

IDAHO PUBLIC CHARTER SCHOOL COMMISSION

AUTHORIZER WORKSHOP

Exploring Best Practices for Petition Approval and
Charter School Performance Evaluation

January 15, 2013

TABLE OF CONTENTS

[Tab 1: Workshop Focus and Goals](#)

[Tab 2: The Charter School Landscape](#)

[Star Rating Comparison Charts](#)

[Identification of Problems and Solutions](#) – DISCUSSION

[Tab 3: Proposed Policies](#) – ACTION ITEMS

[Materials Submission Policies](#)

[Petition Consideration Policies](#)

[Amendment Consideration Policies](#)

[Tab 4: Petition Evaluation Rubric](#) – DISCUSSION

Blank PEL

Sample Completed PEL – Odyssey Charter School

Sample Completed PEL – Bingham Academy

[Tab 5: Performance Framework](#) – DISCUSSION

Draft Performance Framework

Academic Performance

Fiscal Performance

Governance and Compliance

Performance Scorecard

[Tab 6: Authorizing Reports and Resources](#)

2012 Principles & Standards for Quality Authorizing (NACSA)

2011 Index of Essential Practices (NACSA)

2011 State of Charter School Authorizing (NACSA)

2009 Model Law for Supporting the Growth of High Quality Public Charter Schools (NAPCS)

2012 Fulfilling the Compact: Building a Breakthrough, Results-Driving Public Charter School Sector (Public Impact for NAPCS)

Understanding the Star Rating System

TAB 1: WORKSHOP FOCUS AND GOALS

PCSC Mission Statement

The Public Charter School Commission's mission is to ensure PCSC-authorized public charter schools' compliance with Idaho statute, protecting student and public interests by balancing high standards of accountability with respect for the autonomy of public charter schools and implementing best authorizing practices to ensure the excellence of public charter school options available to Idaho families.

The PCSC's mission is focused on student and public interests, rather than on the interests of public charter schools. The schools themselves are critically important tools used to meet the desired ends. It is the responsibility of the PCSC to ensure that only those schools that improve student outcomes and represent prudent use of taxpayer dollars remain in operation and have the autonomy to thrive.

Workshop Focus

This workshop provides an opportunity for the PCSC and its staff to discuss the standards of quality to which the PCSC will hold its schools and petitioners, with an ultimate goal of promoting a high quality public charter school system in Idaho. Draft policies, procedures, and evaluation tools will be presented for the PCSC's consideration.

Discussion will focus on identification of challenges and solutions regarding the petitioning process and oversight of existing schools. This workbook is designed to provide:

1. An overview of the status of existing PCSC-authorized schools;
2. An opportunity to identify challenges facing the PCSC and its staff;
3. An opportunity to propose solutions and consider staff proposals; and
4. Background resources regarding best authorizing practices identified by national organizations.

Workshop Goals

1. Reach PCSC consensus and provide direction to staff regarding the petitioning process.
2. Move toward PCSC consensus and provide direction to staff regarding performance expectations for PCSC-authorized schools.
3. Provide feedback to staff regarding the draft policies, procedures, and evaluation tools included in this workbook.
4. Provide an opportunity for general PCSC discussion regarding issues related to quality charter authorizing in Idaho.

"From our perspective, quality authorizers are one of the primary ingredients of a successful public charter school sector in a state."

~ National Alliance for Public Charter Schools

TAB 2: THE CHARTER SCHOOL LANDSCAPE

This section provides an overview of the present status of Idaho’s public charter schools, focusing primarily on PCSC-authorized schools.

The charts provide an overview of schools’ academic status using their 2011-12 school year Star Ratings, which reflect proficiency, growth, and post-secondary readiness. A review of the Five-Star Rating System is provided in [Tab 6](#).

An additional chart demonstrates trend relationships among schools’ fiscal status, leadership quality, and Star Ratings.

Following the charts is a matrix summarizing staff’s perspective regarding authorizing challenges and proposed solutions. The matrix contains blank spaces intended for Commissioner input.

2011-12 Star Ratings for all Idaho Public Charter Schools – PCSC-Authorized vs. District-Authorized

School	Star Rating
Another Choice Virtual School	1
Heritage Academy	1
Idaho Connects Online (formerly KAID)	1
iSucceed Virtual High School	1
Kootenai Bridge Academy	1
Payette River Technical Academy	1
Wings Charter Middle School (formerly SILC)	1
DaVinci Charter School (formerly GCCS)	2
Heritage Community Charter School	2
Monticello Montessori School	2
Palouse Prairie School of Expeditionary Learning	2
The Village Charter School	2
ARTEC Charter School	3
Idaho Science and Technology Charter School	3
Idaho Virtual Academy	3
INSPIRE Connections Academy	3
Legacy Charter School	3
Richard McKenna Charter High School	3
Academy at Roosevelt Center, The	4
Anser Charter School	4
Blackfoot Community Charter Learning Center	4
Falcon Ridge Public Charter School	4
Idaho Arts Charter School	4
Liberty Charter School	4
Moscow Charter School	4
North Star Charter School	4
North Valley Academy	4
Pocatello Community Charter	4
Rolling Hills Public Charter School	4
Sage International School of Boise	4
Sandpoint Charter School	4
Taylor's Crossing Public Charter School	4
Upper Carmen Public Charter School	4
Victory Charter School	4
Vision Public Charter School	4
White Pine Charter School	4
Xavier Charter School	4
Coeur d' Alene Charter Academy	5
Compass Public Charter School	5
Idaho Distance Education Academy	5
Meridian Medical Arts Charter High School	5
Meridian Technical Charter High School	5
Thomas Jefferson Charter School	5

District authorized

PCSC authorized

43 public charter schools were evaluated using the Five-Star Rating System for the 2011-2012 school year. These included 29 PCSC-authorized schools and 14 district-authorized schools.

14% of non-charter schools earned 1-2 stars

28% of non-charter schools earned 3 stars

58% of non-charter schools earned 4-5 stars

28% of all charters earned 1-2 stars

14% of all charters earned 3 stars

58% of all charters earned 4-5 stars

38% of PCSC charters earned 1-2 stars

17% of PCSC charters earned 3 stars

45% of PCSC charters earned 4-5 stars

Idaho's public schools overall show stronger academic results than PCSC-authorized charters.

District-authorized charters also show stronger academic results than PCSC-authorized charters.

Factors to consider: District charters tend to be older and non-virtual. Some receive facilities support from their authorizing districts. Levels of district oversight vary widely. Districts tend to refer petitions, including weak petitions, to the PCSC in favor of outright denial.

Only schools earning 4 or 5 stars (or non-Title I schools) will be exempt from sanctions under NCLB.

2011-12 Star Ratings for PCSC-Authorized Public Charter Schools -- Virtual vs. Brick & Mortar

School	Star Rating
Another Choice Virtual School	1
Heritage Academy	1
Idaho Connects Online (formerly KAID)	1
iSucceed Virtual High School	1
Kootenai Bridge Academy	1
Wings Charter Middle School (formerly SILC)	1
DaVinci Charter School (formerly GCCS)	2
Heritage Community Charter School	2
Monticello Montessori School	2
Palouse Prairie School of Expeditionary Learning	2
The Village Charter School	2
Idaho Science and Technology Charter School	3
Idaho Virtual Academy	3
INSPIRE Connections Academy	3
Legacy Charter School	3
Richard McKenna Charter High School	3
Academy at Roosevelt Center, The	4
Blackfoot Community Charter Learning Center	4
Falcon Ridge Public Charter School	4
Liberty Charter School	4
North Valley Academy	4
Rolling Hills Public Charter School	4
Sage International School of Boise	4
Taylor's Crossing Public Charter School	4
Victory Charter School	4
Vision Public Charter School	4
White Pine Charter School	4
Xavier Charter School	4
Compass Public Charter School	5

Virtual

The PCSC authorizes 22 brick & mortar and 7 virtual schools.

Richard McKenna, shown here as virtual, also offers an on-site program.

North Valley Academy, shown here as brick & mortar, also offers a blended program; however, the number of students enrolled in that program is very small.

Virtual schools appear less likely than brick & mortar schools to earn 4-5 stars.

A 2010 NWREL study demonstrated that virtual charters in Idaho consistently perform at a lower level than brick & mortar charters in Idaho.

Virtual schools frequently report that their student attrition is relatively high, and students who remain in their programs for an extended period tend to show better results than those who do not.

Although the Five-Star Rating System is not well suited to Kootenai Bridge Academy's adult education/credit recovery focus, the SDE is unable to release the school from potential sanctions at this time. KBA, the SDE, and PCSC staff are in communication regarding how best to evaluate KBA's academic status.

2011-12 Star Ratings for PCSC-Authorized Public Charter Schools -- Challenging Populations

School	Star Rating
Another Choice Virtual School	1
Heritage Academy	1
Idaho Connects Online (formerly KAID)	1
iSucceed Virtual High School	1
Kootenai Bridge Academy	1
Wings Charter Middle School (formerly SILC)	1
DaVinci Charter School (formerly GCCS)	2
Heritage Community Charter School	2
Monticello Montessori School	2
Palouse Prairie School of Expeditionary Learning	2
The Village Charter School	2
Idaho Science and Technology Charter School	3
Idaho Virtual Academy	3
INSPIRE Connections Academy	3
Legacy Charter School	3
Richard McKenna Charter High School	3
Academy at Roosevelt Center, The	4
Blackfoot Community Charter Learning Center	4
Falcon Ridge Public Charter School	4
Liberty Charter School	4
North Valley Academy	4
Rolling Hills Public Charter School	4
Sage International School of Boise	4
Taylor's Crossing Public Charter School	4
Victory Charter School	4
Vision Public Charter School	4
White Pine Charter School	4
Xavier Charter School	4
Compass Public Charter School	5

High At-Risk/Special Population

Four PCSC-authorized schools are specifically designed to serve challenging populations, such as special needs or at-risk students.

Charters designed to serve challenging populations appear less likely than other schools to show strong performance as measured by the Five-Star Rating System.

The Five-Star Rating System's growth metrics compare students to their academic peers. This indicates that the low-achieving charters intended to serve challenging student populations are not fulfilling this mission as well as other Idaho public schools.

Accommodations for alternative schools are available within the Five-Star Rating System. However, charters are generally ineligible for alternative school designation because they must be open to all students, regardless of status.

"Many charter schools target students who are marginalized or underserved in mainstream district schools...These schools were granted charters specifically because they promised to successfully improve outcomes for these students...State policy should recognize that charter schools serving non-mainstream populations should be no less accountable for student outcomes."

~ NACSA

2011-12 Star Ratings for PCSC-Authorized Public Charter Schools -- School Maturity

School	Star Rating
Another Choice Virtual School	1
Heritage Academy	1
Idaho Connects Online (formerly KAID)	1
iSucceed Virtual High School	1
Kootenai Bridge Academy	1
Wings Charter Middle School (formerly SILC)	1
DaVinci Charter School (formerly GCCS)	2
Heritage Community Charter School	2
Monticello Montessori School	2
Palouse Prairie School of Expeditionary Learning	2
The Village Charter School	2
Idaho Science and Technology Charter School	3
Idaho Virtual Academy	3
INSPIRE Connections Academy	3
Legacy Charter School	3
Richard McKenna Charter High School	3
Academy at Roosevelt Center, The	4
Blackfoot Community Charter Learning Center	4
Falcon Ridge Public Charter School	4
Liberty Charter School	4
North Valley Academy	4
Rolling Hills Public Charter School	4
Sage International School of Boise	4
Taylor's Crossing Public Charter School	4
Victory Charter School	4
Vision Public Charter School	4
White Pine Charter School	4
Xavier Charter School	4
Compass Public Charter School	5

Established PCSC-authorized charters appear more likely to achieve 4-5 stars than young PCSC-authorized charters.

With few exceptions, charters that performed well in 2011-2012 also tended to perform well in their early years of operation. Charters that performed poorly in 2011-2012 tend to have a history of poor performance.

Observations of Five-Star Ratings over time will enable the PCSC to evaluate each school's performance pattern. This will permit well-informed and well-documented authorizing decisions.

Young School -- 2010 or newer

Developing School -- 2007 - 2009

Established School -- 2006 or older

2011-12 Star Ratings for PCSC-Authorized Public Charter Schools – Grade Composition

School	Star Rating
Another Choice Virtual School	1
Heritage Academy	1
Idaho Connects Online (formerly KAID)	1
iSucceed Virtual High School	1
Kootenai Bridge Academy	1
Wings Charter Middle School (formerly SILC)	1
DaVinci Charter School (formerly GCCS)	2
Heritage Community Charter School	2
Monticello Montessori School	2
Palouse Prairie School of Expeditionary Learning	2
The Village Charter School	2
Idaho Science and Technology Charter School	3
Idaho Virtual Academy	3
INSPIRE Connections Academy	3
Legacy Charter School	3
Richard McKenna Charter High School	3
Academy at Roosevelt Center, The	4
Blackfoot Community Charter Learning Center	4
Falcon Ridge Public Charter School	4
Liberty Charter School	4
North Valley Academy	4
Rolling Hills Public Charter School	4
Sage International School of Boise	4
Taylor's Crossing Public Charter School	4
Victory Charter School	4
Vision Public Charter School	4
White Pine Charter School	4
Xavier Charter School	4
Compass Public Charter School	5

2011-2012 Five-Star Ratings indicate that charters offering elementary grades, either exclusively or in combination with middle and high school grades, tend to outperform charters offering only upper grades. It should be noted, however, that the preponderance of high schools that are also virtual schools impacts this result.

Grades K-9 offered

Grades 6-8 offered

Grades 7-12 offered

Grades K-12 offered

2011-12 Fiscal, Leadership, and Academic Trend Relationships of PCSC-Authorized Schools

School – Fiscal Status	School – Leadership Quality	Star Rating
Another Choice Virtual School	Another Choice Virtual School	1
Heritage Academy	Heritage Academy	1
Idaho Connects Online (formerly KAID)	Idaho Connects Online (formerly KAID)	1
iSucceed Virtual High School	iSucceed Virtual High School	1
Kootenai Bridge Academy	Kootenai Bridge Academy	1
Wings Charter Middle School (formerly SILC)	Wings Charter Middle School (formerly SILC)	1
DaVinci Charter School (formerly GCCS)	DaVinci Charter School (formerly GCCS)	2
Heritage Community Charter School	Heritage Community Charter School	2
Monticello Montessori School	Monticello Montessori School	2
Palouse Prairie School of Expeditionary Learning	Palouse Prairie School of Expeditionary Learning	2
The Village Charter School	The Village Charter School	2
Idaho Science and Technology Charter School	Idaho Science and Technology Charter School	3
Idaho Virtual Academy	Idaho Virtual Academy	3
INSPIRE Connections Academy	INSPIRE Connections Academy	3
Legacy Charter School	Legacy Charter School	3
Richard McKenna Charter High School	Richard McKenna Charter High School	3
Academy at Roosevelt Center, The	Academy at Roosevelt Center, The	4
Blackfoot Community Charter Learning Center	Blackfoot Community Charter Learning Center	4
Falcon Ridge Public Charter School	Falcon Ridge Public Charter School	4
Liberty Charter School	Liberty Charter School	4
North Valley Academy	North Valley Academy	4
Rolling Hills Public Charter School	Rolling Hills Public Charter School	4
Sage International School of Boise	Sage International School of Boise	4
Taylor's Crossing Public Charter School	Taylor's Crossing Public Charter School	4
Victory Charter School	Victory Charter School	4
Vision Public Charter School	Vision Public Charter School	4
White Pine Charter School	White Pine Charter School	4
Xavier Charter School	Xavier Charter School	4
Compass Public Charter School	Compass Public Charter School	5

Critical

Concern

On Watch

Acceptable

Strong

Fiscal and governance ratings shown here represent staff opinion based on school presentations and audits, staff site visits, and general contact with schools, the SDE, stakeholders, and other knowledgeable sources.

Identification of Problems and Solutions

The data provided above demonstrates that a significant percentage of PCSC-authorized schools are failing to fulfill at least the first legislative intent cited in Idaho's charter school statute: Improve student learning.

Because authorizing activity is widely recognized to be one of the major factors in the success or failure of the charter sector as a whole, it behooves the PCSC to consider its own impact on charter school quality in Idaho.

This section focuses on how Idaho's statute, PCSC staff activity, and PCSC decisions have contributed to – and could be changed to improve – the quality of our public charter schools. PCSC staff has identified the following list of contributing factors and proposed solutions. Empty spaces on the chart provide an opportunity for Commission input.

Contributing Factor	Proposed Solution(s)
Statutory focus on means instead of ends.	Amend statute to tie authorizer action to outcomes – not inputs -- through the use of performance contracts. Eliminate the notice of defect (NOD) process.
Lack of statutory tools to enforce quality; particularly, inability to close persistently mediocre or low-performing schools.	Amend statute to require 5-year renewals based on objective, data-driven performance frameworks.
Lack of access to extensive, high-quality data regarding school quality indicators.	Use Five-Star Rating System and ISEE for data collection and analysis.
Lack of consistent means of evaluating schools based on objective data.	Develop and apply performance framework. Establish minimum quality standards for PCSC-authorized schools. Enforce performance contracts.
Petition approval history, including: <ul style="list-style-type: none"> ■ “Babysitting effect” of multiple staff reviews and PCSC hearings ■ Lack of published, consistent criteria for approval eligibility ■ Perceived pressure to approve all petitions that meet minimum statutory requirements 	Establish petition consideration policies limiting number of staff reviews and PCSC hearings. Publish and utilize Petition Evaluation Rubric, including minimum rubric scores required for approval eligibility. Amend statute to limit number of petition reviews and restrict final decisions to specific concerns cited at previous petition hearings.
Limited autonomy for public charter schools.	Replace NOD process with renewals and contracts to remove authorizer micromanagement and focus on results. Consider means of improving financial support for public charter schools, including facilities funding and/or improved financing opportunities. Retain fiscal oversight but remove authorizer from school closure process on financial grounds. Protect taxpayers through rescheduling of state disbursements.
Inadequate authorizer resources.	Consider means of tying authorizer funding to number of schools overseen.

TAB 3: PROPOSED POLICIES

This tab contains draft policies related to the proposed solutions identified by staff in [Tab 2](#) of these materials. The proposed policies refer to tools such as the Petition Evaluation Rubric and Performance Framework, drafts of which are provided in Tab 4.

Policy Section I is reserved for General Governing Policies and Procedures, which are not yet drafted.

Policy Section II is reserved for Oversight Policies and Procedures. [Section II.A](#), Submission of Meeting Materials, was adopted by the PCSC in June 2011 and is shown with grey highlight to indicate that no PCSC consideration of this section is required.

[Section II.B](#) “New Charter Petitions” is a new, draft section presented for the PCSC’s consideration. It comprises a Petition Consideration Timeline, Standards for Petition Approval, Petition Evaluation Standards, and PCSC Decisions at initial and second hearings. The policies in this section are intended to accomplish the following:

1. Provide petitioners with clear standards in advance of and during petition development;
2. Provide petitioners, PCSC staff, and the PCSC with a consistent tool for petition evaluation;
3. Provide petitioners, PCSC staff, and the PCSC with minimum standards for approval eligibility;
4. Establish consequences for failure to comply with submission deadlines;
5. Place the burden of quality petition development on petitioners rather than extended coaching by PCSC staff and the PCSC;
6. Limit the volume of PCSC staff and PCSC time spent on consideration of petitions developed by groups that do not evidence the skills required to manage taxpayer dollars for the operation of a high quality school; and
7. Expand documentation to support PCSC decisions in case of petition denial appeals.

COMMISSION ACTION

A motion to approve PCSC Policy Section II.B “New Charter Petitions” as submitted.

OR

A motion to approve Policy Section II.B “New Charter Petitions” with the following changes:

Moved by _____ Seconded by _____ Carried Yes _____ No _____

The PCSC may also direct staff to redraft the policies in anticipation of future consideration by the PCSC.

[Section II.C](#) “Proposed Charter Amendments” is a new, draft section presented for the PCSC’s consideration. It addresses a Proposed Charter Amendment Consideration Timeline, Standards for Charter Amendment Approval, a Proposed Charter Amendment Evaluation Process, and PCSC

Decisions Regarding Proposed Charter Amendments. The policies in this section are intended to accomplish the following:

1. Provide charter holders with clear standards in advance of and during amendment proposals.
2. Provide charter holders, PCSC staff, and the PCSC with a consistent tool for amendment evaluation.
3. Provide charter holders, PCSC staff, and the PCSC with minimum standards for amendment eligibility.
4. Establish consequences for failure to comply with submission deadlines.
5. Reduce the amount of PCSC regular meeting time spent on consideration of proposed amendments by creating a PCSC Charter Amendment Committee.
6. Expand documentation to support PCSC decisions in case of proposed amendment denials.

As referenced in #5 above, PCSC staff recommends that the PCSC form a committee for the consideration of proposed charter amendments. Pursuant to IDAPA 08.02.04.302.03, proposed charter amendments need not be considered in a public meeting. This creates an opportunity for the PCSC to limit regular meeting time spent on proposed amendments, leaving those decisions that extend beyond the purview of PCSC staff to a Charter Amendment Committee (CAC). The CAC could meet by phone as needed to provide schools with prompt responses to amendment proposals.

If the PCSC wishes to form a CAC, three Commissioners could be selected to serve on the new committee. The PCSC may also direct staff to draft policies and procedures related to the CAC, including term of service, materials submission guidelines, and decision-making.

COMMISSION ACTION

A motion to approve PCSC Policy Section II.C “Proposed Charter Amendments” as submitted.

OR

A motion to approve Policy Section II.C “Proposed Charter Amendments” with the following changes:

_____.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

The PCSC may also direct staff to redraft the policies in anticipation of future consideration by the PCSC.

Policy Section II.D “Performance Standards” will be drafted following further development of the performance framework.

Section I: (Reserved for General Governing Policies & Procedures)

Section II: Oversight Policies and Procedures

A. Submission of Meeting Materials (Adopted June 28, 2011)

1. **Regular Meeting Materials Deadline:** Materials to be considered at a regular meeting of the Public Charter School Commission (PCSC) will be received by the PCSC office no later than thirty (30) days prior to the meeting date. Additional or revised materials will be received after this deadline only upon the specific direction of PCSC staff.
2. **Fiscal Materials Deadline:** Updated materials related to fiscal information specifically requested by PCSC staff will be received by the PCSC office no later than 8:00 a.m. three (3) business days prior to a regular meeting date. This provision notwithstanding, fiscal information must also be provided in accordance with the 30-day deadline.
3. **Special Meeting Materials Deadline:** Materials to be considered at a special meeting of the PCSC will be received by the PCSC office no later than 48 hours prior to the meeting time. Additional or revised materials will be received after this deadline only upon the specific direction of PCSC staff.
4. **Meeting Materials Format:** Meeting materials must be submitted electronically via electronic mail, web-based file-sharing services, or portable data storage device. Documents must be combined into the smallest possible number of files (preferably a single, Adobe PDF). Materials submitted in hard copy or as more than five (5) separate electronic files will not be accepted, except in rare cases as specifically directed, in advance, by PCSC staff.
5. **Additional Materials and Handouts:** No additional materials or handouts will be accepted at PCSC meetings. Rare exceptions will be made only as specifically directed by the Chairman.
6. **Audio/Visual Presentations:** Audio/visual presentation files must be submitted one (1) week prior to a regular meeting or 48 hours prior to a special meeting. Such files must be submitted to the PCSC office via electronic mail, web-based file-sharing services, or portable data storage device, and will be made available to presenters at the meeting site using PCSC computer and projection equipment.

B. New Charter Petitions (New Section Proposed January 15, 2013)

1. Petition Consideration Timeline

- a. The PCSC shall consider new charter school petitions on a timeline in compliance with I.C. § 33-5205.
- b. New charter petitions shall be considered only at regularly scheduled PCSC meetings.
- c. The PCSC shall hold an initial hearing to consider the merits of the petition held within 75 days after a petition is “considered received” as defined in IDAPA 08.03.01.300.03.
- d. The PCSC shall make a decision regarding the petition within 75 days after the initial hearing, unless the PCSC and petitioners have mutually agreed upon a delay.

2. Standards for Petition Approval

- a. In order to be eligible for approval, a charter petition must score at least a 2 on every indicator on the Petition Evaluation Rubric (PER). The PER shall be available to charter petitioners in advance of petition submission.
- a. Consideration shall be given to indicators receiving a score of 3 and thereby influencing the total points earned to demonstrate the overall strength of the petition, but such indicators shall not overrule Section II.B.2.a of this policy.
- b. Petitions shall be scored against the PER by PCSC staff in advance of the PCSC’s consideration of the petition. The PCSC may, at its discretion and by formal motion, modify the PER ratings recommended by PCSC staff.
- c. The PCSC shall, in making approval or denial decisions, consider whether the charter petitioners have exhibited a clear and consistent history of timely and thorough responses to SDE, PCSC staff, and PCSC recommendations.

3. Petition Evaluation Process

- a. Petitions shall be submitted electronically via electronic mail, web-based file-sharing services, or portable data storage device. Documents must be combined into no more than two (2) files, one comprising the body of the petition and the other the combined appendices. The body of the petition must be submitted in Microsoft Word format.
- b. Upon initial submission to the PCSC office, petitions shall be evaluated using the PER. Results shall be provided to the petitioning group within 30 days.
- c. One (1) petition revision shall be accepted by PCSC staff prior to the initial PCSC hearing, provided it is received no later than the meeting materials submission deadline described in Section II.A.1 of this policy.
 - i. Revised petitions shall show all changes in legislative format, with the exception of changes to budget spreadsheets and PCSC templates. The “show changes” feature in Word shall not be considered an acceptable substitute for legislative format.
 - ii. Revised petitions shall clearly show the submission date of the revision on the title page.
 - iii. Petition revisions shall be submitted in accordance with Section II.B.3.a of this policy. The entire petition, including appendices, must be submitted with each revision.
 - iv. Petition revisions submitted out of compliance with this section shall be returned to the petitioners without further review.

- v. Petition revisions that fail to substantially address concerns previously cited by the PCSC and PCSC staff shall be returned to the petitioners without further review.
 - vi. Petition revisions that are returned without review in accordance with this policy may be resubmitted, with relevant corrections made, within the initial deadlines imposed by this policy.
- d. The most recent, complete petition revision in the possession of PCSC staff by close of business (5:00 p.m. Mountain Time) on the meeting materials submission deadline will be the version provided to the PCSC.
- e. The petition revision provided to the PCSC shall be accompanied by a PER updated to reflect the merits of that revision. The petitioning group shall also be provided with the updated PER results.
- f. Additional revisions or supplementary documents submitted separately from the petition and/or after the materials submission deadline shall not be considered, except in rare cases by advance permission of PCSC staff. Public comment on the petition is excluded from this provision.
- g. If, at the initial hearing, a decision regarding a petition is delayed, one (1) revision will be accepted by PCSC staff prior to the second PCSC hearing, provided it is received no later than the meeting materials submission deadline.
 - i. If, in the opinion of PCSC staff, the revision demonstrates clear effort to resolve all previously identified concerns but still does not score all 2's or better on the PER, primarily for reasons beyond the petitioners' control, PCSC staff shall offer the option of a mutually-agreed delay until the following regularly scheduled PCSC meeting. One (1) additional revision to the section(s) of the petition responsible for the delay will be accepted by PCSC staff, provided it is received no later than the meeting materials submission deadline and in accordance with Section II.B.3.c.i-iii of this policy.
 - ii. If, in the opinion of PCSC staff and with agreement of the PCSC chairman, the revision does not demonstrate clear effort to resolve all previously identified concerns and still does not score all 2's or better on the PER, the second hearing shall proceed as previously agreed.

4. PCSC Decision at Initial Hearing

- a. The PCSC may approve or deny the petition at the initial hearing.
 - i. The PCSC may approve a new charter petition contingent upon minor, specific revisions that the petitioners are directed to make to PCSC staff's satisfaction. The PCSC's written notice of approval shall not be issued until the revisions are approved by PCSC staff. If not finalized by written notice, the PCSC's contingent approval shall expire effective at 8:00 a.m. Mountain Time on the date of the PCSC's next regularly scheduled meeting.
- b. The PCSC may unilaterally delay a decision on the petition for up to 75 days.
- c. The PCSC may delay a decision on the petition for a specified longer period, by mutual agreement with the petitioners, as provided by I.C. § 33-5205(2).
 - i. If the PCSC and petitioners mutually agree to delay a decision on the petition, such agreement shall be made in writing and signed by representatives of both parties at the time the agreement is reached.
 - ii. The PCSC shall not agree to additional delays requested by petitioners who have failed to submit a thorough and timely revision in accordance with Section II.B.3 of this policy.

- d. The PCSC may, at its discretion and by formal motion, agree to mutually-agreed delays under the following circumstances:
 - i. The PCSC judges the petition to be substantially worthy of approval, pending correction of matters beyond the petitioners' control but which the petitioners have demonstrated best effort to address, or
 - ii. The PCSC determines that the petitioners should be permitted additional time in which to address newly identified issues not previously cited in staff reviews of the petition.
- e. When delaying a decision on a petition, the PCSC shall specify the reasons for such delay.

5. PCSC Decision at Second Hearing

- a. The PCSC shall approve or deny the petition at the second hearing.
 - i. The PCSC may approve a new charter petition contingent upon minor, specific revisions that the petitioners are directed to make to PCSC staff's satisfaction. The PCSC's written notice of approval shall not be issued until the revisions are approved by PCSC staff. If not finalized by written notice, the PCSC's contingent approval shall expire effective at 8:00 a.m. Mountain Time on the date of the PCSC's next regularly scheduled meeting.
- b. The PCSC shall endeavor to limit its review at the second hearing to the reasons for delay cited during the first hearing; however, exceptions may be made in the case of substantial new information received by the PCSC, including material changes or additions to the petition beyond those requested by the PCSC at the first hearing.

C. Proposed Charter Amendments (New Section Proposed January 15, 2013)

1. Proposed Charter Amendment Consideration Timeline

- a. The PCSC will consider new charter school petitions on a timeline in compliance with IDAPA 08.02.04.302.03.
- b. In accordance with IDAPA 08.02.04.302.03, the PCSC delegates to the Public Charter School Commission Director authority to approve minor charter revisions. The decisions of the Director regarding proposed charter amendments shall be considered decisions of the PCSC.
- c. The PCSC may establish a committee for the consideration of proposed charter amendments outside a public meeting. The decisions of such committee regarding proposed charter amendments shall be considered decisions of the PCSC.
- d. Pursuant to I.C. §33-5206(8), proposals to increase enrollment by 10% or more of the public charter school's approved enrollment cap shall be considered by the PCSC during a public hearing.

2. Standards for Charter Amendment Approval

- a. In order to be eligible for approval, a proposed charter amendment must score at least a 2 on every relevant indicator on the Petition Evaluation Rubric (PER). The PER will be available to charter holders in advance of amendment submission.
- b. Consideration shall be given to indicators receiving a score of 3 and thereby influencing the total points earned to demonstrate the overall strength of the proposed charter amendment, but such indicators shall not overrule Section II.C.2.a of this policy.
- c. Proposed charter amendments shall be scored against the PER by PCSC staff in advance of consideration of the proposed charter amendments. The PCSC or its committee may, at its discretion and by formal motion, modify the PER ratings recommended by PCSC staff.
- d. The PCSC or its committee shall, in making charter amendment approval or denial decisions, consider whether the charter holders have exhibited a clear and consistent history of timely and thorough responses to SDE, PCSC staff, and PCSC recommendations.

3. Proposed Charter Amendment Evaluation Process

- a. Proposed charter amendments shall be submitted electronically via electronic mail, web-based file-sharing services, or portable data storage device.
- b. Proposed charter amendments shall be accompanied by a cover letter explaining the nature of and rationale for the proposed amendment. Supporting documentation, including budgets, shall be provided when relevant.
- c. Documents associated with a proposed charter amendment must be combined into no more than two (2) files, one comprising the section(s) of the charter to be amended and the other comprising the cover letter and documentation described in Section II.C.3.b of this policy. The charter or excerpt(s) thereof must be submitted in Microsoft Word format.
- d. Proposed charter amendments must show all proposed changes in legislative format. Use of Microsoft Word's "show changes" feature shall not be considered an acceptable substitute for legislative format.
- e. One (1) revision of the proposed charter amendments will be accepted by PCSC staff prior to the PCSC hearing, provided it is received within the deadline established in writing by PCSC staff.

- f. The most recent, complete revision in the possession of PCSC staff by close of business (5:00 p.m. Mountain Time) on the deadline established in writing by PCSC staff shall be the version provided to the PCSC or its committee.
- g. The revision provided to the PCSC or its committee will be accompanied by a PER updated to reflect the merits of that revision. The charter holder will also be provided with the updated PER results.
- h. Additional revisions or supplementary documents submitted separately from the proposed charter amendment and/or after the deadline established in writing by PCSC staff not be considered, except in rare cases by advance permission of PCSC staff. Public comment on the proposed charter amendment is excluded from this provision.
- i. In the case of proposed charter amendments considered by the PCSC or its committee, a decision regarding the proposed charter amendment shall be made at the time of consideration.

4. PCSC Decisions Regarding Proposed Charter Amendments

- a. The PCSC or committee established by the PCSC for the consideration of proposed charter amendments may approve or deny a proposed charter amendment at the time of consideration.

TAB 4: PETITION EVALUATION RUBRIC

This tab contains a draft Petition Evaluation Rubric (PER) recommended by staff for immediate use. The PER establishes clear, minimum standards that all new charter petitions and proposed charter amendments must meet in order to be eligible for approval.

In accordance with draft policy Section II.B “New Charter Petitions” contained in [Tab 3](#), the rubric will be available to petitioners and charter holders via the PCSC website at all times. New petitions and proposed amendments brought before the PCSC will be accompanied by a completed PER. Staff’s decisions regarding placement on the PER could be modified by a majority of the PCSC, thereby changing a petition’s or amendment’s eligibility for approval in accordance with the PCSC’s discretion.

In addition to a blank copy of the PER, this tab contains two samples of completed PERs. These samples were completed by PCSC staff in the review of two, actual petitions recently before the PCSC.

PUBLIC CHARTER SCHOOL PETITION EVALUATION RUBRIC

Name of proposed school: _____ File Number: _____

Date petition originally submitted to PCSC office: _____ Date “considered received”: _____

Date of this revision’s submission: _____ Date of this review: _____

Date(s) of previous review(s) of this petition: _____

Means by which petition came to PCSC:

Virtual School

Referred by School District

(Reason: _____)

Filed by petitioner after withdrawal from school district

Transfer of district-authorized charter school

SBOE redirected petition for consideration by PCSC

Using the Public Charter School Petition Evaluation Rubric

This rubric provides the Public Charter School Commission with a means of evaluating the quality of the application and communicating its findings to petitioning groups. Quality indicators are provided for each petition component. All components listed in the rubric are required by the PCSC. A petition that sufficiently addresses an indicator will score either a “2” or a “3” for that indicator. Only petitions that score a “2” or above on ALL indicators for ALL components will be eligible for approval.

Proposed amendments to previously-approved charters must also meet the minimum standards defined by this rubric. In the case of proposed charter amendments, only the sections of the rubric relevant to the proposed amendments will be completed.

Current placement on the rubric is represented by yellow highlighting. Additional guidance may be found in the Comments column, as well as the General Comments below each section.

Please see PCSC Policy Section II.B for requirements related to the submission of petitions and petition revisions.

Cover Page and Table of Contents					
The cover page must include the information listed in IDAPA 08.03.01.401.01. The Table of Contents shall begin on page 2 of the petition pursuant to IDAPA 08.03.01.401.02.					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Cover Page	Cover page does not contain all required elements.		Cover page contains all required elements.	Cover page contains all required elements, is professionally formatted, and clearly reflects the submission date of the current version.	
Table of Contents	Table of contents is poorly organized, incomplete, or inaccurate.	Table of contents contains few, minor errors.	Table of contents is well-organized and page numbers are accurate.	Table of contents is well-organized, with accurate page numbers and hyperlinks to each tab.	

General Comments regarding Cover Page and Table of Contents:

Tab 1					
See IDAPA 08.03.01.401.03					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Executive Summary	Executive summary is not included.	Executive summary provides an incomplete or unappealing case for the school.	Executive summary succinctly introduces: school concept; community need and interest; motivation and collective qualification of petitioning group; and how success of the school will be defined.		
Articles of Incorporation	Articles of Incorporation are not included, or are included but unsigned.	Signed Articles of Incorporation are included but require revision.	Signed Articles of Incorporation, including any amendments thereto, are included as an appendix to the petition.	It is clear that the petitioners understand the nature and purpose of the Articles.	

Bylaws	Bylaws are not included, or are included but unsigned.	Signed Bylaws are included, but require revision.	Signed Bylaws are included as an appendix to the petition.	It is clear that the petitioners understand the nature and purpose of the Bylaws.	
	Bylaws do not address the process by which board members will be selected.	Bylaws partially address the process by which board members will be selected. Process for board selection may be addressed, but bylaws lack full clarity and detail.	Bylaws outline a clear process for selection of board members, including: number and designation of seats, board member terms, elections vs. appointments, nomination and voting procedures, eligible voters, applicable definitions, etc.		
Elector Signatures	Elector petition and/or documentation of proof elector qualifications are not included, or the number of qualified electors is insufficient.		Elector petition and documentation for proof of elector qualifications are included.		
Vision and Mission Statements	Vision statement is not provided.	Vision statement does not express a clear, focused, and compelling purpose for the school.	Vision statement expresses a clear, focused, compelling, and measurable purpose for the school.	Vision statement clearly translates into achievable goals, selected curriculum, operational methods, and school culture.	
	Mission statement is not provided.	Mission statement does not focus on educational outcomes or is unlikely to result in increased student achievement.	Mission statement focuses on high-quality educational outcomes as is likely to result in increased student achievement.	Research is cited to support the outcomes and expectations identified in the mission statement.	

General Comments regarding Tab 1:

Tab 2					
See IDAPA 08.03.01.401.04					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments

Proposed Operations	Proposed operations are not addressed or are noncompliant.	Proposed operations are addressed in insufficient details.	Proposed operations are summarized, including: legal status, location, enrollment, student demographics, organizational structure, and educational method.	Proposed operations section identifies where in the petition items are addressed in additional detail.	
Potential Effects	Potential effects are not addressed.	Potential effects are addressed in insufficient detail.	<p>Potential effects address the impact of the proposed school on local and neighboring school districts, as well as the community.</p> <p>Demographic and fiscal impact information is included with source material referenced.</p>	Comments from affected districts are included by reference to the appendix.	
Target Market	Primary attendance area is not addressed.	Primary attendance area is insufficiently clear or appears inappropriate for the school's targeted mission, enrollment, or demographic.	Primary attendance area is clearly described and appears appropriate.	<p>Map of attendance area is included and boundaries are clearly explained.</p> <p>Documentation demonstrates that the attendance area is appropriate.</p>	
	Level of market interest in the school is not addressed.	Level of market interest in the school is insufficient or insufficiently demonstrated.	Petition sufficiently demonstrates and documents interest in and demand for the school.	Aggregate demographic data regarding families interested in enrollment at the school is included by reference to the appendix.	

	Petitioners have not engaged in significant outreach activity.	Past and planned outreach activities may not be adequate to ensure community interest and involvement.	Outreach activities designed to reach a broad audience have resulted in documented enrollment interest and community involvement with school development. Planned outreach is specific and ongoing.		
Facilities	Specific facility options have not been identified, or too few facility options are provided.	Descriptions of multiple, specific facility options are included; however, detail is insufficient or the facilities may not be adequate to ensure full implementation of the educational program.	Descriptions of three or more realistic facility options are provided with sufficient detail indicating that the facilities are appropriate and sufficient. Facility options are presented using the completed PCSC Facility Options template.	The primary facility option is unusually strong, such as a guaranteed donation of a building or land. Reasonable, well-supported backup options are also included.	
	One or more of the proposed facilities are not located within the primary attendance area and/or the district by which the petition was referred to the PCSC.		All of the proposed facilities are located within the primary attendance area and the district by which the petition was referred to the PCSC.		
	Timelines for facility completion are absent or unreasonable.	Timelines for preparation of one or more of the facility options are aggressive and may not be attainable.	Reasonable and appropriate timelines for completion of all facility options are provided.	Contingency plans are provided for use in the event that facility preparation timelines cannot be met.	

	Petition does not demonstrate that the facilities is (or can be) in compliance with applicable codes, health and safety laws, ADA requirements, etc.	Petition partially demonstrates that the facilities are (or can be) in compliance with applicable codes, health and safety laws, ADA requirements, etc. However, additional information is needed to ensure compliance.	Petition demonstrates that the facilities are (or can be) in compliance with applicable codes, health and safety laws, ADA requirements, etc.	Certificates to verify compliance and/or written quotes for bringing facilities into compliance are included by reference to the appendix.	
Administrative Services	Administrative services are not clearly defined.	Administrative services plans are weak or unrealistic.	Administrative services are clearly addressed and appropriate for school size.	Organization chart is provided to illustrate administrative structure.	
Civil Liability	Potential civil liability effects are not addressed.	Potential civil liability effects require additional clarification or explanation.	Potential civil liability effects on the school, authorizer, and local district(s) are clearly addressed and in compliance with statute.		
Insurance	A list of the types of insurance to be obtained is not provided.	The petition lists the types of insurance that will be provided, but omits one or more required policy.	The petition lists all the types of insurance that must be provided.	The petition commits to obtaining Errors and Omissions insurance, which is recommended but not required.	

