistake about the cost of the facility. The chair of the [school] board was a sophisticated and high-profile business person who had access to the resources to solve the problem. We couldn't have anticipated that problem; they couldn't have anticipated that problem. But they had people who had the ability to do the work and a board that could support them in overcoming unforeseen obstacles."

All charter schools authorized by the mayor's office are required to develop an accountability plan during the first year of their charters, in which they define their specific performance goals. All schools also are required to administer state examinations in all state test grades and to administer additional tests in both the fall and the spring to measure progress over the course of the school year. Schools also are encouraged to develop school-specific goals based on the school's mission, but these are not required.

The charter law in Indiana only provides one type of recourse for authorizers when a school is out of compliance: revoking a charter. There is no intermediate penalty, which poses a significant challenge for the mayor's office when otherwise successful schools have trouble complying with nonacademic requirements. If a high-performing school is out of compliance, the mayor's office will send a letter to the school leader, then perhaps a reminder letter, and will talk to the school's board, but the mayor's office will not deliberately attempt to undermine the school's success, for example, by issuing a press release indicating that the school is failing. When a school faces nonacademic challenges that do not warrant closure, the mayor's office relies on repeated communication to encourage the school to address the challenges effectively.

The big question regarding a mayoral authorizer is what will happen when the current mayor departs. The prospect of a non-charter-friendly successor has guided the authorizing staff since the beginning, and they are consistently focused on creating sustainable policies, processes, and protocols that stand the best chance of ensuring some longevity in charter authorizing regardless of who comes into office after Mayor Peterson.

Signs of Success: Indianapolis Mayor's Office

- The pass rates of the mayor's office-authorized charter schools on Indiana Statewide Testing for Educational Progress-Plus (ISTEP+) tests rose substantially between 2002 and 2004. That is, all the charter schools authorized by the mayor's office that were in operation in 2003 and 2004 administered the test in those years and demonstrated average student gains of 10 percentage points. Older mayor's office-authorized schools administered the test in 2002 as well and showed even greater student gains, averaging 22 points higher over the two-year period.

- Charter schools authorized by the mayor's office administered the Northwest Evaluation Association's Measures of Academic Progress tests in reading, math, and English in the fall of 2004 and the spring of 2005. Students in these schools made greater gains on the tests between the fall and the spring than their Indiana peers in 13 out of 21 (62 percent) grades and subjects for which results are available. Students in charter schools authorized by the mayor's office made greater gains than their national peers in 12 out of 23 (52 percent) grades and subjects.

- In a 2005 survey administered by the University of Indianapolis' Center of Excellence in Leadership of Learning, 85 percent of staff and 89 percent of parents expressed satisfaction with charter schools authorized by the mayor's office.

Massachusetts Department of Education Charter School Office

Authorizer Profile: Selected Characteristics (as of 2005–06 school year)

First year of operation	Number of staff	Total number of schools	Number of students	Total number of school closures
1993	10	57	21,706	9 (including charters granted but not opened)

Massachusetts State Charter Law: http://www.mass.gov/legis/laws/mgl/71-89.htm

In 1996, three years after the Commonwealth of Massachusetts enacted its charter school law, the state legislature shifted the state's sole authorizing authority from the Governor's Executive Office of Education to the State Department of Education. The Charter School Office moved once again a few years later, this time to an established, larger office within the Massachusetts Department of Education—the Office of School Finance. The state commissioner for education made this move in part to give the Charter School Office more institutional stability, according to Jeff Wulfson, the associate commissioner who currently oversees this office.

Wulfson recalls that at the time of this last move there was a real desire among charter advocates in the State Department of Education "to move away from charter schools being start-up and experimental, something different that might or might not be here for the long term, and really send a message that says charter schools are part of the landscape now. They are public schools like any other schools, and we don't necessarily need to have them sitting apart. We want to start integrating their activities and the department's activities with respect to them."

Staff members in the Charter School Office see this move as positive. Their position in the office of school finance provides ready access to other resources within the department, including financial and legal expertise. Staff members also have more opportunities within the department to advocate for charter schools, and they have the support of Wulfson, a key department official who has ongoing contact with the larger education community in Massachusetts.

According to staff members, there are several advantages to being the sole authorizing entity in Massachusetts. Mary Street, the director of the Charter School Office, believes that "single authorizer states are bound to be more successful in many ways because there is a clear picture. We are able to give every school in the state the same information, the same clarification, the same point of contact." Cliff Chuang, the coordinator of research and finance within the Charter School Office, agrees, "Being a sole state agency authorizer has a lot of advantages because you have complete and absolute track of every charter school in the state. Data submitted by any public school is submitted by charter schools automatically, and we have access to all of it—the grant information, the tuition information—we have tabs on everything."