General Comments regarding Tab 2:

Tab 3					
See IDAPA 08.03.01.401.05					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Education al Philosophy	Description of “educated person” is not included.	Description of “educated person” does not clearly relate to school’s vision, mission, and/or instructional model.	Description of “educated person” clearly relates to school’s vision, mission, and instructional model.	Description of “educated person” is supported by research.	

	Explanation of “how learning best occurs” is not included.	Explanation of “how learning best occurs” does not clearly relate to the school’s vision, mission, and/or instructional model.	Explanation of “how learning best occurs” clearly relates to the school’s vision, mission, and instructional model.	Explanation of “how learning best occurs” is supported by research.	
Educational Program	It is unclear how the educational program relates to the vision and mission.	The description of the educational program attempts to address its relationship to the vision and mission, but additional development is required.	The description of the educational program directly relates to and supports the vision and mission.		
	Educational program fails to offer a choice currently unavailable or insufficiently accessible in the community.		Educational program offers a choice currently unavailable or insufficiently accessible in the community.		
	Description of educational program does not include an explanation of the instructional practices and/or curriculum.	Description of educational program does not provide a clear picture of the school’s plan.	Description of educational program includes instructional practices and curriculum, and illustrates for non-educators how the school will address academics.	Description of educational program is detailed and includes explanations and examples of the instructional practices and types of curriculum to be used by the school.	
	Educational program does not appear to be research-based.	Educational program is indicated to be research-based, but specifics are not provided.	Educational program is research-based and references are provided.	Research-based educational program has a record of success in other schools, which will directly assist implementation at the proposed new school.	
	The petition does not address Common Core.	The petition reflects incomplete understanding of Common Core or fails to address how the school will ensure its educational program will align with Common Core standards.	The petition reflects strong understanding of Common Core and addresses the means by which the educational program will align with Common Core standards.	The petition includes a specific plan and timeline for ensuring alignment of the educational program with Common Core standards.	

	Curriculum framework is not provided.	Curriculum framework is addressed but incomplete or poorly aligned with mission and goals.	Curriculum framework is clear and aligned with mission and goals.		
	Graduation requirements are not adequately addressed.		If proposed school will offer high school grades, petition states that the school's graduation requirements will align with those of the state.		
Goals	Goals of the educational program are not included.	Goals are addressed but are too vague to permit meaningful evaluation of success or failure.	Goals are specific, measurable, and reflective of high standards for the target population.	Goals are tied to benchmarks based on reliable research and data.	
	Goals do not clearly align with the vision and mission.		Goals clearly align with the vision and mission.		
	Petition does not include stated objectives and strategies for reaching identified goals.	Petition includes stated objectives and strategies; however, the selected objectives and strategies are not backed by evidence of their effectiveness.	Stated objective and strategies for reaching identified goals are research-based.	Stated objective and strategies for reaching identified goals are research-based and demonstrably effective for the target demographic.	
	Data collection plan is vague or not included.	Data collection plan is insufficient for evaluation of the school's achievement related to identified goals.	Data collection plan is realistic and effective for evaluation of the school's achievement related to identified goals.	Detailed data collection plan reflects research and statistical expertise.	

	Plan for consistent monitoring of progress toward meeting goals is not provided.	Plan for progress monitoring is limited or insufficient.	Plan for consistent monitoring of progress toward meeting goals is realistic.	Plan for progress monitoring includes a description of how the school will make modifications based on data, addressing how the information will be used by administration, faculty, and the board for ongoing school improvement.	
	Plan for annual reporting of results related to identified goals is not included.	Plan for annual reporting of results is vague or insufficient.	Plan for annual reporting of results related to identified goals is clear and ensures transparency to stakeholders, authorizer, and the general public.		
Educational Thoroughness Standards	Methods for addressing educational thoroughness standards are not included.	Educational thoroughness standards are addressed, but the means by which they will be fulfilled is unclear or insufficient.	Explanation of the means by which all educational thoroughness standards will be fulfilled includes specific strategies.		
	Methods for addressing educational thoroughness standards do not reflect mission and goals.	Methods for addressing educational thoroughness standards inadequately reflect mission and goals.	Methods for addressing educational thoroughness standards clearly reflect mission and goals.		
Special Education Services	Petition does not clearly state that the school will adopt the SDE's Special Education Manual.		Petition states that the school will adopt the SDE's Special Education Manual.		
	No process is in place to identify special needs students and provide the services they require or plan is non-compliant.	Plan for identifying and serving special needs students is incomplete.	Strong, compliant plan for identifying and serving special needs students is in place and considers the following: IDEA, 504, FAPE, IEPs, and RTI intervention strategies.	Strategies and interventions reflect how special education services will be enhanced by the school's mission.	

	Staffing allocations for special education are not addressed.	Staffing allocations for special education appear insufficient.	Staffing allocations for special education appear adequate. Plans consider contracting for particular services if necessary.		
	Transportation plans for special needs students are not included, or are non-compliant.	Transportation plans for special needs students are vague or inadequate.	Appropriate transportation plans for special needs students are included regardless of transportation services available to other students.		
Gifted and Talented	No process is in place to identify GT students and provide the services they require, or plan is non-compliant.	Plan for identifying and serving GT students is incomplete.	Strong, compliant plan for identifying and serving GT students is in place and reflects understanding related requirements, including ongoing monitoring.	Strategies and interventions reflect how GT services will be enhanced by the school's mission.	
English Language Learners	No process is in place to identify ELL students and provide the services they require, or plan is non-compliant.	Plan for identifying and serving ELL students is incomplete.	Strong, compliant plan for identifying and serving ELL students is in place and reflects understanding related requirements, including ongoing monitoring and exiting.	Strategies and interventions reflect how ELL services will be enhanced by the school's mission.	
Dual Enrollment	Plan for working with parents of dually enrolled students is not included, or plan is non-compliant.	Plan for working with parents is incomplete or reflects inadequate understanding of statute and district policies.	Plan addresses how parents will be made aware of dual enrollment opportunities and expresses willingness to communicate with all relevant parties. Understanding of statute and district policies is evident.	Petition addresses whether non-charter students will be permitted to dually enroll at the public charter school.	

General Comments regarding Tab 3:

Tab 4

See IDAPA 08.03.01.401.06

	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Measurable Student Educational Standards	The petition does not contain MSES that are specific, outcome-based, academically-focused, measurable, and time-specific.	Some or all of the MSES require revision to meet PCSC standards for academic targets.	The MSES meet or exceed PCSC standards for academic targets, address all major academic areas.		
	The MSES do not appear to reflect the school's mission.		The MSES reflect the school's mission.		
	The MSES rely on measurement tools that are not consistent and objective.	Some of the MSES rely on measurement tools that are not consistent or objective; or, it appears the petitioners do not fully understand the measurement tools.	The MSES rely on measurement tools that are consistent and objective. The Five-Star Rating System is used for some of all MSES. Any measurement tools specific to the school's educational model are research-based and demonstrably reliable.		
	MSES do not refer to the Five-Star Rating System or indicate significant lack of understanding regarding how ratings are determined.	Those MSES that refer to the Five-Star Rating System are insufficient to aid the school in achieving an overall rating of 4 or better.	Those MSES that refer to the Five-Star Rating System are appropriate to aid the school in achieving an overall rating of 4 or better.	Use of the Five-Star Rating System in developing MSES reflects strong understanding of how ratings are determined.	
	The MSES do not appear appropriate for the target demographic.	The MSES, though intended to be appropriate for the target demographic, fail to meet minimum PCSC standards.	The MSES appear appropriate for the target demographic and meet or exceed minimum PCSC standards.	The MSES reflect a commitment to exceptional growth for all students.	

	The MSES do not include comparisons to other student populations.	The MSES attempt to make comparisons with other student populations, but editing is required.	The MSES contain appropriate commitments to improving student outcomes as compared to similar student populations and state minimums.		
Methods of Measuring Student Progress	The methods by which student progress in meeting the MSES will be measured are not addressed.	The methods by which student progress in meeting the MSES will be measured reflect limited understanding of the measurement tools.	The methods by which student progress in meeting the MSES will be measured are addressed in a manner that reflects clear understanding of the measurement tools. Other major methods of evaluating student progress (beyond the MSES) are also addressed.	The petition describes diverse, research-based methods by which student progress will be measured and explains how the resultant data will be applied to improve student outcomes.	
	Plan for annual reporting of results related to MSES is not included.	Plan for annual reporting of results is vague or insufficient.	Plan for annual reporting of results related to MSES is clear and ensures transparency to stakeholders, authorizer, and the general public.		
	The manner in which students will be tested with the same standardized tests as other Idaho public school students is not addressed.	The manner in which students will be tested with the same standardized tests as other Idaho public school students requires revision.	The manner in which students will be tested with the same standardized tests as other Idaho public school students is addressed, including how the school will ensure maximum participation.		
Accreditation	Accreditation is not addressed, or the petition to commit to obtaining such for grades 9-12.	The petition commits to obtaining accreditation for grades 9-12. However, the petitioners appear to lack understanding of the accreditation process.	The petition commits to obtaining accreditation for grades 9-12 and demonstrates a clear understanding of the process.	The petition commits to obtaining accreditation for all grades.	

Accountability and School Improvement	The petition does not demonstrate an understanding of the Five-Star Rating System.	The petition demonstrates limited understanding of the Five-Star Rating System.	The petition demonstrates solid understanding of the Five-Star Rating System.	The petition evidences understanding of how Five-Star Rating System data should be interpreted and applied at the school, classroom, and student levels.	
	A plan for how the school will respond if it is ever identified as being “in need of improvement” under No Child Left Behind (NCLB) is not provided.	The plan for how the school will respond if it is ever identified as being “in need of improvement” under No Child Left Behind (NCLB) is incomplete or has not been customized to the proposed school.	The plan for how the school will respond if it is ever identified as being “in need of improvement” under No Child Left Behind (NCLB) is complete and customized to the proposed school.	The plan includes specific steps that will be taken to avoid the circumstance of being “in need of improvement.”	

General Comments regarding Tab 4:

Tab 5					
See IDAPA 08.03.01.401.07					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Governance	Governance structure is unaddressed or non-compliant.	Description of governance structure is incomplete or inadequate.	Governance structure is well explained and indicates that the school’s board shall be legally accountable for the operation of the school. Petition is consistent with Articles of Incorporation and Bylaws.		

	Roles and responsibilities of board members and administrators are not delineated.	Description of delineation between roles and responsibilities of board members and administrators requires development or clarification.	Roles and responsibilities of board members and administrators are clearly delineated.	Organizational chart and key job descriptions are provided. Petition defines role of school founders separately from role of board members.	
	Board training and evaluation plan is not provided.	Board training and evaluation plan is inadequate or lacks detail.	Board training and evaluation plan is detailed and specific, addressing the needs of both the initial and future board members. Self-evaluations will be completed at least annually.	Board training and evaluation plan addresses continuous improvement that includes certification through board training modules for all new board members. Plan identifies strategies for improvement based on annual evaluations.	
	Board membership reflects a lack of diverse experience and skills.	Board membership reflects some diversity of experience and skills.	Board membership reflects diverse experience and skills (such as education, management, financial planning, law, real estate, and community outreach). It is evident all board members are active in the petitioning process.	Board membership includes experience with charter school leadership.	
	Plan for ongoing recruitment of board members is not provided.	Plan for board member recruitment appears unlikely to be effective in securing members with critical skill sets.	Plan for board member recruitment identifies specific qualifications for board members and includes strategies for grooming prospective board members.		

	Transition from founding to governing board is not addressed.	Plan for transition from founding to governing board appears inadequate.	Plan for smooth transition between founding and governing boards is clear and likely to be effective. Issues related to avoidance of “founders’ syndrome” and ensuring commitment to the mission and vision are addressed.		
	Ethical standards for board members are not addressed.	Ethical standards to which the petition refers are vague or inadequate.	Petition includes an ethical standards agreement to be signed by all board members.		
	Commitments to comply with Open Meeting Law and Public Records Law are not included.	The commitments to comply with Open Meeting Law and Public Records law require revision for clarity or accuracy.	Clear commitments to comply with Open Meeting Law and Public Records Law are included.		
Parental Involvement	No discussion of parental involvement is included.	Described opportunities for parental involvement appear similar to those at most public schools.	Described opportunities for parental involvement exceed those available in most public schools. Petition contains a plan for making parents aware of governance, volunteer, and other opportunities.		
Audits	Commitment to obtain annual, independent fiscal audit is not included.		Commitment to obtain annual, independent fiscal audit is included.		
	Plan for reporting of financial information to authorizer and community is not provided.	Petition provides limited information regarding fiscal transparency and related requirements.	Petition demonstrates a clear understanding of fiscal transparency requirements, including maintenance of an expenditure website.		

	Commitment to obtain annual programmatic operations audit is not included.		Commitment to obtain annual programmatic operations audit that meets PCSC standards is included.		
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General Comments regarding Tab 5:

Tab 6					
IDAPA 08.03.01.401.08					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Employee Qualifications	Teacher and administrator certification is not addressed.	Petition's statement regarding teacher and administrator certification requires editing for clarity or accuracy.	Petition states that teachers and administrators will be certified in accordance with statute.		
	Petition does not state that all teachers will be Highly Qualified.	Petition's statement regarding HQT requires editing for clarity or accuracy.	Petition states that all teachers will be Highly Qualified.		
	Teacher and administrator contracts are not addressed.	Petition's statement regarding teacher and administrator contracts requires editing for clarity or accuracy.	Petition states that teacher and administrators will be on signed contracts in a form approved by the state superintendent of public instruction.		
Background Checks	Criminal background checks are not addressed.	Statement regarding criminal background checks is incomplete.	Petition states that all school employees and volunteers in direct contact with students will undergo criminal background checks.	Petition states that all school employees, board members, and volunteers will undergo criminal background checks.	

Health and Safety	Health and safety procedures are not addressed.	General health and safety procedures are outlined; however, additional specificity is required.	School climate is designed to ensure health and safety of students and staff. Specific procedures are detailed and address: drugs/alcohol, suicide prevention, bullying, and disaster preparedness.	School climate is clearly defined and follows best practices or research-based methods for creating safe schools. Specific procedures and staff training plans are detailed.	
	Procedure for contacting parents and law enforcement regarding suspected use of controlled substances is not included.	Procedure for contacting parents and law enforcement regarding suspected use of controlled substances requires editing.	Procedure for contacting parents and law enforcement regarding suspected use of controlled substances is realistic and implementable.		
	Internet use policy is not addressed.	Petition states that an internet use policy will be developed, or contains a policy that requires further development.	Realistic and enforceable policy regarding internet use is provided. Parental permission is addressed in the policy.		
Student Discipline	Little or no information and student discipline is provided.	Student discipline section fails to clearly describe classroom management philosophy and methods, as well as disciplinary protocol.	Classroom management philosophy and methods, as well as disciplinary protocol, are clearly explained.	Classroom management and student discipline procedures align with the school's mission and vision, and are designed to encourage the development of a positive school culture.	
	Suspension and expulsion procedures are unaddressed or non-compliant.		Suspension and expulsion procedures are clear and compliant.		
	Procedures for discipline of special education students are unaddressed or non-compliant.		Procedures for discipline of special education students are compliant and reflect strong understanding of requirements.		

Employee Benefits	Employee benefits are not addressed or are non-compliant.	Statement regarding employee benefits is incomplete.	Petition states that all staff members will be covered by PERSI, federal social security, unemployment insurance, workers compensation, and health insurance.		
Employee Status	Transfer rights are not addressed or are non-compliant.	Statement regarding transfer rights is incomplete.	Petition clearly addresses the transfer rights of charter school employees.		
	Collective bargaining is not addressed or non-compliant.		Petition states that staff will be a separate unit for purposes of collective bargaining.		

General Comments regarding Tab 6:

Tab 7					
See IDAPA 08.03.01.401.09					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Admissions Procedures	Enrollment capacity section is absent or addresses only total capacity.	Enrollment capacity section is unclear.	Enrollment capacity section includes total school capacity as well as grade-level capacity.		
	Growth plan is not provided.	Growth plan is unclear or fails to detail plan from year one through final expansion.	Growth plan is clear and complete from year one through final expansion.	Growth plan includes a backup strategy for dealing with lower than expected enrollment.	
	Admissions procedures are incomplete or non-compliant.		Admissions procedures, including timelines, are clearly explained and compliant.		

	Over-enrollment and equitable selection processes are incomplete or non-compliant.		Over-enrollment and equitable selection processes are complete and compliant.		
	Equitable selection process includes preference groups not allowed by state law, or preferences are listed in the wrong order.		Equitable selection process permits only preference permitted by statute, and the preferences are ordered correctly.	Policies regarding preference groups are included with the petition. (For example, “founder” and “sibling” are defined.)	
	Process for development of final selection list is incomplete or non-compliant.		Process for developing final selection list is clear and compliant.		
	Process for renewing final selection list is incomplete or non-compliant.		Process for renewing final selection list is clear and compliant.		
Alternatives	Public school alternatives are not addressed.	Public school alternatives are provided, but list is incomplete.	Public school alternatives are provided and include other charter schools (if applicable) and virtual public charter schools.		
Enrollment Opportunities	Process for making citizens aware of enrollment opportunities is unaddressed or non-compliant.	Process for making citizens aware of enrollment opportunities is vague.	Process for making citizens aware of enrollment opportunities is compliant, clearly defined, and includes specific timelines.	Marketing plan includes a variety of methods for informing the public of enrollment opportunities. Strategies for engaging citizens are appropriate for the target demographic and local community.	
	Plan for denial of school attendance is unaddressed or non-compliant.	Plan for denial of school attendance is incomplete.	Plan for denial of school attendance is clear and compliant.		

Handbook	Draft student handbook is not provided.	Draft student handbook is incomplete or has not been tailored to the school.	Complete, draft student handbook is tailored to the school. Procedure for ensuring stakeholder access to, and review of, handbook is included.		
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General Comments:

Tab 8					
See IDAPA 08.03.01.401.10					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Business Plan	Business description is not provided.	Business description is vague or incomplete.	Clear and well-considered business description addresses both the non-profit corporation and public entity aspects of the school.		
	Marketing plan is not provided.	Marketing plan is vague or incomplete.	Comprehensive marketing plan includes goals, tasks, timelines, expenses, and responsible individuals.	Marketing plan extends beyond the pre-opening year and includes opportunities for partnerships to engage the community with the school.	
	Strategy for reaching at-risk and underserved families is not provided.	Strategies for reaching at-risk and underserved families are vague.	Strategies for reaching at-risk and underserved families, as well as families that might not be aware of the school, are well developed.	Petitioners have already made efforts to reach at-risk and underserved families. Evidence of interest in the school reflects that these efforts have been successful.	

	Management plan is not provided.	Management plan is vague or incomplete.	Comprehensive management plan identifies roles and responsibilities of board, administration, business management, contractors, and support staff. If a management company is to be used, costs and services are clearly described, and a copy of the proposed contract is included in the appendix.		
	Resumes for all board members and not included.	Resumes provided may be incomplete, unprofessional, or lacking references.	Professional resumes are included and provide several references, with contact information, for each board member.	Resumes are accompanied by a narrative explaining the individual and collective qualifications of the board members, focusing on their capacity to assume responsibility for public funds and the education of Idaho students.	
	Names and primary roles of persons involved with petition development are not provided.	List of names and roles is incomplete.	Petition includes a list of the names and primary roles of all persons significantly involved with development of the petition, including: founders, board members, contractors, employees, and community volunteers. List identifies individuals expected to remain involved with the school during pre-opening and operations.		

Financial Plan	Financial oversight plan is unaddressed or non-compliant.	Financial oversight plan is incomplete or likely to be ineffective.	Financial oversight policies and plans are described and demonstrate understanding of proper fiscal oversight.	Thorough, appropriate financial policies have been adopted by the board.	
	Pre-opening year budget is not provided.	Pre-opening year budget is incomplete, poorly documented, or appears insufficient to cover activities described in the petition.	Pre-opening year budget reflects reasonable expenditures that align with remainder of petition, including: marketing, facilities, staffing, insurance, contractors, memberships, certifications, audits, curriculum, technology, exceptional student services, etc. Revenues and expenditures are supported by documentation.		
	Operating budgets for the first three years of operations are not provided, are incorrectly formatted, or are incomplete.	Operating budgets for the first three years of operations are incomplete, poorly documented, or appear insufficient.	Operating budgets for the first three years of operations are provided on the PCSC's template. Budgets are provided for best-case, worst-case, and most-likely-case scenarios. Revenues and expenditures appear reasonable and are supported by documentation.	Five-year budget projections are provided.	

	Budget assumptions have not been provided or PCSC	Budget assumptions are incomplete or unclear.	Budget assumptions are provided for the pre-opening year, as well as the first three years of operations. The assumptions are complete, consistent with the budgets, and appropriately documented. Budget assumptions are provided on the completed PCSC's Budget Assumptions template.	Budget assumptions include explanations of how the assumptions were developed. A description of what budgetary adjustments will be made if enrollment fails to meet projections is included.	
	Budget documentation does not include completed PCSC Facility Options Templates for all facility options.		Budget documentation includes completed PCSC Facility Options Templates for all facility options.		
	Spending priorities do not clearly align with the mission and educational program.	An attempt has been made to align spending priorities with the mission and educational program, but resources allocated appear inadequate to achieve stated goals.	Spending priorities align with the mission and educational program and resources are adequate to achieve stated goals.		
	No fundraising or grant writing plan is provided.	Fundraising or grant writing plan is incomplete, or the budget relies on fundraising/grants to remain viable.	Realistic fundraising and grant writing plan identifies specific strategies, grantors, and goals. However, the budget does not rely on fundraising or grants to remain viable.	Successful fundraising strategy has been enacted. Documentation of guaranteed donations and/or grants is provided.	
	Projected growth appears unrealistic or inadequate to meet long range financial plans.	Growth projections are not clearly supported by realistic data and/or supported by expanded staff and facilities.	Projected growth is realistic, adequate to meet long range financial plans, and supported by expanded staff and facilities.		

	First-year cash flow projection is not provided.	First-year cash flow projection is incomplete, inadequate, or indicates insufficient understanding of public school funding.	Adequate first-year cash flow projection reflects thorough understanding of public school funding.		
Transportation	No plan for the provision of student transportation is in place.	Plan is to add student transportation in future years, but the service will not be offered immediately.	Clear, documented plan is in place to offer student transportation beginning in year two or sooner.	Clear, documented plan is in place to offer student transportation beginning in year one.	
	Transportation plan does not consider how the plan (or lack thereof) will impact the ability of all interested families to enroll.	Transportation plan partially addresses how the plan will impact the ability of all interested families to enroll.	Transportation plan includes narrative regarding how the plan will impact the ability of all interested families to enroll, influencing student demographics and school finances.		
Nutrition	Student nutrition is not addressed.	Student nutrition service plans vague or undocumented.	Description of whether and how student nutrition will be provided is clear and documented.	Student nutrition will be provided beginning in year one.	
	Free and reduced lunch (FRL) eligibility is unaddressed or non-compliant.	Plan for identifying students who are eligible for FRL is unclear or inadequate.	Appropriate plan is in place for identifying students who are eligible for FRL.		

General Comments regarding Tab 8:

Tab 9					
Virtual Schools and Blended Programs Only. See IDAPA 08.03.01.401.11					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments

Learning Management System	Learning management system has not been identified.	Description of learning management system is vague or appears inadequate to fulfill the mission and meet identified goals.	Description of learning management system addresses technology platform, curriculum, and rationale. System appears adequate to fulfill mission and meet identified goals.		
	Roles of curriculum provider/ charter management organization/education management organization and school board and employees are not addressed.	Roles are not clearly defined, or are inappropriate.	Roles of curriculum provider/CMO/EMO, school board, administration, business managers, and teachers are clearly defined. Organizational chart indicates employment and supervision relationships.		
	Contract is incomplete or absent.	Contract is unclear, or costs appear unreasonable by comparison to services provided.	Contract clearly delineates costs and services. Costs appear reasonable by comparison to services provided.		
	School board appears to have inadequate oversight and control over school finances, educational program, and/or employees.	School board apparently retains oversight and control, but no plan is in place for evaluating and redirecting the curriculum provider/CMO/EMO.	School board clearly retains oversight and control over school finances, educational program, and employees. Plan is in place to regularly evaluate and redirect curriculum provider/CMO/EMO as needed.	Local, independent school board clearly evaluated multiple curriculum providers and selected a vendor appropriate to the stated mission in order to meet a community need.	
	Learning management system does not appear to offer opportunities significantly different from those already available.		Learning management system offers new opportunities to families.		

Educational Program	Rationale for use of a virtual program is not addressed, or the virtual method appears to be a poor choice for fulfilling the mission and meeting stated goals.	Rationale requires further development.	Petition provides strong rationale for use of a virtual program, rather than a brick-and-mortar program, to fulfill the mission and meet stated goals.	Virtual program will provide unique opportunities and meet goals that could not be achieved in a brick-and-mortar setting.	
	Role of online teacher is not addressed.	Role of online teacher is not sufficiently detailed or appears inadequate.	Role of online teacher, including consistent availability of teacher to individualize and provide guidance around course material is clearly described.	Role of teacher is sufficiently broad to minimize reliance on parent or learning coach for guidance around course material.	
	Assessment of student work is not addressed.	Means by which student work will be assessed is not sufficiently detailed or teacher involvement appears inadequate.	Means by which student work will be assessed is clearly described, including level of teacher involvement in evaluating and responding to student performance.		
	Student-teacher interaction is not addressed.	Student-teacher interaction appears inadequate to ensure student success.	Means by which student will interact with teachers includes timely and frequent feedback about student progress.	Petition describes unusually strong level of teacher support that extends beyond academic instruction.	
	Student-to-student interaction is not addressed.	Student-to-student interaction appears inadequate to foster school community.	Opportunities for student-to-student interaction are practical, diverse, and likely to cultivate school community.	Petition describes unusually strong strategies for fostering student community and positive culture.	
	Strategies for meeting the needs of exceptional students are not addressed.	Strategies for meeting the needs of exceptional students appear inadequate or unaffordable.	Petition identifies specific, affordable strategies for meeting the needs of special education, ELL, gifted, and other exceptional students.		

Technology	Plan for provision of hardware, software, and connectivity is absent or does not ensure equal access.	Plan for provision of hardware, software, and connectivity is vague or may not be sufficient or affordable.	Reasonable plan is in place for ensuring equal access to all students, including provision of necessary hardware, software, and internet connectivity required for participation in online coursework.		
	Plan for provision of technical support is not provided.	Plan for provision of technical support is vague or may not be sufficient or affordable.	Plan for provision of technical support relevant to the delivery of online courses is cost-effective, timely, and supported by adequate staff.		
	Plan for training students and parents in use of hardware and software is not provided.	Plan for training students and parents in use of hardware and software appears insufficient.	Plan is in place for training students and parents in use of hardware and software.		
Professional Development	Professional development specific to the virtual environment is not addressed.	Strategies for professional development require additional development to ensure successful implementation of the virtual program.	Strategies for professional development specific to education in the virtual environment address both initial and ongoing training.		
	Teacher evaluations specific to the virtual environment are not addressed.	Teacher evaluation plan is vague or inadequate.	Teacher evaluation plan includes observation and intervention strategies specific to virtual education.		
Data Collection	Means of verifying student attendance is unaddressed or non-compliant.	Means of verifying student attendance is vague or insufficient.	Means of verifying student attendance is clearly described. Attendance will focus primarily on coursework and activities correlated to the thoroughness standards.		

	Means of awarding course completion is unaddressed.	Means of awarding course completion is vague or insufficient.	Means of awarding course completion is clearly described.		
	Administration of standardized testing is not addressed.	Plan for administration of standardized tests is impractical for the school and/or families. Inadequate participation appears likely.	Strategies for administering standardized testing to all students are practical and affordable.	Strategies include methods for motivating participation and assisting families with limited resources.	

General Comments regarding Tab 9:

Tab 10					
See IDAPA 08.03.01.401.12					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	
Business Arrangements and Partnerships	No information is provided regarding services to be purchased or contracted.	Limited information is provided regarding services to be purchased or contracted.	List of contracted services and key business partnerships is provided. Supporting documentation (draft contracts / letters of intent / MOUs) is included in appendix.		
	Community partnerships are not addressed.	Descriptions of community partnerships are vague or uncertain.	Specific community partnerships are described and supported by agreements or letters of support.	Community partnerships are integral to the mission and educational program. Such partnerships have been developed and their nature is clearly described.	

	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Roles of management organization and school board and employees are not addressed.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Roles are not clearly defined, or are inappropriate.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Roles of management organization and school board, administration, business managers, and teachers are clearly defined. Organizational charter indicates employment and supervision relationships.</p>		
	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Contract is incomplete or absent.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Contract is unclear, or costs appear unreasonable by comparison to services provided.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Contract clearly delineates costs and services. Costs appear reasonable by comparison to services provided.</p>		

	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>School board appears to have inadequate oversight and control over school finances, educational program, and/or employees.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>School board apparently retains oversight and control, but no plan is in place for evaluating the management company.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>School board clearly retains oversight and control over school finances, educational program, and employees. Plan is in place to regularly evaluate and redirect management company as needed.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Local, independent school board clearly evaluated multiple management companies and selected a vendor appropriate to meet specific needs.</p>	
	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Rationale for use of a management company is not addressed, or use of the management company appears to be a poor choice for fulfilling the identified needs.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Rationale requires further development.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Petition provides strong rationale for use of the management company, rather than performing the work in-house.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Use of the management company will provide unique opportunities and meet goals that could not be achieved in-house.</p>	
Additional Information	School calendar is not provided.	School calendar is insufficient or non-compliant.	School calendar and schedule demonstrate compliance with statutory requirements for student contact hours, and are sufficient to ensure a viable curriculum and strong professional development.	Calendar reflects understanding of how attendance will affect school finances, and considers other community factors such as holidays, school vacations, hunting season, daycare availability, etc.	

	Pre-opening timeline is not provided using the PCSC's Pre-Opening Timeline Template.	Pre-opening template requires additional development to ensure timely completion of preparation to begin operations.	Complete, pre-opening timeline is provided using the PCSC's Pre-Opening Timeline Template and reflects strong understanding of the steps involved in preparing for operations.		
	Plans for teacher and administrator evaluations are not included or are non-compliant.	Plans for teacher and administrator evaluations are vague or insufficient.	Petition includes clear process for evaluating teacher and administrator effectiveness and using results to improve student outcomes.	Plans for working with underperforming teachers/administrator(s) are included.	
	Professional development offerings are minimal, poorly aligned with the mission, or clearly inadequate to ensure successful implementation of the educational program.	Petition expresses an intention to base professional development on teacher need, student progress, and school mission, but plan is vague.	Professional development strategy is thorough, specific, and sufficient to ensure successful implementation of the educational program and fulfillment of the mission. Adequate resources are committed to initial and ongoing professional development.		
Termination	Termination plan fails to specify individuals responsible for tasks associated with dissolution.	Termination plan relies on employees for the completion of tasks associated with dissolution.	Termination plan specifies non-employee individuals responsible for tasks associated with dissolution.		
	Disposal of assets is unaddressed or non-compliant.	Disposal of assets is generally addressed, but additional detail is required.	Plan for disposal of assets, including responsible individual and timelines, is clear and compliant. Distinction is made between assets purchased with federal and non-federal funds.		

	Payment of creditors is unaddressed or non-compliant.	Payment of creditors is generally addressed, but priorities are not specified.	Payment of creditors is addressed and includes a list of priorities for payment (if permitted by courts). Specific timelines are included.		
	No plan is in place for completion of final, independent fiscal audit.		Plan is in place for funding and completion of final, independent fiscal audit.		
	Long term record storage is not addressed.	Long term storage plans are vague or inappropriate.	Plans for secure, long-term storage of records, including student and personnel records, are clear. Process for accessing records will be available to the public.		
	Student records transfer plan is not provided or is non-compliant.	Student records transfer plan is vague or inadequate.	Process for transferring student records is clear, includes identification of responsible individuals, and will be available to the public.		
	Personnel records transfer plan is not provided or is non-compliant.	Personnel records transfer plan is vague or inadequate.	Process for transferring personnel records is clear, includes identification of responsible individuals, and will be available to the public.		

General Comments regarding Tab 10:

General Quality Indicators					
These indicators apply throughout the petition and the petitioning process.					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments

Timeliness	Petition and related documents are frequently submitted after deadlines.	Petition and related documents are occasionally submitted after deadlines.	Petition and related documents are submitted in accordance with the timelines in statute, administrative rule, and PCSC policy. Very rare exceptions may be made with the <i>advance</i> approval of PCSC staff.	Petitions and related documents are submitted promptly, well in advance of required deadlines.	
Thoroughness	<p>Petition revisions fail to address many concerns and recommendations cited by SDE and PCSC staff.</p> <p>Petitioners attempt to rely on oral assurances in place of written revisions.</p>	Petition revisions address most concerns and recommendations cited by SDE and PCSC staff.	Petition revisions consistently reflect petitioners' best efforts to respond thoroughly to all concerns and recommendations previously cited by SDE and PCSC staff. Revisions are made in the petition document.		
	Some petition revisions are made without the use of legislative formatting.		<p>All petition revisions are correctly marked using legislative formatting.</p> <p>Only revisions made since the last PCSC staff review marked.</p> <p>(Legislative formatting need not be used on budget spreadsheets or when entire appendices are simply re-ordered but not changed.)</p>		
Professionalism	Petition contains many typographical errors and/or formatting inconsistencies.	Petition contains a moderate, but unacceptable, number of typographical errors and/or formatting inconsistencies.	Petition contains very few typographical errors and/or formatting inconsistencies.	Petition is free of typographical errors and/or formatting inconsistencies.	

	Quality of writing is poor and requires extensive editing.	Writing requires editing for clarity, consistency, and/or grammatical errors.	Quality of writing is clear, consistent, logically organized, and free of grammatical errors.	Writing is exceptionally strong, presenting concepts in a concise, compelling, and error-free fashion.	
	Petition is poorly organized and/or contains numerous reference errors.	Petition is reasonably organized and contains few reference errors.	Petition is well-organized and references to other documents, sections, and appendices are accurate.		
	Petition contains text obviously taken from other documents and not reviewed or customized.	Petition contains sections of “boilerplate” text that have not been customized to suit the school.	Petition does not rely on text taken from other documents. Any “boilerplate” sections have clearly been reviewed and customized as necessary.		
Compliance	Petition format is not consistent with IDAPA 08.03.01.400.	Petition format is mostly consistent with IDAPA 08.03.01.400.	Petition format is consistent with IDAPA 08.03.01.400.		
	No members of the petitioning group attended the SDE’s Charter Start! Workshop.	The petitioning group has been represented at the SDE’s Charter Start! Workshop. However, only one member attended and/or the attendee(s) is/are no longer actively involved with the petitioning process.	At least two, active members of the petitioning group attended the SDE’s Charter Start! Workshop.	All active members of the petitioning group attended the SDE’s Charter Start! Workshop.	

General Comments regarding the petition:

PUBLIC CHARTER SCHOOL PETITION EVALUATION RUBRIC

Note: This rubric is provided as a sample for the PCSC. The petitioners did not have access to the rubric throughout the petitioning process, though the majority of guidance they received is consistent with the requirements of the rubric. Scores that PCSC staff would give the most recent revision of the petition are highlighted in yellow. Requirements of the rubric that extend beyond those requirements specified by PCSC staff during previous reviews are delineated by yellow outlining in place of highlighting.

Name of proposed school: Odyssey Charter School

File Number: 2011-03

Date petition originally submitted to PCSC office: 10/26/2011

Date “considered received”: 12/15/2011

Date of this revision’s submission: 10/25/2012

Date of this review: 11/15/2012

Date(s) of previous review(s) of this petition: 11/2/2011; 3/21/2012; 5/10/2012; 6/22/2012; 7/11/2012; 8/29/2012; 9/10/2012

Means by which petition came to PCSC:

☐ Virtual School

☒ **Referred by School District: Idaho Falls #91**

Reason: “Petition lacks the sufficient detail needed to guarantee successful implementation. In addition, the governance, oversight and support of such a school would tax the district’s existing resources, and result in additional costs for the district. At this time, the district is also considering a project-based magnet school that is more robust and uses a model that been successfully replicated around the country and has proven results.”

☐ Filed by petitioner after withdrawal from school district

☐ Transfer of district-authorized charter school

☐ SBOE redirected petition for consideration by PCSC

Using the Public Charter School Petition Evaluation Rubric

This rubric provides the Public Charter School Commission with a means of evaluating the quality of the application and communicating its findings to petitioning groups. Quality indicators are provided for each petition component. All components listed in the rubric are required by the PCSC. A petition that sufficiently addresses an indicator will score either a “2” or a “3” for that indicator. Only petitions that score a “2” or above on ALL indicators for ALL components will be eligible for approval.

Proposed amendments to previously-approved charters must also meet the minimum standards defined by this rubric. In the case of proposed charter amendments, only the sections of the rubric relevant to the proposed amendments will be completed.

Current placement on the rubric is represented by yellow highlighting. Additional guidance may be found in the Comments column, as well as the General Comments below each section.

Please see PCSC Policy Section II.B for requirements related to the submission of petitions and petition revisions.

Cover Page and Table of Contents					
The cover page must include the information listed in IDAPA 08.03.01.401.01. The Table of Contents shall begin on page 2 of the petition pursuant to IDAPA 08.03.01.401.02.					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Cover Page	Cover page does not contain all required elements.		Cover page contains all required elements.	Cover page contains all required elements, is professionally formatted, and clearly reflects the submission date of the current version.	
Table of Contents	Table of contents is poorly organized, incomplete, or inaccurate.	Table of contents contains few, minor errors.	Table of contents is well-organized and page numbers are accurate.	Table of contents is well-organized, with accurate page numbers and hyperlinks to each tab.	

General Comments regarding Cover Page and Table of Contents:

Tab 1					
See IDAPA 08.03.01.401.03					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Executive Summary	Executive summary is not included.	Executive summary provides an incomplete or unappealing case for the school.	Executive summary succinctly introduces: school concept; community need and interest; motivation and collective qualification of petitioning group; and how success of the school will be defined.		Odyssey is not being held accountable for this standard, since it is a new expectation.
Articles of Incorporation	Articles of Incorporation are not included, or are included but unsigned.	Signed Articles of Incorporation are included but require revision.	Signed Articles of Incorporation, including any amendments thereto, are included as an appendix to the petition.	It is clear that the petitioners understand the nature and purpose of the Articles.	

Bylaws	Bylaws are not included, or are included but unsigned.	Signed Bylaws are included, but require revision.	Signed Bylaws are included as an appendix to the petition.	It is clear that the petitioners understand the nature and purpose of the Bylaws.	
	Bylaws do not address the process by which board members will be selected.	Bylaws partially address the process by which board members will be selected. Process for board selection may be addressed, but bylaws lack full clarity and detail.	Bylaws outline a clear process for selection of board members, including: number and designation of seats, board member terms, elections vs. appointments, nomination and voting procedures, eligible voters, applicable definitions, etc.		The bylaws state that the number of seats will be “fixed pursuant to resolutions adopted by the board”. The number and designation of seats is not clearly stated.
Elector Signatures	Elector petition and/or documentation of proof elector qualifications are not included, or the number of qualified electors is insufficient.		Elector petition and documentation for proof of elector qualifications are included.		
Vision and Mission Statements	Vision statement is not provided.	Vision statement does not express a clear, focused, and compelling purpose for the school.	Vision statement expresses a clear, focused, compelling, and measurable purpose for the school.	Vision statement clearly translates into achievable goals, selected curriculum, operational methods, and school culture.	
	Mission statement is not provided.	Mission statement does not focus on educational outcomes or is unlikely to result in increased student achievement.	Mission statement focuses on high-quality educational outcomes as is likely to result in increased student achievement.	Research is cited to support the outcomes and expectations identified in the mission statement.	The mission says students will be “proficient” in academics and does not include any language that is measurable or likely to increase student achievement.

General Comments regarding Tab 1:

Tab 2

See IDAPA 08.03.01.401.04

	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Proposed Operations	Proposed operations are not addressed or are noncompliant.	Proposed operations are addressed in insufficient details.	Proposed operations are summarized, including: legal status, location, enrollment, student demographics, organizational structure, and educational method.	Proposed operations section identifies where in the petition items are addressed in additional detail.	Newly clarified expectation. Odyssey's summary lacks detail.
Potential Effects	Potential effects are not addressed.	Potential effects are addressed in insufficient detail.	Potential effects address the impact of the proposed school on local and neighboring school districts, as well as the community. Demographic and fiscal impact information is included with source material referenced.	Comments from affected districts are included by reference to the appendix.	Though the petition addresses the impact on districts, demographic and fiscal impacts are not adequately addressed and no references are provided. District comments are provided in the appendices.
Target Market	Primary attendance area is not addressed.	Primary attendance area is insufficiently clear or appears inappropriate for the school's targeted mission, enrollment, or demographic.	Primary attendance area is clearly described and appears appropriate.	Map of attendance area is included and boundaries are clearly explained. Documentation demonstrates that the attendance area is appropriate.	A map is provided in the appendices, however, documentation demonstrating that the attendance area is appropriate is lacking.
	Level of market interest in the school is not addressed.	Level of market interest in the school is insufficient or insufficiently demonstrated.	Petition sufficiently demonstrates and documents interest in and demand for the school.	Aggregate demographic data regarding families interested in enrollment at the school is included by reference to the appendix.	There is info about interest in the school (and an appendices list of potential student), but it lacks depth & detail & does not clearly demonstrate sufficient demand, particularly in light of another HS charter approved to open nearby.

	Petitioners have not engaged in significant outreach activity.	Past and planned outreach activities may not be adequate to ensure community interest and involvement.	Outreach activities designed to reach a broad audience have resulted in documented enrollment interest and community involvement with school development. Planned outreach is specific and ongoing.		The student interest list in the appendices implies that outreach was done, but there is no info about the type of activities and results in the narrative or any other supporting documents.
Facilities	Specific facility options have not been identified, or too few facility options are provided.	Descriptions of multiple, specific facility options are included; however, detail is insufficient or the facilities may not be adequate to ensure full implementation of the educational program.	Descriptions of three or more realistic facility options are provided with sufficient detail indicating that the facilities are appropriate and sufficient. Facility options are presented using the completed PCSC Facility Options template.	The primary facility option is unusually strong, such as a guaranteed donation of a building or land. Reasonable, well-supported backup options are also included.	The PCSC facility template was available for this petition.
	One or more of the proposed facilities are not located within the primary attendance area and/or the district by which the petition was referred to the PCSC.		All of the proposed facilities are located within the primary attendance area and the district by which the petition was referred to the PCSC.		
	Timelines for facility completion are absent or unreasonable.	Timelines for preparation of one or more of the facility options are unclear, aggressive and potentially unattainable.	Reasonable and appropriate timelines for completion of all facility options are provided.	Contingency plans are provided for use in the event that facility preparation timelines cannot be met.	Facility preparation is integrated into the pre-opening timeline, but is vague and generalized (not specific to different options)

	Petition does not demonstrate that the facilities is (or can be) in compliance with applicable codes, health and safety laws, ADA requirements, etc.	Petition partially demonstrates that the facilities are (or can be) in compliance with applicable codes, health and safety laws, ADA requirements, etc. However, additional information is needed to ensure compliance.	Petition demonstrates that the facilities are (or can be) in compliance with applicable codes, health and safety laws, ADA requirements, etc.	Certificates to verify compliance and/or written quotes for bringing facilities into compliance are included by reference to the appendix.	
Administrative Services	Administrative services are not clearly defined.	Administrative services plans are weak or unrealistic.	Administrative services are clearly addressed and appropriate for school size.	Organization chart is provided to illustrate administrative structure.	
Civil Liability	Potential civil liability effects are not addressed.	Potential civil liability effects require additional clarification or explanation.	Potential civil liability effects on the school, authorizer, and local district(s) are clearly addressed and in compliance with statute.		There is no statement about local districts. However, this is a well-written and essentially complete section.
Insurance	A list of the types of insurance to be obtained is not provided.	The petition lists the types of insurance that will be provided, but omits one or more required policy.	The petition lists all the types of insurance that must be provided.	The petition commits to obtaining Errors and Omissions insurance, which is recommended but not required.	

General Comments regarding Tab 2:

Tab 3					
See IDAPA 08.03.01.401.05					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Education al Philosophy	Description of “educated person” is not included.	Description of “educated person” does not clearly relate to school’s vision, mission, and/or instructional model.	Description of “educated person” clearly relates to school’s vision, mission, and instructional model.	Description of “educated person” is supported by research.	

	Explanation of “how learning best occurs” is not included.	Explanation of “how learning best occurs” does not clearly relate to the school’s vision, mission, and/or instructional model.	Explanation of “how learning best occurs” clearly relates to the school’s vision, mission, and instructional model.	Explanation of “how learning best occurs” is supported by research.	
Educational Program	It is unclear how the educational program relates to the vision and mission.	The description of the educational program attempts to address its relationship to the vision and mission, but additional development is required.	The description of the educational program directly relates to and supports the vision and mission.		
	Educational program fails to offer a choice currently unavailable or insufficiently accessible in the community.		Educational program offers a choice currently unavailable or insufficiently accessible in the community.		A PBL magnet high school opened in 2011-2012 in ID Falls#91. However, PBL is not available in any of the other districts in Odyssey’s proposed attendance area.
	Description of educational program does not include an explanation of the instructional practices and/or curriculum.	Description of educational program does not provide a clear picture of the school’s plan.	Description of educational program includes instructional practices and curriculum, and illustrates for non-educators how the school will address academics.	Description of educational program is detailed and includes explanations and examples of the instructional practices and types of curriculum to be used by the school.	
	Educational program does not appear to be research-based.	Educational program is indicated to be research-based, but specifics are not provided.	Educational program is research-based and references are provided.	Research-based educational program has a record of success in other schools, which will directly assist implementation at the proposed new school.	
	The petition does not address Common Core.	The petition reflects incomplete understanding of Common Core or fails to address how the school will ensure its educational program will align with Common Core standards.	The petition reflects strong understanding of Common Core and addresses the means by which the educational program will align with Common Core standards.	The petition includes a specific plan and timeline for ensuring alignment of the educational program with Common Core standards.	

	Curriculum framework is not provided.	Curriculum framework is addressed but incomplete or poorly aligned with mission and goals.	Curriculum framework is clear and aligned with mission and goals.		Newly clarified / added expectation.
	Graduation requirements are not adequately addressed.		If proposed school will offer high school grades, petition states that the school's graduation requirements will align with those of the state.		Newly clarified / added expectation. Odyssey petition includes a full outline of graduation requirements, which seem to align to the state.
Goals	Goals of the educational program are not included.	Goals are addressed but are too vague to permit meaningful evaluation of success or failure.	Goals are specific, measurable, and reflective of high standards for the target population.	Goals are tied to benchmarks based on reliable research and data.	Some goals are specific and measurable, while others are not and could use improvement.
	Goals do not clearly align with the vision and mission.		Goals clearly align with the vision and mission.		
	Petition does not include stated objectives and strategies for reaching identified goals.	Petition includes stated objectives and strategies; however, the selected objectives and strategies are not backed by evidence of their effectiveness.	Stated objective and strategies for reaching identified goals are research-based.	Stated objective and strategies for reaching identified goals are research-based and demonstrably effective for the target demographic.	PBL research references are provided in another part of Tab 3.
	Data collection plan is vague or not included.	Data collection plan is insufficient for evaluation of the school's achievement related to identified goals.	Data collection plan is realistic and effective for evaluation of the school's achievement related to identified goals.	Detailed data collection plan reflects research and statistical expertise.	Newly clarified expectation. Data collection is unclear / unspecified.

	Plan for consistent monitoring of progress toward meeting goals is not provided.	Plan for progress monitoring is limited or insufficient.	Plan for consistent monitoring of progress toward meeting goals is realistic.	Plan for progress monitoring includes a description of how the school will make modifications based on data, addressing how the information will be used by administration, faculty, and the board for ongoing school improvement.	Newly clarified expectation. Plan for monitoring progress is unclear / unspecified.
	Plan for annual reporting of results related to identified goals is not included.	Plan for annual reporting of results is vague or insufficient.	Plan for annual reporting of results related to identified goals is clear and ensures transparency to stakeholders, authorizer, and the general public.		Newly clarified expectation. Plan for reporting results is not provided.
Educational Thoroughness Standards	Methods for addressing educational thoroughness standards are not included.	Educational thoroughness standards are addressed, but the means by which they will be fulfilled is unclear or insufficient.	Explanation of the means by which all educational thoroughness standards will be fulfilled includes specific strategies.		
	Methods for addressing educational thoroughness standards do not reflect mission and goals.	Methods for addressing educational thoroughness standards inadequately reflect mission and goals.	Methods for addressing educational thoroughness standards clearly reflect mission and goals.		
Special Education Services	Petition does not clearly state that the school will adopt the SDE's Special Education Manual.		Petition states that the school will adopt the SDE's Special Education Manual.		
	No process is in place to identify special needs students and provide the services they require or plan is non-compliant.	Plan for identifying and serving special needs students is incomplete.	Strong, compliant plan for identifying and serving special needs students is in place and considers the following: IDEA, 504, FAPE, IEPs, and RTI intervention strategies.	Strategies and interventions reflect how special education services will be enhanced by the school's mission.	Appendix R addresses how PBL can be modified for special education, but not how PBL will enhance / improve special education.

	Staffing allocations for special education are not addressed.	Staffing allocations for special education appear insufficient.	Staffing allocations for special education appear adequate. Plans consider contracting for particular services if necessary.		
	Transportation plans for special needs students are not included, or are non-compliant.	Transportation plans for special needs students are vague or inadequate.	Appropriate transportation plans for special needs students are included regardless of transportation services available to other students.		
Gifted and Talented	No process is in place to identify GT students and provide the services they require, or plan is non-compliant.	Plan for identifying and serving GT students is incomplete.	Strong, compliant plan for identifying and serving GT students is in place and reflects understanding of related requirements, including ongoing monitoring.	Strategies and interventions reflect how GT services will be enhanced by the school's mission.	Odyssey petition does not provide information about ongoing monitoring of GT students or the program. It is otherwise complete.
English Language Learners	No process is in place to identify ELL students and provide the services they require, or plan is non-compliant.	Plan for identifying and serving ELL students is incomplete.	Strong, compliant plan for identifying and serving ELL students is in place and reflects understanding of related requirements, including ongoing monitoring and exiting.	Strategies and interventions reflect how ELL services will be enhanced by the school's mission.	
Dual Enrollment	Plan for working with parents of dually enrolled students is not included, or plan is non-compliant.	Plan for working with parents is incomplete or reflects inadequate understanding of statute and district policies.	Plan addresses how parents will be made aware of dual enrollment opportunities and expresses willingness to communicate with all relevant parties. Understanding of statute and district policies is evident.	Petition addresses whether non-charter students will be permitted to dually enroll at the public charter school.	The plan lacks detail / depth, and does not provide info about how students will be informed or how Odyssey will work with parent or other entities.

General Comments regarding Tab 3:

Tab 4					
See IDAPA 08.03.01.401.06					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Measurable Student Educational Standards	The petition does not contain MSES that are specific, outcome-based, academically-focused, measurable, and time-specific.	Some or all of the MSES require revision to meet PCSC standards for academic targets.	The MSES meet or exceed PCSC standards for academic targets, address all major academic areas.		
	The MSES do not appear to reflect the school's mission.		The MSES reflect the school's mission.		
	The MSES rely on measurement tools that are not consistent and objective.	Some of the MSES rely on measurement tools that are not consistent or objective; or, it appears the petitioners do not fully understand the measurement tools.	The MSES rely on measurement tools that are consistent and objective. The Five-Star Rating System is used for some of all MSES. Any measurement tools specific to the school's educational model are research-based and demonstrably reliable.		
	MSES do not refer to the Five-Star Rating System or indicate significant lack of understanding regarding how ratings are determined.	Those MSES that refer to the Five-Star Rating System are insufficient to aid the school in achieving an overall rating of 4 or better.	Those MSES that refer to the Five-Star Rating System are appropriate to aid the school in achieving an overall rating of 4 or better.	Use of the Five-Star Rating System in developing MSES reflects strong understanding of how ratings are determined.	It took significant assistance from PCSC staff for Odyssey to develop appropriate MSES.
	The MSES do not appear appropriate for the target demographic.	The MSES, though intended to be appropriate for the target demographic, fail to meet minimum PCSC standards.	The MSES appear appropriate for the target demographic and meet or exceed minimum PCSC standards.	The MSES reflect a commitment to exceptional growth for all students.	

	The MSES do not include comparisons to other student populations.	The MSES attempt to make comparisons with other student populations, but editing is required.	The MSES contain appropriate commitments to improving student outcomes as compared to similar student populations and state minimums.		
Methods of Measuring Student Progress	The methods by which student progress in meeting the MSES will be measured are not addressed.	The methods by which student progress in meeting the MSES will be measured reflect limited understanding of the measurement tools.	The methods by which student progress in meeting the MSES will be measured are addressed in a manner that reflects clear understanding of the measurement tools. Other major methods of evaluating student progress (beyond the MSES) are also addressed.	The petition describes diverse, research-based methods by which student progress will be measured and explains how the resultant data will be applied to improve student outcomes.	
	Plan for annual reporting of results related to MSES is not included.	Plan for annual reporting of results is vague or insufficient.	Plan for annual reporting of results related to MSES is clear and ensures transparency to stakeholders, authorizer, and the general public.		Newly clarified expectation. The Odyssey petition does not include a plan for reporting MSES results.
	The manner in which students will be tested with the same standardized tests as other Idaho public school students is not addressed.	The manner in which students will be tested with the same standardized tests as other Idaho public school students requires revision.	The manner in which students will be tested with the same standardized tests as other Idaho public school students is addressed, including how the school will ensure maximum participation.		The plan does not address how Odyssey will ensure maximum participation.
Accreditation	Accreditation is not addressed, or the petition to commit to obtaining such for grades 9-12.	The petition commits to obtaining accreditation for grades 9-12. However, the petitioners appear to lack understanding of the accreditation process.	The petition commits to obtaining accreditation for grades 9-12 and demonstrates a clear understanding of the process.	The petition commits to obtaining accreditation for all grades.	

Accountability and School Improvement	The petition does not demonstrate an understanding of the Five-Star Rating System.	The petition demonstrates limited understanding of the Five-Star Rating System.	The petition demonstrates solid understanding of the Five-Star Rating System.	The petition evidences understanding of how Five-Star Rating System data should be interpreted and applied at the school, classroom, and student levels.	New expectation. Odyssey needed significant assistance in developing MSES using the 5 Star Rating System.
	A plan for how the school will respond if it is ever identified as being “in need of improvement” under No Child Left Behind (NCLB) is not provided.	The plan for how the school will respond if it is ever identified as being “in need of improvement” under No Child Left Behind (NCLB) is incomplete or has not been customized to the proposed school.	The plan for how the school will respond if it is ever identified as being “in need of improvement” under No Child Left Behind (NCLB) is complete and customized to the proposed school.	The plan includes specific steps that will be taken to avoid the circumstance of being “in need of improvement.”	Despite recommendations in previous reviews to improve this section, the school improvement plan is vague, incomplete, and has not been customized for the school. Needs revision.

General Comments regarding Tab 4:

This section, particularly the MSES, is quite strong. However, at least two previous reviews recommended significant revision to the school improvement plan, and these changes were not made.

Tab 5					
See IDAPA 08.03.01.401.07					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Governance	Governance structure is unaddressed or non-compliant.	Description of governance structure is incomplete or inadequate.	Governance structure is well explained and indicates that the school's board shall be legally accountable for the operation of the school. Petition is consistent with Articles of Incorporation and Bylaws.		

	Roles and responsibilities of board members and administrators are not delineated.	Description of delineation between roles and responsibilities of board members and administrators requires development or clarification.	Roles and responsibilities of board members and administrators are clearly delineated.	Organizational chart and key job descriptions are provided. Petition defines role of school founders separately from role of board members.	There is no organizational chart. However, the petition does clearly delineate and define board members and founders.
	Board training and evaluation plan is not provided.	Board training and evaluation plan is inadequate or lacks detail.	Board training and evaluation plan is detailed and specific, addressing the needs of both the initial and future board members. Self-evaluations will be completed at least annually.	Board training and evaluation plan addresses continuous improvement that includes certification through board training modules for all new board members. Plan identifies strategies for improvement based on annual evaluations.	Board training and evaluation plan is provided in the appendices.
	Board membership reflects a lack of diverse experience and skills.	Board membership reflects some diversity of experience and skills.	Board membership reflects diverse experience and skills (such as education, management, financial planning, law, real estate, and community outreach). It is evident all board members are active in the petitioning process.	Board membership includes experience with charter school leadership.	Newly clarified expectation.
	Plan for ongoing recruitment of board members is not provided.	Plan for board member recruitment appears unlikely to be effective in securing members with critical skill sets.	Plan for board member recruitment identifies specific qualifications for board members and includes strategies for grooming prospective board members.		Newly clarified expectation. Odyssey petition includes recruitment plan but does not specify how they will prepare prospective board members. Is otherwise well-written & complete.

	Transition from founding to governing board is not addressed.	Plan for transition from founding to governing board appears inadequate.	Plan for smooth transition between founding and governing boards is clear and likely to be effective. Issues related to avoidance of “founders’ syndrome” and ensuring commitment to the mission and vision are addressed.		Newly clarified expectation.
	Ethical standards for board members are not addressed.	Ethical standards to which the petition refers are vague or inadequate.	Petition includes an ethical standards agreement to be signed by all board members.		Newly clarified expectation. Odyssey petition includes a ethical standards for the board in the appendices, but it is unsigned.
	Commitments to comply with Open Meeting Law and Public Records Law are not included.	The commitments to comply with Open Meeting Law and Public Records law require revision for clarity or accuracy.	Clear commitments to comply with Open Meeting Law and Public Records Law are included.		
Parental Involvement	No discussion of parental involvement is included.	Described opportunities for parental involvement appear similar to those at most public schools.	Described opportunities for parental involvement exceed those available in most public schools. Petition contains a plan for making parents aware of governance, volunteer, and other opportunities.		
Audits	Commitment to obtain annual, independent fiscal audit is not included.		Commitment to obtain annual, independent fiscal audit is included.		

	Plan for reporting of financial information to authorizer and community is not provided.	Petition provides limited information regarding fiscal transparency and related requirements.	Petition demonstrates a clear understanding of fiscal transparency requirements, including maintenance of an expenditure website.		Newly clarified expectation.
	Commitment to obtain annual programmatic operations audit is not included.		Commitment to obtain annual programmatic operations audit that meets PCSC standards is included.		

General Comments regarding Tab 5:

Tab 6					
IDAPA 08.03.01.401.08					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Employee Qualifications	Teacher and administrator certification is not addressed.	Petition's statement regarding teacher and administrator certification requires editing for clarity or accuracy.	Petition states that teachers and administrators will be certified in accordance with statute.		
	Petition does not state that all teachers will be Highly Qualified.	Petition's statement regarding HQT requires editing for clarity or accuracy.	Petition states that all teachers will be Highly Qualified.		
	Teacher and administrator contracts are not addressed.	Petition's statement regarding teacher and administrator contracts requires editing for clarity or accuracy.	Petition states that teacher and administrators will be on signed contracts in a form approved by the state superintendent of public instruction.		

Background Checks	Criminal background checks are not addressed.	Statement regarding criminal background checks is incomplete.	Petition states that all school employees and volunteers in direct contact with students will undergo criminal background checks.	Petition states that all school employees, board members, and volunteers will undergo criminal background checks.	
Health and Safety	Health and safety procedures are not addressed.	General health and safety procedures are outlined; however, additional specificity is required.	School climate is designed to ensure health and safety of students and staff. Specific procedures are detailed and address: drugs/alcohol, suicide prevention, bullying, and disaster preparedness.	School climate is clearly defined and follows best practices or research-based methods for creating safe schools. Specific procedures and staff training plans are detailed.	With many of the policies, the petition states that they “will be developed”.
	Procedure for contacting parents and law enforcement regarding suspected use of controlled substances is not included.	Procedure for contacting parents and law enforcement regarding suspected use of controlled substances requires editing.	Procedure for contacting parents and law enforcement regarding suspected use of controlled substances is realistic and implementable.		
	Internet use policy is not addressed.	Petition states that an internet use policy will be developed, or contains a policy that requires further development.	Realistic and enforceable policy regarding internet use is provided. Parental permission is addressed in the policy.		Provided in the student handbook in the appendices.
Student Discipline	Little or no information and student discipline is provided.	Student discipline section fails to clearly describe classroom management philosophy and methods, as well as disciplinary protocol.	Classroom management philosophy and methods, as well as disciplinary protocol, are clearly explained.	Classroom management and student discipline procedures align with the school’s mission and vision, and are designed to encourage the development of a positive school culture.	The petition references the philosophy that will be used for classroom management, but does not provide adequate detail regarding strategies, methods, or protocols.
	Suspension and expulsion procedures are unaddressed or non-compliant.		Suspension and expulsion procedures are clear and compliant.		

	Procedures for discipline of special education students are unaddressed or non-compliant.		Procedures for discipline of special education students are compliant and reflect strong understanding of requirements.		
Employee Benefits	Employee benefits are not addressed or are non-compliant.	Statement regarding employee benefits is incomplete.	Petition states that all staff members will be covered by PERSI, federal social security, unemployment insurance, workers compensation, and health insurance.		
Employee Status	Transfer rights are not addressed or are non-compliant.	Statement regarding transfer rights is incomplete.	Petition clearly addresses the transfer rights of charter school employees.		The statement lacks clarity – states that no transfer rights apply, but does not clarify to whom.
	Collective bargaining is not addressed or non-compliant.		Petition states that staff will be a separate unit for purposes of collective bargaining.		

General Comments regarding Tab 6:

Tab 7					
See IDAPA 08.03.01.401.09					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Admissions Procedures	Enrollment capacity section is absent or addresses only total capacity.	Enrollment capacity section is unclear.	Enrollment capacity section includes total school capacity as well as grade-level capacity.		
	Growth plan is not provided.	Growth plan is unclear or fails to detail plan from year one through final expansion.	Growth plan is clear and complete from year one through final expansion.	Growth plan includes a backup strategy for dealing with lower than expected enrollment.	

	Admissions procedures are incomplete or non-compliant.		Admissions procedures, including timelines, are clearly explained and compliant.		
	Over-enrollment and equitable selection processes are incomplete or non-compliant.		Over-enrollment and equitable selection processes are complete and compliant.		
	Equitable selection process includes preference groups not allowed by state law, or preferences are listed in the wrong order.		Equitable selection process permits only preference permitted by statute, and the preferences are ordered correctly.	Policies regarding preference groups are included with the petition. (For example, “founder” and “sibling” are defined.)	Sibling is not defined.
	Process for development of final selection list is incomplete or non-compliant.		Process for developing final selection list is clear and compliant.		
	Process for renewing final selection list is incomplete or non-compliant.		Process for renewing final selection list is clear and compliant.		
Alternatives	Public school alternatives are not addressed.	Public school alternatives are provided, but list is incomplete.	Public school alternatives are provided and include other charter schools (if applicable) and virtual public charter schools.		
Enrollment Opportunities	Process for making citizens aware of enrollment opportunities is unaddressed or non-compliant.	Process for making citizens aware of enrollment opportunities is vague.	Process for making citizens aware of enrollment opportunities is compliant, clearly defined, and includes specific timelines.	Marketing plan includes a variety of methods for informing the public of enrollment opportunities. Strategies for engaging citizens are appropriate for the target demographic and local community.	

	Plan for denial of school attendance is unaddressed or non-compliant.	Plan for denial of school attendance is incomplete.	Plan for denial of school attendance is clear and compliant.		
Handbook	Draft student handbook is not provided.	Draft student handbook is incomplete or has not been tailored to the school.	Complete, draft student handbook is tailored to the school. Procedure for ensuring stakeholder access to, and review of, handbook is included.		The handbook appears to be complete, however, it includes references to "Board of Trustees" which need to be removed

General Comments regarding Tab 7:

Tab 8					
See IDAPA 08.03.01.401.10					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Business Plan	Business description is not provided.	Business description is vague or incomplete.	Clear and well-considered business description addresses both the non-profit corporation and public entity aspects of the school.		
	Marketing plan is not provided.	Marketing plan is vague or incomplete.	Comprehensive marketing plan includes goals, tasks, timelines, expenses, and responsible individuals.	Marketing plan extends beyond the pre-opening year and includes opportunities for partnerships to engage the community with the school.	The content of the marketing plan is fairly complete and expenses are references / included in budget. However, it includes many typos and grammar & writing issues.
	Strategy for reaching at-risk and underserved families is not provided.	Strategies for reaching at-risk and underserved families are vague.	Strategies for reaching at-risk and underserved families, as well as families that might not be aware of the school, are well developed.	Petitioners have already made efforts to reach at-risk and underserved families. Evidence of interest in the school reflects that these efforts have been successful.	Previous reviews provided feedback about this, recommending additional detail and depth; it was not adequately addressed.

	Management plan is not provided.	Management plan is vague or incomplete.	Comprehensive management plan identifies roles and responsibilities of board, administration, business management, contractors, and support staff. If a management company is to be used, costs and services are clearly described, and a copy of the proposed contract is included in the appendix.		Newly clarified expectation.
	Resumes for all board members and not included.	Resumes provided may be incomplete, unprofessional, or lacking references.	Professional resumes are included and provide several references, with contact information, for each board member.	Resumes are accompanied by a narrative explaining the individual and collective qualifications of the board members, focusing on their capacity to assume responsibility for public funds and the education of Idaho students.	
	Names and primary roles of persons involved with petition development are not provided.	List of names and roles is incomplete.	Petition includes a list of the names and primary roles of all persons significantly involved with development of the petition, including: founders, board members, contractors, employees, and community volunteers. List identifies individuals expected to remain involved with the school during pre-opening and operations.		New expectation.

Financial Plan	Financial oversight plan is unaddressed or non-compliant.	Financial oversight plan is incomplete or likely to be ineffective.	Financial oversight policies and plans are described and demonstrate understanding of proper fiscal oversight.	Thorough, appropriate financial policies have been adopted by the board.	
	Pre-opening year budget is not provided.	Pre-opening year budget is incomplete, poorly documented, or appears insufficient to cover activities described in the petition.	Pre-opening year budget reflects reasonable expenditures that align with remainder of petition, including: marketing, facilities, staffing, insurance, contractors, memberships, certifications, audits, curriculum, technology, exceptional student services, etc. Revenues and expenditures are supported by documentation.		The pre-opening budget does not include funds for insurance or any staffing (even the administrator), and therefore, is likely to be inadequate.
	Operating budgets for the first three years of operations are not provided, are incorrectly formatted, or are incomplete.	Operating budgets for the first three years of operations are incomplete, poorly documented, or appear insufficient.	Operating budgets for the first three years of operations are provided on the PCSC's template. Budgets are provided for best-case, worst-case, and most-likely-case scenarios. Revenues and expenditures appear reasonable and are supported by documentation.	Five-year budget projections are provided.	While operating budgets generally look adequate, they include reduced rates for health / life insurance for employees for each year. This seems highly unlikely given the tendency of insurance costs to rise over time and should probably be adjusted.

	Budget assumptions have not been provided or PCSC	Budget assumptions are incomplete or unclear.	Budget assumptions are provided for the pre-opening year, as well as the first three years of operations. The assumptions are complete, consistent with the budgets, and appropriately documented. Budget assumptions are provided on the completed PCSC's Budget Assumptions template.	Budget assumptions include explanations of how the assumptions were developed. A description of what budgetary adjustments will be made if enrollment fails to meet projections is included.	The budget assumptions do not match the operating budgets. There are inconsistencies that need to be corrected.
	Budget documentation does not include completed PCSC Facility Options Templates for all facility options.		Budget documentation includes completed PCSC Facility Options Templates for all facility options.		N/A – the PCSC facility template was not available for this petition.
	Spending priorities do not clearly align with the mission and educational program.	An attempt has been made to align spending priorities with the mission and educational program, but resources allocated appear inadequate to achieve stated goals.	Spending priorities align with the mission and educational program and resources are adequate to achieve stated goals.		
	No fundraising or grant writing plan is provided.	Fundraising or grant writing plan is incomplete, or the budget relies on fundraising/grants to remain viable.	Realistic fundraising and grant writing plan identifies specific strategies, grantors, and goals. However, the budget does not rely on fundraising or grants to remain viable.	Successful fundraising strategy has been enacted. Documentation of guaranteed donations and/or grants is provided.	New expectation.
	Projected growth appears unrealistic or inadequate to meet long range financial plans.	Growth projections are not clearly supported by realistic data and/or supported by expanded staff and facilities.	Projected growth is realistic, adequate to meet long range financial plans, and supported by expanded staff and facilities.		

	First-year cash flow projection is not provided.	First-year cash flow projection is incomplete, inadequate, or indicates insufficient understanding of public school funding.	Adequate first-year cash flow projection reflects thorough understanding of public school funding.		Both cash flow projects are listed as “worst case” for the same facility (it appears the 1 st project is actually best/ likely case). The 2nd cash flow projection shows inadequate funds beginning in Feb of year 1 & ends app \$177,000 in the negative. This is concerning.
Transportation	No plan for the provision of student transportation is in place.	Plan is to add student transportation in future years, but the service will not be offered immediately.	Clear, documented plan is in place to offer student transportation beginning in year two or sooner.	Clear, documented plan is in place to offer student transportation beginning in year one.	
	Transportation plan does not consider how the plan (or lack thereof) will impact the ability of all interested families to enroll.	Transportation plan partially addresses how the plan will impact the ability of all interested families to enroll.	Transportation plan includes narrative regarding now the plan will impact the ability of all interested families to enroll, influencing student demographics and school finances.		Newly clarified expectation.
Nutrition	Student nutrition is not addressed.	Student nutrition service plans vague or undocumented.	Description of whether and how student nutrition will be provided is clear and documented.	Student nutrition will be provided beginning in year one.	The plan is generally complete. However, it is not clear if the plan will start in Year 1 of operations (though that is implied).
	Free and reduced lunch (FRL) eligibility is unaddressed or non-compliant.	Plan for identifying students who are eligible for FRL is unclear or inadequate.	Appropriate plan is in place for identifying students who are eligible for FRL.		

General Comments regarding Tab 8: The budget assumptions and operating budgets do not match. The operating budgets proposed seem reasonable, however, the worst case cash flow projection for year one raise concerns about whether Odyssey to be fiscally sound.

Tab 9

Virtual Schools and Blended Programs Only. See IDAPA 08.03.01.401.11

	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Learning Management System	Learning management system has not been identified.	Description of learning management system is vague or appears inadequate to fulfill the mission and meet identified goals.	Description of learning management system addresses technology platform, curriculum, and rationale. System appears adequate to fulfill mission and meet identified goals.		
	Roles of curriculum provider/ charter management organization/education management organization and school board and employees are not addressed.	Roles are not clearly defined, or are inappropriate.	Roles of curriculum provider/CMO/EMO, school board, administration, business managers, and teachers are clearly defined. Organizational chart indicates employment and supervision relationships.		
	Contract is incomplete or absent.	Contract is unclear, or costs appear unreasonable by comparison to services provided.	Contract clearly delineates costs and services. Costs appear reasonable by comparison to services provided.		
	School board appears to have inadequate oversight and control over school finances, educational program, and/or employees.	School board apparently retains oversight and control, but no plan is in place for evaluating and redirecting the curriculum provider/CMO/EMO.	School board clearly retains oversight and control over school finances, educational program, and employees. Plan is in place to regularly evaluate and redirect curriculum provider/CMO/EMO as needed.	Local, independent school board clearly evaluated multiple curriculum providers and selected a vendor appropriate to the stated mission in order to meet a community need.	
	Learning management system does not appear to offer opportunities significantly different from those already available.		Learning management system offers new opportunities to families.		

Educational Program	Rationale for use of a virtual program is not addressed, or the virtual method appears to be a poor choice for fulfilling the mission and meeting stated goals.	Rationale requires further development.	Petition provides strong rationale for use of a virtual program, rather than a brick-and-mortar program, to fulfill the mission and meet stated goals.	Virtual program will provide unique opportunities and meet goals that could not be achieved in a brick-and-mortar setting.	
	Role of online teacher is not addressed.	Role of online teacher is not sufficiently detailed or appears inadequate.	Role of online teacher, including consistent availability of teacher to individualize and provide guidance around course material is clearly described.	Role of teacher is sufficiently broad to minimize reliance on parent or learning coach for guidance around course material.	
	Assessment of student work is not addressed.	Means by which student work will be assessed is not sufficiently detailed or teacher involvement appears inadequate.	Means by which student work will be assessed is clearly described, including level of teacher involvement in evaluating and responding to student performance.		
	Student-teacher interaction is not addressed.	Student-teacher interaction appears inadequate to ensure student success.	Means by which student will interact with teachers includes timely and frequent feedback about student progress.	Petition describes unusually strong level of teacher support that extends beyond academic instruction.	
	Student-to-student interaction is not addressed.	Student-to-student interaction appears inadequate to foster school community.	Opportunities for student-to-student interaction are practical, diverse, and likely to cultivate school community.	Petition describes unusually strong strategies for fostering student community and positive culture.	
	Strategies for meeting the needs of exceptional students are not addressed.	Strategies for meeting the needs of exceptional students appear inadequate or unaffordable.	Petition identifies specific, affordable strategies for meeting the needs of special education, ELL, gifted, and other exceptional students.		

Technology	Plan for provision of hardware, software, and connectivity is absent or does not ensure equal access.	Plan for provision of hardware, software, and connectivity is vague or may not be sufficient or affordable.	Reasonable plan is in place for ensuring equal access to all students, including provision of necessary hardware, software, and internet connectivity required for participation in online coursework.		
	Plan for provision of technical support is not provided.	Plan for provision of technical support is vague or may not be sufficient or affordable.	Plan for provision of technical support relevant to the delivery of online courses is cost-effective, timely, and supported by adequate staff.		
	Plan for training students and parents in use of hardware and software is not provided.	Plan for training students and parents in use of hardware and software appears insufficient.	Plan is in place for training students and parents in use of hardware and software.		
Professional Development	Professional development specific to the virtual environment is not addressed.	Strategies for professional development require additional development to ensure successful implementation of the virtual program.	Strategies for professional development specific to education in the virtual environment address both initial and ongoing training.		
	Teacher evaluations specific to the virtual environment are not addressed.	Teacher evaluation plan is vague or inadequate.	Teacher evaluation plan includes observation and intervention strategies specific to virtual education.		
Data Collection	Means of verifying student attendance is unaddressed or non-compliant.	Means of verifying student attendance is vague or insufficient.	Means of verifying student attendance is clearly described. Attendance will focus primarily on coursework and activities correlated to the thoroughness standards.		

	Means of awarding course completion is unaddressed.	Means of awarding course completion is vague or insufficient.	Means of awarding course completion is clearly described.		
	Administration of standardized testing is not addressed.	Plan for administration of standardized tests is impractical for the school and/or families. Inadequate participation appears likely.	Strategies for administering standardized testing to all students are practical and affordable.	Strategies include methods for motivating participation and assisting families with limited resources.	

General Comments regarding Tab 9:

Tab 10					
See IDAPA 08.03.01.401.12					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	
Business Arrangements and Partnerships	No information is provided regarding services to be purchased or contracted.	Limited information is provided regarding services to be purchased or contracted.	List of contracted services and key business partnerships is provided. Supporting documentation (draft contracts / letters of intent / MOUs) is included in appendix.		Description is clear and documentation is provided for most of the proposed partners. However, a LOI is not included for TCPCS (who will be contracted to provide lunches).
	Community partnerships are not addressed.	Descriptions of community partnerships are vague or uncertain.	Specific community partnerships are described and supported by agreements or letters of support.	Community partnerships are integral to the mission and educational program. Such partnerships have been developed and their nature is clearly described.	This section is vague and only includes a mention that partnerships will be established for community service (with no specificity). Progress towards concurrent / dual enrollment partnerships is not included.

	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Roles of management organization and school board and employees are not addressed.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Roles are not clearly defined, or are inappropriate.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Roles of management organization and school board, administration, business managers, and teachers are clearly defined. Organizational charter indicates employment and supervision relationships.</p>		
	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Contract is incomplete or absent.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Contract is unclear, or costs appear unreasonable by comparison to services provided.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Contract clearly delineates costs and services. Costs appear reasonable by comparison to services provided.</p>		

	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>School board appears to have inadequate oversight and control over school finances, educational program, and/or employees.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>School board apparently retains oversight and control, but no plan is in place for evaluating the management company.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>School board clearly retains oversight and control over school finances, educational program, and employees. Plan is in place to regularly evaluate and redirect management company as needed.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Local, independent school board clearly evaluated multiple management companies and selected a vendor appropriate to meet specific needs.</p>	
	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Rationale for use of a management company is not addressed, or use of the management company appears to be a poor choice for fulfilling the identified needs.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Rationale requires further development.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Petition provides strong rationale for use of the management company, rather than performing the work in-house.</p>	<p><i>If a Charter Management Organization (CMO) or Educational Management Organization (EMO), or other management company is to be used:</i></p> <p>Use of the management company will provide unique opportunities and meet goals that could not be achieved in-house.</p>	
Additional Information	School calendar is not provided.	School calendar is insufficient or non-compliant.	School calendar and schedule demonstrate compliance with statutory requirements for student contact hours, and are sufficient to ensure a viable curriculum and strong professional development.	Calendar reflects understanding of how attendance will affect school finances, and considers other community factors such as holidays, school vacations, hunting season, daycare availability, etc.	Newly clarified expectation.

	Pre-opening timeline is not provided using the PCSC's Pre-Opening Timeline Template.	Pre-opening template requires additional development to ensure timely completion of preparation to begin operations.	Complete, pre-opening timeline is provided using the PCSC's Pre-Opening Timeline Template and reflects strong understanding of the steps involved in preparing for operations.		The pre-opening timeline is strong, but if it matches the pre-opening budget. For instance, 2M is mentioned in the timeline, but not included in the budget. PCSC template not available for this petition.
	Plans for teacher and administrator evaluations are not included or are non-compliant.	Plans for teacher and administrator evaluations are vague or insufficient.	Petition includes clear process for evaluating teacher and administrator effectiveness and using results to improve student outcomes.	Plans for working with underperforming teachers/administrator(s) are included.	Information about the process for evaluating teachers is not provided. (Plan for administrator evaluation is included & is acceptable.)
	Professional development offerings are minimal, poorly aligned with the mission, or clearly inadequate to ensure successful implementation of the educational program.	Petition expresses an intention to base professional development on teacher need, student progress, and school mission, but plan is vague.	Professional development strategy is thorough, specific, and sufficient to ensure successful implementation of the educational program and fulfillment of the mission. Adequate resources are committed to initial and ongoing professional development.		A detailed professional development plan is provided (in the appendices). However, given the difficulty of implementing PBL and the lack of in-person mentoring, it may be insufficient. Best practices for implementing PBL generally include a longer pre-implementation training than is proposed and provide regular mentoring, monitoring, and support for teachers.
Termination	Termination plan fails to specify individuals responsible for tasks associated with dissolution.	Termination plan relies on employees for the completion of tasks associated with dissolution.	Termination plan specifies non-employee individuals responsible for tasks associated with dissolution.		

	Disposal of assets is unaddressed or non-compliant.	Disposal of assets is generally addressed, but additional detail is required.	Plan for disposal of assets, including responsible individual and timelines, is clear and compliant. Distinction is made between assets purchased with federal and non-federal funds.		In general, the dissolution plan needs significant revision.
	Payment of creditors is unaddressed or non-compliant.	Payment of creditors is generally addressed, but priorities are not specified.	Payment of creditors is addressed and includes a list of priorities for payment (if permitted by courts). Specific timelines are included.		
	No plan is in place for completion of final, independent fiscal audit.		Plan is in place for funding and completion of final, independent fiscal audit.		Newly clarified expectation.
	Long term record storage is not addressed.	Long term storage plans are vague or inappropriate.	Plans for secure, long-term storage of records, including student and personnel records, are clear. Process for accessing records will be available to the public.		Plan includes statement that the storage location will be posted on social media. This is high-risk and should be revised.
	Student records transfer plan is not provided or is non-compliant.	Student records transfer plan is vague or inadequate.	Process for transferring student records is clear, includes identification of responsible individuals, and will be available to the public.		The plan includes statement that the school will send student records to the last known address w/out getting receiving a parent request or address confirmation. This is high-risk and should be revised.

	Personnel records transfer plan is not provided or is non-compliant.	Personnel records transfer plan is vague or inadequate.	Process for transferring personnel records is clear, includes identification of responsible individuals, and will be available to the public.		
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General Comments regarding Tab 10: The dissolution plan is in need of significant revision.

General Quality Indicators					
These indicators apply throughout the petition and the petitioning process.					
	Does Not Meet – 0	Partially Meets – 1	Meets – 2	Exceeds - 3	Comments
Timeliness	Petition and related documents are frequently submitted after deadlines.	Petition and related documents are occasionally submitted after deadlines.	Petition and related documents are submitted in accordance with the timelines in statute, administrative rule, and PCSC policy. Very rare exceptions may be made with the <i>advance</i> approval of PCSC staff.	Petitions and related documents are submitted promptly, well in advance of required deadlines.	While the petition was submitted according to deadlines, petitioners were not always timely in sending revisions.
Thoroughness	Petition revisions fail to address many concerns and recommendations cited by SDE and PCSC staff. Petitioners attempt to rely on oral assurances in place of written revisions.	Petition revisions address most concerns and recommendations cited by SDE and PCSC staff.	Petition revisions consistently reflect petitioners' best efforts to respond thoroughly to all concerns and recommendations previously cited by SDE and PCSC staff. Revisions are made in the petition document.		