Access to student performance data has enabled the Charter School Office to closely monitor overall school performance and provide timely feedback to schools about what aspects of their programs need improvement (e.g., low student performance in particular grade levels or particular subjects). In general, the academic performance of Massachusetts' charter schools has been strong. A recently released study commissioned by the state examined the test scores of 52 charter schools in existence from 2001 through 2005.[24] According to this report, about 60 percent of the charter school students performed about the same as their peers in regular schools on Massachusetts Comprehensive Assessment System (MCAS) exams in English and math, while 30 percent performed "significantly higher." About 10 percent of the charter schools performed worse than the sending districts.* The data from Boston, the state's largest district, show that "Charter school students in Boston as a combined cohort have performed statistically significantly higher than students enrolled in the Boston Public Schools each year from 2001 through 2005 in both English language arts and mathematics, except there was no statistically significant difference in performance in English language arts in 2001."[25]

Having a rigorous monitoring process has enabled the Massachusetts office to withstand three legal challenges to its accountability system. In all three cases, the office recommended

closure of a school because the school had not met the terms of its charter. In Massachusetts, state law dictates that charter schools meet three tests: 1) Is the academic program a success? 2) Is the organization viable? 3) Is the school faithful to the terms of its charter?[26] In the case of Lynn Community Charter School in 2002 and Roxbury Charter High School in 2004, the Charter School Office determined that the answer to each of the questions was no. When the schools challenged the decision through an administrative hearing process, the Charter School Office's well-documented record of student performance data, annual reports, and site visits convinced the hearing officer who was in charge of ruling on their appeal to support the decision to close the schools.

While having a larger structure and support system behind the office can be an advantage, Chuang also notes that there are some disadvantages to working within a state department of education. "You definitely have to work within the state bureaucracy in order to do your job. And, as a subunit of a larger entity, you have much less control over operational decisions and budgetary decisions, and you report to a board that has competing priorities." The Charter School Office's funding is not a line item within the larger department, but rather a collection of funds from several sources, including state department administrative funds, federal special education funds, and federal charter school program grants.

Because these funds are not tied to the number of schools that the office oversees, the office's capacity is an ongoing issue as it continues to grow. For this reason, the Charter School Office is in the process of developing a five-year plan that documents how many applications,

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* This study defined the comparison sending district for each charter school as follows: 1) For a charter school that is not regional, the school district in which it is located is its comparison sending district; 2) If 20 percent or more of a charter school's population in 2004–05 came from one sending district, and there are at least 40 students in this group, then that district is designated as the comparison sending district.

site visits, and renewals are anticipated over the next five years, so office leaders can make the case for additional staffing if necessary.

Unless there is a change in the law, the number of new charter school applicants will soon drop off significantly as the state approaches various limits on charter school growth, including a statewide cap on the overall number of charter schools. Since the original charter school law was enacted in 1993, the state has raised the charter school cap in Massachusetts twice. In 2006, the law allowed a total of 120 charters statewide, and there are 58 of those charters still available.

In addition to capping the overall number of charter schools allowed, Massachusetts' charter law includes other restrictions on growth, such as a provision that Commonwealth of Massachusetts charters cannot serve more than 4 percent of the state's public school population, and a provision that a school district's payments to charters cannot exceed 9 percent of the district's net school spending. For these reasons, the Massachusetts Board of Education cannot approve any more charter schools in approximately 150 of the state's 500 districts.

According to the state's charter law, once schools are approved, school leaders have one year to develop an accountability plan that lists the school's performance objectives and defines how progress toward those objectives will be measured. Schools are required to develop objectives in each area of accountabil-

ity—academic success, organizational viability, and faithfulness to the terms of the charter. Unlike some other authorizers, the Massachusetts Charter School Office does not prescribe one set of goals for all schools to meet. In order to meet obligations under *No Child Left Behind*, all charter schools are required to administer MCAS tests, but they also are encouraged to set specific goals that are appropriate to the school's unique program. The Charter School Office offers limited assistance to schools as they develop accountability plans.

In general, staff members do not provide technical assistance to the schools, partly because of their own capacity limitations, but also because they philosophically disagree with doing so. "We hold up a mirror, but the choices the schools make will always be their own," explains Street. The Charter School Office staff members are acutely aware of their responsibility both to respect schools' autonomy and to maintain the office's oversight integrity.

And yet, the Charter School Office staff members are keenly aware that even the strongest charter schools face an uphill battle because of the complexity of opening a school from scratch. For this reason, the Charter School Office currently is engaged in a statewide conversation with other charter school advocates, such as the Massachusetts Charter Public School Association, about how to establish a resource center that would strengthen the level of support available to charter schools at various stages of their development.

Signs of Success: Massachusetts Department of Education Charter School Office

- Nearly 90 percent of the state's charter schools performed the same or better on the Massachusetts Comprehensive Assessment System than schools in their comparison sending districts* between 2001 and 2005, with just 10 percent doing worse, according to a 2006 study commissioned by the Massachusetts Department of Education.[27]

- The study listed in the first bullet also showed that similar patterns existed for all demographic subgroups, with the likelihood of the significant difference favoring the charter school being most prevalent for the African-American, Hispanic, and low-income subgroups.

- The same study found that in both reading and mathematics, at least 30 percent of the charter schools performed statistically significantly higher than their comparison sending districts in each year, with the exception of 2001. In 2001, 19 percent of the charter schools performed significantly higher than comparison sending districts in reading, and 26 percent did so in mathematics.

- In addition, researchers found that students in Boston's charter schools performed significantly better than students in regular public schools. Between 2001 and 2005, students in Boston's charter schools, on average, scored over 9 points higher on the English language arts state achievement test than students in regular public schools. In mathematics, charter school students' scores were 8.07 points higher on average in the same time period.

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* See note on page 75.

New York City Office of Charter Schools

Authorizer Profile: Selected Characteristics (as of 2005–06 school year)

First year of operation	Number of staff	Total number of schools	Number of students	Total number of school closures
1998	5	23	4,494	1

New York State Charter Law: http://schools.nyc.gov/charterschools/law.text.htm

In a state where charter schools are widely opposed by unions, several policymakers, and districts, especially in smaller cities and towns where resources are scarce, New York City (NYC) has had great success with charter schools. This success is due in part to tangible support from Mayor Michael Bloomberg and NYC Schools Chancellor Joel Klein, both reform-minded charter advocates who have instituted policies to support charter schools throughout the city. While state legislators were bemoaning the financial drain of charters upon their smaller districts, NYC allocated $250 million in capital and has made available district facilities for charter operators to expand where real estate prices would otherwise be prohibitive.

Despite a 2006 legislative vote not to lift the cap on charters, staff members in the NYC Office of Charter Schools remain optimistic. To former executive director Mashea Ashton, "It's not a matter of if, but when" the statewide cap will be lifted, so the office continues to refine its staff, build its processes, and accept applications in preparation for the day when the city may grant new charters.

Meanwhile the city has moved forward with the cap in place by creating other public charter-like schools. In June 2006, Mayor Bloomberg announced the creation of 331 "empowerment schools" that will operate independently of the district much the way charter schools do. In exchange for greater financial and programmatic independence, schools will be held to specific standards for student achievement, fiscal responsibility, and school safety.

The NYC office's mission, in Ashton's words, is to "prove the possible," to foster innovation by protecting schools from burdensome regulation and by highlighting the schools' success with students who have not thrived in the traditional system. The aim is to authorize schools that succeed with at-risk populations to show that it can be done and how it might be replicated. Aware that the district may not always be charter-friendly, NYC charter office staff seek a record of performance that will speak louder than political objections to charter schools, creating a powerful image of success to which the traditional system will be forced to pay attention.

NYC authorizing staff report directly to Garth Harries, CEO of the Office of New Schools, where the charter schools office is housed. Chancellor Klein receives all staff recommendations regarding charter approval, renewal, and revocation, and, in turn, passes on his recommendation to the State Education Department.

The New York State Board of Regents, overseeing all education activities in the state, makes final chartering decisions. Despite this many-tiered structure, charter school leaders and the chancellor view the NYC charter schools staff as the real decision-makers regarding charter schools in the city.

Though NYC has had charter schools since 1998, the Office of Charter Schools was created as a distinct entity within the Office of New Schools in 2004 under Chancellor Klein. This move has significantly improved operations. Developing distinct staff positions, for example, each clearly defined by area of expertise, allows charter schools one point of direct contact. Schools appreciate being able to call the same person every time with questions regarding a particular issue. In the past when staffing in the Office of Charter Schools was not as clearly defined, schools reported getting passed along from person to person before finally receiving an answer.

Office capacity is stretched, with five full-time staff members in 2006 overseeing 31 of their own schools and fiscal operations at all 58 charter schools in the city, irrespective of who authorized them. Fortunately, staff members can draw on their colleagues' expertise in the Office of New Schools, and they are able to use other divisions of the department to provide a range of services to charter schools, such as assistance with transportation and other operations issues, technical support, and access to district facilities. They also rely a great deal on the Center for Charter School Excellence (CCSE), an independent nonprofit organization that focuses entirely upon charter support and advocacy. The charter schools staff members often use CCSE

space for meetings, school gatherings, and trainings, and they work in partnership with the center to foster communication among school leaders and provide planning and technical support. This unique and valuable relationship—CCSE helped design the improved staff structure now in place—allows the NYC office to focus on authorizing while feeling confident that CCSE is providing its charter schools the type of support and advocacy that augments the department's mission.

The NYC office is not actively involved in recruiting, but relies on the CCSE to encourage quality charter operators that meet the NYC charter office's standards to apply. The high-profile nature of charter schools in NYC, due to the chancellor and the mayor's support but also to CCSE's own work, has made recruiting easy. In 2006, nearly 100 schools were prepared or preparing to submit proposals as soon as the cap is lifted.

All charter schools authorized by the NYC Office of Charter Schools must develop performance goals based on absolute measures of student performance on state exams, value-added measures (an assessment model that measures students' academic growth), and comparison to similar district schools. Schools also are required to meet AYP and maintain high graduation rates. Schools also are welcome to include school-specific academic or nonacademic goals in their contract and may revise their goals at the end of their first year.