	Some petition revisions are made without the use of legislative formatting.		<p>All petition revisions are correctly marked using legislative formatting.</p> <p>Only revisions made since the last PCSC staff review marked.</p> <p>(Legislative formatting need not be used on budget spreadsheets or when entire appendices are simply re-ordered but not changed.)</p>		
Professionalism	Petition contains many typographical errors and/or formatting inconsistencies.	Petition contains a moderate, but unacceptable, number of typographical errors and/or formatting inconsistencies.	Petition contains very few typographical errors and/or formatting inconsistencies.	Petition is free of typographical errors and/or formatting inconsistencies.	
	Quality of writing is poor and requires extensive editing.	Writing requires editing for clarity, consistency, and/or grammatical errors.	Quality of writing is clear, consistent, logically organized, and free of grammatical errors.	Writing is exceptionally strong, presenting concepts in a concise, compelling, and error-free fashion.	
	Petition is poorly organized and/or contains numerous reference errors.	Petition is reasonably organized and contains few reference errors.	Petition is well-organized and references to other documents, sections, and appendices are accurate.		
	Petition contains text obviously taken from other documents and not reviewed or customized.	Petition contains sections of “boilerplate” text that have not been customized to suit the school.	Petition does not rely on text taken from other documents. Any “boilerplate” sections have clearly been reviewed and customized as necessary.		
Compliance	Petition format is not consistent with IDAPA 08.03.01.400.	Petition format is mostly consistent with IDAPA 08.03.01.400.	Petition format is consistent with IDAPA 08.03.01.400.		

	No members of the petitioning group attended the SDE's Charter Start! Workshop.	The petitioning group has been represented at the SDE's Charter Start! Workshop. However, only one member attended and/or the attendee(s) is/are no longer actively involved with the petitioning process.	At least two, active members of the petitioning group attended the SDE's Charter Start! Workshop.	All active members of the petitioning group attended the SDE's Charter Start! Workshop.	
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General Comments regarding the petition:

TAB 5: CHARTER SCHOOL PERFORMANCE FRAMEWORK

This tab contains an incomplete, draft Charter School Performance Framework for the PCSC's consideration. Based on exemplary frameworks used by other authorizers including Chicago Public Schools, the State University of New York's Charter Schools Institute, and the District of Columbia Public Charter School Board, this complex document remains under development but is sufficiently advanced to provide the PCSC with fodder for discussion and recommendation.

When completed, the framework will provide a consistent, objective set of indicators by which the PCSC may evaluate each of its schools' academic and operational status. Most of the data used will be obtained through third-party sources, such as the State Department of Education, thereby relieving the reporting burden on schools and improving the reliability of the data.

Schools should be evaluated using the framework on an annual basis; such evaluations will be completed in autumn when Star Ratings and fiscal audits are available for the previous school year.

Evaluation using the framework will result in an annual Performance Scorecard for each school. Scorecards will be used to:

1. Apprise schools of their status by comparison to the PCSC's performance standards;
2. Apprise the PCSC of schools' status to inform authorizing decisions, including those regarding proposed charter amendments, sanctions, and revocation; and
3. Apprise legislators, school stakeholders, and the general public of the status of PCSC-authorized schools.

PCSC staff recommends that, upon further development and testing of the framework, the PCSC set minimum performance standards to guide authorizing decisions. Consistent failure to meet these standards could be grounds for revocation or, in the case of statutory change, non-renewal. As drafted, the framework contains sample standards that are subject to discussion and change.

PUBLIC CHARTER SCHOOL PERFORMANCE FRAMEWORK

Note: This document is an incomplete draft provided for PCSC review and feedback only.

Introduction

The Idaho Public Charter School Commission (PCSC) has determined that it is in the best interests of the PCSC, public charter schools, students, school stakeholders, and taxpayers for the PCSC to articulate clear performance standards for public charter schools.

The governing board of each public charter school is responsible for overseeing the academic performance of the school and ensuring improved educational outcomes for its students. Additionally, the governing board is charged with ensuring that the school's financial management and legal compliance support the overall health of the school and fulfillment of its commitment to its authorizer, stakeholders, and Idaho taxpayers.

The PCSC will publish annual Performance Scorecards outlining each school's level of achievement with respect to the variety of objective indicators established by this Performance Framework.

The PCSC has established minimum performance standards that all PCSC-authorized public charter schools are expected to meet. Consistent failure to meet or make substantial progress toward these standards will result in the imposition of sanctions up to and including revocation of the charter.

Annual Performance Scorecards

The Performance Framework is designed to provide a consistent set of indicators by which the PCSC may evaluate the status of schools it authorizes. Each school's annual evaluation will result in a published Performance Scorecard indicating the school's status in three categories:

1. Academic Performance
2. Fiscal Performance
3. Governance and Compliance

To the greatest extent possible, Scorecards will be completed using data obtained through third-party sources. Data that can only be provided by the schools will be requested in writing and must be submitted in a thorough and timely fashion in order to prevent negative impact on overall performance ratings.

Accountability Designation

Based on the completed Performance Scorecards, the PCSC will assign each school an accountability designation for purposes of special recognition or sanctions. 40% of the designation will be based on academic performance, 40% on fiscal performance, and 20% on governance and compliance. Possible accountability designations are as follows:

- **Tier I – Good Standing**
Tier I schools are eligible for special recognition and maybe exempted from annual, in-person reports to the PCSC. Replication and expansion proposals will be considered.
- **Tier II – Probation**
Tier II schools may be responsible for additional reporting, including corrective action plans and progress reports. Continued performance at or below this level may lead to Tier III status within the next performance review cycle.
- **Tier III – Remediation**
Tier III schools are subject additional investigation, monitoring, and reporting. Failure to correct identified deficiencies may lead to critical status or revocation within the next performance review cycle.
- **Critical**
Schools whose status is listed as critical are subject to immediate consideration for revocation.

Public Charter School Performance Framework

Academic Performance

The intent of the Academic Performance section is to provide a multi-faceted understanding of student results upon which the charter school's academic status will be evaluated. Academic performance will be evaluated based on achievement, growth by comparison to academic peers, and adequacy of growth to reach or maintain grade-level performance. When secondary grades are offered, post-secondary readiness will also be considered.

The PCSC has adopted the Five-Star Rating System developed by the Idaho State Department of Education (SDE) as its primary tool for academic performance evaluation. A [guide to the Five-Star Rating System](#) is available on the SDE's website.

[Note: Model authorizers in other states, particularly New York, have implemented systems similar to Idaho's Five-Star Rating System for purposes of evaluating their public charter schools. Idaho's use of Star Ratings for all public charter schools reduces or eliminates the PCSC's need to further analyze standardized test results.]

The sample scorecard included with this draft permits tailoring of Star Rating data to reflect PCSC priorities. In the sample, growth is weighted more heavily than achievement in establishing the school's accountability designation.

In the future, schools' unique measureable student educational standards (MSES) may provide an additional avenue for academic evaluation on the framework. Metrics related to MSES are not included at this time, as most PCSC-authorized schools do not have quality MSES in place. If statute is amended to require performance contracts, an opportunity to require the drafting of clear MSES for PCSC-authorized schools will be created.

In making revocation or non-renewal decisions, the PCSC may evaluate factors beyond those that can be objectively measured using this framework. The framework is intended to inform accountability designations and advise schools' of their status, as well as contribute to authorizing decisions.]

Scoring for Academic Performance

Each school will receive an Academic Performance score based on components of the Five-Star Rating System. This score will contribute 40% to the school's [accountability designation](#).

Schools earn points equivalent to the percentage of points earned overall and in each subcategory of the school's Star Rating. Points are weighted in accordance with the PCSC's priority on growth; the Growth to Achievement score carries twice the influence on the final score as any other Academic Performance category. Additionally, the PCSC's philosophy that public charter schools should be held to high standards is reflected in the "floor" of 60%. Schools whose performance falls below the floor will receive a ranking of 0 for Academic Performance, resulting in an automatic accountability designation of Tier II or worse.

Due to a variety of factors including school size and grade composition, some schools are not eligible to receive points in certain subcategories. Scores are based on the percentage of points earned for which the school is eligible. The percentage of eligible points earned is then calculated.

A sample [Academic Performance Scorecard](#) is provided on page 18.

Standard for Academic Performance

The PCSC's standard is that all schools it authorizes must receive at least four stars for the majority of their years of operation. Four and five star schools will earn an Academic Performance score of at least 100 points.

Under certain circumstances, schools receiving three stars may be deemed to have acceptable performance. This occurs primarily in situations in which low achievement is clearly attributable to student demographics; however, student growth must be exceptionally strong for such a school to avoid sanctions.

Rare exceptions to this standard may be negotiated through the charter and will be considered only for schools whose structure (not the educational program or target demographic) renders the majority of the Five-Star Rating System's metrics inapplicable.

Academic Performance Framework

Each school's data will be calculated using the [matrix](#) on page 18. It should be noted that the majority of each school's evaluation is accomplished through the Five-Star Rating System. This framework serves only as an additional lens to enable viewing of the school's results in context of the PCSC's quality standards. Comprehensive understanding of the Five-Star Rating System is necessary for interpreting the Performance Scorecard.

Fiscal Performance

The intent of the Fiscal Performance section is to provide a multi-faceted understanding of the school's financial management and status. Indicators related to accounting policies, financial reporting, internal controls, transparency, and fiscal prudence will be evaluated. Additionally, the PCSC will assess each school's fiscal status using the General Performance Assessment (GPA) tool.

Data sources will include independent fiscal audits, ISEE reports, PCSC staff reports, and reports submitted by individual schools.

Scoring for Fiscal Performance

Each school will receive a score based on the [Financial Performance Rubric](#) and [GPA Tool](#). This score will contribute 40% to the school's [accountability designation](#).

Schools earn points for performance on the GPA Tool and indicators within five rubric categories. Points for each indicator are averaged to determine points for the category. Categories are weighted to reflect the PCSC's primary focus on indicators such as fiscal prudence and financial reporting, as opposed to more static indicators such as fiscal policies. Though responsible for fewer points, the GPA result is weighted to significantly influence the overall score.

Scores are based on the percentage of points earned for which the school is eligible.

A sample [Fiscal Performance Scorecard](#) is provided on page 19.

Standard for Fiscal Performance

The PCSC's standard is that all schools it authorizes rank at least a 4 (Satisfactory) in every category on the Financial Management Rubric. Schools should also achieve at least a 3.0 on the GPA tool. Schools meeting these standards will receive a score of at least 75 on the Fiscal Performance Scorecard.

Financial Performance Rubric

The rubric below, which is divided into five categories containing multiple indicators, will be used to assess schools' fiscal performance.

[Note: This draft refers to documents, such as PCSC accounting guidelines, which do not presently exist. These documents may be developed or the rubric modified as this framework is revised.]

Accounting Policies		
Accounting Policies	5 – Above Average	School follows PCSC accounting guidelines. Guidelines include (1) Using approved auditors; (2) following audit policies; (3) maintaining records under accrual basis of accounting; and (4) reporting financial statements according to GAAP.
	4 - Satisfactory	With minor exceptions, school follows PCSC accounting guidelines.
	3 – Watch: Improvements Required	School has failed to follow PCSC accounting guidelines for one audit cycle. School has implemented a corrective action plan.
	2 – Substandard: Probation	School has failed to follow PCSC accounting guidelines for more than one audit cycle and/or the school has committed a significant breach in one cycle. A corrective action plan is in development.
	1 – Poor: Revocation	The school has failed to follow PCSC accounting guidelines for more than one audit cycle. A corrective action plan was not developed or was never followed.
	Comments	
Score for Accounting Policies		
Total Points for Accounting Policies		

Financial Reporting		
Audited Statements	5 – Above Average	Audits are submitted on a timely basis. Annual audit receives an unqualified opinion with no findings. Management displays a high level of transparency and an interest in continuous improvement of financial management.
	4 - Satisfactory	Audits are submitted on a timely basis. Annual audit receives an unqualified opinion with no findings. Management letter reflects minimal need for changes in financial management. Any changes are implemented immediately.
	3 – Watch: Improvements Required	Audits are submitted on time or with slight delay due to specific circumstances. Audit findings show need for significant improvement; school implements changes immediately. Procedures are tracked to ensure compliance with auditor's recommendations.
	2 -- Substandard: Probation	At least one audit has been significantly delayed. Annual audit receives a qualified opinion. Audit report or management letter indicates significant financial problems; changes not implemented from prior year's findings. School develops realistic plan based on auditor's recommendations to be implemented over the next year.
	1 -- Poor: Revocation	Audits have been significantly delayed for more than one cycle and/or not submitted at all. Annual audit receives a qualified opinion for two years or more. Audit report or management letter indicates significant financial problems for which turnaround is not feasible; changes not implemented from prior year's management letter.
	Comments	
	Score for Audited Statements	
Budgets & Interim Financials	5 – Above Average	Budgets and interim financials are submitted on time and follow the PCSC template. No significant problems identified in reports.
	4 - Satisfactory	Budgets and interim financials are submitted on time and follow the PCSC template with few exceptions. Only minor spending variances or other problems are reported.
	3 – Watch: Improvements Required	Budgets and interim financials are submitted late and/or do not follow the PCSC template. Significant variances or other problems are reported, but they have reasonable justifications and do not necessarily jeopardize the school's financial health.
	2 – Substandard: Probation	Budgets and interim financials have not been submitted one or two times. Or, significant variances or other problems are reported without reasonable justifications. The school's financial health is potentially weakened.
	1 – Poor: Revocation	Budgets and interim financials have not been submitted on several occasions. Or, significant variances or other problems are reported, considerably jeopardizing the school's ability to operate as a going concern.

Taxes and Insurance	Comments	
	Score for Budgets & Interim Financials	
	5 – Above Average	Required IRS forms are filed and evidence of adequate insurance coverage is provided. All documentation is adequately maintained.
	4 - Satisfactory	Required IRS forms are filed and evidence of minimal insurance coverage is provided. All documentation is adequately maintained, with minor exceptions.
	3 – Watch: Improvements Required	Required IRS forms are filed, but have been late once or twice. Evidence of some insurance is provided. Documentation is not properly filed or maintained.
	2 – Substandard: Probation	Required IRS forms are consistently filed late. The school shows no evidence of adequate insurance coverage. Adequate documentation is lacking.
	1 – Poor: Revocation	
	Comments	
	Score for Taxes and Insurance	
	Total Points for Financial Reporting	

Internal Controls		
Establishment & Adherence to Internal Controls Policy	5 – Above Average	Based on PCSC review and annual audit, school has clear, written internal controls in place to provide checks and balances. Audit indicates that all internal control policies are followed.
	4 - Satisfactory	School has clear, written internal controls in place to provide checks and balances, with minor exceptions. Weaknesses identified by PCSC or auditor are minor and can be addressed immediately.
	3 – Watch: Improvements Required	School has some internal controls in place. Weaknesses identified by PCSC or auditor can be addressed over the course of the fiscal year.
	2 -- Substandard: Probation	School lacks some major internal controls. Weaknesses identified by PCSC or auditor need one to two years to be addressed. School is developing a corrective action plan.
	1 -- Poor: Revocation	School lacks basic internal controls and there is evidence of financial mismanagement.
	Comments	
	Score for Establishment & Adherence to Internal Controls Policy	
Procurement	5 – Above Average	School is in compliance with PCSC’s contracting / procurement requirements.
	4 - Satisfactory	School is in compliance with PCSC’s contracting / procurement requirements, with minor exceptions noted.
	3 – Watch: Improvements Required	School has had some violations of PCSC’s contracting / procurement requirements over the course of the year. Violations were reasonably justified. Policies and procedures are in place to preclude future violations.
	2 – Substandard: Probation	School has had consistent violations of PCSC’s contracting / procurement requirements. A corrective action plan is in development.
	1 – Poor: Revocation	School has had consistent violations of PCSC’s contracting / procurement requirements. Management lacks capacity to assure compliance.
	Comments	
	Score for Procurement	
Total Points for Internal Controls		

Transparency of Financial Management		
Annual Budgets	5 – Above Average	The school prepares an annual operating budget and cash flow projection by June 1 each year. Budget reflects thoughtful planning and detailed assumptions. Documents are approved by the Board of Directors. Modifications are made as necessary and are submitted to the PCSC.
	4 - Satisfactory	With some exceptions, the school regularly prepares annual operating budget and cash flow projection. Budget reflects thoughtful planning. Documents are approved by the Board of Directors. Modifications occur as necessary and are submitted to the PCSC.
	3 – Watch: Improvements Required	The school does not consistently submit budgets and/or modifications of budgets to PCSC. Budget lacks planning and/or clear assumptions. There appears to be a lack of consensus or understanding of the budget by board members. Corrective plans are in process and will be implemented within a fiscal quarter.
	2 – Substandard: Probation	Budgets are not submitted on time and/or do not have Board of Director’s approval. Clear budget policies are in development.
	1 – Poor: Revocation	The school lacks budget policies and procedures. The Board of Directors and staff lack capacity to implement standard budgeting procedures.
	Comments	
	Score for Annual Budgets	
Related Party Transactions	5 – Above Average	School accurately discloses transactions with related parties, as required by PCSC’s guidelines.
	4 - Satisfactory	School accurately discloses transactions with related parties, with minor exceptions.
	3 – Watch: Improvements Required	School fails to disclose related party transactions. Information is provided at PCSC’s request.
	2 – Substandard: Probation	School fails to disclose related party transactions. Information is not easily obtained by PCSC. There is evidence of inadvertent mismanagement.
	1 – Poor: Revocation	School does not disclose relationship with organization up front. PCSC cannot obtain satisfactory information and/or there is evidence of unethical behavior and mismanagement.
	Comments	
	Score for Related Party Transactions	
Total Points for Transparency of Financial Management		

Fiscal Prudence		
Balanced Budget	5 – Above Average	School as a balanced budget, based on reasonable assumptions, for the upcoming fiscal year. Expenses are less than revenues, or there is a reasonable explanation for deficit spending. Budgeting is thoughtfully aligned with long-term financial goals.
	4 - Satisfactory	School has a balanced budget using reasonable assumptions. Expenses are less than revenues, or there is a reasonable explanation for deficit spending. Current spending plans will contribute to long-term financial goals.
	3 – Watch: Improvements Required	School has a balanced budget using some questionable assumptions. Expenses are greater than revenues for one or more years.
	2 – Substandard: Probation	School does not have a balanced budget or has one with questionable assumptions. Expenses have exceeded revenues more often than not.
	1 -- Poor: Revocation	School has no prepared budget. Expenses consistently exceed revenues.
	Comments	
	Score for Balanced Budget	
Debt Capacity	5 – Above Average	According to financial statements, school takes on debt only with thoughtful planning and well within its debt service capacity. Standard policies are in place to prevent unnecessary and/or onerous borrowing.
	4 - Satisfactory	According to financial statements, school stays within its debt service capacity as required by the lender. Standard policies are in place to prevent unnecessary and/or onerous borrowing.
	3 – Watch: Improvements Required	According to financial statements, school has significant debt and has exceeded its debt service capacity, potentially violating loan covenants. School and lender are implementing remedies. Policies were in place and were followed but extraordinary circumstances led to the current situation.
	2 – Substandard: Probation	According to financial statements, school has significant debt and has defaulted on its loan. Lender has school on a watch list. School and lender are discussion remedies. Policies were not in place or were not followed.
	1 -- Poor: Revocation	According to financial statements, school has significant debt and defaulted on its loan. The lender has called the loan. No remedies are possible.
	Comments	
	Score for Debt Capacity	
Appropriate	5 – Above Average	School makes spending decisions appropriate for the management of educational programs. Salaries and occupancy costs, in particular, are in line with industry comparables. Minor variances from industry standards are well explained and justified.

	4 - Satisfactory	School makes spending decisions appropriate for the management of educational programs. Salaries and occupancy costs are slightly out of line with industry comparables, but with reasonable justifications.
	3 – Watch: Improvements Required	School makes some inappropriate spending decisions, inadvertently. Salaries and occupancy costs are out of line with industry comparables but still have sufficient justifications. A corrective plan is being implemented.
	2 – Substandard: Probation	School has a record of inappropriate spending decisions, with some reasonable justification. Salaries and occupancy costs are considerably out of line with industry comparables. A corrective plan is in development.
	1 -- Poor: Revocation	School has a record of inappropriate spending decisions, with no rational justifications. There is evidence of unethical behavior and fiscal mismanagement. Salaries and occupancy costs are egregiously out of line with industry comparables. No corrective plan is feasible.
	Comments	
	Score for Appropriate Spending Decisions	
Investment Decisions	5 – Above Average	According to financial statements, school has significant liquid assets and manages them prudently, prioritizing safety over level of return. Clear, written policies with board approval address how assets should be invested.
	4 - Satisfactory	According to financial statements, school has minimal liquid assets and manages them prudently, prioritizing safety over level of return. Clear, written policies with board approval address how assets should be invested.
	3 – Watch: Improvements Required	According to financial statements, school has minimal liquid assets but their management is questionable; investment decisions appear somewhat risky.
	2 – Substandard: Probation	According to financial statements, school has minimal to no liquid assets. Any assets invested are in high-risk/questionable areas.
	1 -- Poor: Revocation	According to financial statements, school has no liquid assets or minimal assets with no track record of investment decisions.
	Comments	
Score for Investment Decisions		
Total Points for Fiscal Prudence		

General Performance Assessment (GPA) Tool

Calculation	Grade								
	4.0	3.5	3.0	2.5	2.0	1.5	1.0	0.5	0.0
Net Income/ Total Revenues	>.15	>.15	>.15	>.15	>.15	>.15	>.15	>.15	>.15
Net Income + depreciation (ensure exclusion of principal payments)	>0	NA	0	NA	<0	NA	NA	NA	NA
Total Occupancy Expenses (excluding principal payments)/Total Revenues	≤.05	≤.1	≤.15	≤.2	≤.25	≤.30	≤.35	≤.40	>.40
Salaries + Student Costs/Total Revenue	≤.45	≤.50	≤.55	≤.60	≤.65	≤.70	≤.75	≤.80	>.80
Current Assets/Current Liabilities	>2.5	>=2.01	>=1.51	>=1.26	>=1.01	>=.76	>=.51	>=.26	<=.25
(Fixed Assets-Accumulated Depreciation)/Total Assets	<=.3	<=.2 <=.4	<=.1 <=.5	<=.6	<=.7	<=.8	NA	NA	NA
Total Equity/Total Assets	>.5	>=.41	>=.31	>=.21	>=.11	>=.01	>=.09	>= -.19	<=.2
Total Liabilities/Equity	<=1.5	NA	<=2.0	<=2.5	<=3.5	<=4.5	<=6.5	NA	>=6.51 <0.00

Governance and Compliance

[Note: This section has not yet been drafted. At this time, staff estimates that the score for this section of the framework will contribute 20% toward each school's accountability designation. The following chart includes quality indicators that may be included. Blank spaces are provided for additional input by the PCSC. Those indicators that are qualitative rather than quantities should be limited and suitable for evaluation using a consistent scale.]

Enrollment & Attendance	Enrollment <ul style="list-style-type: none">• % of available seats filled• Extensiveness of waiting list
	Student Retention <ul style="list-style-type: none">• In-year retention – Students who enrolled at any point during this school year and finished the year at this school• Year-to-year retention – Students who enrolled at any time during last school year and returned this year• Two-year retention – Students who were enrolled at the beginning of last school year and remained enrolled at the beginning of this school year• Average number of years students remain at the school
	Attendance Rate (ADA)

Employees	Administrator Turnover
	Faculty Turnover
	Administrator Reviews (frequency, quality, and response to results)
Governance	Board Training (quality and consistency)
	Board Elections (timeliness, organization, compliance with bylaws)
	Meeting Minutes (quality and timeliness)
	Board Member Retention (completion of term)
	Board Effectiveness (understanding and fulfillment of proper role)

Compliance with Charter	Fulfillment of mission and vision
	School culture
Compliance with hStatute/Rule	Number of violations (all areas, including but not limited to: public records law, open meetings law, certification, special education, enrollment lottery, etc.)
Compliance with PCSC	Timely submission of reports

	Board member attendance at PCSC site visits and meetings
Stakeholder Satisfaction	Stakeholder Survey (regular administration, reporting of results, results, and response to results)

PUBLIC CHARTER SCHOOL PERFORMANCE SCORECARD

School: SAMPLE

Date: 12/3/2012

Regarding School Year: 2011-2012 (FY12)

ACADEMIC PERFORMANCE

Metric	Points Earned (= % of Star Points Earned)	Weight	Adjusted Points Earned	Points Eligible	% of Eligible Points Earned	School's Score
Overall		1	0	100		
Achievement		2	0	100		
Growth to Achievement		1	0	100		
Growth Sub-Populations		1	0	100		
Post-Secondary		1	0	100		
Total			0	500	0%	

If School Earned	Score Is
>100% of points possible	125
90-100% of points	100
80-89% of points	75
70-79% of points	50
60-69% of points	25
< 60% of points	0

FISCAL PERFORMANCE

Metric	Indicator	Points Earned	Weight	Adjusted Points Earned	Points Eligible	% of Eligible Points Earned	School's Score
Accounting Policies	Accounting Policies	0	1	0.0	5		
Financial Reporting	Audited Statements Budget & Interim Financials Taxes & Insurance	0.0	2	0.0	10		
Internal Controls	Internal Controls Policy Procurement	0.0	1	0.0	5		
Transparency	Annual Budgets Related-Party Transactions	0.0	2	0.0	10		
Fiscal Prudence	Balanced Budget Debt Capacity Spending Decisions Investment Decisions	0.0	2	0.0	10		
GPA			6	0.0	24		
Total Score				0.0	64	0%	

If School Earned	Score Is
100% of points possible	125
90-100% of points	100
78-89% of points	75
67-77% of points	50
60-67% of points	25
< 60% of points	0

GOVERNANCE AND COMPLIANCE

[Not drafted at this time.]

TAB 6: AUTHORIZING REPORTS AND RESOURCES

This tab contains a number of resources developed by national organizations concerned with public charter schools and charter school authorizing.

The mission of the National Association of Charter School Authorizers (NACSA), of which the PCSC is a member, is “to achieve the establishment and operation of quality charter schools through responsible oversight in the public interest.” NACSA publishes a variety of policy guides and comparative reports to assist authorizers with the implementation of best authorizing practices.

The mission of the National Alliance for Public Charter Schools (NAPCS) is “to lead public education to unprecedented levels of academic achievement for all students by fostering a strong charter sector. The Alliance provides assistance to state charter school associations and resource centers, develops and advocates for improved public policies, and serves as the united voice for this large and diverse movement.”

The documents included below represent some of the most significant resources used by staff to guide the development of the policies, procedures, and tools presented to the PCSC for this workshop.

1. 2012 Principles & Standards for Quality Authorizing (NACSA)
2. 2011 Index of Essential Practices (NACSA)
3. 2011 State of Charter School Authorizing (NACSA)
4. 2009 Model Law for Supporting the Growth of High Quality Public Charter Schools (NAPCS)
5. 2012 Fulfilling the Compact: Building a Breakthrough, Results-Driving Public Charter School Sector (Public Impact for NAPCS)
6. Understanding the Star Rating System

NACSA develops quality
authorizing environments
to foster a greater number
of quality charter schools.

Visit NACSA's Web site for additional resources developed to aid authorizers
in the implementation of quality practices in charter school authorizing.

www.qualitycharters.org



nacsa
NATIONAL ASSOCIATION OF
CHARTER SCHOOL AUTHORIZERS

National Association of
Charter School Authorizers
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nacsa
NATIONAL ASSOCIATION OF
CHARTER SCHOOL AUTHORIZERS

Principles & Standards

for Quality Charter School Authorizing



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Lisa Graham Keegan, Founder and President, *Education Breakthrough Network*

Hanna Skandera, Secretary of Education, *State of New Mexico*

Greg Richmond, President and Chief Executive Officer, *National Association for Charter School Authorizers* (Ex Officio)

About NACSA

The National Association of Charter School Authorizers (NACSA) is committed to advancing excellence and accountability in the charter school sector and to increasing the number of high-quality charter schools across the nation. To accomplish this mission, NACSA works to improve the policies and practices of authorizers—the organizations designated to approve, monitor, renew, and, if necessary, close charter schools. NACSA provides training, consulting, and policy guidance to authorizers. It also advocates for laws and policies that raise the bar for excellence among authorizers and the schools they charter. Visit www.qualitycharters.org.

NACSA's members first ratified *Principles & Standards for Quality Charter School Authorizing* on May 14, 2004.
© 2004, 2005, 2007, 2009, 2010, 2012.

Dear Colleagues,

It has been 20 years since the first charter school opened its doors. Today, more than two million children depend on more than 5,600 charters to provide them with excellent educational opportunities. Many of these schools are innovative and outstanding, offering children a great and often significantly better alternative to the traditional district schools available to them. Yet too many charters do not provide the education promised—failing children, communities, and the public trust.

It is the responsibility of nearly 1,000 charter school authorizers across the country to help ensure that charter schools fully deliver on the charter promise. To get there, we can and must demand more of ourselves. Good authorizing means approving only those schools with the best likelihood of succeeding and providing a sound education for children, closing bad schools, and strengthening the performance and accountability of all charter schools.

Authorizing has evolved over the course of these 20 years, led in part by the National Association of Charter School Authorizers' *Principles & Standards for Quality Charter School Authorizing*. This resource serves as a guide for authorizers in making the critical decisions necessary to ensure that every charter school is a great school. NACSA's *Principles & Standards* reflects best practices developed through years of experience working with entities of all types who are engaged in the daily work of charter school authorizing. These guidelines have been written into numerous state laws, have informed federal legislation, and have served as the basis for the evaluation of authorizer practices. When embraced by authorizers and policymakers, they help to create an environment in which authorizers can better do their jobs to foster, and grow great charter schools.

A host of factors impact the quality of authorizing. NACSA's *Principles & Standards* is not the only tool in the toolbox or the only factor relevant to good authorizing. But it provides a solid foundation of best practices to guide authorizers in the critical and often complex job of improving educational options for children through charter schools. Every child deserves a great education; if we get authorizing right, we can go a long way to making that goal a reality.

Sincerely,



Greg Richmond
President and Chief Executive Officer

Table of Contents

Introduction	5-7
Principles for Quality Charter School Authorizing	8-9
Maintain High Standards	8
Uphold School Autonomy	8
Protect Student and Public Interests	9
Standards for Quality Charter School Authorizing	10-21
Agency Commitment and Capacity	10-11
Application Process and Decision Making	12-13
Performance Contracting	14-16
Ongoing Oversight and Evaluation	17-19
Revocation and Renewal Decision Making	20-21
Key Elements for Special Topics	22-25
Endnotes	26-27
Who Can Authorize Charter Schools?	28-29

Introduction

Charter school authorizing is a powerful strategy for making excellent public schools and educational opportunities available to all students. Done well, charter authorizing increases student achievement by expanding the supply of quality public schools to satisfy unmet needs—particularly by providing life-changing opportunities for students ill-served by the existing school system.

Charter authorizing is complex work, requiring constant balancing of diverse and often competing interests. It is a **public responsibility** for authorizing institutions, as well as a highly developed **profession** for the individuals charged with this stewardship role. Quality authorizing requires specialized knowledge, skills, commitment, and adherence to essential **professional standards** in order to serve students and the public well, and achieve the purposes of state charter laws. Since 2004, the National Association of Charter School Authorizers (NACSA) has established and widely promoted such standards—the first *Principles & Standards for Quality Charter School Authorizing* and subsequent editions—to provide essential guidance to charter authorizing organizations and leaders, as well as to policymakers who seek to support quality authorizing.

Because charter authorizing is a continually developing profession, these professional standards must likewise continually evolve in conjunction with the growth and complexity of the ever-growing charter school sector. *Principles & Standards for Quality Charter School Authorizing* derives from NACSA’s vast experience, research, and lessons learned from working with authorizers across the nation.¹ Accordingly, NACSA revisits and updates these **Principles and Standards** regularly to ensure that they address current authorizing challenges and reflect the latest lessons drawn from practice, research, and analysis.

Who should use this resource

These **Principles and Standards** are designed primarily for **authorizing institutions**, and as such, they provide practical guidance to help **authorizer staff and authorizer board members** carry out their work as a standards-based profession rather than simply a list of tasks. For **policymakers**, this publication should highlight the complexity and challenges of quality authorizing—and the need for state policy to contemplate and invest adequately in authorizing to achieve a quality charter school sector.

Purposes of these Principles and Standards

Principles & Standards for Quality Charter School Authorizing is intended to serve, above all, as a **guide to formative development** for charter authorizers at all stages and levels of experience. For new or less-experienced authorizers, these **Principles and Standards** offer an essential road map to guide planning and organizational development of strong practices, including the identification of areas where deeper guidance or additional assistance is needed. For experienced authorizers, this publication is a resource for identifying areas for improvement or refinement to achieve ever-stronger outcomes, as demonstrated by the quality of the schools they oversee. (NACSA has a wide range of practical resources that

offer more guidance and support in fulfilling these [Principles and Standards](#). Most of these resources are available at www.qualitycharters.org and will be fully available, along with an even more robust set of resources in NACSA's new knowledge and learning system, scheduled to launch in 2013. In addition, NACSA stands ready to provide further assistance to authorizers upon request.)

NACSA uses these [Principles and Standards](#) to guide its professional development of authorizers, authorizer evaluations, and research and policy agendas. NACSA recommends that these professional standards anchor state policies concerning charter authorizing, including adequate investment in authorizing as well as evaluations of authorizer quality. To that end, NACSA recommends that states endorse and apply professional standards for charter authorizing that meet or exceed these [Principles and Standards](#). In recent years, a rapidly growing number of states have done exactly this, and NACSA advocates the adoption of similar policies in all charter school states. We hope NACSA's *[Principles & Standards for Quality Charter School Authorizing](#)* will continue to advance and elevate the profession, giving authorizers clear guidance to develop, strengthen, and refine their practices in pursuit of educational excellence for all students.

In addition to promoting academic success, these [Principles and Standards](#) are designed to promote additional goals that are also the responsibility of authorizers. These goals include safeguarding:

1. The rights of all students to enjoy equal access to the schools of their choice, to receive appropriate services, and to be treated fairly;
2. The public interest in ensuring that publicly funded programs are accountable, transparent, well governed, efficient, and effectively administered; and
3. The autonomy of charter school operators, giving them the freedom to control core functions, which lies at the heart of the charter school concept.

The pursuit of these multiple, sometimes-competing goals will often require authorizers' professional judgment and thoughtful balancing.

How these Principles & Standards were developed

NACSA’s *Principles & Standards for Quality Charter School Authorizing* is based on an enormous body of work, research, and input over many years from authorizers and other experts in this unique field. In addition to NACSA’s own considerable board, staff, and organizational experience in authorizing, these *Principles and Standards* are grounded in broad and deep experience collected over the years through:

- Multiple national advisory panels and focus groups bringing together experienced authorizers of all types, researchers, and other experts and leaders in the charter movement;
- Broad input from NACSA members and other education leaders; and
- NACSA’s research practice, including in-depth authorizer evaluations, extensive interviews, document and policy analysis, and examination of reported practices and outcomes.

These inclusive processes have produced a rich base of knowledge built on deep experience, study, deliberation, and refinement that reflects collective insights on best practices among authorizers of all types and portfolio sizes across the country.

The structure and content of this publication

These *Principles and Standards* begin with three clearly stated Core Principles, followed by more detailed Standards and accompanying practical guidance that authorizers often seek. Readers should note:

- The **Core Principles** are broad, bedrock values that authorizers should uphold consistently throughout their pursuit and implementation of the Standards.
- The **Standards** are presented in five sections, each of which is introduced by a brief statement that summarizes the scope of the Standards that follow.
- Most of the Standards are “**essential standards**,” meaning that authorizers at every stage of development should place priority on following them. In addition, a small number of “**advanced standards**” are also fully recommended for all authorizers; but given the need to prioritize, these may be more practical for authorizers who are already implementing the essential standards.

Principles for Quality Charter School Authorizing

A quality authorizer engages in responsible oversight of charter schools by ensuring that schools have both the autonomy to which they are entitled and the public accountability for which they are responsible. The following three responsibilities lie at the heart of the authorizing endeavor, and authorizers should be guided by and fulfill these Core Principles in all aspects of their work:

Three Core Principles of Charter Authorizing

- 1. *Maintain high standards for schools*
- 2. *Uphold school autonomy*
- 3. *Protect student and public interests*

In short, authorizers should ensure quality oversight that maintains high educational and operational standards, preserves school-level autonomy, and safeguards student and public interests.

Principle I.	A Quality Authorizer ...
<i>Maintain High Standards</i>	<p>Sets high standards for approving charter applicants.</p> <p>Maintains high standards for the schools it oversees.</p> <p>Effectively cultivates quality charter schools that meet identified educational needs.</p> <p>Oversees charter schools that, over time, meet the performance standards and targets on a range of measures and metrics set forth in their charter contracts (see Box 4, “Performance Standards,” on p. 24).</p> <p>Closes schools that fail to meet standards and targets set forth in law and by contract.</p>
Principle II.	A Quality Authorizer ...
<i>Uphold School Autonomy</i>	<p>Honors and preserves core autonomies crucial to school success, including:</p> <ul style="list-style-type: none">- Governing board independence from the authorizer;- Personnel;- School vision and culture;- Instructional programming, design, and use of time; and- Budgeting.

	<p>Assumes responsibility not for the success or failure of individual schools, but for holding schools accountable for their performance.</p> <p>Minimizes administrative and compliance burdens on schools.</p> <p>Focuses on holding schools accountable for outcomes rather than processes.</p>
Principle III. <i>Protect Student and Public Interests</i>	A Quality Authorizer ... <p>Makes the well-being and interests of students the fundamental value informing all the authorizer's actions and decisions.</p> <p>Holds schools accountable for fulfilling fundamental public-education obligations to all students, which includes providing:</p> <ul style="list-style-type: none"> - Nonselective, nondiscriminatory access to all eligible students; - Fair treatment in admissions and disciplinary actions for all students; and - Appropriate services for all students, including those with disabilities and English learners, in accordance with applicable law. <p>Holds schools accountable for fulfilling fundamental obligations to the public, which includes providing:</p> <ul style="list-style-type: none"> - Sound governance, management, and stewardship of public funds, and - Public information and operational transparency in accordance with law. <p>Ensures in its own work:</p> <ul style="list-style-type: none"> - Ethical conduct; - Focus on the mission of chartering high-quality schools; - Clarity, consistency, and public transparency in authorizing policies, practices, and decisions; - Effective and efficient public stewardship; and - Compliance with applicable laws and regulations. <p>Supports parents and students in being well-informed about the quality of education provided by charter schools.</p>

These [Principles for Quality Charter School Authorizing](#) constitute the foundation for the following [Standards for Quality Charter School Authorizing](#) that guide authorizers’ practices day to day, from establishing a chartering office through all major stages of chartering responsibility. NACSA’s [Principles & Standards for Quality Charter School Authorizing](#) provide essential guidance for the unique professional practice of authorizers and their daily balancing act of honoring the autonomy of charter schools while holding them accountable for high achievement, effective management, and serving all students well.

Standards for Quality

Charter School Authorizing

1. Agency Commitment and Capacity

A quality authorizer engages in chartering as a means to foster excellent schools that meet identified needs, clearly prioritizes a commitment to excellence in education and in authorizing practices, and creates organizational structures and commits human and financial resources necessary to conduct its authorizing duties effectively and efficiently.