Schools are required to submit annual reports to the NYC Office of Charter Schools and to the state education department. The reports must contain detailed information on academic

performance, student attendance and enroll-ment, and fiscal performance. The Office of Charter Schools also requires schools to submit quarterly reports of assets and liabilities, cash flow statements, and board minutes. Internally, the office staff organizes this information into an "accountability tracker," an Excel spreadsheet containing data on what required information schools have or have not submitted. Most of these documents are collected in person during staff site visits to the schools, which the schools appreciate because of the face-to-face contact with a member of the Office of Charter Schools staff. These frequent visits also create a positive relationship with their schools.

The Office of New Schools and the Office of Charter Schools within it are a high priority for the chancellor and so have received much greater funding since he took office than in the past. Serving in a district office, these staff members also perceive all NYC schoolchildren as "their kids," and this awareness informs all their decisions about charter approval, over-sight, renewal, and closure.

The great opposition to charters elsewhere in the state has made NYC a highly visible focal point for many legislators and the public. How-ever, as the NYC charter office applies rigorous policies consistently to shut down unsuccessful charter schools and to open a greater number of high-achieving, replicable schools, it may help to make the charter school effort in NYC a successful one.

Signs of Success: New York City Office of Charter Schools

- In 2005, NYC public charter schools out-paced traditional public schools on the state English language arts (ELA) exam, achieving 56 percent proficiency compared to 48 percent proficiency achieved by stu-dents at traditional public schools located in the same district as charter schools.

- In 2005, a higher proportion of NYC charter school students met or exceeded profi-ciency standards in reading and math compared to their district public school counterparts.[28]

- In 2002–03, eighth-grade students in NYC charter schools performed better than their district peers on the state's ELA test. Stu-dents with disabilities in NYC charter schools performed at comparable levels to students with disabilities in traditional district schools. While charter school students' performance was lower than students from district schools in fourth-grade English and mathemat-ics and in eighth-grade mathematics, the charter school students made greater gains in these areas than students from district schools in 2002–03.[29]

State University of New York Charter Schools Institute

Authorizer Profile: Selected Characteristics (as of 2005–06 school year)

First year of operation	Number of staff	Total number of schools	Number of students	Total number of school closures
1999	16	36	10,326	5

New York State Charter Law: http://schools.nyc.gov/charterschools/law.text.htm

In New York state, where there has been strong opposition to the charter school movement, it helps to be the only authorizer in the state having final say in selecting new charter schools. Once a decision has been made by the Board of Trustees of the State University of New York (SUNY), it cannot be overturned by the Board of Regents. Another enormous advantage is the highly vocal and concrete support that Governor Pataki, Mayor Bloomberg, and Chancellor Klein give charters across the state and particularly in New York City, where 21 of the 50 SUNY Institute-authorized schools are located.

The SUNY trustees created the Charter Schools Institute in 1999 as a single-purpose entity devoting all of its time and resources to quality authorizing practices. The institute seeks to open charters that will successfully serve students at risk for academic failure and to promote change from compliance-based to performance-based accountability systems. While meeting rigorous criteria about academic quality and capable governance, every charter applicant must show sufficient community support for its proposed school to achieve its goals. The SUNY Institute takes pains to see that applicants envision the program from the student's point of view and that the school is really about the children, not the adults.

Starting nearly from scratch, SUNY Institute initially saw its role as more "judge and jury" than charter support. But as the office has grown along with its number of schools, its staff has become more sophisticated about what they expect from operating schools and about what they offer to the schools in terms of advocacy and accountability. Serving schools from a relatively insulated position politically, the institute developed policies and procedures based on its chartering goals, not on political and bureaucratic pressure. Its relationships with schools are built primarily upon results and compliance with rules and regulations only inasmuch as they support the school's capacity to achieve those results.

The SUNY Institute is known nationwide for holding its schools firmly to their accountability standards, and it has closed five schools since 1999. While every nonrenewal has been a difficult experience for the institute staff—not to mention the school community—the staff is confident that over time the renewal procedure will improve the quality of charter schools in New York and strengthen the charter movement nationwide. By establishing charter schools that become recognized as models for excellence, SUNY Institute seeks to help raise the standard to which public schools across the state are held.

Just as the SUNY Institute has a single focus, each staff member also has a singular focus. Staff members are divided by core functions rather than by schools or geographic area, allowing each staff member to offer his or her particular expertise to all schools. While this structure works well—even with 50 schools—the institute augments its own capacity by collaborating with others. For example, it uses external evaluators to help review applications, drawing on fresh perspectives and the best thinking about charter schools from across the country. It also contracts with outside organizations to conduct prescribed third-year site visits, to provide a check on procedures, also allowing schools to be more candid during the visit. SUNY Institute views its role as more evaluative than supportive and is careful to balance these roles when its own staff members conduct site visits. Because they are not in a position to make decisions about closure or renewal, external contractors are able to step out of this delicate balance somewhat and offer more technical assistance, when necessary, as compared to what institute staff members can offer.

Like other authorizers in New York, SUNY Institute is fortunate to have close working relationships with the New York Charter Schools Association (NYCSA), a statewide membership organization providing technical assistance and advocacy for all New York charter schools; and the New York City Center for Charter School Excellence, an independent, not-for-profit organization that serves as "advocate, bridge, and catalyst"[30] for the success of charter schools in the city. The center helps with services that a charter authorizer may not be able to provide; for example, the institute counts on the center's efforts to help increase awareness and support

for charter schools. Most importantly, SUNY Institute staff members can feel confident that their schools in the city are receiving technical support, without the institute having to provide that support.

Ongoing evaluation of the institute's work "permeates the organization," according to former director James Merriman. While the institute does not formally collect data to direct its internal operations, most of its policies—such as the application process, renewal benchmarks, and ongoing monitoring—have been revised as a result of experiences with schools. For example, institute-required measures of student performance have replaced schools' choice of their own norm-referenced tests because schools were not providing meaningful and reliable information about students' improvement under the former measures. Also, staff members noticed over the years that they were consistently seeing weak school governing boards that often threatened the schools' success. In response, the staff built into each school's contract the power to disapprove board members.

Schools are required to develop an accountability plan during the first year of their charter that defines their specific performance goals. All SUNY Institute-authorized schools are required to administer all state examinations in all state test grades (3–12). Progress toward these goals must be measured in absolute terms, using value-added measures (an assessment model that measures students' academic growth), and in comparison to their local district overall. All schools must expect ultimately 75 percent of their students to score at proficiency levels on state reading and math exams.

All New York authorizers share oversight duties with the New York State Education Department (SED). SUNY Institute has refined this relationship to make it useful for schools rather than burdensome. The SED takes the lead on data collection, for example, because it has procedures in place. SUNY Institute, on the other hand, takes the lead on ongoing oversight of schools' academic, organizational and fiscal systems.

The institute's unusual strengths start with its position within the university. The institute is funded primarily through sources from within the university. While institute staff members are able to draw upon a range of university resources, answering directly to the Board of Trustees affords them a good deal of autonomy, allowing staff to undertake K–12 education reform with an open mind about what type of programs will work. Acting as a statewide authorizer provides greater insulation from state and local politics, allowing staff to make application and renewal decisions that inevitably would be more difficult for a district authorizer. The single-purpose focus of the SUNY Institute ensures that staff members are chosen for expertise that matches their job responsibilities and are less likely to be distracted by issues and tasks not related to the institute's core mission as an authorizer.

Signs of Success: State University of New York Charter Schools Institute

- On the 2005–06 administration of the state's standardized exam in mathematics, 19 of 26 (72 percent) operating SUNY Institute-authorized charter schools—open for at least one year at the time of the test administration—outperformed their local districts.

- On the 2005–06 administration of the state's standardized exam in English language arts, 18 of the 26 (69 percent) operating SUNY Institute-authorized charter schools open for one year or more outperformed their local districts.[31]

Volunteers of America of Minnesota Charter School Sponsorship Program

Authorizer Profile: Selected Characteristics (as of 2005–06 school year)

First year of operation	Number of staff	Total number of schools	Number of students	Total number of school closures
2000	2	12	1,260	0

Minnesota State Charter Law: http://www.revisor.leg.state.mn.us/bin/getpub.php?type=s&year=current&num=124D.10

As the first nonprofit in the nation to become a charter school authorizer, Volunteers of America of Minnesota (VOA of MN) focuses on developing education options that will fill a targeted void. VOA of MN's Charter School Sponsorship Program stands out for its efforts to authorize schools that address the genuine needs of the communities where they are located. Several VOA of MN schools serve high populations of students with special needs as well as students who come from low-income families.

VOA of MN has a 110-year history of providing services to the most marginalized populations. The organization has about 4,000 volunteers and 700 paid staff members, but its Charter School Sponsorship Program is only a small part of the organization, with only two full-time staff members: a director who handles four schools and the policy-related activities of the work, and a charter school liaison who is the direct contact for VOA of MN's other eight schools and works to develop a network among existing schools.

The VOA of MN charter office's mission is closely aligned with the mission of its parent organization. The mission is most evident in the criteria that the office uses to choose which schools to authorize: VOA of MN's charter office gives priority to schools that are small, focus on mar-

ginalized students, feature service learning, fill a void in the community, and embrace racial, ethnic, and socioeconomic diversity.

The portfolio of schools that VOA of MN authorizes is quite diverse. For example, it authorizes a high school for deaf students that offers a bilingual program in English and American Sign Language; a K–8 school located on the White Earth Reservation in northern Minnesota; a dual-language immersion Spanish and English K–8 school that also promotes conflict resolution; a K–8 school that combines rigorous college preparatory courses with a focus on outdoor education; and a grades 7–12 school that features project-based learning that is facilitated online.