Standards	A Quality Authorizer ...
<i>Planning and Commitment to Excellence</i>	<p>Supports and advances the purposes of charter school law.</p> <p>Ensures that the authorizer’s governing board, leadership, and staff understand and are committed to the three Core Principles of authorizing.</p> <p>Defines external relationships and lines of authority to protect its authorizing functions from conflicts of interest and political influence.</p> <p>Implements policies, processes, and practices that streamline and systematize its work toward stated goals, and executes its duties efficiently while minimizing administrative burdens on schools.</p> <p>Evaluates its work regularly against national standards for quality authorizing and recognized effective practices, and develops and implements timely plans for improvement when it falls short.</p> <p>Advanced Standards</p> <p>States a clear mission for quality authorizing.</p> <p>Articulates and implements an intentional strategic vision and plan for chartering, including clear priorities, goals, and time frames for achievement.</p> <p>Evaluates its work regularly against its chartering mission and strategic plan goals, and implements plans for improvement when falling short of its mission and strategic plan.</p> <p>Provides an annual public report on the authorizer’s progress and performance in meeting its strategic plan goals.</p>



<i>Human Resources</i>	<p>Enlists expertise and competent leadership for all areas essential to charter school oversight—including, but not limited to, education leadership; curriculum, instruction, and assessment; special education, English learners, and other diverse learning needs; performance management and accountability; law; finance; facilities; and nonprofit governance and management—through staff, contractual relationships, and/or intra- or inter-agency collaborations.</p> <p>Employs competent personnel at a staffing level appropriate and sufficient to carry out all authorizing responsibilities in accordance with national standards, and commensurate with the scale of the charter school portfolio.</p> <p>Provides for regular professional development for the agency's leadership and staff to achieve and maintain high standards of professional authorizing practice and to enable continual agency improvement.</p>
<i>Financial Resources</i>	<p>Determines the financial needs of the authorizing office and devotes sufficient financial resources to fulfill its authorizing responsibilities in accordance with national standards and commensurate with the scale of the charter school portfolio.</p> <p>Structures its funding in a manner that avoids conflicts of interest, inducements, incentives, or disincentives that might compromise its judgment in charter approval and accountability decision making.²</p> <p>Deploys funds effectively and efficiently with the public's interests in mind.</p>

2. Application Process and Decision Making

A quality authorizer implements a comprehensive application process that includes clear application questions and guidance; follows fair, transparent procedures and rigorous criteria; and grants charters only to applicants who demonstrate strong capacity to establish and operate a quality charter school.³

Standards	A Quality Authorizer ...
<i>Proposal Information, Questions, and Guidance</i>	<p>Issues a charter application information packet or request for proposals (RFP) that:</p> <ul style="list-style-type: none">- States any chartering priorities the authorizer may have established;- Articulates comprehensive application questions to elicit the information needed for rigorous evaluation of applicants' plans and capacities; and- Provides clear guidance and requirements regarding application content and format, while explaining evaluation criteria. <p>Welcomes proposals from first-time charter applicants as well as existing school operators/replicators, while appropriately distinguishing between the two kinds of developers in proposal requirements and evaluation criteria.</p> <p>Encourages expansion and replication of charter schools that demonstrate success and capacity for growth.</p> <p>Is open to considering diverse educational philosophies and approaches, and expresses a commitment to serve students with diverse needs.</p> <p>Advanced Standards</p> <p>Broadly invites and solicits charter applications while publicizing the authorizer's strategic vision and chartering priorities, without restricting or refusing to review applications that propose to fulfill other goals.</p>
<i>Fair, Transparent, Quality-Focused Procedures</i>	<p>Implements a charter application process that is open, well publicized, and transparent, and is organized around clear, realistic timelines.</p> <p>Allows sufficient time for each stage of the application and school pre-opening process to be carried out with quality and integrity.⁴</p> <p>Explains how each stage of the application process is conducted and evaluated.</p> <p>Communicates chartering opportunities, processes, approval criteria, and decisions clearly to the public.</p>

	<p>Informs applicants of their rights and responsibilities and promptly notifies applicants of approval or denial, while explaining the factors that determined the decision.</p>
<p><i>Rigorous Approval Criteria</i></p>	<p>Requires all applicants to present a clear and compelling mission, a quality educational program, a solid business plan, effective governance and management structures and systems, founding team members demonstrating diverse and necessary capabilities, and clear evidence of the applicant's capacity to execute its plan successfully. (See NACSA resources at www.qualitycharters.org)</p> <p>Establishes distinct requirements and criteria for applicants who are existing school operators or replicators. (See Box 1)</p> <p>Establishes distinct requirements and criteria for applicants proposing to contract with education service or management providers. (See Box 2)</p> <p>Establishes distinct requirements and criteria for applicants that propose to operate virtual or online charter schools. (See NACSA resources at www.qualitycharters.org)</p>
<p><i>Rigorous Decision Making</i></p>	<p>Grants charters only to applicants that have demonstrated competence and capacity to succeed in <i>all</i> aspects of the school, consistent with the stated approval criteria.</p> <p>Rigorously evaluates each application through thorough review of the written proposal, a substantive in-person interview with the applicant group, and other due diligence to examine the applicant's experience and capacity, conducted by knowledgeable and competent evaluators.</p> <p>Engages, for both written application reviews and applicant interviews, highly competent teams of internal and external evaluators with relevant educational, organizational (governance and management), financial, and legal expertise, as well as thorough understanding of the essential principles of charter school autonomy and accountability.</p> <p>Provides orientation or training to application evaluators (including interviewers) to ensure consistent evaluation standards and practices, observance of essential protocols, and fair treatment of applicants.</p> <p>Ensures that the application-review process and decision making are free of conflicts of interest, and requires full disclosure of any potential or perceived conflicts of interest between reviewers or decision makers and applicants.</p>

3. Performance Contracting

A quality authorizer executes contracts with charter schools that articulate the rights and responsibilities of each party regarding school autonomy, funding, administration and oversight, outcomes, measures for evaluating success or failure, performance consequences, and other material terms. The contract is an essential document, separate from the charter application, that establishes the legally binding agreement and terms under which the school will operate and be held accountable.

Standards	A Quality Authorizer ...
<i>Contract Term, Negotiation, and Execution</i>	<p>Executes a contract with a legally incorporated governing board independent of the authorizer.</p> <p>Grants charter contracts for a term of five operating years or longer only with periodic high-stakes reviews every five years.⁵</p> <p>Defines material terms of the contract.</p> <p>Ensures mutual understanding and acceptance of the terms of the contract by the school's governing board prior to authorization or charter granting by the authorizing board.</p> <p>Allows—and requires contract amendments for—occasional material changes to a school's plans, but does not require amending the contract for non-material modifications.</p>
<i>Rights and Responsibilities</i>	<p>Executes charter contracts that clearly:</p> <ul style="list-style-type: none">- State the rights and responsibilities of the school and the authorizer;- State and respect the autonomies to which schools are entitled—based on statute, waiver, or authorizer policy—including those relating to the school's authority over educational programming, staffing, budgeting, and scheduling;- Define performance standards, criteria, and conditions for renewal, intervention, revocation, and non-renewal, while establishing the consequences for meeting or not meeting standards or conditions;- State the statutory, regulatory, and procedural terms and conditions for the school's operation;- State reasonable pre-opening requirements or conditions for new schools to ensure that they meet all health, safety, and other legal requirements prior to opening and are prepared to open smoothly;

- State the responsibility and commitment of the school to adhere to essential public-education obligations, including admitting and serving all eligible students so long as space is available, and not expelling or counseling out students except pursuant to a legal discipline policy approved by the authorizer; and
- State the responsibilities of the school and the authorizer in the event of school closures.

Ensures that any fee-based services that the authorizer provides are set forth in a services agreement that respects charter school autonomy and treats the charter school equitably compared to district schools, if applicable; and ensures that purchasing such services is explicitly not a condition of charter approval, continuation, or renewal.

Performance Standards

Executes charter contracts that plainly:

- Establish the performance standards under which schools will be evaluated, using objective and verifiable measures of student achievement as the primary measure of school quality;
- Define clear, measurable, and attainable academic, financial, and organizational performance standards and targets that the school must meet as a condition of renewal, including but not limited to state and federal measures; (For guidance in establishing performance standards, see Box 3 and NACSA resources at www.qualitycharters.org)
- Include expectations for appropriate access, education, support services, and outcomes for students with disabilities;
- Define the sources of academic data that will form the evidence base for ongoing and renewal evaluation, including state-mandated and other standardized assessments, student academic growth measures, internal assessments, qualitative reviews, and performance comparisons with other public schools in the district and state;⁶
- Define the sources of financial data that will form the evidence base for ongoing and renewal evaluation, grounded in professional standards for sound financial operations and sustainability;
- Define the sources of organizational data that will form the evidence base for ongoing and renewal evaluation, focusing on fulfillment of legal obligations, fiduciary duties, and sound public stewardship; and
- Include clear, measurable performance standards to judge the effectiveness of alternative schools, if applicable—requiring and appropriately weighting rigorous mission-specific performance measures and metrics that credibly demonstrate each school’s success in fulfilling its mission and serving its special population.⁷

*Provisions for
Education
Service or
Management
Contract
(if applicable)*

For any school that contracts with an external (third-party) provider for education design and operation or management, includes additional contractual provisions that ensure rigorous, independent contract oversight by the charter governing board and the school’s financial independence from the external provider. (See Box 4)

Reviews the proposed third-party contract as a condition of charter approval to ensure that it is consistent with applicable law, authorizer policy, and the public interest.



4. Ongoing Oversight and Evaluation

A quality authorizer conducts contract oversight that competently evaluates performance and monitors compliance; ensures schools’ legally entitled autonomy; protects student rights; informs intervention, revocation, and renewal decisions; and provides annual public reports on school performance.

Standards	A Quality Authorizer ...
<i>Performance Evaluation and Compliance Monitoring</i>	<p>Implements a comprehensive performance accountability and compliance monitoring system that is defined by the charter contract and provides the information necessary to make rigorous and standards-based renewal, revocation, and intervention decisions.</p> <p>Defines and communicates to schools the process, methods, and timing of gathering and reporting school performance and compliance data.</p> <p>Implements an accountability system that effectively streamlines federal, state, and local performance expectations and compliance requirements while protecting schools’ legally entitled autonomy and minimizing schools’ administrative and reporting burdens.</p> <p>Provides clear technical guidance to schools as needed to ensure timely compliance with applicable rules and regulations.</p> <p>Visits each school as appropriate and necessary for collecting data that cannot be obtained otherwise and in accordance with the contract, while ensuring that the frequency, purposes, and methods of such visits respect school autonomy and avoid operational interference.</p> <p>Evaluates each school annually on its performance and progress toward meeting the standards and targets stated in the charter contract, including essential compliance requirements, and clearly communicates evaluation results to the school’s governing board and leadership.</p> <p>Requires and reviews annual financial audits of schools, conducted by a qualified independent auditor.</p> <p>Communicates regularly with schools as needed, including both the school leaders and governing boards, and provides timely notice of contract violations or performance deficiencies.</p> <p>Provides an annual written report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement.</p> <p>Articulates and enforces stated consequences for failing to meet performance expectations or compliance requirements.</p>

<p><i>Respecting School Autonomy</i></p>	<p>Respects the school’s authority over its day-to-day operations.</p> <p>Collects information from the school in a manner that minimizes administrative burdens on the school, while ensuring that performance and compliance information is collected with sufficient detail and timeliness to protect student and public interests.</p> <p>Periodically reviews compliance requirements and evaluates the potential to increase school autonomy based on flexibility in the law, streamlining requirements, demonstrated school performance, or other considerations.</p> <p>Refrains from directing or participating in educational decisions or choices that are appropriately within a school’s purview under the charter law or contract.</p>
<p><i>Protecting Student Rights</i></p>	<p>Ensures that schools admit students through a random selection process that is open to all students, is publicly verifiable, and does not establish undue barriers to application (such as mandatory information meetings, mandated volunteer service, or parent contracts) that exclude students based on socioeconomic, family, or language background, prior academic performance, special education status, or parental involvement.</p> <p>Ensures that schools provide access and services to students with disabilities as required by applicable federal and state law, including compliance with student individualized education programs and Section 504 plans, facilities access, and educational opportunities.</p> <p>Ensures clarity in the roles and responsibilities of all parties involved in serving students with disabilities.⁸</p> <p>Ensures that schools provide access to and appropriately serve other special populations of students, including English learners, homeless students, and gifted students, as required by federal and state law.</p> <p>Ensures that schools’ student discipline policies and actions are legal and fair, and that no student is expelled or counseled out of a school outside of that process.</p>
<p><i>Intervention</i></p>	<p>Establishes and makes known to schools at the outset an intervention policy that states the general conditions that may trigger intervention and the types of actions and consequences that may ensue.</p> <p>Gives schools clear, adequate, evidence-based, and timely notice of contract violations or performance deficiencies.</p>

*Public
Reporting*

Allows schools reasonable time and opportunity for remediation in non-emergency situations.

Where intervention is needed, engages in intervention strategies that clearly preserve school autonomy and responsibility (identifying what the school must remedy without prescribing solutions).

Produces an annual public report that provides clear, accurate performance data for the charter schools it oversees, reporting on individual school and overall portfolio performance according to the framework set forth in the charter contract.



5. Revocation and Renewal Decision Making

A quality authorizer designs and implements a transparent and rigorous process that uses comprehensive academic, financial, and operational performance data to make merit-based renewal decisions, and revokes charters when necessary to protect student and public interests.⁹

Standards	A Quality Authorizer ...
<i>Revocation</i>	<p>Revokes a charter during the charter term if there is clear evidence of extreme underperformance or violation of law or the public trust that imperils students or public funds.</p>
<i>Renewal Decisions Based on Merit and Inclusive Evidence</i>	<p>Bases the renewal process and renewal decisions on thorough analyses of a comprehensive body of objective evidence defined by the performance framework in the charter contract.</p> <p>Grants renewal only to schools that have achieved the standards and targets stated in the charter contract, are organizationally and fiscally viable, and have been faithful to the terms of the contract and applicable law.</p> <p>Does not make renewal decisions, including granting probationary or short-term renewals, on the basis of political or community pressure or solely on promises of future improvement.</p>
<i>Cumulative Report and Renewal Application</i>	<p>Provides to each school, in advance of the renewal decision, a cumulative performance report that:</p> <ul style="list-style-type: none">- Summarizes the school's performance record over the charter term, and- States the authorizer's summative findings concerning the school's performance and its prospects for renewal. <p>Requires any school seeking renewal to apply for it through a renewal application, which provides the school a meaningful opportunity and reasonable time to respond to the cumulative report; to correct the record, if needed; and to present additional evidence regarding its performance.</p>
<i>Fair, Transparent Process</i>	<p>Clearly communicates to schools the criteria for charter revocation, renewal, and non-renewal decisions that are consistent with the charter contract.</p> <p>Promptly notifies each school of its renewal (or, if applicable, revocation) decision, including written explanation of the reasons for the decision.</p>

Promptly communicates renewal or revocation decisions to the school community and public within a time frame that allows parents and students to exercise choices for the coming school year.

Explains in writing any available rights of legal or administrative appeal through which a school may challenge the authorizer's decision.

Regularly updates and publishes the process for renewal decision making, including guidance regarding required content and format for renewal applications.

Closure

In the event of a school closure, oversees and works with the school governing board and leadership in carrying out a detailed closure protocol that ensures timely notification to parents; orderly transition of students and student records to new schools; and disposition of school funds, property, and assets in accordance with law.



Key Elements for Special Topics

Box 1. *Elements for Existing School Operators or Replicators*

Applicants who are existing school operators or replicators should be required to:

- Provide clear evidence of their capacity to operate new schools successfully while maintaining quality in existing schools;¹⁰
- Document their educational, organizational, and financial performance records based on all existing schools;
- Explain any never-opened, terminated, or non-renewed schools (including terminated or non-renewed third-party contracts to operate schools);
- Present their growth plan, business plan, and most recent financial audits; and
- Meet high standards of academic, organizational, and financial success to earn approval for replication.

Box 2. *Elements for Applicants Proposing to Contract with Education Service or Management Providers*

Applicants proposing to contract for education services or management should be required to provide:

- Evidence of the service provider's educational and management success;
- A draft (or existing) service/management contract that sets forth proposed key terms, including roles and responsibilities of the school governing board, the school staff, and the service provider; the services and resources to be provided; performance-evaluation measures and mechanisms; detailed explanation of compensation to be paid to the provider; financial controls and oversight; investment disclosure; methods of contract oversight and enforcement; and conditions for contract renewal and termination; and
- Disclosure and explanation of any existing or potential conflicts of interest between the school governing board and proposed service provider or any affiliated business entities.

Box 3. | *Performance Standards*

Performance standards enable schools and authorizers to know the outcomes for which authorizers will hold schools accountable. They are the basis for school evaluation and should be incorporated in the charter contract, commonly as an attachment. Academic, financial, and organizational performance standards should include clearly defined and measurable indicators, measures, metrics, and targets that:

Academic Performance

- Set expectations for student **academic achievement status or proficiency**, including comparative proficiency;
- Set expectations for student **academic growth**, including adequacy of growth toward state standards;
- Incorporate **state and federal accountability systems**, including state grading and/or rating systems;
- Set expectations for **postsecondary readiness**, including graduation rates (for high schools); and
- Provide schools an option to incorporate **mission-specific performance measures** for which the school has presented valid, reliable, and rigorous means of assessment approved by the authorizer.¹¹

Financial Performance

- Enable the authorizer to monitor and evaluate the school's financial stability and viability based on short-term performance, and
- Enable the authorizer to monitor and evaluate the school's long-term financial sustainability.

Organizational Performance

- Define the essential elements of the educational program for which the authorizer will hold the school accountable;
- Define financial management and oversight standards based on generally accepted accounting principles;
- Hold school governing boards accountable for meeting statutory and board-established operating and reporting requirements;¹²
- Ensure school compliance with student and employee rights and obligations; and
- Establish expectations related to the school environment, including health and safety, transportation, facilities, and appropriate handling of records.

Box 4. | *Education Service or Management Contracts*

Charter contracts for schools that are contracting with external (third-party) providers for comprehensive services or management should include additional provisions that:

- Clearly establish the primacy of the charter contract over the third-party contract;
- Clearly identify the school governing board as the party ultimately responsible for the success or failure of the school, and clearly define the external provider as a vendor of services;
- Prohibit the third party from selecting, approving, employing, compensating, or serving as school governing board members;
- Require the school governing board to directly select, retain, and compensate the school attorney, accountant, and audit firm;
- Provide for payments from the authorizer to the school to be made to an account controlled by the school governing board, not the third party;
- Require all instructional materials, furnishings, and equipment purchased or developed with public funds to be the property of the school, not the third party;
- Condition charter approval on authorizer review and approval of the third-party contract; and

Require the third-party contract to articulate:

- The roles and responsibilities of the school governing board and the service provider, including all services to be provided under the contract;
- The performance measures, consequences, and mechanisms by which the school governing board will hold the provider accountable for performance, aligned with the performance measures in the charter contract;
- All compensation to be paid to the provider, including all fees, bonuses, and what such compensation includes or requires;
- Terms of any facility agreement that may be part of the relationship;

- Financial reporting requirements and provisions for the school governing board's financial oversight;
- All other financial terms of the contract, including disclosure and documentation of all loans or investments by the provider to the school, and provision for the disposition of assets in accordance with law;
- Assurances that the school governing board, at all times, maintains independent fiduciary oversight and authority over the school budget and ultimate responsibility for the school's performance;
- Provisions for contract termination without "poison pill" penalties; and
- Respective responsibilities of the governing board and service provider in the event of school closure.



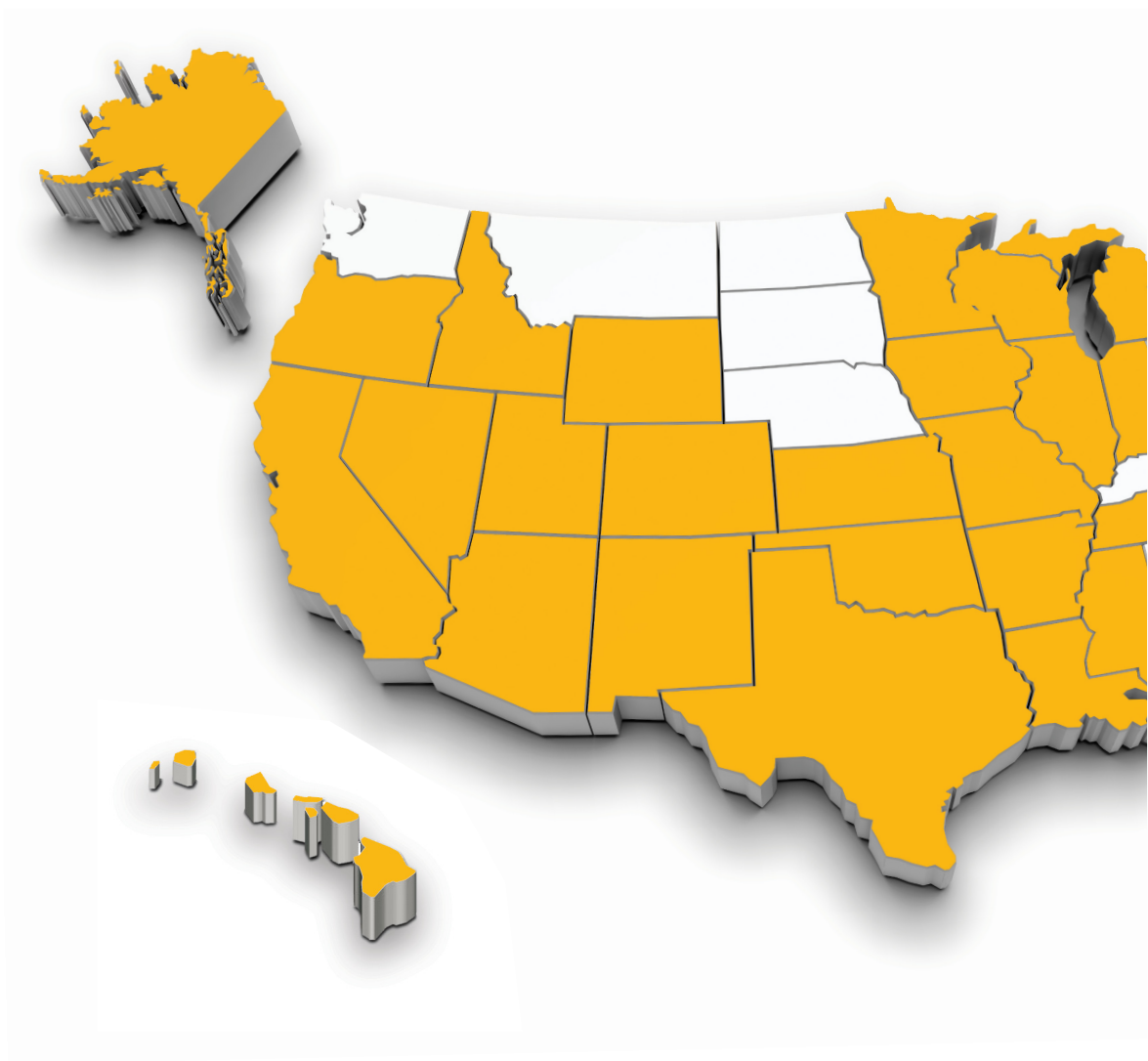
Endnotes

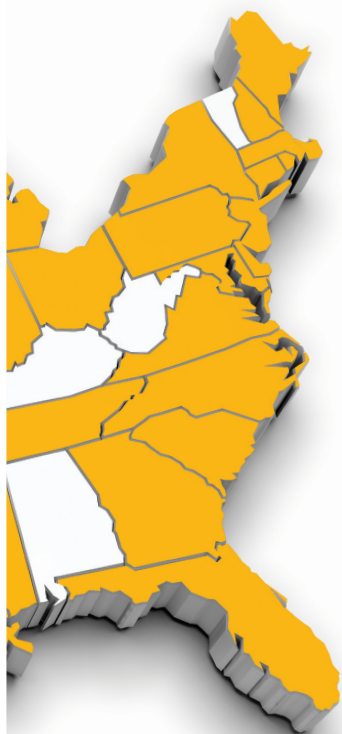
- ¹ The term “authorizers,” as used in this publication, may refer to authorizing institutions as well as the individuals who carry out the work.
- ² For example, an authorizing agency that also has non-charter school responsibilities should structure its authorizing-related funding to avoid conflicts or competition with its non-charter school programs and services. Likewise, authorizers that receive funding from school fees should implement protections to ensure that the potential for revenue gain or loss from each school does not influence charter approval, renewal, or revocation decisions. An authorizer’s use of oversight fees should be restricted to fulfillment of its authorizing responsibility so that the authorizing function is revenue neutral.
- ³ Some states refer to the charter application as the charter “petition” or “proposal.”
- ⁴ Some authorizers allow charter applications to be submitted any time on a rolling basis. NACSA recommends establishing fixed, published application periods and deadlines to enable the authorizer to proactively plan and conduct a high-quality review process—integrated into the authorizer’s annual work calendar—rather than simply react to applications whenever they might arrive. A well-planned process might include minimum timeframes such as: 1) three months from release of the RFP/application packet to the application deadline; 2) three months for evaluation of the applications; and 3) nine months, but preferably 12–18 months, from approval to school opening.
- ⁵ Although some state laws allow or require shorter charter terms—or do not establish a term at all—NACSA recommends five operating years per charter term. Such a term allows a school to develop beyond the startup phase and to produce a sufficient performance record and body of data needed for sound high-stakes decision making.
- ⁶ See www.qualitycharters.org for recommendations on selecting comparison schools.
- ⁷ Alternative schools subject to different performance standards should be formally designated by the state for serving a primarily special-needs, non-traditional, or highly at-risk population. Mission-specific measures for alternative schools may include, for example, measures for student academic growth or postsecondary readiness, and should be grounded in objective, valid, reliable assessments.

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- ⁸ Many authorizers, particularly those that are state education agencies or local education agencies for special education purposes, have responsibilities of their own regarding the identification, admissions, and placement of students with disabilities who enroll in charter schools, as well as with the delivery of services, transfer of records, and oversight of special-education programs in the schools they oversee. These agencies retain such responsibilities with charter schools they oversee, though the mechanisms, procedures, and roles and responsibilities may shift as a result of the relationship between a charter school and its authorizer.
- ⁹ Revocation, as distinguished from non-renewal, may occur at any time during the charter term when there is clear evidence of extreme violations or failings that warrant termination of the charter to protect student and public interests. Non-renewal is an authorizer's decision not to renew a charter at the end of its term.
- ¹⁰ For more detailed guidance on evaluating existing school operators or replicators, see NACSA resources at www.qualitycharters.org.
- ¹¹ NACSA recommends that all authorizers include rigorous assessment of student academic growth in their performance standards for charter schools. Authorizers should be aware that there are a variety of types of growth measures and methodologies, some of which may be used or required by particular states. A majority of states have either adopted or are in the process of adopting student academic growth targets as part of their assessment system. To understand individual student progress in states that do not provide growth analysis, charter authorizers can obtain and analyze state assessment data themselves, or require charter schools to administer national assessments that readily provide student growth data and analysis. To select and implement assessment systems that will produce quality student growth data, it is important for authorizers (and schools) to have a basic understanding of common methods of growth analysis and their respective advantages, limitations, and appropriate (or inappropriate) uses. For a concise, practical guide to growth measures and methodologies, see *NACSA Issue Brief No. 19, "An Authorizer's Guide to the Use of Student Growth Data,"* at www.qualitycharters.org.
- ¹² Examples of statutory requirements include compliance with open-meeting and public records laws. Examples of board-established requirements include duly adopted bylaws and policies.
- ¹³ This category, NEG, includes local and state governmental entities that are not LEAs or SEAs. NEGs may include municipalities, mayor's offices, and a variety of county and state agencies.

Who Can Authorize Charter Schools?

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





States	Year Law Passed	Authorizers
Alaska	1995	LEA
Arizona	1994	LEA, SEA, ICB
Arkansas	1995	SEA
California	1992	LEA, SEA
Colorado	1993	LEA, ICB
Connecticut	1996	LEA, SEA
Delaware	1995	LEA, SEA
DC	1996	ICB
Florida	1996	LEA, HEI
Georgia	1996	LEA, SEA
Hawaii	1994	ICB, HEI, NFP, NEG
Idaho	1998	LEA, ICB
Illinois	1996	LEA, SEA, ICB
Indiana	2001	LEA, ICB, HEI, NEG
Iowa	2002	LEA
Kansas	1994	LEA
Louisiana	1995	LEA, SEA, HEI, NFP, NEG
Maine	2011	ICB
Maryland	2003	LEA, SEA
Massachusetts	1993	SEA
Michigan	1993	LEA, HEI
Minnesota	1991	LEA, HEI, NFP
Mississippi	2010	SEA
Missouri	1998	LEA, SEA, ICB, HEI
Nevada	1997	LEA, ICB, HEI
New Hampshire	1995	LEA, SEA
New Jersey	1996	SEA
New Mexico	1993	LEA, SEA
New York	1998	LEA, SEA, HEI
North Carolina	1996	LEA, SEA, HEI
Ohio	1997	LEA, SEA, HEI, NFP
Oklahoma	1999	LEA, HEI
Oregon	1997	LEA, SEA
Pennsylvania	1995	LEA, SEA
Rhode Island	1995	SEA
South Carolina	1996	LEA, ICB
Tennessee	2002	LEA, SEA
Texas	1995	LEA, SEA
Utah	1998	LEA, ICB
Virginia	1998	LEA
Wisconsin	1993	LEA, HEI, NEG
Wyoming	1995	LEA

Key

LEA	Local School Districts or Regional Education Agencies	HEI	Higher Education Institutions
SEA	State Education Agencies	NFP	Not-For-Profit Organizations
ICB	Independent Chartering Board	NEG	Non-Educational Government Entities ¹³

The National Association
of Charter School Authorizers'
**INDEX OF
ESSENTIAL PRACTICES**



NACSA develops quality authorizing environments that lead to a greater number of quality charter schools.



OCTOBER 2011

Dear Colleagues:

When most charter school laws were first passed in the 1990s, we didn't fully appreciate the impact that authorizing agencies would have on the quality and quantity of charter schools. Nor did we know what actions authorizers should take to ensure a strong, high-quality charter school sector. Now we do.

We have learned that authorizers who do their jobs well are more likely to have high-quality charter schools and authorizers who do not are more likely to have poorly performing charter schools. And we have learned what the most essential authorizing practices are.

This *Index of Essential Practices* names 12 critical practices that we believe every authorizer should embrace. If every authorizer in the nation implemented each of these 12 practices, there is no doubt that the overall quality of America's charter schools would be higher. Unfortunately, very few authorizers report that they are implementing all 12 practices. I believe we can do better.

This report will cause discussion and debate. Good. State lawmakers, charter school operators, authorizing staff, authorizing boards, parents, and the media should use this report to ask how the charter school sector in their community can improve. Authorizers that are not implementing all 12 practices should begin work to do so. And all authorizers, no matter how many or how few practices they implement, should evaluate how well they are implementing these essential practices.

We have a lot of work to do in America before we can say that all children have access to a quality education. That requires an honest assessment of what we're doing now and what we need to do better in the future. This report is part of that work. At the National Association of Charter School Authorizers, we look forward to working with authorizers across the nation to implement these essential practices and to improve the quality of education available to all.

Sincerely,

Greg Richmond
President and CEO

www.qualitycharters.org

Table of Contents

Executive Summary	5
Measuring Authorizer Practice with a 12-Point Index	6
How Can the Index Results Assist Individual Authorizers?	16
Recommendations	18
NACSA 2011 Authorizer <i>Index of Essential Practices</i>	20
Appendix A – Methodology	58
Appendix B – NACSA Resources for Authorizers	59

Executive Summary

Charter schools are a powerful force, expanding educational opportunities for children across the nation. At each charter school, teachers, staff, principals, and board members work diligently to provide a great education for their students. The authorizing agencies that approve and oversee those schools also play an important role to ensure quality.

This report, for the first time, articulates 12 essential authorizing practices and presents information about how many of these essential practices are being implemented by the nation’s largest authorizers. The 12 essential practices are taken directly from NACSA’s long-standing and universally-recognized *Principles & Standards for Quality Charter School Authorizing*. Authorizers have many obligations and functions beyond these 12 essentials, but the twelve are an essential foundation.

The 12 essential practices for every authorizer are to:

- Sign a contract with each school;
- Have established, documented criteria for the evaluation of charter applications;
- Publish application timelines and materials;
- Interview all charter applicants;
- Use expert panels that include external members to review charter applications;
- Grant charters with five-year terms only;
- Require and/or examine annual, independent financial audits of its charter schools;
- Have established renewal criteria;
- Have established revocation criteria;
- Provide an annual report to each school on its performance;
- Have staff assigned to authorizing within the organization or by contract; and
- Have a published and available mission for quality authorizing.

Using responses to its 2011 authorizer survey, NACSA scored each authorizer on the *Index of Essential Practices*. Authorizers received one point for each of the 12 essential practices they reported. The scored responses of each authorizer that responded to NACSA’s 2011 authorizer survey begin on page 20. These scores are based on the survey responses from more than 120 authorizers.

Authorizers differ in the number of essential practices they implement. Some authorizers reported all 12 practices, while others reported implementing as few as three. It is important to note that whether the number of practices in place is 12 or three, authorizers with the same practices in place may not necessarily be doing an equally good job. Authorizers may implement the practices with different degrees of quality and fidelity. However, authorizers that only implement a few essential practices are not doing all that they could to fulfill their responsibilities.

Authorizers and stakeholders should use this index as a starting point for discussions about how to improve their practices. If there are individual practices that an authorizer has not adopted, they should work to put them in place. For those that already implement these practices, how can they be done better? This report, and the discussions that will follow, mark an important step in instilling best practices amongst the nation’s charter school authorizers.

MEASURING AUTHORIZER PRACTICE

with a 12-Point Index



Authorizers are as varied as the schools they oversee. Some are responsible for just one charter, while others monitor hundreds of charters serving tens of thousands of students. Some are school districts, while others are independent statewide boards, universities, not-for-profits, or state education agencies.¹ Regardless of their size and type, authorizers must do the important work charged to them by law: deciding which schools should open, monitoring and supporting their progress, and closing those that fail to serve students adequately.

There is an emerging consensus on specific authorizer practices that are necessary to do the job well. NACSA has created and refined *Principles & Standards* that reflect this consensus. Drawing from that, NACSA has crafted a 12-item *Index of Essential Practices* that provides a baseline measure for authorizers. An individual index score (from 0–12) is a diagnostic tool, and can be used to scan the work across the entire sector. The index score communicates to authorizers if they are doing these essential, key pieces of work. This information can then help begin a dialogue about improving practice.

¹ There are six types of authorizers: Higher Education Institutes (HEI), Independent Charter Boards (ICB), Local Education Agencies (LEA, also known as school districts), Municipal Office (MUN), Not-For-Profit organizations (NFP), and State Education Agencies (SEA)

HOW WAS THE INDEX CREATED?

NACSA focuses its work on sound authorizer practices. By developing deep experience in the field, conducting case studies, sharing best practices, and advocating for smart policies, NACSA has created, tested, refined, and tested again what have become the industry standards for authorizer practices.

NACSA’s *Principles & Standards* serve three aims:

1) maintain high expectations, 2) to protect school autonomy, and 3) to protect the public and the students’ interest.

NACSA’s *Principles & Standards* cover five domains of authorizer responsibility:

1. AGENCY COMMITMENT AND CAPACITY
2. APPLICATION PROCESS AND DECISION MAKING
3. PERFORMANCE CONTRACTING
4. ONGOING OVERSIGHT AND EVALUATION
5. REVOCATION AND RENEWAL DECISION MAKING.

The 12-point Index pulls from all five domains and includes those practices that are recommended for all authorizers. This Index was developed over time based on stakeholder input, practice in the field, and research conducted internally and in partnership with other organizations.

The 12 items reflect NACSA priorities for authorizers and are designed primarily to support accountability and achievement. They also include items that, while having little expected impact on achievement, serve to provide transparency, protect school autonomy, and produce strong public stewardship. For example, when authorizers require and/or examine independent financial audits of schools, the effect of those practices on achievement is indirect, if any. However, those practices still hold value, since they help inform families of their choices and protect taxpayers.

Using authorizer responses to its 2011 survey,² NACSA scored each authorizer on the *Index of Essential Practices*. Authorizers received one point for each of the 12 essential practices they reported. Descriptions of each practice along with a relevant excerpt from NACSA’s *Principles & Standards* are provided below.

² For more information on NACSA’s annual survey of authorizers, please refer to Appendix A.

AUTHORIZER SIGNS A CONTRACT WITH EACH SCHOOL.

“A quality authorizer executes a contract with a legally incorporated governing board independent of the authorizer.”

Contracts outline charter school performance expectations and clarify the roles and responsibilities of both the school and the authorizer. Contracts protect school autonomy and safeguard schools from inappropriate end-of-term reviews not based on material performance expectations. Authorizers that have no contracts with their schools significantly weaken their ability to hold schools accountable for their performance. Relying on the charter application itself as a charter contract can be equally ineffective. Charter applications often contain such a high level of detail that material performance expectations are obscured by long lists of expectations related to every proposed activity articulated in the application. School autonomy is threatened by authorizer micro-management, and charter schools find themselves held accountable for inconsequential and immaterial performance expectations.

AUTHORIZER HAS ESTABLISHED, DOCUMENTED CRITERIA FOR EVALUATING CHARTER APPLICATIONS.

“A quality authorizer implements a comprehensive application process that... follows fair, transparent procedures and rigorous criteria...”

Established criteria for evaluating applications increase the likelihood that charter applicants will address in their applications all the areas that the authorizer must evaluate. Established criteria also increase the likelihood that authorizers fairly judge applications against those standards. This prevents applicants from being subject to a standard that was determined after their application was submitted, and that was intentionally set at a level designed to justify a pre-established decision to deny an unwanted applicant. Such criteria can also aid leaders in holding authorizers accountable for implementing rigorous processes.

AUTHORIZER PUBLISHES APPLICATION TIMELINES AND MATERIALS.

“A quality authorizer implements a charter application process that is open, well publicized, and transparent, and is organized around clear, realistic timelines.”

When authorizers publish their timelines and criteria, they are forced to establish such items. This also allows authorizers to think through what they truly need to make informed decisions and to set a calendar that will ensure potential schools have adequate time to open successfully. By publishing these timelines and materials, authorizers establish transparency that allows others to evaluate the quality and fairness of their process.

AUTHORIZER INTERVIEWS ALL CHARTER APPLICANTS.	
<i>“A quality authorizer rigorously evaluates each application through... a substantive in-person interview with the applicant group.”</i>	Face-to-face interviews are an important component of the charter application process. Interviews offer an opportunity to assess the extent of the founding team’s capacity to implement what they have written in their application as well as their understanding of what they have proposed to do. While some authorizers may reject incomplete applications prior to an interview, all applicants considered for a charter should be interviewed.
AUTHORIZER USES EXPERT PANELS THAT INCLUDE EXTERNAL MEMBERS TO REVIEW CHARTER APPLICATIONS.	
<i>“A quality authorizer engages, for both written application reviews and applicant interviews, highly competent teams of internal and external evaluators with relevant educational, organizational (governance and management), financial, and legal expertise, as well as a thorough understanding of the essential principles of charter school autonomy and accountability.”</i>	Successfully operating a charter school requires an experienced team with members who have diverse sets of skills and abilities. Expert panels with members experienced in different areas are necessary to evaluate applications in those diverse domains. Panels made up entirely of internal experts may be biased in favor of the procedures and interests of the authorizing entity. Including external experts on panels helps to insulate the application review from political influence or other factors separate from the operation of a successful school. In particular, when authorizers also administer or oversee traditional public schools (as LEAs or SEAs), external experts may bring new perspectives to application evaluation that are more accepting of different approaches than those already being implemented by the authorizer, encouraging innovation.
AUTHORIZER GRANTS CHARTERS WITH FIVE-YEAR TERMS ONLY.	
<i>“A quality authorizer grants charter contracts for a term of five operating years, or longer only with periodic high-stakes reviews every five years.”</i>	Five-year terms allow a school to develop beyond the initial startup phase and to produce a sufficient performance record and body of data necessary for high-stakes decision making. Terms shorter than five years may appear to reflect greater school accountability, but they hinder a school’s ability to raise money, recruit students, and attract strong teachers. Shorter terms also erode school autonomy by requiring more frequent reporting and leading authorizers to impose prescriptive improvement efforts too often. While such efforts are sometimes appropriate, they should be reserved for when a school has been identified as low-performing. Terms longer than five years do not provide sufficient frequency of rigorous review, allowing low-performing charter schools to stay open.

AUTHORIZER REQUIRES AND/OR EXAMINES ANNUAL, INDEPENDENT, EXTERNAL FINANCIAL AUDITS OF ITS CHARTER SCHOOLS.	
<i>“A quality authorizer requires and reviews annual financial audits of schools, conducted by a qualified independent auditor.”</i>	Financial audits are necessary to document the fiscal soundness and propriety of independent, publicly funded institutions, especially ones as large and complex as charter schools.
AUTHORIZER HAS ESTABLISHED RENEWAL CRITERIA.	
<i>“A quality authorizer clearly communicates to schools the criteria for charter revocation, renewal, and non-renewal decisions, consistent with the charter contract...”</i>	Charter schools deserve to know the specific standards to which they will be held accountable. Renewal criteria established in statute are not always sufficiently specific or rigorous to hold schools and authorizers accountable. Renewal criteria should be established early so that schools can plan activities and instruction to achieve those ends, and gather data to demonstrate whether they have reached the standards against which they will be judged. The renewal criteria should also be linked to the annual reporting by schools to their authorizer, by authorizers when they report to the schools to evaluate their annual performance, and by authorizers to the public on the performance of all of their schools. Transparent renewal criteria are required to ensure that authorizers have instituted fair and merit-based approaches to such decisions.
AUTHORIZER HAS ESTABLISHED REVOCATION CRITERIA.	
<i>“A quality authorizer clearly communicates to schools the criteria for charter revocation, renewal, and non-renewal decisions, consistent with the charter contract.”</i>	Revocation criteria established in state statutes are not always sufficiently explicit or rigorous to ensure accountability by both authorizers and their schools. For all high-stakes decisions, charter schools deserve to know the specific standards to which they will be held. These criteria should be referenced by schools in their annual reporting to their authorizer, by authorizers when they evaluate school performance via their annual reports to schools, and by authorizers when reporting to the public on the performance of all of their schools. A revocation is the most profound act an authorizer can take. Decisions to revoke a school’s charter should be based on evidence that pre-established standards of performance and conduct are not being achieved.

AUTHORIZER PROVIDES AN ANNUAL REPORT TO EACH SCHOOL ON ITS PERFORMANCE.

“A quality authorizer provides an annual written report to each school, summarizing its performance and compliance to date and identifying areas of strength and areas needing improvement.”

Quality authorizers establish performance expectations in their contracts with schools and annually report to each school their performance toward those expectations. Some authorizers may use state Adequate Yearly Progress (AYP) reporting as a proxy for an annual report to a school. State reporting, required for all public schools (charter or traditional), is not an acceptable substitute for proper annual reports to charter schools. It is the responsibility of the authorizer to define what quality performance is and to take action when schools are not performing. Evaluating whether a school is meeting the terms of its charter requires attention to the work expected of charters in general as well as any measures that are specific to an individual charter school’s mission. Annual reports to charter schools increase the likelihood that a school will improve where and when it needs to do so. Timely reports on progress also increase the likelihood that authorizers will have the data and record required to close schools that fail to meet their goals and to defend those decisions if they are subject to appeal under state law.