Because VOA of MN's charter office is so small, it often draws on the larger VOA of MN organization for help with legal, financial, or fund-raising issues. It also takes advantage of what has been developed by other authorizers. "A lot of what we use is replicating what we see as good practices elsewhere," says Justin Testerman, director of VOA of MN's Charter School Sponsorship Program. "When I started, I went out and looked at the places I thought were doing the best work, then borrowed what they were doing and changed it to fit our environment."

As an active member of the National Association of Charter School Authorizers (NACSA), VOA of MN's charter office has taken advantage of NACSA's tools and resources and has adopted tools from other authorizers and organizations—including accountability and monitoring tools from Indianapolis, a five-step intervention process from the District of Columbia Public Charter School Board,[32] and a checklist for opening schools from the Northwest Regional Educational Laboratory.[33]

One of the VOA of MN charter office's biggest problems is limited funding. Minnesota's charter law severely restricts funding for charter school authorizers. For this reason, VOA of MN's charter office has had to get additional funding from the larger VOA of MN organization, and it saves on costs by having only two staff people and by not having to pay rent—VOA of MN provides the office space. The charter office also has leveraged local resources by directing schools to the services of local and statewide organizations, such as the Center for School Change, the Minnesota Association of Charter Schools, and the state department of education.

As another approach to its funding challenge, VOA of MN actively works to influence state-level policy and to increase funding for high-quality authorizers. In particular, the director of the VOA of MN authorizing office is heavily involved in statewide charter policy organizations and has worked to improve the quality of charter authorizing across the state by introducing more rigorous standards.

Being active at the state level in other chartering organizations also has helped VOA of MN staff members cultivate contacts among people who get a lot of inquiries from potential school operators. In turn, these contacts refer appropriate school applicants to VOA of MN, and the VOA of MN charter office has not needed to recruit applicants actively.

The VOA of MN charter office director and school liaison consider their school selection process to be one of their main strengths. In their review, they first make sure the proposal aligns with VOA of MN's mission and principles. Second, they look at the capacity of the applicant to implement its plan. Not all applicants must have an education background, but according to Testerman, VOA of MN staff members look for applicants to be "sincere and realistic" and to have the "stamina and determination" needed to open and successfully run a school.

Applicants submit a proposal and business plan to the VOA of MN charter office, and these materials go to a group of reviewers who then have three weeks to evaluate the applications. Reviewers include the two VOA of MN charter office staff members and six or seven advisors, usually including charter school leaders, business leaders, representatives from charter support organizations, and a lawyer who has been on several charter school boards. The reviewers provide extensive written feedback and score the applications using a rubric. All applicants, regardless of whether VOA of MN chooses to authorize them or not, get extensive feedback—three or four pages of comments—about their plans.

After discussing each application, the review group makes a recommendation and the VOA of MN charter office director then makes a decision on whether to invite the applicant in for

further conversations. (So far, the director has always agreed with the review group's recommendations.) The applicants who are invited for an interview receive more feedback on their applications, and VOA of MN staff members have a chance to further evaluate the applicants.

If VOA of MN decides to approve the proposal, the applicant has one month to revise its application before it is submitted to the state by VOA of MN. In Minnesota, there is a two-tiered application process with applications first approved by an authorizer, who then takes the application to the Minnesota Department of Education for final approval. In only one case has an applicant gone through VOA of MN's process and received approval from VOA of MN but failed to get a charter from the state. However, this group was successful in getting a charter from the state the next year because it reworked its curriculum plans significantly.

According to VOA of MN's charter office staff members, another strength of their approach is the alignment they have achieved between different parts of their process, from application review to contract, to accountability and monitoring. They have learned that a lack of alignment can confuse and disorient schools. For this reason, VOA of MN staff members makes sure that everything they ask for in biannual reports, for example, is directly tied to VOA of MN's statutory authority and is in the school's accountability plan.

One advantage of the VOA of MN charter office's small size and personalization is that its two staff members are able to develop and maintain strong relationships with their schools. These staff members require schools to submit two reports per year; the reports assess academic performance, identify strategies for meeting challenges, and include information on fiscal management, governance, operations, and compliance. The second report also serves as the annual report that is required by the state, although the VOA of MN report requires more information.

VOA of MN staff members also do two formal visits per year and two informal visits to each school. Site visits allow the authorizer to monitor and provide feedback as well as to follow up on any particular information from the written reports. The formal site visits include classroom observations and interviews with students, the business manager, teachers, board members, and parents, as well as meetings with the principal and staff.

In addition to the formal and informal site visits, VOA of MN staff members attend four board meetings per year at each school and collect board minutes from every board meeting. These minutes act as an early warning sign, with VOA of MN staff members using them to look for potential problems, such as financial concerns, personnel issues, or enrollment concerns.

As part of VOA of MN's efforts to develop a knowledge-sharing network among its schools, the VOA of MN charter office holds annual meetings and provides strong online resources.

The schools that VOA of MN authorizes have performed well so far in terms of student achievement—only one school in the past year did not make AYP. A few schools have had other kinds of struggles, such as attracting the anticipated number of students, but, for the most part, parents are satisfied and the students are doing well.

Signs of Success: Volunteers of America of Minnesota

- Six out of eight VOA of MN-authorized schools operating in 2005–06 for which there were comparison data available performed as well or better than schools with similar demographic data in reading or math on state standardized tests.

- Seven out of the 11 VOA of MN-authorized schools operating in 2005–06 got four stars on the Minnesota Star Rating System in either reading or math. The Minnesota Star Rating System is determined by AYP and other achievement benchmarks, and five stars is the highest number possible, on a scale of one to five.

- Five out of 12 VOA of MN-authorized schools earned the Minnesota Department of Education School Finance Award for fiscal year 2005. VOA of MN was the only authorizer with multiple charter schools earning the award.

Research Methodology

The research approach used to develop this guide is a combination of case study methodology and benchmarking of "best practices." Used in businesses worldwide as they seek to continuously improve their operations, benchmarking has more recently been applied to education. Benchmarking is a structured, efficient process that targets key operations and identifies promising practices in relationship to traditional practice, previous practice at the selected sites (lessons learned), and local outcome data. This methodology is further explained in a background document[34] that lays out the justification for identifying promising practices based on four sources of rigor in the approach:

- Theory and research base;

- Expert review;

- Site evidence of effectiveness; and

- Systematic field research and cross-site analysis.

The steps of the research process were: defining a study scope, seeking input from an advisory group of experts to refine the scope and inform site selection criteria, screening potential sites, selecting sites to study, conducting site visits, collecting and analyzing data to write case reports, and writing a user-friendly guide.

Study Framework and Data Collection

This study builds upon a fairly robust, though incomplete body of research on charter school authorizing. Because the field of charter school authorizing is fairly new (the first charter school opened in Minnesota in 1991), there is not a large and conclusive body of evidence related to best practices. The majority of studies rely on surveys and practitioner expertise as well as expert opinion. Based on the current research, a conceptual framework was developed to guide the study. Those variables that the research suggests contribute most to effective authorizing are highlighted in the conceptual framework, which was designed to guide both site selection and data collection. Feedback from an advisory group of experts in the field and from the Office of Innovation and Improvement staff further informed the scope of the project. The dimensions of the conceptual framework were:

1. Authorizer Ability to Negotiate Policy Context

   Working effectively within the existing political and bureaucratic environment.

2. Authorizer Capacity

   Developing an effective organization.

3. Recruiting and Selecting Applicants

   Establishing and running an application process that yields high-quality charter schools.

4. Contracting Process

   Delineating rights and responsibilities, defining ambitious performance goals, and establishing consequences for performance.

5. Oversight

   Engaging in rigorous and transparent performance monitoring and providing appropriate support and intervention.

6. Accountability for School Performance

   Making decisions about intervention, renewal and closure that increase the quality of charter schools over time.

Site Selection Process

The first step in site selection was to compile a comprehensive list of known authorizers from every state with a charter school law. This initial list, which included 852 authorizers from 40 states and the District of Columbia, was compiled through online research and information gathered from state-level officials and other national resources. This initial list provided a limited range of information about each authorizer, including state, authorizer type, and volume of schools authorized.

In order to narrow the list of authorizers that could potentially be included in the guide, the Office of Innovation and Improvement sent out a memo inviting people to nominate authorizers that they believed met the initial set of criteria identified by research and confirmed by the advisory board. This e-mail memo was sent out on several listserves that target state charter school directors, charter school support organizations, charter authorizers, and others. Nominations were received from schools, states, experts, and authorizers.

From all of the nominations, a pool of 29 authorizers was identified for further screening. In narrowing the list, the research team considered several factors, including the number of nominations sent in for a particular authorizer, whether a particular authorizer was nominated by a variety of sources, such as school leaders, charter support organizations, and state-level directors; and finally, whether the nomination suggested that the authorizer meets several of the indicators for success defined by the advisory group of experts in the field that was convened for the study.

Using report card data from state department of education Web sites, school Web sites, and Schoolmatters.com, the research team gathered preliminary information about student achievement in the schools authorized by each of the 29 authorizers. The researchers also contacted authorizers directly and asked them to provide achievement information. In addition, they gathered preliminary information online about the level of impact charter schools authorized by a particular authorizer have had on public education in their jurisdiction, as measured by the percentage of students in the district that attend charter schools, the total number of charter schools, or some other indication. Where readily available, the team also gathered information about traditional school performance in these same districts.

In addition, a phone interview was conducted with each of the 29 authorizers. Information from this interview was used to complete a screening matrix that reflected the selection criteria recommended by the advisory group.

Selection Criteria

Based on recommendations from the advisory group, the selection of sites included two levels of screening: the characteristics that each individual authorizer should have in order to be included and the overall characteristics of the pool of authorizers.