AUTHORIZER HAS STAFF ASSIGNED TO AUTHORIZING WITHIN THE ORGANIZATION OR BY CONTRACT.

“A quality authorizer employs competent personnel at a staffing level appropriate and sufficient to carry out all authorizing responsibilities in accordance with national standards, and commensurate with the scale of the charter school portfolio.”

Without a single staff member assigned to authorizing work within an organization, it is difficult to imagine that charter schools will receive sufficient support and oversight. A designated staff is essential to streamline charter oversight procedures and to reduce the administrative burden of compliance for schools. Larger authorizers certainly need more staff, but the basic expectation requires that at least one person owns the work of authorizing.

AUTHORIZER HAS A PUBLISHED AND AVAILABLE MISSION FOR QUALITY AUTHORIZING.

“A quality authorizer states a clear mission for quality authorizing.”

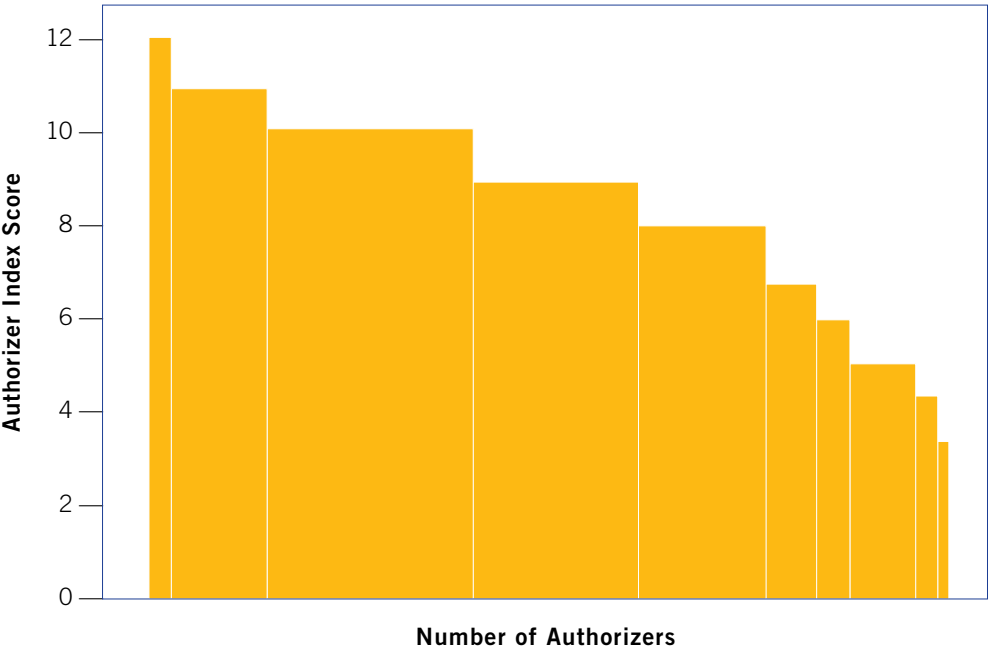
For any strong organization, a clear mission statement ensures that the board and staff are focusing on things that are important and enduring. For authorizers, that is likely to include school quality and expanded educational opportunities. A clear mission statement also helps an organization stay focused and on track as board members and staff change over time.

WHAT DOES THE INDEX SHOW?

The graph below describes the distribution of Index scores for 123 authorizers that provided complete responses to NASCA's 2011 Authorizer Survey. The tables on the following pages present the responses to each of the individual items of the index for each authorizer.

Scores range from authorizers doing all 12 practices on the Index to authorizers with only three critical practices in place. The width of the “steps” in the graph below reflects the number of authorizers with that score.

NACSA’S INDEX OF ESSENTIAL PRACTICES³



³ Authorizers who failed to respond to four or more survey questions related to the practices or are not active during the 2011–2012 school year were removed from the analysis presented in this figure.

CONSIDERATIONS

It isn’t enough for authorizers to just do the 12 practices described above. To ensure quality schools for the nation’s children, authorizers must do them well. Assessing authorizers on the 12 items is equivalent to assessing whether a student turned in her homework, not *how well* that homework was completed. An authorizer that scores relatively high (i.e., 10 or 11) might still perform certain tasks poorly. For example, authorizers that sign contracts with each charter school they oversee could still fail to include important contractual elements that safeguard accountability and autonomy. Likewise, two authorizers that score similarly (i.e., both score 9) may manage quite distinct authoring shops—one excellent, one much weaker.

In some cases, state statute may restrict an authorizer’s ability to implement essential practices, like a five-year charter term, for example. Nevertheless, it is the responsibility of the authorizer and the charter community to ensure that these 12 practices are in place *and* that authorizers hold themselves to high standards when evaluating the quality of their practices.

Despite yearly improvements to the NACSA Authorizer Survey, used to construct the *Index of Essential Practices*, it is important to note that the Index is based on self-reported survey responses. Questions were designed to reflect critical practices that all authorizers should understand, but there is always a possibility of misunderstanding or misrepresentation.

THE INDEX VS. FORMATIVE IN-DEPTH EVALUATION

A variety of tools should be used to evaluate such complex public endeavors as charter school authorizing. The right tool should be matched to a particular evaluation purpose.

The 12-point *Index of Essential Practices* can serve as an entry point for an authorizer to reflect on its work. It can be performed annually at a relatively large scale, and therefore is more appropriate for providing many authorizers with basic information on their practices. It can also serve as a tool for policymakers and others to review overall dynamics in the charter sector. However, because it is survey-based, the Index is not designed to provide a fine-tuned appraisal of the quality of a particular authorizer’s practices.

To assess the quality of practices, many authorizers work with NACSA to conduct in-depth evaluations of their authorizing practices. These reviews include analysis of documents and multi-day visits by teams of authorizing experts who conduct interviews and focus groups, and observe authorizer activities. These formative evaluations are designed to tell an authorizer how well they implement recommended practices. They are specifically designed to inform strategic planning and long-term self-improvement practices in an individual authorizer’s shop. These in-depth evaluations require time and resources as well as extensive cooperation with authorizer staff and leadership. This makes them challenging to conduct at a wide scale and less appropriate for annual analysis of the sector.

HOW CAN THE INDEX RESULTS

assist individual authorizers?



Individual authorizer responses about their implementation of essential practices are provided on the following pages. Different stakeholders may have different opinions about whether a particular authorizer has implemented these practices. Or if they do implement some version of a particular practice, others may question whether they do so with sufficient rigor, sincerity, or fidelity to deserve credit.

The purpose of this Index is to share authorizer-specific data on fundamental authorizing practices and to generate discussion about those practices among charter school authorizing staff and boards, school operators and support organizations, and policy makers. Using the Index, authorizers and stakeholders can begin a discussion to determine whether or not these practices are in place and to begin to assess how well they are performing these practices. When charter school stakeholders can see and discuss authorizer practices, the entire charter school sector can become stronger. Ultimately, these initial discussions may lead to more conversations and, more importantly, actions to improve these practices.

Recommendations



Great charter schools do not occur randomly. They result from the dedicated work of a host of important players.

Authorizers play a pivotal role in this. What are their best practices? They study a community's changing needs. They seek the best school options that respond to those needs. They communicate expectations clearly. They gather useful data to make sound decisions. They prioritize student success. They empower leaders who run great schools to open more schools. They close failing schools and replace them with better performing ones.

NACSA has created the 12-point *Index of Essential Practices* to hone in on those practices that simply must happen for great schools to flourish.

RECOMMENDATIONS TO AUTHORIZERS:

Commit to essential practices at a minimum. Start with the 12 practices in the Index and then aim higher, guided by NACSA's *Principles & Standards*. Regularly monitor improvement. Question what is working and what is not. Seek evaluation and assistance.

- NACSA can provide hands-on assistance to translate high expectations into achievable change, through consultation, training, and formative evaluation.

RECOMMENDATIONS TO POLICY LEADERS AND FUNDERS:

Support NACSA's *Principles & Standards*. Commit to adequate authorizer capacity to implement these standards. Seek the resources needed.

- NACSA furthers this policy agenda by helping leaders to understand how the *Principles & Standards* can be used to produce improvements in authorizing and, more importantly, support a high-performing charter sector.
- NACSA supports this work through its Fund for Authorizer Excellence and strives to raise awareness of the importance of authorizing in support of authorizers that are seeking outside resources to improve their practices.

Authorizing is critical to the success of the charter school movement. Through strong practices, sound charter school policies, and sufficient resources, authorizers are empowered to create environments in which charter schools may thrive. Those who carry out their responsibilities well foster high-performing charter schools, closing those that are not upholding their promise to provide the best educational opportunities for kids.

Authorizer Index of Essential Practices

Responding authorizers not active during the 2011-2012 school year were omitted from the tables provided. The school, student, and authorizer data provided in the following tables are reported numbers for the 2010-11 academic year.⁴

Eligible Authorizer Types			
HEI	Higher Education Institutes	MUN	Municipal Office
ICB	Independent Charter Boards	NFP	Not-For-Profit organizations
LEA	Local Education Agencies (also known as school districts)	SEA	State Education Agencies

ALASKA	ELIGIBLE AUTHORIZERS: LEA		NUMBER OF AUTHORIZERS: 8			CHARTER SCHOOLS: 27				CHARTER SCHOOL STUDENTS: 5,751		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 4.4%				
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
	Anchorage School District School Board	LEA	8	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	No	Yes	9

ARIZONA	ELIGIBLE AUTHORIZERS: LEA, ICB, SEA		NUMBER OF AUTHORIZERS: 7			CHARTER SCHOOLS: 508				CHARTER SCHOOL STUDENTS: 124,205		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 11.5%				
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
	Arizona State Board for Charter Schools	ICB	517	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	No	Yes	Yes	9

ARKANSAS	ELIGIBLE AUTHORIZERS: SEA		NUMBER OF AUTHORIZERS: 1			CHARTER SCHOOLS: 30				CHARTER SCHOOL STUDENTS: 10,004		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 2.1%				
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
	Arkansas State Board of Education	SEA	30	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	10



ELIGIBLE AUTHORIZERS: LEA, SEA

NUMBER OF
AUTHORIZERS: 293

CHARTER
SCHOOLS: 913

CHARTER SCHOOL
STUDENTS: 374,956

PERCENT OF STATE'S STUDENTS
IN CHARTER SCHOOLS: 6.0%

AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE				APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Los Angeles Unified School District	LEA	205	No	Yes	Yes				Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	9
San Diego Unified School District	LEA	44	Yes	Yes	No				No	No	No	Yes	Yes	Yes	Yes	Yes	No	7
California Department of Education Charter Schools Division	SEA	33	Yes	Yes	No				No	No	Yes	Yes	Yes	Yes	Yes	Yes	No	8
Oakland Unified School District	LEA	32	No	Yes	Yes				Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	10
Los Angeles County Office of Education	LEA	28	Yes	Yes	Yes				Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	9
Stockton Unified School District	LEA	15	Yes	Yes	Yes				No	No	Yes	Yes	Yes	Yes	No	Yes	No	8
Santa Clara County Office of Education	LEA	13	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11
Campbell Union Elementary School District	LEA	11	–	–	–				–	–	–	–	–	–	–	–	–	Did not return survey
Sacramento City Unified School District	LEA	11	–	–	–				–	–	–	–	–	–	–	–	–	Did not return survey
San Bernardino City Unified School District	LEA	11	–	–	–				–	–	–	–	–	–	–	–	–	Did not return survey
San Francisco Unified School District	LEA	11	–	–	–				–	–	–	–	–	–	–	–	–	Did not return survey
Fresno Unified School District	LEA	10	–	–	–				–	–	–	–	–	–	–	–	–	Did not return survey
Twin Rivers Unified School District	LEA	10	–	–	–				–	–	–	–	–	–	–	–	–	Did not return survey
San Juan Unified School District	LEA	9	Yes	Yes	No				No	No	NR*	Yes	NR*	Yes	No	Yes	No	Unable to calculate
Nevada County Office of Education	LEA	8	Yes	Yes	No				No	NR*	No	Yes	No	NR*	Yes	Yes	NR*	Unable to calculate
Inglewood Unified School District	LEA	7	NR*	Yes	No				Yes	No	No	No	Yes	No	No	Yes	No	Unable to calculate
Kern County Office of Education	LEA	7	Yes	Yes	No				Yes	Yes	Yes	Yes	Yes	NR*	No	No	No	Unable to calculate
Los Olivos Elementary School District	LEA	6	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes	Yes	No	No	No	8
Ventura County Office of Education	LEA	6	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	10
Mountain Empire Unified School District	LEA	5	Yes	Yes	No				Yes	No	Yes	Yes	Yes	Yes	No	Yes	No	8
Napa Valley Unified School District	LEA	5	–	–	–				–	–	–	–	–	–	–	–	–	Unable to calculate
Santa Ana Unified School District	LEA	5	No	Yes	No				No	Yes	Yes	Yes	Yes	Yes	No	Yes	No	7
Armona Union Elementary School District	LEA	4	Yes	No	No				Yes	No	Yes	Yes	No	No	No	Yes	No	5
Tulare County Office of Education	LEA	4	Yes	Yes	No				Yes	Yes	Yes	Yes	Yes	Yes	NR*	Yes	No	Unable to calculate
William S. Hart Union High School District	LEA	4	Yes	Yes	No				Yes	No	No	Yes	Yes	No	No	No	No	5
Burton Elementary School District	LEA	3	Yes	No	No				No	No	NR*	Yes	No	No	No	NR*	No	Unable to calculate
Petaluma Joint Union High School District	LEA	3	Yes	Yes	No				Yes	No	Yes	Yes	No	NR*	Yes	No	No	Unable to calculate
Butte County Office of Education	LEA	2	Yes	Yes	Yes				Yes	No	No	Yes	Yes	Yes	Yes	No	No	8
Denair Unified School District	LEA	2	Yes	Yes	Yes				No	No	Yes	Yes	Yes	No	Yes	Yes	Yes	9
Harmony Union Elementary School District	LEA	2	Yes	Yes	Yes				Yes	Yes	Yes	Yes	Yes	No	No	No	No	8
Moreno Valley Unified School District	LEA	2	No	Yes	Yes				Yes	No	NR*	Yes	NR*	Yes	Yes	No	NR*	Unable to calculate
Riverside County Office of Education	LEA	2	Yes	Yes	Yes				Yes	No	No	Yes	Yes	No	No	Yes	No	7


*No Reponse



ELIGIBLE AUTHORIZERS: LEA, SEA						NUMBER OF AUTHORIZERS: 293						CHARTER SCHOOLS: 913			CHARTER SCHOOL STUDENTS: 374,956			PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 6.0%			
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE							APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
ool District	LEA	2	NR*	Yes	Yes							NR*	No	Yes	Yes	Yes	Yes	NR*	No	No	Unable to calculate
ntary School District	LEA	2	Yes	Yes	Yes							Yes	Yes	No	Yes	Yes	No	No	No	No	7
Education	LEA	1	–	–	–							–	–	–	–	–	–	–	–	–	Unable to calculate
chool District	LEA	1	Yes	Yes	Yes							Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11
ntary School District	LEA	1	–	–	–							–	–	–	–	–	–	–	–	–	Unable to calculate
ary School District	LEA	1	Yes	Yes	Yes							Yes	No	Yes	No	Yes	Yes	No	No	No	7
District	LEA	1	Yes	No	No							No	No	No	Yes	No	NR*	No	No	No	Unable to calculate
ntary School District	LEA	1	Yes	Yes	Yes							No	No	Yes	Yes	Yes	Yes	Yes	Yes	NR*	Unable to calculate
District	LEA	1	–	–	–							–	–	–	–	–	–	–	–	–	Unable to calculate
ry School District	LEA	1	Yes	Yes	No							No	Yes	Yes	Yes	Yes	Yes	No	No	No	7
gh	LEA	1	–	–	–							–	–	–	–	–	–	–	–	–	Unable to calculate
ol District	LEA	1	Yes	No	No							Yes	Yes	No	Yes	Yes	NR*	NR*	No	NR*	Unable to calculate
chool District	LEA	1	–	–	–							–	–	–	–	–	–	–	–	–	Unable to calculate
Education	LEA	1	–	–	–							–	–	–	–	–	–	–	–	–	Unable to calculate
Education	LEA	1	Yes	No	No							Yes	No	Yes	Yes	No	No	No	No	No	4
ool District	LEA	1	–	–	–							–	–	–	–	–	–	–	–	–	Unable to calculate

*No Reponse

COLORADO



ELIGIBLE AUTHORIZERS: LEA, ICB

NUMBER OF
AUTHORIZERS: 47


CHARTER
SCHOOLS: 167


CHARTER SCHOOL
STUDENTS: 73,445


PERCENT OF STATE'S STUDENTS
IN CHARTER SCHOOLS: 8.7%

AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE			APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Denver Public Schools	LEA	31	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	10
Colorado Charter School Institute	ICB	22	Yes	No	Yes			Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	9
Jeffco Public School District R-1	LEA	17	–	–	–			–	–	–	–	–	–	–	–	–	Did not return survey
Douglas County School District RE 1	LEA	11	Yes	Yes	Yes			Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	9
Adams 12 Five Star Schools	LEA	7	Yes	Yes	Yes			Yes	No	No	Yes	Yes	No	No	Yes	No	7
Colorado Springs School District 11	LEA	7	Yes	Yes	Yes			No	No	No	Yes	Yes	No	No	Yes	No	6
Aurora Public Schools	LEA	6	Yes	Yes	Yes			Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	9
Saint Vrain Valley School District	LEA	6	Yes	Yes	Yes			Yes	No	No	Yes	No	No	No	No	No	5
Brighton 27J School District	LEA	5	Yes	Yes	Yes			Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	9
Academy School District 20	LEA	4	Yes	Yes	Yes			Yes	Yes	NR*	Yes	Yes	Yes	No	No	No	Unable to calculate
Pueblo City Schools	LEA	3	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	9
Montezuma-Cortez School District RE-1	LEA	2	Yes	Yes	Yes			Yes	NR*	NR*	Yes	Yes	Yes	Yes	No	NR*	Unable to calculate
Montrose County School District	LEA	2	Yes	No	No			No	No	Yes	Yes	No	Yes	No	Yes	No	5
Park County School District	LEA	2	Yes	NR*	No			NR*	NR*	Yes	Yes	No	No	No	No	No	Unable to calculate
Thompson School District R-2J	LEA	2	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes	No	Yes	NR*	Unable to calculate
Aspen School District	LEA	1	No	Yes	Yes			Yes	No	Yes	Yes	Yes	No	Yes	No	NR*	Unable to calculate
Bennett 29J School District	LEA	1	Yes	No	No			Yes	No	Yes	Yes	No	No	No	No	No	4
Clear Creek School District RE-1	LEA	1	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	11
Eagle County School District	LEA	1	Yes	Yes	No			Yes	No	NR*	Yes	NR*	NR*	No	No	No	Unable to calculate
East Grand School District	LEA	1	Yes	No	Yes			Yes	Yes	Yes	Yes	No	No	No	No	No	6
Gunnison Watershed School District	LEA	1	Yes	NR*	NR*			Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Unable to calculate
Strasburg School District 31J	LEA	1	Yes	Yes	Yes			Yes	Yes	Yes	Yes	No	No	Yes	No	Yes	9

*No Reponse

CONNECTICUT		ELIGIBLE AUTHORIZERS: LEA, SEA				NUMBER OF AUTHORIZERS: 1				CHARTER SCHOOLS: 18				CHARTER SCHOOL STUDENTS: 5,724		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 1.0%						
		AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE						APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Connecticut Department of Education		SEA	18	–	–	–							–	–	–	–	–	–	–	–		Did not return survey

DELAWARE	ELIGIBLE AUTHORIZERS: LEA, SEA			NUMBER OF AUTHORIZERS: 2						CHARTER SCHOOLS: 19		CHARTER SCHOOL STUDENTS: 9,525		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 7.4%							
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE						APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
	Delaware State Board of Education	SEA	19	Yes	No	Yes						Yes	No	No	Yes	No	No	No	Yes	No	5

<div>DISTRICT OF COLUMBIA</div> <div></div>	ELIGIBLE AUTHORIZERS: ICB			NUMBER OF AUTHORIZERS: 1			CHARTER SCHOOLS: 52 (ON 98 CAMPUSES)					CHARTER SCHOOL STUDENTS: 29,366		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 39.2%								
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE							APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
	District of Columbia Public Charter School Board	ICB	99	Yes	Yes	Yes							Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	



ELIGIBLE AUTHORIZERS: LEA, HEI

NUMBER OF AUTHORIZERS: 45

CHARTER SCHOOLS: 461

CHARTER SCHOOL STUDENTS: 155,221

PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 5.9%

AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE				APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Miami Dade County Public Schools	LEA	81	Yes	Yes	Yes				Yes	No	No	Yes	Yes	No	Yes	Yes	No	8
School Board of Broward County	LEA	75	Yes	Yes	Yes				Yes	No	No	Yes	Yes	No	No	No	No	6
Hillsborough County Public Schools	LEA	36	Yes	Yes	Yes				Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	9
Palm Beach School District	LEA	35	Yes	Yes	Yes				No	Yes	No	Yes	Yes	Yes	Yes	Yes	No	9
Orange County Public Schools	LEA	31	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	11
Polk County Public Schools District	LEA	27	Yes	Yes	Yes				Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	10
School District of Lee County	LEA	25	Yes	Yes	Yes				No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	9
Duval County Public Schools	LEA	18	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No	10
Alachua County Public Schools	LEA	17	Yes	Yes	Yes				No	No	No	Yes	Yes	Yes	Yes	Yes	No	8
Pinellas County School District	LEA	16	Yes	Yes	Yes				Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	9
Bay County School District	LEA	13	No	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	No	No	NR*	Unable to calculate
Lake County Public Schools	LEA	11	Yes	Yes	Yes				No	Yes	No	Yes	Yes	No	No	Yes	Yes	8
Manatee County School District	LEA	11	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	9
Escambia County School District	LEA	9	Yes	Yes	Yes				Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	10
Sarasota County School District	LEA	9	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	10
Pasco County School District	LEA	5	Yes	Yes	Yes				Yes	No	NR*	Yes	Yes	Yes	No	Yes	No	Unable to calculate
Florida Atlantic University College of Education	HEI	4	No	No	No				No	No	NR*	Yes	No	No	Yes	No	No	Unable to calculate
Leon County Public Schools	LEA	4	Yes	Yes	Yes				Yes	Yes	NR*	Yes	Yes	Yes	Yes	Yes	No	Unable to calculate
Okaloosa County School District	LEA	3	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	10
Franklin County Public Schools	LEA	2	–	–	–				–	–	–	–	–	–	–	–	–	Unable to calculate
Glades County School District	LEA	1	Yes	Yes	Yes				Yes	No	No	Yes	NR*	NR*	Yes	No	NR*	Unable to calculate
Sumter County Public Schools	LEA	1	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	NR*	No	No	No	Unable to calculate
Wakulla County Public Schools	LEA	1	Yes	Yes	Yes				Yes	No	No	Yes	Yes	Yes	No	Yes	No	8

*No Reponse



GEORGIA

ELIGIBLE AUTHORIZERS: LEA, SEA

NUMBER OF
AUTHORIZERS: 39

CHARTER
SCHOOLS: 97

CHARTER SCHOOL
STUDENTS: 48,394

PERCENT OF STATE'S STUDENTS
IN CHARTER SCHOOLS: 2.9%

AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Atlanta City School District	LEA	13	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	10
Fulton County School Board	LEA	13	Yes	Yes	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes	Yes	9
DeKalb County School District	LEA	12	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	No	Yes	Yes	8
Mitchell County School Board	LEA	1	Yes	No	No	No	No	Yes	Yes	No	No	No	No	No	3



HAWAII

ELIGIBLE AUTHORIZERS: ICB

NUMBER OF
AUTHORIZERS: 1

CHARTER
SCHOOLS: 31

CHARTER SCHOOL
STUDENTS: 8,289

PERCENT OF STATE'S STUDENTS
IN CHARTER SCHOOLS: 4.6%

AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Hawaii Charter School Review Panel	ICB	31	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	8



IDAHO

ELIGIBLE AUTHORIZERS: LEA, ICB

NUMBER OF
AUTHORIZERS: 15

CHARTER
SCHOOLS: 40

CHARTER SCHOOL
STUDENTS: 16,084


PERCENT OF STATE'S STUDENTS
IN CHARTER SCHOOLS: 5.7%


AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Idaho Public Charter School Commission	ICB	29	No	Yes	Yes	Yes	No	No	Yes	No	No	No	Yes	No	5

ILLINOIS	ELIGIBLE AUTHORIZERS: LEA, SEA, ICB			NUMBER OF AUTHORIZERS: 9			CHARTER SCHOOLS: 46 (ON 116 CAMPUSES)			CHARTER SCHOOL STUDENTS: 41,286			PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 2.0%		
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Chicago Public Schools, Office of New Schools	LEA	87	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	12


INDIANA	ELIGIBLE AUTHORIZERS: LEA, SEA, ICB, MUN			NUMBER OF AUTHORIZERS: 5			CHARTER SCHOOLS: 62			CHARTER SCHOOL STUDENTS: 22,529			PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 2.2%		
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Ball State University Office of Charter Schools	HEI	39	Yes	No	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	No	8
Indianapolis Mayor's Office	MUN	23	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	11


IOWA	ELIGIBLE AUTHORIZERS: LEA			NUMBER OF AUTHORIZERS: 8			CHARTER SCHOOLS: 8			CHARTER SCHOOL STUDENTS: 298			PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 0.1 %		
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
No authorizers in Iowa submitted responses to the NACSA survey	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–


<div>KANSAS</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA		NUMBER OF AUTHORIZERS: 23		CHARTER SCHOOLS: 26		CHARTER SCHOOL STUDENTS: 4,546		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 0.9 %							
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
No authorizers in Kansas submitted responses to the NACSA survey		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

<div>LOUISIANA</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, SEA		NUMBER OF AUTHORIZERS: 6			CHARTER SCHOOLS: 90			CHARTER SCHOOL STUDENTS: 37,030		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 5.3 %					
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Louisiana Board of Elementary and Secondary Education	SEA	80	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	10	
Orleans Parish School District	LEA	12	–	–	–	–	–	–	–	–	–	–	–	–	Did not return survey	
East Baton Rouge Parish School District	LEA	7	Yes	Yes	Yes	Yes	No	No	Yes	Yes	No	NR*	No	No	Unable to calculate	

*No Reponse

<div>MARYLAND</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, SEA		NUMBER OF AUTHORIZERS: 6			CHARTER SCHOOLS: 45					CHARTER SCHOOL STUDENTS: 14,180		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 1.7%							
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE					APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Baltimore City Public Schools	LEA	33	Yes	Yes	Yes					Yes	Yes	Yes	Yes	Yes	No	No	Yes	No		9

MASSACHUSETTS		ELIGIBLE AUTHORIZERS: SEA			NUMBER OF AUTHORIZERS: 1			CHARTER SCHOOLS: 63			CHARTER SCHOOL STUDENTS: 28,422		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 3.0%				
		AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Massachusetts Department of Education		SEA	63	–	–	–		–	–	–	–	–	–	–	–	–	Did not return survey

<div>MICHIGAN</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, HEI		NUMBER OF AUTHORIZERS: 30				CHARTER SCHOOLS: 241			CHARTER SCHOOL STUDENTS: 112,207		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 7.2%							
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE				APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
	The Center for Charter Schools at Central Michigan University	HEI	74	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	11
	Grand Valley State University Charter Schools Office	HEI	44	Yes	Yes	Yes				No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	10
	Bay Mills Community College Charter Schools Office	HEI	42	Yes	Yes	No				Yes	NR*	No	Yes	Yes	Yes	Yes	Yes	Yes	Unable to calculate
	Ferris State University	HEI	19	Yes	Yes	Yes				Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	10
	Saginaw Valley State University	HEI	18	–	–	–				–	–	–	–	–	–	–	–	–	Did not return survey
	Lake Superior State University Charter Schools Office	HEI	10	Yes	Yes	Yes				Yes	No	No	Yes	Yes	No	No	Yes	Yes	8
	Oakland University, Office of Public School Academies	HEI	8	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	10
	Wayne RESA	LEA	6	Yes	Yes	No				Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	8
Northern Michigan University, Charter Schools Office	HEI	5	Yes	No	Yes				Yes	NR*	Yes	Yes	Yes	Yes	No	Yes	Yes	Unable to calculate	

*No Reponse

MINNESOTA



ELIGIBLE AUTHORIZERS: LEA, HEI, NFP


NUMBER OF AUTHORIZERS: 48

CHARTER SCHOOLS: 149


CHARTER SCHOOL STUDENTS: 36,821

PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 4.4%

AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE			APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Audubon Center of the North Woods	NFP	34	–	–	–			–	–	–	–	–	–	–	–	–	Did not return survey
Novation Education Opportunities	NFP	22	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	11
Pillsbury United Communities	NFP	22	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	10
Friends of Education–Minnesota	NFP	17	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	11
Volunteers of America–Minnesota	NFP	17	Yes	Yes	Yes			No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	10
University of St. Thomas	HEI	6	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes	10
Augsburg College Department of Education	HEI	5	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	11
Bethel University	HEI	2	Yes	Yes	Yes			Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	9
Alexandria Technical College	HEI	1	Yes	Yes	No			Yes	No	No	Yes	Yes	No	No	No	No	5
Fraser Foundation	NFP	1	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes	No	No	Yes	9
Ordway Center for the Performing Arts	HEI	1	Yes	Yes	Yes			No	No	Yes	Yes	Yes	Yes	Yes	No	Yes	9
Project for Pride in Living	NFP	1	Yes	Yes	Yes			Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes	10
Rochester Community and Technical College	HEI	1	Yes	Yes	Yes			Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11
Wolf Ridge Environmental Learning Center	NFP	1	Yes	Yes	Yes			Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	10

<div>MISSOURI</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, HEI, SEA			NUMBER OF AUTHORIZERS: 13			CHARTER SCHOOLS: 36			CHARTER SCHOOL STUDENTS: 19,829		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 2.2%				
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
University of Central Missouri	HEI	13	Yes	Yes	No		Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	10
University of Missouri–Kansas City	HEI	11	No	Yes	Yes		Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	10
Missouri Baptist University	HEI	7	Yes	Yes	Yes		NR*	NR*	No	Yes	Yes	Yes	Yes	Yes	Yes	Unable to calculate
University of Missouri–St. Louis	HEI	6	Yes	Yes	Yes		Yes	No	No	Yes	Yes	Yes	No	Yes	No	8
University of Missouri–Columbia	HEI	5	Yes	Yes	No		Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	8
Saint Louis University	HEI	3	Yes	No	No		Yes	No	No	Yes	No	Yes	Yes	Yes	No	6
Lindenwood University	HEI	1	–	–	–		–	–	–	–	–	–	–	–	–	Unable to calculate
Metropolitan Community College–Penn Valley	HEI	1	Yes	Yes	Yes		Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	9
Missouri University of Science and Technology	HEI	1	Yes	Yes	No		Yes	No	Yes	Yes	Yes	Yes	No	Yes	No	8
Southeast Missouri State University	HEI	1	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	10
Washington University	HEI	1	Yes	No	No		No	No	No	Yes	No	Yes	No	No	Yes	4

*No Reponse

NEVADA	ELIGIBLE AUTHORIZERS: LEA, ICB						NUMBER OF AUTHORIZERS: 5						CHARTER SCHOOLS: 27				CHARTER SCHOOL STUDENTS: 14,183				PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 3.2%			
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE							APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL		
	Nevada State Public Charter School Authority	ICB	20	Yes	Yes	Yes							Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	10		

NEW HAMPSHIRE




ELIGIBLE AUTHORIZERS: LEA, SEA			NUMBER OF AUTHORIZERS: 1				CHARTER SCHOOLS: 10			CHARTER SCHOOL STUDENTS: 983		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 0.5%				
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE		APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Department of Education	SEA	10	–	–	–		–	–	–	–	–	–	–	–	–	Did not return survey

NEW JERSEY




ELIGIBLE AUTHORIZERS: SEA			NUMBER OF AUTHORIZERS: 1			CHARTER SCHOOLS: 73			CHARTER SCHOOL STUDENTS: 24,186		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 1.7%					
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE		APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
of Education	SEA	73	–	–	–		–	–	–	–	–	–	–	–	–	Did not return survey


NEW MEXICO





ELIGIBLE AUTHORIZERS: LEA, SEA			NUMBER OF AUTHORIZERS: 18				CHARTER SCHOOLS: 81			CHARTER SCHOOL STUDENTS: 15,260		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 4.6%				
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE		APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
ation Commission	SEA	40	Yes	No	Yes		Yes	Yes	No	Yes	No	No	Yes	Yes	NR*	Unable to calculate
ools Charter School Office	LEA	22	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	12

*No Reponse

<div>NEW YORK</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, SEA, HEI			NUMBER OF AUTHORIZERS: 4			CHARTER SCHOOLS: 171			CHARTER SCHOOL STUDENTS: 54,527		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 2.1%							
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE				APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
State University of New York Charter Schools Institute	HEI	83	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11
New York City Department of Education Charter Schools Office	LEA	68	Yes	Yes	Yes				Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	10
New York State Education Department	SEA	30	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	10

<div>NORTH CAROLINA</div> 	ELIGIBLE AUTHORIZERS: LEA, SEA, HEI			NUMBER OF AUTHORIZERS: 1			CHARTER SCHOOLS: 98			CHARTER SCHOOL STUDENTS: 42,061			PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 2.9%						
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE				APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
North Carolina Department of Education	SEA	100	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes		10

<div>OHIO</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, HEI, NFP					NUMBER OF AUTHORIZERS: 70					CHARTER SCHOOLS: 341			CHARTER SCHOOL STUDENTS: 97,899		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 5.2%		
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE												
							APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL		
	Lucas County Educational Service Center	LEA	68	—	—	—	—	—	—	—	—	—	—	—	—	—	Did not return survey	
	St. Aloysius Orphanage	NFP	47	Yes	Yes	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes	Yes	Yes	9	
	Buckeye Community Hope Foundation	NFP	44	Yes	Yes	No	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	9	
	Ohio Council of Community Schools	HEI	43	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes	Yes	Yes	9	
	Educational Resource Consultants of Ohio, Inc.	NFP	23	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	10	
	Kids Count of Dayton, Inc	NFP	12	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	10	
	Educational Service Center of Central Ohio	LEA	9	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	10	
Thomas B. Fordham Foundation	NFP	8	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	11		
Montgomery County Educational Service Center	LEA	3	Yes	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	No	5		

<div>OKLAHOMA</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, HEI		NUMBER OF AUTHORIZERS: 4			CHARTER SCHOOLS: 18			CHARTER SCHOOL STUDENTS: 6,585		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 1.0%								
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE				APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Oklahoma City Public Schools	LEA	13	–	–	–				–	–	–	–	–	–	–	–	–	–	Did not return survey

OREGON




ELIGIBLE AUTHORIZERS: LEA, SEA			NUMBER OF AUTHORIZERS: 68				CHARTER SCHOOLS: 108			CHARTER SCHOOL STUDENTS: 20,209		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 3.6%				
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE		APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Education Options Program	LEA	8	Yes	Yes	Yes		Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	10
ct	LEA	4	Yes	Yes	Yes		Yes	No	No	Yes	No	No	No	No	No	5
ducation	SEA	4	Yes	Yes	No		No	Yes	No	Yes	Yes	Yes	Yes	Yes	No	8

PENNSYLVANIA



ELIGIBLE AUTHORIZERS: LEA, SEA			NUMBER OF AUTHORIZERS: 51				CHARTER SCHOOLS: 147				CHARTER SCHOOL STUDENTS: 90,525		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 5.1%				
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE			APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
ict	LEA	81	Yes	Yes	Yes			Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	12
t of Education	SEA	12	–	–	–			–	–	–	–	–	–	–	–	–	Did not return survey

RHODE ISLAND



ELIGIBLE AUTHORIZERS: SEA			NUMBER OF AUTHORIZERS: 1				CHARTER SCHOOLS: 16				CHARTER SCHOOL STUDENTS: 3,971		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 2.8%							
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE						APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Department of Education	SEA	19	Yes	Yes	Yes						Yes	Yes	No	Yes	Yes	No	Yes	Yes	No	9

SOUTH
CAROLINA



ELIGIBLE AUTHORIZERS: LEA, ICB			NUMBER OF AUTHORIZERS: 16			CHARTER SCHOOLS: 44			CHARTER SCHOOL STUDENTS: 17,243			PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 2.4%						
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE				APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Charter School District	ICB	11	Yes	Yes	Yes				Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	11

TENNESSEE





ELIGIBLE AUTHORIZERS: LEA			NUMBER OF AUTHORIZERS: 3			CHARTER SCHOOLS: 29			CHARTER SCHOOL STUDENTS: 6,912			PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 0.7%				
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE		APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
schools	LEA	25	Yes	Yes	Yes		No	No	No	Yes	Yes	Yes	Yes	Yes	No	8
	LEA	11	Yes	Yes	Yes		Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	10


TEXAS



ELIGIBLE AUTHORIZERS: LEA, SEA			NUMBER OF AUTHORIZERS: 15			CHARTER SCHOOLS: 277 (ON 579 CAMPUSES)			CHARTER SCHOOL STUDENTS: 165,325			PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 3.4%				
AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE		APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
	SEA	506	–	–	–		–	–	–	–	–	–	–	–	–	Did not return survey
hool District	LEA	41	–	–	–		–	–	–	–	–	–	–	–	–	Did not return survey
t School District	LEA	13	–	–	–		–	–	–	–	–	–	–	–	–	Did not return survey

<div>UTAH</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, ICB		NUMBER OF AUTHORIZERS: 7			CHARTER SCHOOLS: 78			CHARTER SCHOOL STUDENTS: 40,132		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 7.0%					
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
Utah State Charter School Board	ICB	73	Yes	Yes	Yes		Yes	Yes	No	Yes	No	No	No	Yes	No	7

<div>VIRGINIA</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA		NUMBER OF AUTHORIZERS: 3			CHARTER SCHOOLS: 4			CHARTER SCHOOL STUDENTS: 348		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 0.0%					
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
No authorizers in Virginia submitted responses to the NACSA survey		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

<div>WISCONSIN</div> <div></div>	ELIGIBLE AUTHORIZERS: LEA, HEI, MUN			NUMBER OF AUTHORIZERS: 84			CHARTER SCHOOLS: 205			CHARTER SCHOOL STUDENTS: 36,954		PERCENT OF STATE'S STUDENTS IN CHARTER SCHOOLS: 4.2%				
	AUTHORIZER NAME	AUTHORIZER TYPE	ESTIMATED CAMPUSES IN 2011-12	CONTRACT	APPLICATION CRITERIA	APPLICATION TIMELINE	APPLICANT INTERVIEW	EXTERNAL EXPERT PANEL	FIVE-YEAR TERM LENGTH	FINANCIAL AUDIT OF EACH SCHOOL	RENEWAL CRITERIA ESTABLISHED	REVOCATION CRITERIA ESTABLISHED	ANNUAL REPORT TO SCHOOLS	DESIGNATED STAFF	MISSION	INDEX TOTAL
	Milwaukee Public Schools	LEA	31	–	–	–	–	–	–	–	–	–	–	–	–	Did not return survey
	Appleton School District	LEA	15	Yes	Yes	Yes	Yes	No	NR*	Yes	Yes	Yes	No	Yes	NR*	Unable to calculate
	University of Wisconsin–Milwaukee	HEI	11	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	11
	Common Council of the City of Milwaukee	MUN	7	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11
	Kenosha Unified School District	LEA	6	–	–	–	–	–	–	–	–	–	–	–	–	Unable to calculate
	Waukesha School District	LEA	5	Yes	No	Yes	No	No	No	Yes	Yes	No	No	Yes	No	5
	University of Wisconsin–Parkside	HEI	1	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	10

*No Reponse

WYOMING



ELIGIBLE AUTHORIZERS: LEA

NUMBER OF
AUTHORIZERS: 3

CHARTER
SCHOOLS: 3

CHARTER SCHOOL
STUDENTS: 258

PERCENT OF STATE'S STUDENTS
IN CHARTER SCHOOLS: 0.3%

AUTHORIZER NAME

AUTHORIZER TYPE
ESTIMATED CAMPUSES
IN 2011-12

CONTRACT

APPLICATION
CRITERIA

APPLICATION
TIMELINE

APPLICANT
INTERVIEW

EXTERNAL
EXPERT PANEL

FIVE-YEAR
TERM LENGTH

FINANCIAL AUDIT
OF EACH SCHOOL

RENEWAL CRITERIA
ESTABLISHED

REVOCATION CRITERIA
ESTABLISHED

ANNUAL REPORT
TO SCHOOLS

DESIGNATED STAFF

MISSION

INDEX TOTAL

No authorizers in Wyoming submitted responses
to the NACSA survey

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⁴ NACSA would like to acknowledge its ongoing collaboration with the National Alliance for Public Charter Schools. This collaboration has helped both organizations generate up-to-date and increasingly accurate counts of authorizers and schools. These calculations are based on NACSA's most recent data that links each charter school to its authorizer, and are modified from the National Alliance's data on charter schools (National Alliance for Public Charter Schools. [2010]. Public charter schools dashboard [www.publiccharters.org/dashboard]. Washington, DC: Author.). Precise figures depend on the time of reporting. Any minor variation due to reporting is unlikely to change substantively the findings of this report.

Survey Methodology

The National Association of Charter School Authorizers (NACSA) tracks the number, size, and types of charter school authorizers through reviews of state statutes, ongoing cooperation with partners such as the National Alliance for Public Charter Schools, and frequent contact with state education departments and state charter school support organizations.

Drawing on these sources of information, NACSA identified 159 charter school authorizers in the country with five or more schools in their portfolios and an additional 222 authorizers with fewer than five schools in their portfolios during the 2010-2011 school year. The sample of authorizers with fewer than five schools was constructed to include all remaining non-LEA authorizers and a convenience sample of LEA authorizers with fewer than five schools that could be linked to existing available student performance data sets. NACSA contacted all surveyed authorizers via mail and email to solicit their participation in the survey.

All surveyed authorizers were asked to complete a 14-page, 122-item survey of authorizer practices, designed by NACSA. Participants were asked to answer questions across a range of topics related to charter school authorizing. Fifteen of the 122 survey items form the basis of the *Index of Essential Practices*.

Of the 381 charter school authorizers contacted, 62 of 83 authorizers with 10 or more schools (response rate: 75 percent) and 114 of 298 authorizers with fewer than 10 schools (response rate: 38 percent) completed and returned an online version of the survey or a hard copy version via mail. NACSA's *Index of Essential Practices* includes 12 authorizing practices.

A final email was sent to each respondent, sharing with them their own survey responses to each of the 12 points and asking respondents to confirm their responses and provide corrections if anything was reported inaccurately. Twenty responses to this email were received, and recommended changes and comments were considered before adjusting final scores.

Questions regarding survey design and implementation should be directed to Sean Conlan, Ph.D., director of research and evaluation, at NACSA. Email seanc@qualitycharters.org or phone 817.841.9035.

NACSA Resources for Authorizers

NACSA is committed to developing quality authorizing environments that result in a greater number of quality charter schools. To achieve this mission, NACSA provides authorizers with access to professional development and networking opportunities, advocacy, publications, and other resources, including:

NACSA'S PRINCIPLES & STANDARDS

NACSA's *Principles & Standards for Quality Charter School Authorizing* is the foundational resource used to guide authorizing practices across the country and has been referenced in state statutes. It focuses on the ends that authorizers should be aiming to attain in creating and upholding high expectations for the schools they charter while recognizing that there are many means of getting there. Download *Principles & Standards* at www.qualitycharters.org/principles-standards.

NACSA RESOURCE LIBRARY

NACSA's Resource Library provides authorizers with publications on everything from performance contracting and ongoing oversight and evaluation, to renewal decision making and governance. Visit www.qualitycharters.org to download NACSA's issue briefs, policy guides, and annual *The State of Charter School Authorizing*.

ANNUAL NACSA LEADERSHIP CONFERENCE

This annual event brings together hundreds of charter school authorizers and leaders in the education reform movement to learn about the latest trends in authorizing, to explore best practices, and to share insights with colleagues. Visit www.qualitycharters.org/conference for more information.

NACSA AUTHORIZER DEVELOPMENT

NACSA is committed to the development of quality authorizing environments and provides authorizing entities with direct services to help them improve their practices. Through NACSA's Authorizer Development program, authorizers may receive professional guidance on strategic planning and board development; decision management; contracts, policies, and protocols; templates and model resources; and authorizer evaluations. Learn more about these services at www.qualitycharters.org.

Acknowledgements

NACSA extends its gratitude to the staff members of charter school authorizers across the country for their time and efforts in completing the 2011 NACSA Authorizer Survey. This report would not be possible without their contributions. NACSA thanks these authorizers for their commitment to quality charter school authorizing.

NACSA sincerely thanks the Bill & Melinda Gates Foundation, the Walton Family Foundation, and the Robertson Foundation for their support of this report and the organization.

The National Association of Charter School Authorizers is a 501(c)3 not-for-profit membership organization dedicated to the establishment and operation of quality charter schools through responsible oversight in the public interest.

The National Association of Charter School Authorizers' Index of Essential Practices Based on NACSA's Principles & Standards for Quality Charter School Authorizing is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 United States License.



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*Visit NACSA's website to learn more
about high-quality charter school authorizing
www.qualitycharters.org*



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FOURTH ANNUAL REPORT
ON NACSA'S AUTHORIZER SURVEY

THE STATE OF CHARTER SCHOOL AUTHORIZING

2011



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*NACSA develops quality authorizing
environments that lead to a greater
number of quality charter schools.*



Table of Contents

LETTER FROM NACSA PRESIDENT AND CEO GREG RICHMOND	2
INTRODUCTION	3
A PROFILE OF CHARTER SCHOOL AUTHORIZERS	4
NACSA'S <i>INDEX OF ESSENTIAL PRACTICES</i>	11
A CLOSER LOOK: OPENING AND CLOSING SCHOOLS	17
CONCLUSION	23
APPENDIX A: SURVEY METHODOLOGY	24
APPENDIX B: NACSA RESOURCES FOR AUTHORIZERS	25
ACKNOWLEDGEMENTS	26
ENDNOTES	28

January 2012

Dear Colleagues:

The public discussion about quality and accountability within the charter school sector has never been more vigorous. Across the country, state legislatures, news media, and advocacy organizations routinely debate whether too many or too few proposals for new charter schools are approved and whether too many or too few poorly-performing existing charter schools are being closed.

As the public debates these issues, the entities that are actually responsible for approving and closing charter schools go about their work. But who are these charter school authorizing agencies and what are they doing? What can we learn from their practices in order to improve the entire sector?

This report presents the findings from a rigorous national survey of charter school authorizers conducted in 2011 by the National Association of Charter School Authorizers. This is the fourth time NACSA has conducted this type of national survey.

As in years past, the vast majority of authorizers (90 percent) are school districts and they oversee a slight majority of charter schools (52 percent of all charter schools). Put another way, 10 percent of authorizers are not school districts and they authorize 48 percent of all charter schools. Yet differences among authorizers' practices have more to do with the number of schools they oversee than the type of institution they are. Authorizers that oversee 10 or more charter schools implement a greater number of professional practices than those that oversee fewer schools.

Continuing a pattern seen in 2009–2010, closure rates have fallen for charter schools that go through a review at the end of their charter term. Among authorizers responding to our survey, only 6.2 percent of charters reviewed for renewal were closed during the 2010–2011 school year, down from 8.8 percent in 2009–2010 and 12.6 percent in 2008–2009. It's too soon to know whether this is a short-term anomaly or a larger trend. We also don't know whether the decline reflects a change in authorizer practices, an improvement in school quality, or other factors.

These data and more are presented in this report. NACSA collects and presents this data so that public debates about charter schools are informed by facts—facts that speak to the actual experiences of schools and students. Only in this way can we make progress toward ensuring that all children have the opportunity to attend a high-quality school.

Sincerely,



Greg Richmond
President and CEO

www.qualitycharters.org

Introduction

The work of charter school authorizers matters. While individual school operators determine how good their own schools will be, authorizers determine which applicants will be allowed to open and which schools must close. Collectively, authorizers' decisions shape both the scale and quality of the charter school options available to families in their communities. NACSA studies and works to improve the practices of all authorizers. This report represents NACSA's latest effort to document who these authorizers are and what they do.

As in previous years, NACSA's annual survey of authorizers reports on noteworthy similarities and differences between authorizers based on their type and size. The size and type of authorizers do seem to matter, but they don't always affect practices as one might expect. For example, many in the charter movement expected school districts to reject any charter options in their communities because of the conflict of overseeing both traditional public schools and their potential competitors. However, this year's report finds that small district authorizers¹ approve the highest percent of all new applicants compared to other authorizers. Large school district authorizers approve charter applications at rates similar to other large authorizers. And the vast majority of charter schools in the country are still overseen by entities that also oversee traditional public schools (e.g., school districts or state education agencies).² This year's report also finds charter closure rates declining. The 2010–2011 school year saw the lowest percent of charters closed during renewal reviews in three years. Whether this decrease in closure rates during renewal review is part of a larger trend or simply an anomaly is unclear.

In addition to using data to better understand how different types and sizes of authorizers behave, those interested in the growth and efficacy of the charter school movement must become familiar with the professional practices of individual authorizers. Within group averages, individual authorizers are using the tools available to them. The practices they implement provide them with data and an infrastructure to make their decisions.

This year's report adds a new emphasis, presenting data on NACSA's *Index of Essential Practices*. This resource summarizes authorizer implementation of practices ranging from having established application criteria and interviewing applicants to having established charter renewal and revocation criteria. More than the type or size of an authorizer, the implementation of key practices and how well they are executed likely influence whether authorizers approve strong applicants and close underperforming schools.

A Profile of Charter School Authorizers

Currently, 41 states and the District of Columbia have charter school laws. These laws empower authorizers to open, oversee, and close charter schools. NACSA has identified six types of authorizers—Higher Education Institutions (HEIs), Independent Chartering Boards (ICBs), School Districts or Local Education Agencies (LEAs), Mayor/Municipalities (MUNs), Not-For-Profit organizations (NFPs), and State Education Agencies (SEAs).

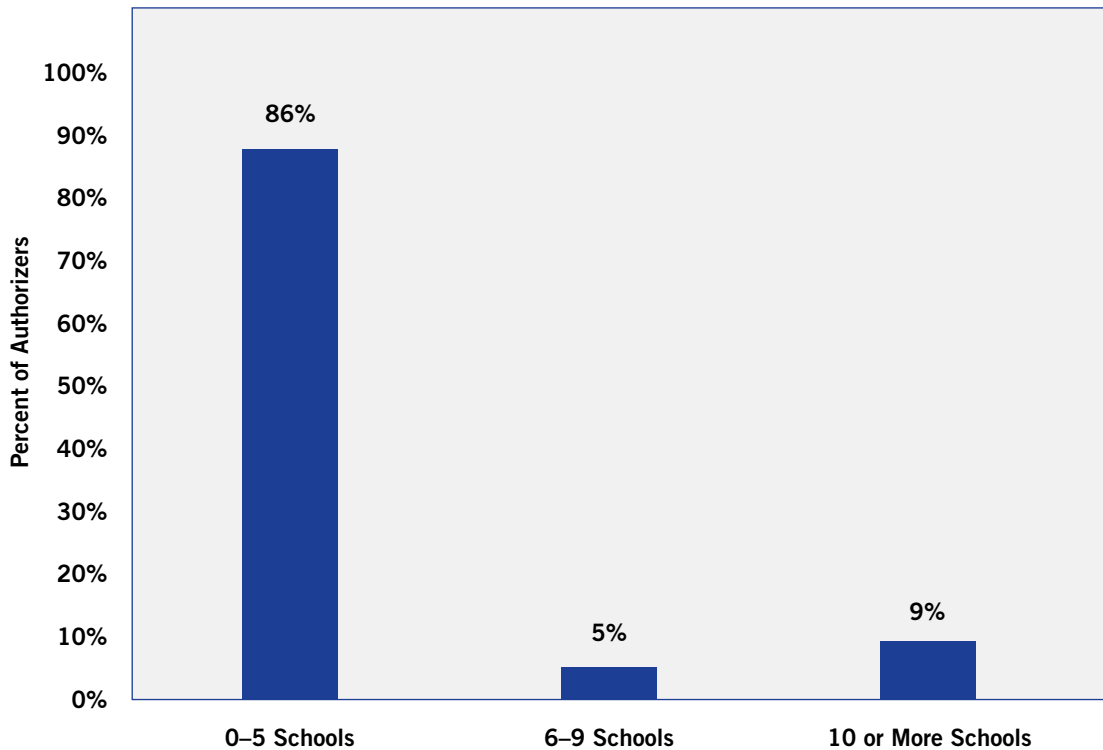
As of fall 2011, there were an estimated 957 authorizers across the nation, up from 955 the year prior. These authorizers oversee and hold accountable more than 5,600 schools serving more than two million students.

TABLE 1.1: *Number of Charter School Authorizers, by Type*

AUTHORIZER TYPE	2007–2008	2008–2009	2009–2010	2010–2011	2011–2012
HEI	38	42	47	49	46
ICB	5	7	7	8	10
LEA	624	726	776	857	859
MUN	2	2	2	2	2
NFP	20	21	20	20	20
SEA	23	21	20	19	20
Total	712	819	872	955	957

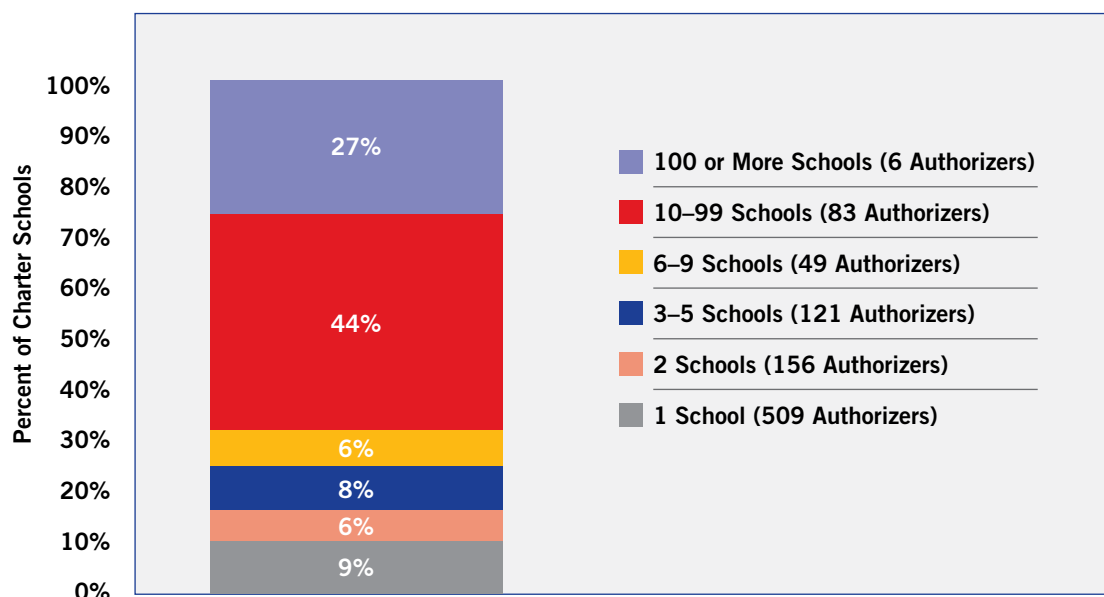
- Between fall 2010 and fall 2011, there was little change in the total number of authorizers. However, the relatively stable total number of authorizers over the past year hides significant changes in charter school authorizing. HEI authorizers declined in number, entirely in Minnesota. Illinois, Indiana, and Nevada³ all added ICBs while Georgia closed its ICB. One NFP authorizer closed and another opened in Minnesota. Thirty-eight LEA authorizers stopped charter school authorizing and 40 began. Maine’s new charter law empowered its Department of Education to authorize charter schools. NACSA has also identified the Georgia Department of Education as an authorizer and added the agency to its count of charter school authorizers.⁴

FIGURE 1.1: *Percent of Charter School Authorizers, by Portfolio Size*



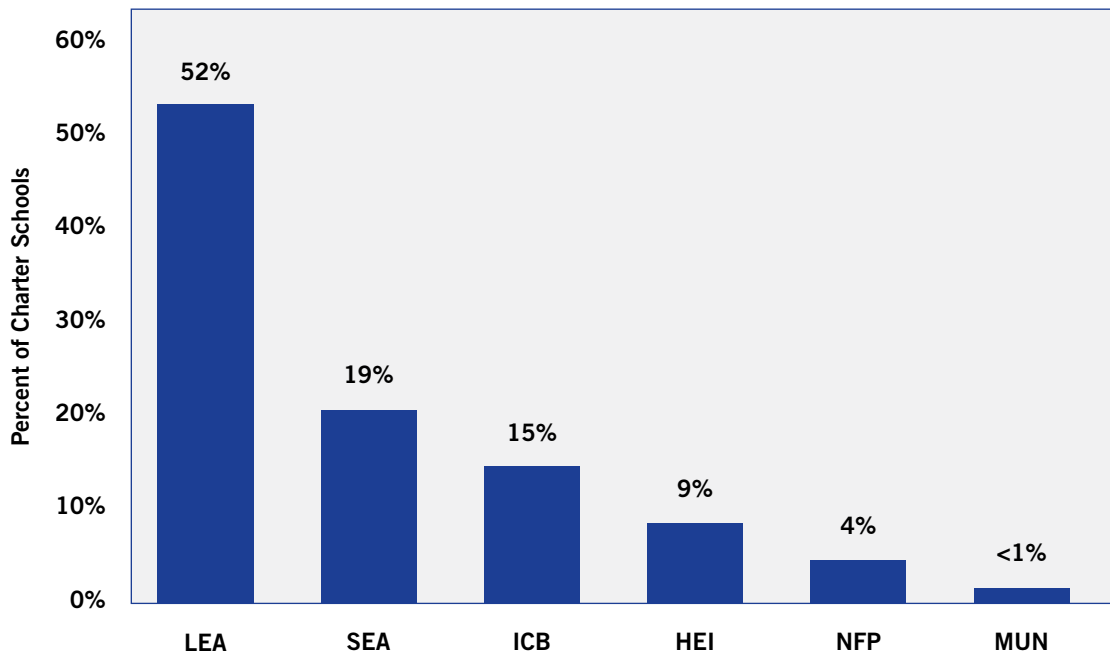
- Authorizers vary profoundly in the number of charter schools they oversee. As reflected in Figure 1.1, a large majority (86 percent) of charter school authorizers oversee fewer than five schools. Only nine percent of authorizers oversee 10 or more schools. This distribution of portfolio sizes appears to be stable. It has not changed significantly in the last three years.

FIGURE 1.2: *Percent of Charter Schools, by Authorizer Portfolio Size*



- Figure 1.2 describes the percent of charter schools overseen by authorizers of different sizes. Despite their small numbers overall (nine percent of all authorizers), authorizers with 10 or more schools oversee the majority of charter schools in the nation (71 percent of all charter schools). The largest six authorizers oversee 27 percent of charter schools in the nation. These authorizers are the Arizona State Board for Charter Schools, Los Angeles Unified School District, North Carolina Department of Education, Texas Education Agency, New Jersey Department of Education, and Miami-Dade County Public Schools. In contrast, 509 authorizers oversee only one school (nine percent of the charter schools in the nation).

FIGURE 1.3: *Percent of Charter Schools, by Authorizer Type*



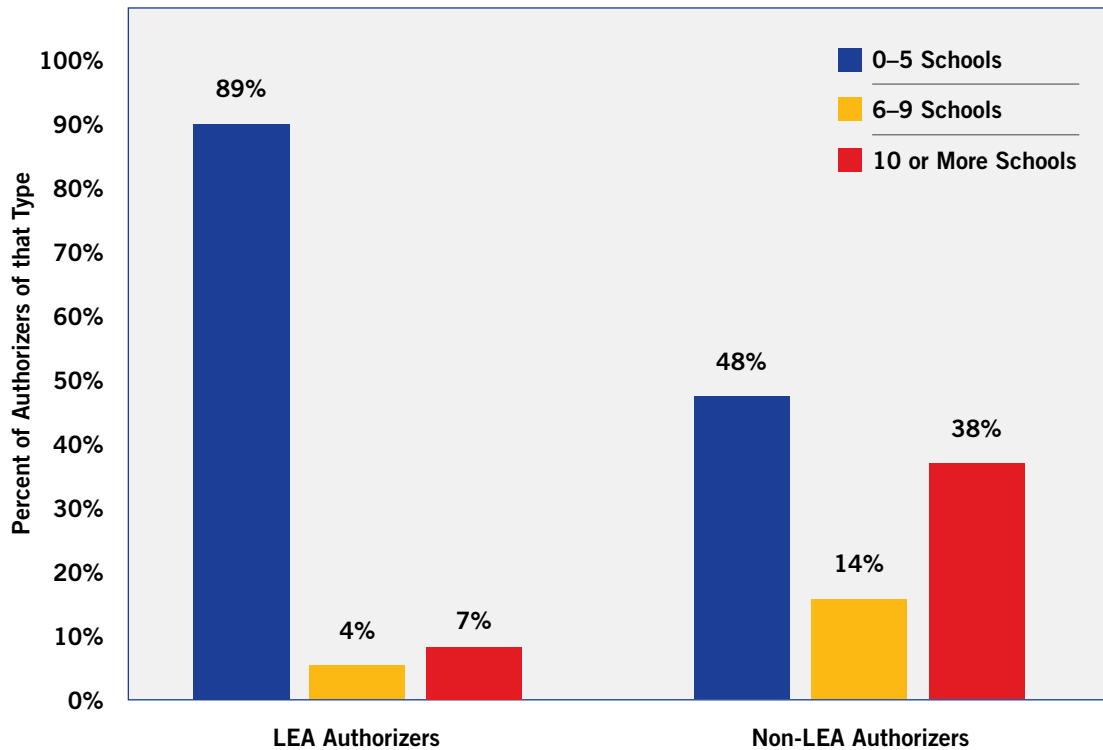
- Figure 1.3 describes the distribution of charter schools across authorizer types. LEAs oversee more than half of the nation's charter schools (52 percent). SEAs monitor a much smaller percentage (19 percent). Less than one percent of all charter schools are overseen by MUN authorizers.

TABLE 1.2: *Portfolio Size, by Authorizer Type*

TYPE	1–5 SCHOOLS	6–9 SCHOOLS	10 OR MORE SCHOOLS	TOTAL
HEI	28	6	12	46
ICB	2	0	8	10
LEA	776	38	45	859
MUN	0	1	1	2
NFP	8	3	9	20
SEA	5	0	15	20
Total	819	48	90	957

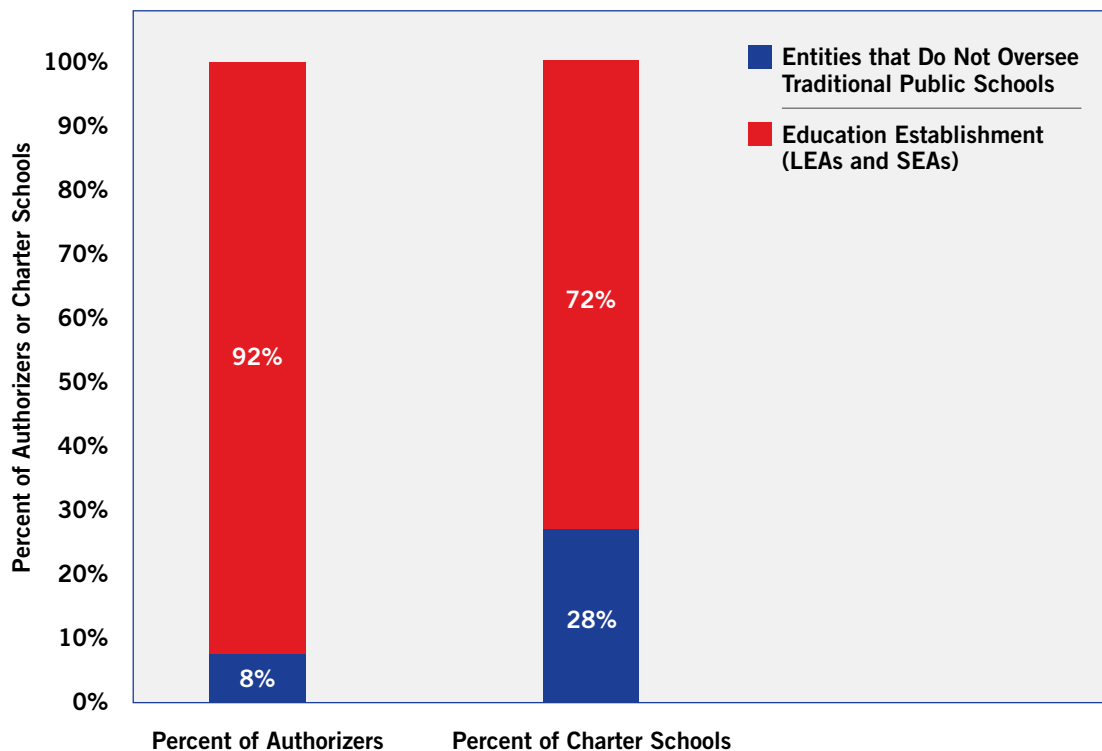
- Table 1.2 describes frequencies of authorizers of different types and sizes. LEAs are the majority of authorizers in both the 1–5 school category and the 6–9 school category, and half of all authorizers with 10 or more schools. HEIs and NFPs have diverse portfolio sizes, but tend to be either very small (1–5 schools) or large (10 or more schools). Other than two new ICBs with zero schools, all ICBs have 10 or more schools.⁵

FIGURE 1.4: *Portfolio Size, LEA v. Non-LEA Authorizers*



- A large majority of LEA authorizers have five or fewer charter schools. The portfolio sizes of non-LEA authorizers are more distributed. Nearly 40 percent of non-LEA authorizers have portfolios of 10 or more schools.

FIGURE 1.5: *Percent of Authorizers and Charter Schools within Education Establishment*



- The education establishment (the entities that oversee traditional public schools) continues to authorize more charter schools than the other types of authorizers. LEAs and SEAs represent the majority of charter school authorizers (92 percent) and oversee the majority of the nation's charter schools in 2011–2012 (72 percent of all charter schools). This distribution is similar to the distributions reported in the previous two years.⁶

NACSA's *Index of Essential Practices*

NACSA has identified 12 practices central to the work of charter school authorizing. The selection of these 12 practices reflects the emerging consensus on specific authorizing practices that are necessary in order to authorize high-quality charter schools.

The practices are:

1. Authorizer signs a contract with each school.
2. Authorizer has established, documented criteria for evaluating charter applications.
3. Authorizer publishes application timelines and materials.
4. Authorizer interviews all charter applicants.
5. Authorizer uses expert panels that include external members to review charter applications.
6. Authorizer grants charters with five-year terms only.
7. Authorizer requires and/or examines annual, independent, external financial audits of its charter schools.
8. Authorizer has established renewal criteria.
9. Authorizer has established revocation criteria.
10. Authorizer provides an annual report to each school on its performance.
11. Authorizer has staff assigned to authorizing within the organization or by contract.
12. Authorizer has a published and available mission for quality authorizing.

These practices are drawn from NACSA's *Principles & Standards for Quality Charter School Authorizing*. NACSA's *Principles & Standards* serves three aims: 1) to maintain high standards for schools, 2) to protect school autonomy, and 3) to protect the public and the students' interests. Implementing these practices is an important first step towards quality charter school authorizing and better charter schools for our nation's children.

Using responses to its 2011 authorizer survey, NACSA scored 123 authorizers with complete survey responses on the *Index of Essential Practices*. Authorizers received one point for each of the 12 essential practices they reported.⁷

Implementing the practices described in the Index can be complex. To implement those practices well is an even greater challenge. The Index is not designed to evaluate how well authorizers implement these practices. Other tools, such as the in-depth formative evaluations of authorizers conducted by NACSA, better provide a detailed look at authorizing practices. The Index is an important starting point for discussions about how to improve authorizing practices. If there are individual practices that authorizers have not adopted, they should work to put them in place. For those that already use these practices, how can they be done better?

How are authorizers doing?

The Index indicates that authorizers varied in their implementation of essential practices. Scores ranged from a high of 12 practices to a low of only three practices. The average score earned by authorizers was 8.7 out of 12. More information about the particular scores of authorizers can be found in NACSA's 2011 *Index of Essential Practices*. While the Index report focused on the practices reported by each authorizer, essential practices can also be examined individually.

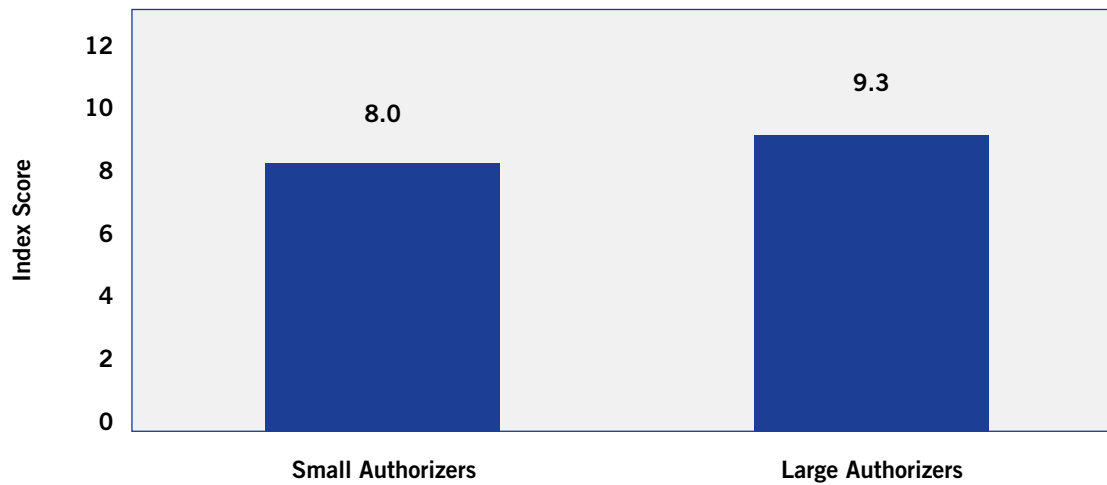
TABLE 2.1: *Frequency of Essential Practices 2010-2011*

PRACTICE	PERCENT (%)
Financial Audit	99
Contract	93
Application Criteria	87
Renewal Criteria Established	85
Applicant Interview	81
Application Timeline	78
Designated Staff	73
Revocation Criteria Established	70
Annual Report to Schools	54
Mission	50
Expert Panels with External Members	42
Five-Year Term Length	34

- Looking at the frequency of implementation of individual essential practices, results are mixed. Some appear to be consensus practices while only a minority of authorizers implements others. It can be a challenge for some authorizers to implement essential practices. Institutional inertia, lack of authorizing experience, and insufficient scale can all interfere with implementation. Committed authorizers may still face obstacles outside their control, such as state policy. Only 34 percent of surveyed authorizers grant five-year terms only. Some states mandate charter terms longer than five years. Others mandate shorter charter terms. Some states allow authorizers discretion to set various terms or allow longer terms under various circumstances.
- State policy can also support the implementation of essential practices. Annual financial audits of charter schools, the most frequently reported essential practice, is mandated by law in 35 states and has become nearly a universally reported practice among authorizers.

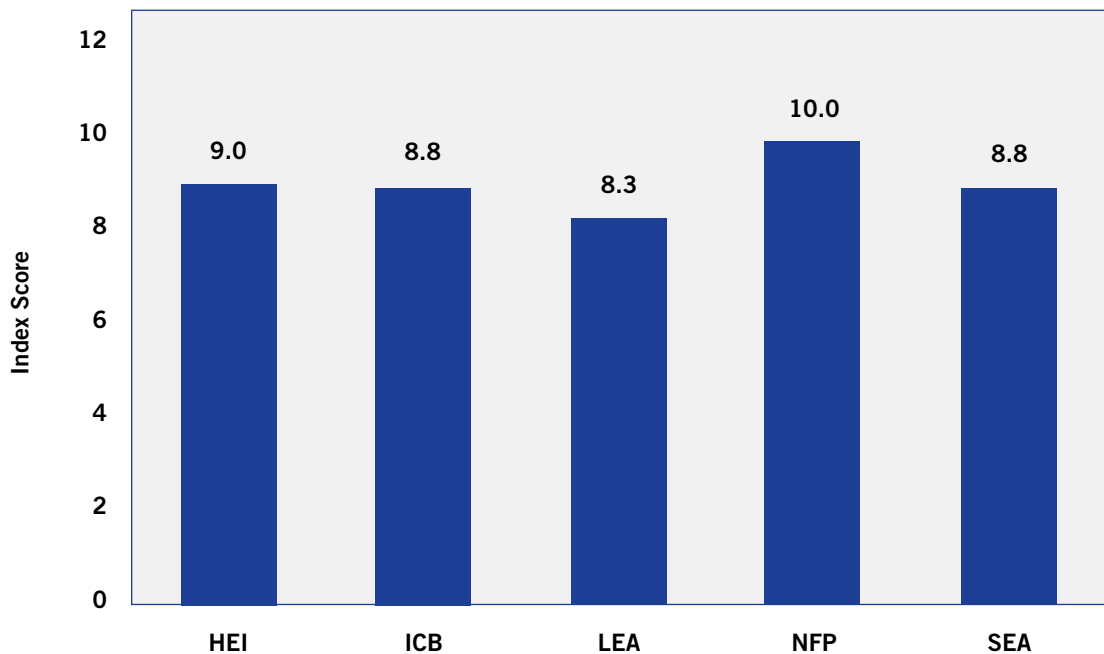
Are certain sizes or types of authorizers more likely to implement essential practices?

FIGURE 2.1: *Average Index Score by Authorizer Size*



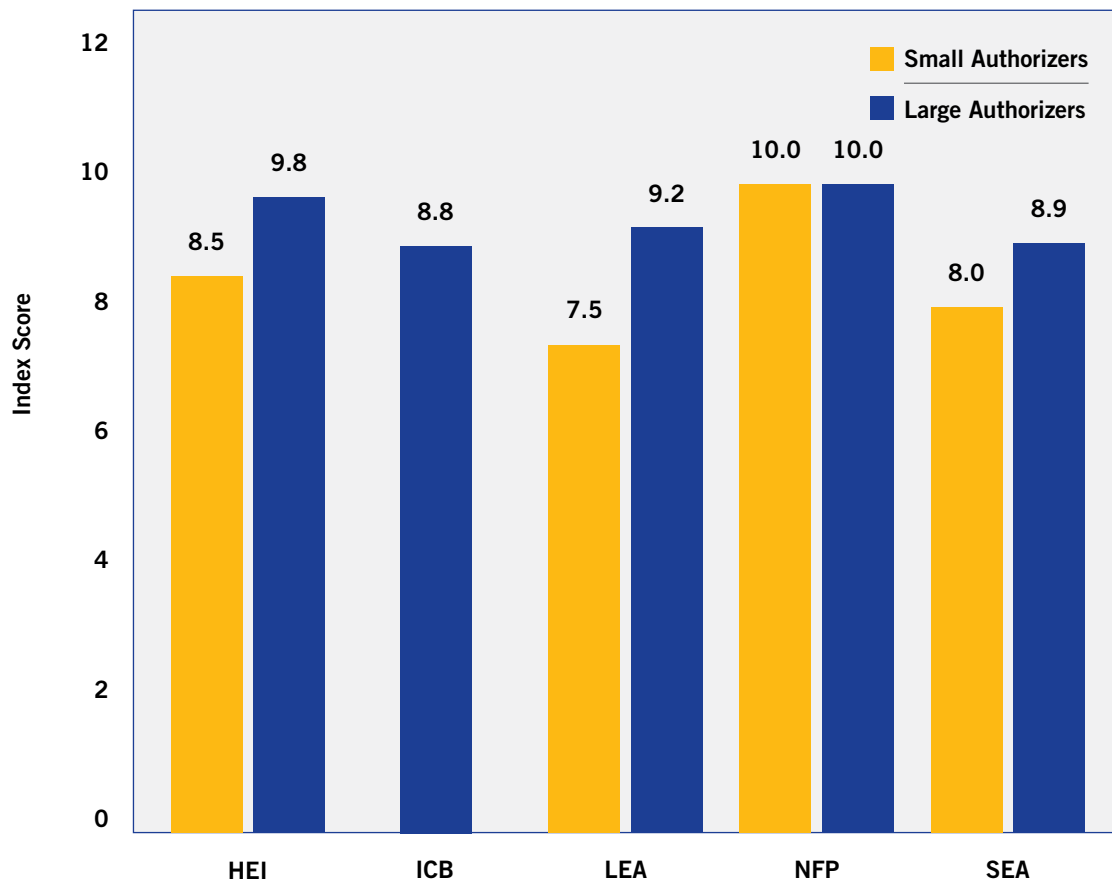
- On average, large authorizers (those with 10 or more charter schools in their portfolios) scored higher than small authorizers (those with less than 10 charter schools in their portfolios) on the *Index of Essential Practices*. Perhaps having a large portfolio of schools necessitates the use of basic authorizing practices. It is also possible that the implementation of basic authorizing practices contributes to larger charter school portfolios. Even if this is the case, there are small authorizers with many practices in place and large authorizers with few.

FIGURE 2.2: *Average Index Score by Authorizer Type⁸*



- Different types of authorizers differ in their average scores on the Index. LEA authorizers had the lowest average (8.3 practices). In 2010, NACSA found that a high proportion of NFP authorizers did not follow recommended best practices.⁹ In 2011, NFP authorizers had the highest average number of essential practices (10 practices). This apparent improvement is likely due to both improvement in practice by some authorizers and changes in the composition of authorizers responding to the survey. Two NFP authorizers have improved their scores in the last year. One previously low-scoring NFP authorizer has closed and two other NFP authorizers declined to respond to the 2011 survey. As NACSA implements its *Index of Essential Practices*, questions may arise whether authorizers declining to respond to the survey do so because of the weakness of their practices. If the two NFP authorizers that did not respond to the survey in 2011 were included in Figure 2.2 using their responses from the 2010 survey, the average Index score for NFPs would be 9.3.

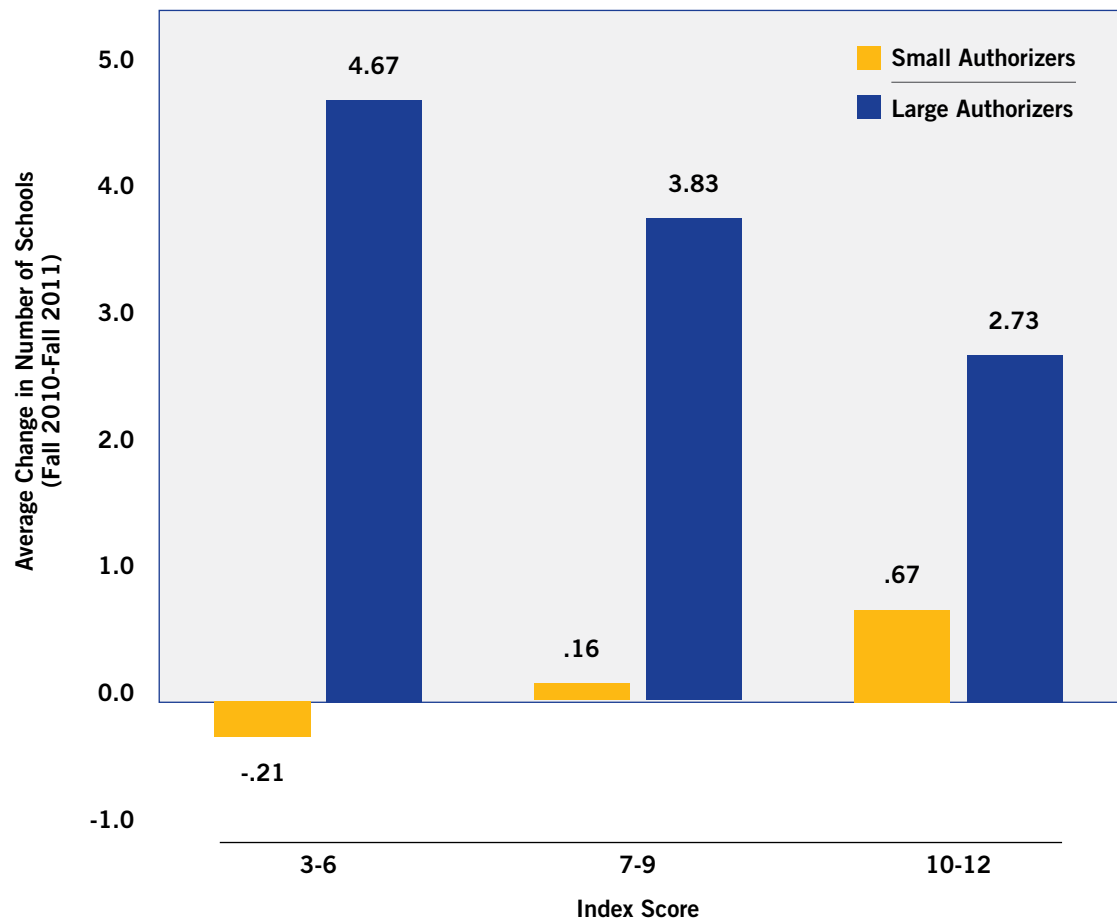
FIGURE 2.3: *Average Index Score by Type and Size of Authorizer*



Note: At the time of the 2011 survey, there were no small ICBs in the nation.

- While LEA authorizers may score low as a group, further examination of their scores reveals that the scores of large LEA authorizers are very similar to the scores of other types and sizes of authorizers. Small LEA authorizers score the lowest among all sizes and types. Small authorizers may perceive less of a need for certain essential practices. For example, an authorizer with a single school that isn't seeking additional charter schools may not see the benefit of codifying a systematic application process. Still, the high average score of small NFP authorizers suggests that while size matters, small authorizers can and do implement essential practices.

FIGURE 2.4: *Index of Essential Practices and Charter School Growth*



- In some circumstances, one might expect authorizers that do not want charter schools to hide behind accountability and public scrutiny to limit their growth. Figure 2.4, however, describes a different relationship between authorizing practices and charter school growth. For small authorizers, as Index scores increase, charter school growth increases. For large authorizers, as Index scores increase, charter school growth moderates, but is still present. One might expect that more rigorous authorizers would be more likely to be discerning about charter applications and more likely to close charter schools. The data presented in Figure 2.4 suggests that growth and quality may not be at odds.