In order to be considered, each individual authorizer had to meet the following criteria: 1) strong performance of the schools chartered by the authorizer, as compared to traditional schools within its jurisdiction; 2) some impact on public education in their jurisdiction; 3) experience responding to school failure, school renewal issues, or both; and 4) evidence that the authorizer engages in the effective practices outlined in the conceptual framework.

Once individual authorizers were assigned a rating based on these criteria, they were then sorted by various characteristics that the advisors felt should be represented in the overall pool of authorizers to be included in the guide. These "pool" characteristics included: 1) diversity by type of authorizer (ideally including one or two local school boards, a college or university, a nonprofit organization, a state-level board, a special-purpose charter board, and a mayor or city council); 2) diversity by volume of authorizing; and 3) diversity of authorizing approaches (to the extent this can be ascertained in the screening process). The advisors also urged having a balance between well-known authorizers and "rising stars" and to consider geographic diversity.

The final pool of sites was determined by selecting eight high-scoring authorizers who collectively create the desired diversity in the case study pool, as outlined above.

A two-day site visit was conducted to each of the case study sites. Semi-structured interviews were supplemented with more informal conversations with a range of stakeholders—authorizer staff, school site administrators from at least two schools, and evaluators. An interview protocol was developed based on the study framework and adapted to each role group. That is, separate but overlapping sets of questions were developed for authorizer staff, school site staff, and others. Key interviews were tape-recorded to ensure lively descriptions and quotes using natural language. A written survey was used to collect standard quantitative information, such as number of schools, and renewal rates. While conducting the case studies, staff also obtained copies of local documents, such as applications, review criteria, outreach materials, and site visit protocols.

Analysis and Reporting

A case report was written about each site, and reviewed by authorizers for accuracy. From these case reports, artifacts, and transcripts of interviews, the project team identified common themes that contributed to success across the sites. This cross-site analysis built on both the research literature as reflected in the study scope and also emerging patterns in the data.

This descriptive research process suggests promising practices—ways to do things that other educators have found helpful, lessons they have learned—and practical "how-to" guidance. This is not the kind of experimental

research that can yield valid causal claims about what works. Readers should judge for themselves the merits of these practices, based on their understanding of why they should work, how they fit the local context, and what happens when they actually try them. Also, readers should understand that these descriptions do not constitute an endorsement of specific practices or products.

Using the Guide

Ultimately, readers of this guide will need to select, adapt, and implement practices that meet their individual needs and contexts. Authorizers may continue the study, using the ideas and practices from these sites as a springboard for their own action research. In this way, a pool of promising practices will grow, and authorizers can support each other in implementation and learning.

Resources

The following list provides a sample of organizations, Web sites, essays, and research studies that address elements of successful authorizing and oversight of charter schools.

The **National Association of Charter School Authorizers** (NACSA) offers newsletters, reports, and policy briefs on a wide range of issues related to charter authorizing. NACSA also maintains an online library of resources that includes policies, protocols, and tools created and used by authorizers across the country in all areas and phases of chartering practice.

http://www.qualitycharters.org

The **Center for Charter Schools at Central Michigan University** (CMU) Web site offers several materials related to oversight and accountability, including information about the Authorizer Oversight Information System (AOIS), a charter school board orientation guidebook, charter reauthorization procedures, site and facilities reviews, and individualized performance reviews.

http://cmucso.org

The **National Charter School Research Project** (NCSRP) at the Center on Reinventing Public Education aims to bring rigor, evidence, and balance to the national charter school debate. The NCSRP Web site offers research and information aimed at improving the charter school and broader education communities.

http://www.ncsrp.org

The NCSRP produced a 2006 report entitled *Hopes, Fears, & Reality: A Balanced Look at American Charter Schools in 2006*. This second annual review of the national charter school movement explores current and controversial issues facing the movement, including a chapter on charter authorizing and how it might be improved.

http://www.ncsrp.org/cs/csr/print/csr_docs/pubs/hopes06.htm

The NCSRP also published a white paper in 2006 entitled, *Holding Authorizers Accountable: Why It Is Important and How It Might be Done*. The paper presents arguments for scrutiny and accountability for chartering agencies and offers ideas for how accountability could be improved through private and government initiatives.

http://www.ncsrp.org/cs/csr/view/csr_pubs/4

The **US Charter Schools** Web site provides a wide range of information and links to resources for both charter schools and their authorizers.

http://www.uscharterschools.org

The **Education Commission of the States** offers issue and policy briefs about charter authorizing, including a state policymaker's guide to alternative authorizers of charter schools.

http://www.ecs.org

The **National Alliance for Public Charter Schools** provides several online resources designed to address issues affecting charter growth and quality, as well as overviews of federal and state policy initiatives.

http://www.publiccharters.org

The **Thomas B. Fordham Foundation** provides links to major studies and over 50 other Web sites that address charter schools and choice.

http://www.edexcellence.net

Notes

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