A Closer Look: Opening and Closing Schools

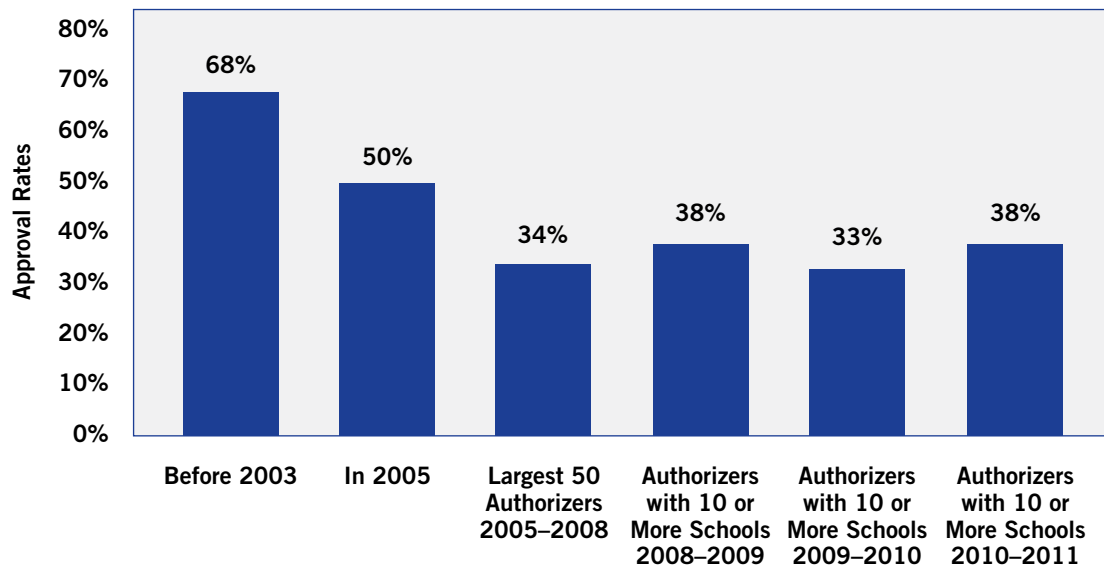
The most significant opportunities for authorizers to affect the quality of the charter schools they oversee occur when authorizers make decisions to open or to close schools. Strong application processes ensure that only quality charter school operators with the capacity to succeed are allowed to open schools. Rigorous revocation and renewal processes ensure that the quality promised in the charter school application is realized and maintained throughout the life of the charter school. The approval and closure rates of authorizers provide a unique perspective on authorizer practice.

There is no “best” application approval rate. Authorizers may be correct to deny all applications received if they are low quality or approve all applications if they are high quality. However, if no applications received by an authorizer are ever approved, no charter schools are ever created. If all of the applications received by an authorizer are approved, student performance is likely to suffer and the quality of an authorizer’s charter school portfolio is likely to diminish.

Like application decisions, there is no “best” closure rate. Closing all schools reviewed for renewal or revoking all charters will eliminate all charter schools, depriving students of the education they are receiving in any high-performing schools. When closure rates are too low, poorly performing schools remain open, adversely affecting students and wasting public funds. In this section, NACSA presents the 2010–2011 application approval and closure rates of authorizers that responded to its 2011 authorizer survey.

Are application approval rates changing over time?

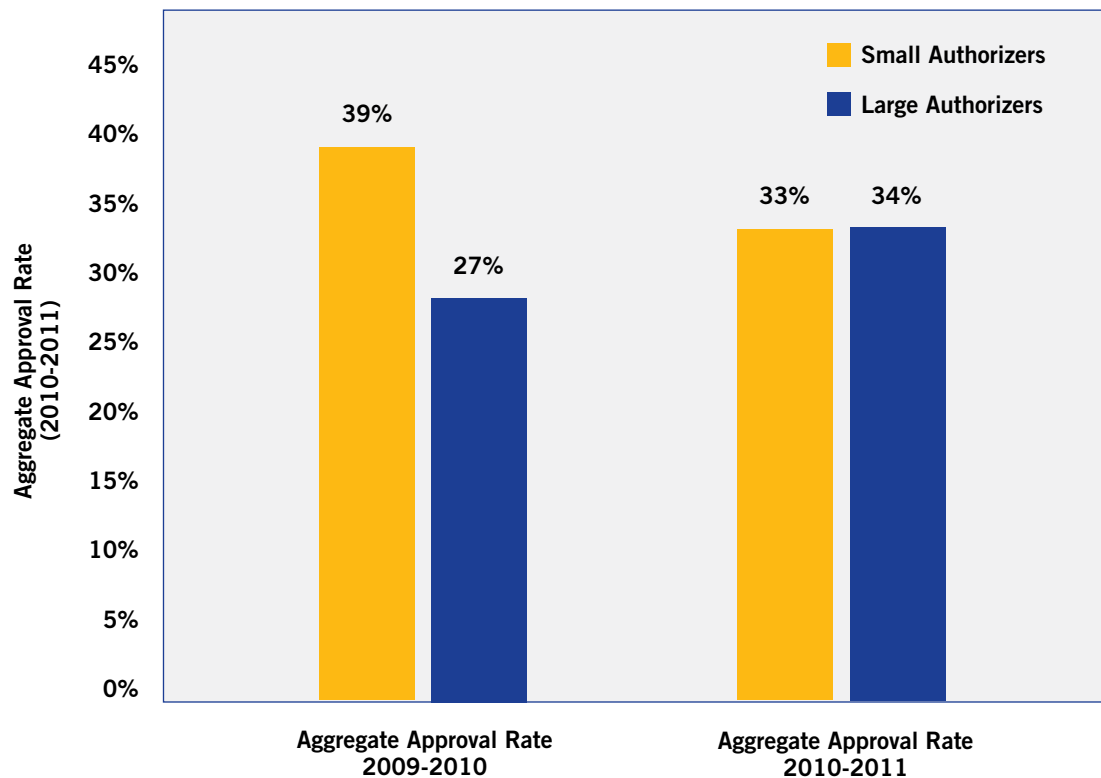
FIGURE 3.1: *Trends in Application Approval Rates*¹⁰



- Since the 2008–2009 academic year, NACSA has reported the average application approval rates for large authorizers. On average, large authorizers approved 38 percent of the charter applications they received during the 2010–2011 school year. This approval rate matches the approval rate found during the 2008–2009 school year and continues a pattern of approval rates in the 30–40 percent range.

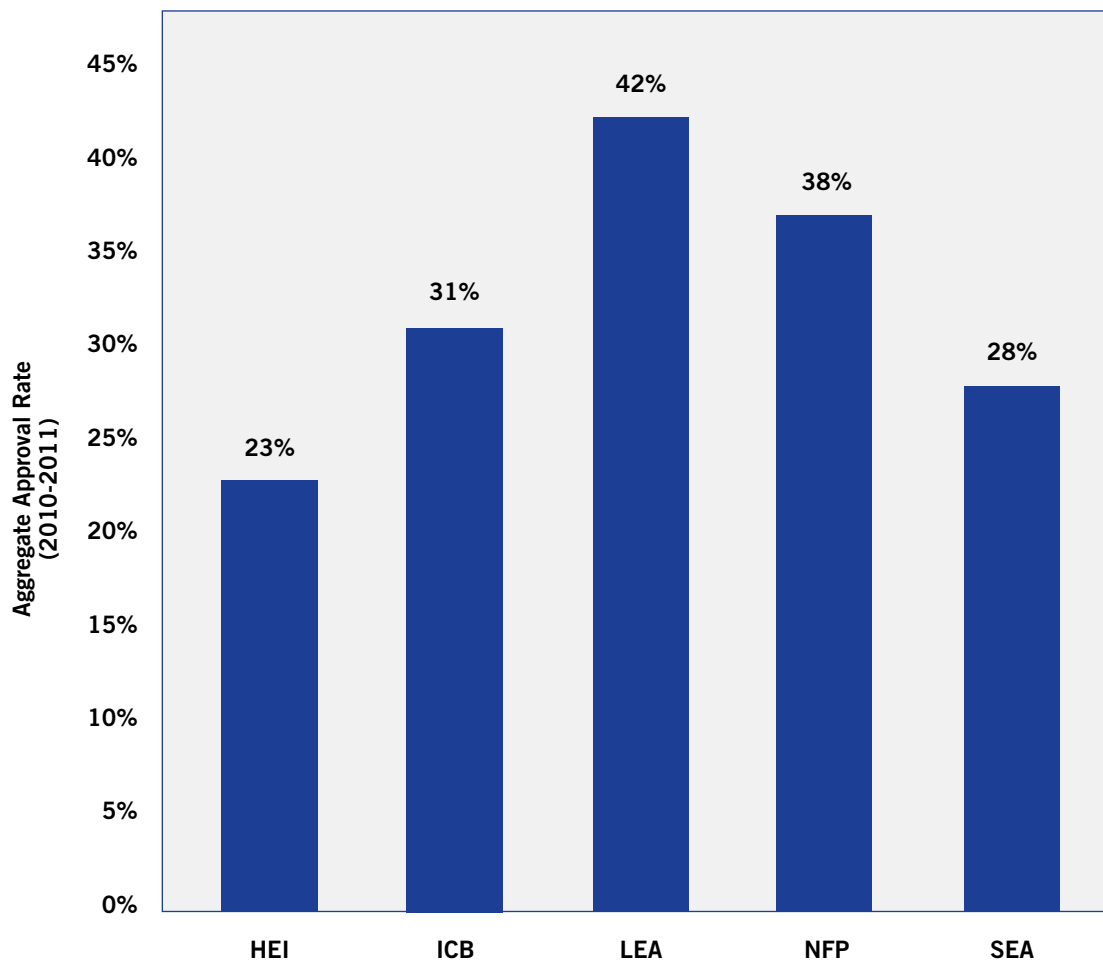
How do the approval rates of charter school applicants differ between different sizes and types of authorizers?

FIGURE 3.2: *Aggregate Approval Rates by Authorizer Size*



- Calculating application approval rates for large and small authorizers as groups, large authorizers approved 34 percent of all applications evaluated during the 2010–2011 school year.¹¹ Small authorizers approved 33 percent of the applications they received during the same period. Comparing 2010–2011 approval rates to rates obtained during 2009–2010, small authorizers appear to have reduced their application approval rates. This has led the approval rates of small and large authorizers to look more similar.

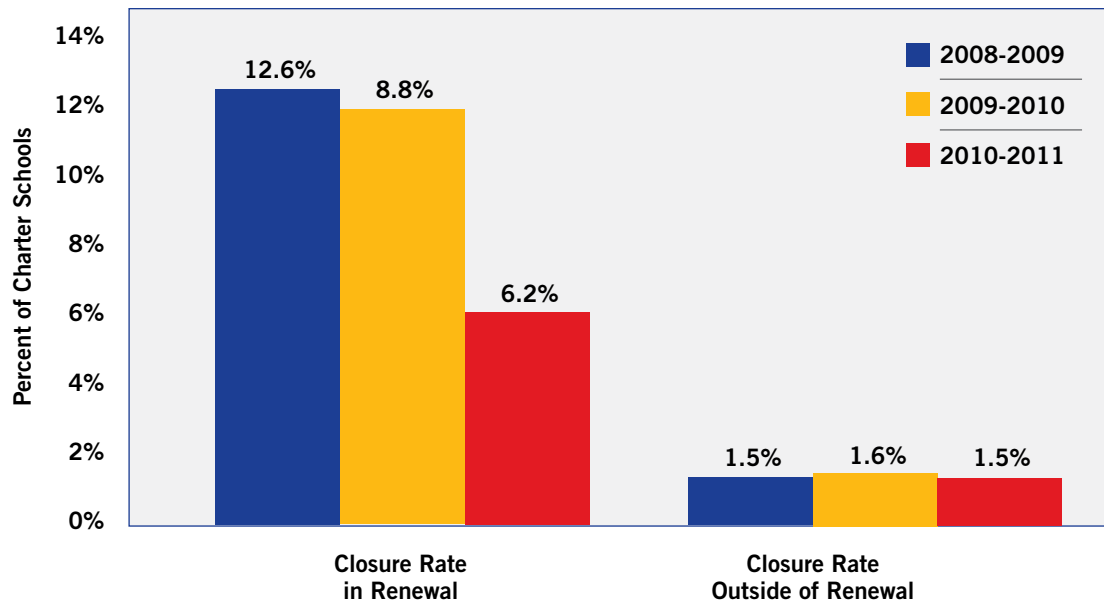
FIGURE 3.3: *Aggregate Approval Rates by Authorizer Type*



- LEAs report the highest aggregate approval rate, approving 42 percent of the applications received. This may lead one to conclude that LEAs are the most “charter-friendly” of all authorizer types. LEAs that authorize at least one charter school do appear more likely than other active authorizers to approve subsequent applications. However, NACSA has no current comparable data on LEAs receiving their first application or those that have never approved a received application.

When are charter schools most likely to be closed?

FIGURE 3.4: *Charter Closure Rates Inside and Outside Renewal (Fall 2008–Spring 2011)¹²*



- Figure 3.4 describes the aggregate closure rates for all surveyed authorizers regardless of portfolio size over the past three years. Similar to previous years, charter closure rates during renewal in 2010–2011 were much higher than closure rates outside of renewal. The lower rate of closure outside of renewal than during a renewal review suggests that: 1) renewal reviews may be more rigorous than performance reviews that occur over the course a charter term, and 2) longer charter terms may reduce the chance of a low-performing school closing by reducing the frequency of their exposure to rigorous renewal reviews. Higher closure rates are found during renewal than outside of renewal regardless of the size of an authorizer’s portfolio.
- The closure data presented in Figure 3.4 enables comparisons across three years using the same methodology. NACSA has refined its methods for collecting closure data over the past three years. While differences in sampling across the three years may account for some of the difference in closure rates, it does appear that closure rates during renewal reviews have declined since the 2008–2009 school year. Without data from prior to 2008–2009, it is impossible to determine whether the higher rate of closure during the 2008–2009 school year was an anomaly or part of a larger decline in closure rates occurring over time. The impact of changing charter closure rates on school quality warrants further investigation.

How do closure rates differ across types of authorizers?

TABLE 3.1: *Closure Rates by Authorizer Type*

	CLOSURE RATE IN RENEWAL (%)	CLOSURE RATE OUTSIDE OF RENEWAL (%)	OVERALL CLOSURE RATE (%)
HEI	4.3	1.6	2.3
ICB	7.0	1.9	2.3
LEA	7.2	1.2	1.9
NFP	7.9	2.4	5.2
SEA	2.4	1.4	1.5
Overall	6.2	1.5	2.3

- Table 3.1 describes closure rates for different types of authorizers.¹³ The overall closure rate is the percentage of charters overseen by authorizers of that type that closed during the 2010–2011 school year. NFPs reported the greatest percent of charter closures inside and outside of renewal. These numbers translate to the highest overall closure rate; 5.2 percent of charters overseen by NFP authorizers closed during the 2010–2011 year. SEAs report the lowest aggregate charter closure rate in renewal and the lowest overall charter closure rate.

Conclusion

Charter school authorizers vary in important ways. Large authorizers implement essential authorizing practices with greater frequency than small authorizers. Despite differences between types and sizes of authorizers, those interested in the quality and growth of the charter school movement must look beyond who the authorizers are and focus on what they do. Every authorizer, regardless of size or type, must make informed decisions about the charter schools they oversee. Strong authorizing practices can support those decisions, leading to better outcomes for students and communities.

Within all authorizer types and sizes are authorizers that do not implement essential authorizing practices. While nearly 100 percent of responding charter school authorizers require annual, independent, financial audits of their charter schools, only 42 percent of charter school authorizers use expert panels that include external members to review new charter applications. Rigorous authorizing practices, such as expert panels with external members, contribute to authorizers' abilities to make good decisions about which schools open and which schools close, ensuring quality educational choices for students.

The past three years have seen relatively stable application approval rates and charter closure rates outside of renewal, but a notable decline in charter closure rates during renewal reviews. What this change in closure rates means for the quality of educational opportunities for children remains to be seen.

Where do we go from here?

Individuals interested in the quality of charter schools in their communities should ask: does my charter school authorizer have recognized authorizing practices in place? And are those practices well executed? NACSA believes that greater transparency about authorizers and their work will lead to improved authorizer practices and informed decisions about the role of charter school authorizers in providing quality educational choices for children. NACSA will continue to track and report on the numbers, sizes, and types of charter school authorizers nationally. NACSA will also continue to track the implementation of authorizing practices by authorizers. Finally, NACSA will continue to investigate the impact of authorizers and their practices on schools and student outcomes.

Appendix A: *Survey Methodology*

NACSA tracks the number, size, and types of charter school authorizers through reviews of state statutes, ongoing cooperation with partners such as the National Alliance for Public Charter Schools, and frequent contact with state education departments and state charter school support organizations. Drawing on these sources of information, NACSA identified 159 charter school authorizers in the country with five or more schools in their portfolios and an additional 222 authorizers with fewer than five schools in their portfolios during the 2010–2011 school year. The sample of authorizers with fewer than five schools was constructed to include all remaining non-LEA authorizers and a convenience sample of LEA authorizers with fewer than five schools that could be linked to existing available student performance data sets. NACSA contacted all surveyed authorizers via mail and email to solicit their participation in the survey. All surveyed authorizers were asked to complete a 14-page, 122-item survey of authorizer practices, designed by NACSA. Participants were asked to answer questions across a range of topics related to charter school authorizing.

Of the 381 charter school authorizers contacted, 62 of 83 authorizers with 10 or more schools (response rate: 75 percent) and 114 of 298 authorizers with fewer than 10 schools (response rate: 38 percent) completed and returned an online version of the survey or a hard copy version via mail.

Questions regarding survey design and implementation should be directed to Sean Conlan, director of research and evaluation, at seanc@qualitycharters.org or 817.841.9035.

Appendix B:

NACSA Resources for Authorizers

NACSA is committed to developing quality authorizing environments that result in a greater number of quality charter schools. To achieve this mission, NACSA provides authorizers with access to professional development and networking opportunities, advocacy, publications, and other resources, including:

NACSA's Principles & Standards

NACSA's *Principles & Standards for Quality Charter School Authorizing* is the foundational resource used to guide authorizing practices across the country and has been referenced in state statutes. It focuses on the ends that authorizers should be aiming to attain in creating and upholding high expectations for the schools they charter while recognizing that there are many means of getting there. Download *Principles & Standards* at www.qualitycharters.org/principles-standards.

NACSA Resource Library

NACSA's Resource Library provides authorizers with publications on everything from performance contracting and ongoing oversight and evaluation, to renewal decision making and governance. Visit www.qualitycharters.org to download NACSA's issue briefs, policy guides, and annual *The State of Charter School Authorizing*.

Annual NACSA Leadership Conference

This annual event brings together hundreds of charter school authorizers and leaders in the education reform movement to learn about the latest trends in authorizing, to explore best practices, and to share insights with colleagues. Visit www.qualitycharters.org/conference for more information.

NACSA Authorizer Development

NACSA is committed to the development of quality authorizing environments and provides authorizing entities with direct services to help them improve their practices. Through NACSA's Authorizer Development program, authorizers may receive professional guidance on strategic planning and board development; decision management; contracts, policies, and protocols; templates and model resources; and authorizer evaluations. Learn more about these services at www.qualitycharters.org.

Acknowledgements

This report is only possible thanks to the contributions of time and effort by staff members of charter school authorizers around the country. NACSA extends its gratitude for their responses to its annual survey, and for their overall commitment to quality charter school authorizing.

NACSA sincerely thanks the Bill & Melinda Gates Foundation, the Walton Family Foundation, and the Robertson Foundation for their support of this project and the organization.

This report was written by NACSA Director of Research and Evaluation Sean Conlan, Ph.D. in close collaboration with NACSA Vice President of Research and Evaluation Alex Medler, Ph.D. The report is based on a survey designed, conducted, and analyzed by NACSA's Research and Evaluation Division, which includes Medler, Conlan, and Policy and Research Analyst Courtney Smith.

NACSA acknowledges its entire staff for their advice and assistance with this project, as well as members of the NACSA Research Advisory Board for their invaluable input in the design and administration of the survey.



The State of Charter School Authorizing 2011:

Fourth Annual Report on NACSA's Authorizer Survey provides an overview of the policies, practices, and characteristics of the nation's largest charter school authorizers as well as a sampling of smaller authorizing entities. It also builds upon the data presented in the first three reports on NACSA's authorizer survey and is organized around the [*NACSA's Principles & Standards for Quality Charter School Authorizing*](#).

The National Association of Charter School Authorizers (NACSA) is a 501(c)(3) not-for-profit membership organization dedicated to the establishment and operation of quality charter schools through responsible oversight in the public interest.



The State of Charter School Authorizing 2011: Fourth Annual Report on NACSA's Authorizer Survey is licensed under a Creative Commons Attribution-Noncommercial-No Derivative Works 3.0 United States License.



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Endnotes:

- ¹ This analysis includes only those authorizers with at least one currently operating charter in their portfolio of schools. Thousands of districts are authorized by state law to approve applicants but have never received or approved an applicant to date. These potential authorizers are not included in our analysis until after they approve their first charter school.
- ² For the purposes of this analysis, large authorizers are those with 10 or more charter schools in their portfolios and small authorizers are those with fewer than 10 charter schools in their portfolios.
- ³ The Nevada State Public Charter School Authority is now authorizing the charter schools previously overseen by the Nevada Department of Education.
- ⁴ After review, NACSA clarified its understanding and interpretation of Georgia practice. This does not reflect a change in policy or practice, but rather updated data reflecting a common treatment of similar state circumstances.
- ⁵ Two new ICBs with zero schools are included in the “1–5 Schools” category in Table 1.2.
- ⁶ Information about the distribution of charter schools across authorizer types over the past two years is available in NACSA’s 2009 and 2010 annual reports on its authorizer survey.
- ⁷ More information about each practice and the implementation of each practice by individual authorizers is available in NACSA’s *Index of Essential Practices* (NACSA, 2011).
- ⁸ Because of their small number, MUN authorizers have been omitted from the analyses presented in much of this report. More information about the practices of MUN authorizers is available in NACSA’s *Index of Essential Practices* (NACSA, 2011).
- ⁹ *The State of Charter School Authorizing 2010: The Third Annual Report on NACSA’s Authorizer Survey*. (NACSA, 2010).
- ¹⁰ Approval rates in 2005 and before 2003 are drawn from “Trends in Charter School Authorizing,” a report published by the Thomas B. Fordham Foundation in 2005. These rates were calculated using different samples and different methods. Consequently, only tentative comparisons can be made across the earlier years. More information about application approval rates before 2003 and in 2005 can be found at: [http://www.edexcellencemedia.net/publications/2006/200606_trendsincharterschool/Gau%20Charter%20AuthorizerV2%20\(2\).pdf](http://www.edexcellencemedia.net/publications/2006/200606_trendsincharterschool/Gau%20Charter%20AuthorizerV2%20(2).pdf)
- ¹¹ Unless otherwise noted, aggregate approval rates are reported in this section. Using an average obscures the impact of authorizers approving or denying large numbers of applications.
- ¹² More information about closure rates during the 2008-2009 and 2009-2010 school years can be found in NACSA’s previous annual reports on its survey:
The State of Charter School Authorizing 2009: The Second Annual Report on NACSA’s Authorizer Survey. (NACSA, 2010).
The State of Charter School Authorizing 2010: The Third Annual Report on NACSA’s Authorizer Survey. (NACSA, 2010).
- ¹³ Unless otherwise noted, aggregate closure rates are reported in this section. The aggregate closure rate sums all the schools risking closure and the total number of closures by that group of schools.



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A New Model Law For Supporting The Growth Of High-Quality Public Charter Schools

June 2009



Contents

WHY IS A NEW MODEL PUBLIC CHARTER SCHOOL LAW NEEDED?	1
ESSENTIAL COMPONENTS OF A STRONG PUBLIC CHARTER SCHOOL LAW	3
THE RATIONALE FOR THE KEY SECTIONS OF THE NEW MODEL PUBLIC CHARTER SCHOOL LAW	5
A NEW MODEL LAW FOR SUPPORTING THE GROWTH OF HIGH-QUALITY PUBLIC CHARTER SCHOOLS	25
APPENDIX A	58

ACKNOWLEDGEMENTS

To create a model law for public charter schools that is grounded in principle, flexible enough to serve in a wide variety of state policy environments, and well-supported by empirical evidence, the National Alliance for Public Charter Schools convened a working group of individuals with deep expertise in public charter school law. The members of this working group were:

- Eileen Ahearn, Project Director, National Association of State Directors of Special Education
- Andrew Broy, Associate Superintendent, Georgia Department of Education
- Erin Dillon, Policy Analyst, Education Sector
- Mary Gifford, Director, Arizona Virtual Academy
- Jim Griffin, President, Colorado League of Charter Schools
- Katie Kelly, Chief of Staff, National Association of Charter School Authorizers
- Sara Mead, Senior Research Fellow, New America Foundation
- Colin Miller, Vice President of Policy, California Charter Schools Association
- Peter Murphy, Director of Development and Policy, New York Charter Schools Association
- Louann Bierlein Palmer, Associate Professor, Western Michigan University
- Gerard Robinson, President, Black Alliance for Educational Options
- Andy Rotherham, Co-Director, Education Sector
- Jon Schroeder, Coordinator, Education/Evolving
- Jabar Shumate, State Representative, Oklahoma House of Representatives
- Nelson Smith, President, National Alliance for Public Charter Schools
- Fernando Zulueta, President, Academica Corporation

This report was written by Todd Ziebarth, Vice President for Policy at the National Alliance for Public Charter Schools, Paul O'Neill, President and Founder of Tugboat Education Services, and Margaret Lin, President of Margaret Lin Consulting. Louann Bierlein Palmer, who was a member of the working group, also wrote the section on the "Essential Components of a Strong Public Charter School Law."

*A New Model Law For Supporting
The Growth of High-Quality Public
Charter Schools* was funded by
The Joyce Foundation.

WHY IS A NEW MODEL PUBLIC CHARTER SCHOOL LAW NEEDED?

It has been 18 years since Minnesota passed the nation's first public charter school law. The development of this landmark legislation was guided by the wisdom of a handful of policy innovators in Minnesota, such as Ted Kolderie, Joe Nathan, and Ember Reichgott Junge. Subsequent to the passage of Minnesota's statute, Kolderie developed a model public charter school law and shared it with many of the governors and legislators who would eventually pass charter legislation across the country.

In the early-1990s, the Morrison Institute for Public Policy at Arizona State University created an initial list of essential public charter school law criteria. These criteria focused on legal components which best supported the creation of autonomous public charter schools (e.g., number of schools allowed, multiple chartering authorities, automatic waiver from laws and regulations, legal and operational autonomy), and was used to rate the strength of each state's public charter school law. Later, the Center for Education Reform began using these criteria (with minor revisions) to issue specific grades for each state against a set of 10 criteria.

While these resources have been helpful in the development of public charter school policy, they were created early in the life of the public charter school movement. Supporters of public charter schools have learned much in the past decade about which ingredients in a charter law support the creation of high-quality public charter schools – and which do not. Advocates of public charter schools have learned these lessons on the ground in state capitals across the country. A growing body of research and analysis has also documented these lessons, including evaluations commissioned by state departments of education and analyses produced by education policy organizations.

Initially, for example, a law was considered “strong” if it placed few limits on how many schools could open and provided ample funding and genuine autonomy. These provisions remain important, yet we now know that effective laws must address additional challenges, such as:

- **Finding and financing a facility.** Only 14 states provide direct funding in this area, forcing charters in most states to divert substantial proportions of operating revenue into bricks and mortar.
- **Authorizing.** Although charter authorizers play a critical role in establishing high-quality public charter schools, current analyses of charter laws only scratch the surface of how to address authorizing, identifying who can authorize charters but saying nothing about whether they are funded properly or held accountable for the quality of their work.
- **Special education.** Another critical challenge for charters is special education, especially for smaller charters and those unaffiliated with networks or district authorizers – yet special education is inadequately addressed in most charter laws.

With the number of public charter schools and students steadily growing – and the body of evidence documenting their success mounting – legislative battles over charter laws are intensifying. As charter supporters fight these battles, the time is right for a new model law that supports more and better public charter schools based upon lessons learned from experience, research, and analysis.

It is important to note that a strong charter law is a necessary but insufficient factor in driving positive results for public charter schools. Experience with public charter schools across the country has shown that there are five primary ingredients of a successful public charter school environment in a state, as demonstrated by strong student results:

- Supportive laws and regulations (both what is on the books and how it is implemented);

- Quality authorizers;¹
- Effective charter support organizations, such as state charter associations and resource centers;²
- Outstanding school leaders and teachers; and,
- Engaged parents and community members.

While it is critical to get the law right, it is equally critical to ensure these additional ingredients exist in a state's charter sector.

Our intent is for the new model law to be useful to the 41 jurisdictions with charter laws as well as the 10 states that have yet to enact a charter law. For a state with an existing law, our hope is that the new model law will guide their actions to strengthen it, particularly in such consistently challenging areas as facilities, authorizing, and special education. In the other 10 states, we hope that this work will serve as the foundation for enacting charter laws informed by hard-fought lessons learned in states with successful charter sectors.

The remainder of this document is organized in the following way:

- First, we present a description of the essential components for a strong public charter school law.
- Second, we provide a rationale for the key sections of the model law.
- Finally, we present proposed statutory language.

Our intent is for the new law to be useful to the 41 jurisdictions with charter laws as well as the 10 states that have yet to enact a charter law.

¹ See National Association of Charter School Authorizers, *Principles & Standards for Quality Charter School Authorizing*, Chicago, IL: Author, 2007.

² See National Alliance for Public Charter Schools, *Principles and Standards for Quality Charter Support Organizations*, Washington, D.C.: Author, 2008.

ESSENTIAL COMPONENTS OF A STRONG PUBLIC CHARTER SCHOOL LAW³

As a quick guide to the primary ingredients of a strong public charter school law, we developed the following list of the essential components of such a law.

- 1) **No Caps**, on the growth of public charter schools in a state.⁴
- 2) **A Variety of Public Charter Schools Allowed**, including new start-ups, public school conversions, and virtual schools.
- 3) **Multiple Authorizers Available**, including non-local school board authorizers, to which charter applicants may directly apply.
- 4) **Authorizer Accountability System Required**, whereby all authorizers must affirm interest to become an authorizer (except for a legislatively-created state public charter school commission) and participate in an authorizer reporting program based on objective data, as overseen by some state-level entity with the power to remedy.
- 5) **Adequate Authorizer Funding**, including provisions for guaranteed funding from authorizer fees, and public accountability for such expenditures.
- 6) **Transparent Charter Application, Review, and Decision-making Processes**, including comprehensive academic, operational, governance, and performance application requirements, with such applications reviewed and acted upon following professional authorizer standards.
- 7) **Comprehensive Public Charter School Monitoring and Data Collection Processes**, so that all authorizers can verify public charter school compliance with applicable law and their performance-based contracts.
- 8) **Clear Processes for Renewal, Nonrenewal, and Revocation Decisions**, including school closure and dissolution procedures to be used by all authorizers.
- 9) **Performance-Based Charter Contracts Required**, with such contracts created as separate post-application documents between authorizers and public charter schools detailing at least academic performance expectations, operational performance expectations, and school and authorizer rights and duties.
- 10) **Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards**, whereby public charter schools are created as autonomous entities with their boards having most powers granted to other traditional public school district boards.
- 11) **Clear Student Recruitment, Enrollment and Lottery Procedures**, which must be followed by all public charter schools.
- 12) **Automatic Exemptions from Many State Laws**, except for those covering health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information requirements, and generally accepted accounting principles.

³ These essential components of a strong public charter school law were created by Louann Bierlein Palmer, Associate Professor at Western Michigan University. Palmer also developed the original list of essential components of a strong public charter school law while she was at the Morrison Institute at Arizona State University during the early 1990s.

⁴ The ideal state policy does not contain caps on the growth of public charter schools. While not ideal, some states have created "soft caps" that statutorily allow for annual charter growth sufficient to meet demand, which are preferable to "hard caps" on the total number of charters allowed in a state. As examples of "soft caps," California allows for 100 new public charter schools a year and D.C. allows for 20 new public charter schools a year.

- 13) **Automatic Collective Bargaining Exemption**, whereby public charter schools are exempt from any outside collective bargaining agreements, while not interfering with laws and other applicable rules protecting the rights of employees to organize and be free from discrimination.
- 14) **Educational Service Providers Allowed**, provided there is a clear performance contract between the independent public charter school board and the service provider and there are no conflicts of interest between the two entities.
- 15) **Multi-School Charter Contracts and Multi-Charter Contract Boards Allowed**, whereby an independent public charter school board may oversee multiple schools linked under a single charter contract or may hold multiple charter contracts.
- 16) **Extra-Curricular and Interscholastic Activities Eligibility and Access**, where: (a) public charter school students and employees are eligible for state- and district-sponsored interscholastic leagues, competitions, awards, scholarships, and recognition programs to the same extent as traditional public school students and employees; and (b) students at charters that do not provide extra-curricular and interscholastic activities have access to those activities at traditional public schools for a fee via a mutual agreement.
- 17) **Clear Identification of Special Education Responsibilities**, including clarity on which entity is the local education agency (LEA) responsible for such services and how such services are to be funded (especially for low-incident, high cost cases).
- 18) **Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding**, flowing to the school in a timely fashion and in the same amount as district schools following eligibility criteria similar to all other public schools.
- 19) **Equitable Access to Capital Funding and Facilities**, including multiple provisions such as: a per-pupil facility allowance (equal to statewide average per-pupil capital costs); facility grant and revolving loan programs; a charter school bonding authority (or access to all relevant state tax-exempt bonding authorities available to all other public schools); the right of first refusal to purchase or lease at or below fair market value a closed or unused public school facility or property; and clarity that no state or local entity may impose any facility-related requirements that are stricter than those applied to traditional public schools.
- 20) **Access to Relevant Employee Retirement Systems**, with the option to participate in a similar manner to all other public schools.

The time is right for a new model law that supports more and better public charter schools based upon lessons learned from experience, research, and analysis.

THE RATIONALE FOR THE KEY SECTIONS OF THE NEW MODEL PUBLIC CHARTER SCHOOL LAW

This section provides the rationale for the key aspects of the new model law, organized by its major building blocks: legislative declarations; definitions; enrollment; authorizers; application process; accountability; operations and autonomy; funding; and, facilities. The discussion of these aspects of the law is intended to highlight some of the most important lessons we have learned about public charter school law over the past 18 years. For each major section, we highlight the significant provisions from the law, discuss the rationale for the language in the law, and provide pertinent state examples to further illustrate the law's provisions.

Legislative Declarations

The model law's "Legislative Declarations" section provides the state legislature opportunities to outline the need for the state to enact a public charter school law, to present the purposes of the state's public charter schools as a whole, and to state explicitly that public charter schools are part of the state's public education system. While much of this language will look familiar to those who have been working on public charter school law, we highlight four provisions from this section below that merit particular attention.

"As A Whole"

Most state laws list several purposes for the state's public charter schools. What is sometimes unclear is whether an individual public charter school needs to meet each one of the purposes or the state's public charter schools as a whole need to meet

all of them. To clarify the intent of these purposes (and to prevent charter opponents from hounding a particular public charter school because it only meets some of the law's purposes), the model law contains the following provision:

- "The general assembly finds and declares that the purposes of the state's public charter schools as a whole are:"

Closing the Achievement Gap

Over the past decade or so, there has been increasing focus on closing the achievement gap between low-performing groups of students and their high-performing peers. The enactment of the No Child Left Behind (NCLB) Act in 2001 intensified this focus, especially NCLB's requirements to disaggregate student results by race and ethnicity, economic status, special education status, and English language learner status. Most charter laws, however, were enacted prior to NCLB, and the purposes of public charter schools as outlined in these laws are often silent on the very issue – closing the achievement gap – that has attracted countless school leaders, teachers, and parents into the public charter school movement. To place public charter school innovation within the larger aims of the state's public education system, and to capture the aspirations of many of the best public charter schools across the country, the model law adds the following purpose for a state's public charter schools:

- "To close achievement gaps between high-performing and low-performing groups of public school students."

Encouraging Replication of High-Performing Charter Schools

When most charter laws were enacted, they envisioned groups of individuals banding together to start a single new public school. Over the life of the charter school movement, we have seen an increasing focus on expanding and replicating what is working in public charter schools through the creation of non-profit charter management organizations

(CMOs) and for-profit education management organizations (EMOs). In fact, as of the 2007-08 school year, nearly one-quarter of charters are managed by CMOs or EMOs (13% by CMOs and 10% by EMOs). Most charter laws have failed to adequately capture the role of high-performing charters that are replicating in their states. The model law attempts to do it in a few places. In the “Legislative Declarations” section, the model law adds the following purpose for a state’s public charter schools:

- “To encourage the replication of successful public charter schools.”

Charters are Part of the State’s Public Education System

According to research conducted for the National Alliance for Public Charter Schools, only 41% of voters know that charters are public schools.⁵ It is a misunderstanding that has significant ramifications for public charter schools, particularly regarding the charter movement’s goal of equitable public funding for public charter school students. Several states understood the importance of explicitly stating the public nature of charter schools in their initial charter laws, sometimes in anticipation of lawsuits to be filed challenging the legality of public charter schools. Such states include Colorado, Florida, and Minnesota.⁶ The model law includes such a provision as well:

- “All public charter schools in the state established under this Act are public schools and are part of the state’s public education system. The provisions of this Act should be interpreted liberally to support the findings and purposes of this section and to advance a renewed commitment by the state to the mission, goals, and diversity of public education.”

⁵ The Glover Park Group conducted a telephone survey of 800 Registered Voters nationwide between March 17 and March 22, 2009 for the National Alliance for Public Charter Schools. The margin of error on a sample size of 800 is +/-3.5%. The wording of the question cited here was: Do you think charter schools are public schools, private schools, religious schools, other – please specify, don’t know/not sure.

⁶ See Colorado: CO Rev Stat § 22-30.5-102, (3). Florida: FL Stat § 1002.33, (1). Minnesota: MN Stat § 124D.10, Subd. 7.

Definitions

The model law’s “Definitions” section defines the key terms used in the law. We highlight six definitions from this section below that merit particular attention.

Applicant

The model law takes a liberal view of eligible applicants for a public charter school, with the understanding that there must be fair but rigorous approval, oversight, and renewal processes that will work to ensure that only those applicants with a high probability for success will be allowed to operate public charter schools. After all, receiving approval to operate a public charter school is a privilege not a right. As a result, the model law’s definition of an “applicant” would allow a wide variety of public charter schools, including new start-ups, public school conversions, and virtual schools:

- “An ‘applicant’ means any person or group that develops and submits an application for a public charter school to an authorizer.”

Governing Board

The model law makes it clear that public charter schools must be autonomous entities and as such they must have an independent governing board which must sign a formal charter contract with the school’s authorizer. Even for public charter schools authorized by their local school board, a separate governing board must be created in order for there to be two formal parties to the charter contract. Specific language in the model law states:

- “A ‘governing board’ means the independent board of a public charter school that is party to the charter contract with the authorizer and whose members have been elected or selected pursuant to the school’s application.”

Public Charter School

Many state laws do not provide a specific definition of a public charter school. Where states do provide such definitions, they are usually brief and vague.

The most comprehensive legal definition of a public charter school is actually found in federal law via the Charter School Program (CSP).⁷ As a way to define the essential components of public charter schools, the model law provides a modified version of the definition in the CSP that highlights such things as autonomy, independent board governance, accountability via a charter contract, and parent choice:

- “A ‘public charter school’ means a public school that:
 - Has autonomy over decisions including, but not limited to, matters concerning finance, personnel, scheduling, curriculum and instruction;
 - Is governed by an independent governing board;
 - Is established, operating, and accountable under the terms of a charter contract between the school’s board and its authorizer;
 - Is a school to which parents choose to send their children;
 - Is a school that admits students on the basis of a lottery if more students apply for admission than can be accommodated;
 - Provides a program of education that includes one or more of the following: pre-school, pre-kindergarten, any grade or grades from kindergarten through 12th grade, and adult community, continuing, and vocational education programs;
 - Operates in pursuit of a specific set of educational objectives as defined in its charter contract; and
 - Operates under the oversight of its authorizer in accordance with its charter contract.”

Authorizer

When most states enacted their charter laws, they gave short attention (if any at all) to charter authorizers beyond stating which entities were eligible to serve in this role. We have since learned (sometimes the hard way as in Ohio and Texas⁸) the critical role that autho-

rizers play in a state’s public charter school sector. From our perspective, quality authorizers are one of the primary ingredients of a successful public charter school sector in a state. Therefore, the model law gives considerable attention to the roles and responsibilities of authorizers. In the “Definitions” section, the model law defines an authorizer as follows:

- “An ‘authorizer’ means an entity authorized under this Act to review applications, decide whether to approve or reject applications, enter into charter contracts with applicants, oversee public charter schools, and decide whether to renew, not renew, or revoke charter contracts.”

Education Service Provider

A wide variety of education service providers have played important roles in opening and operating public charter schools. Just as the model law contemplates a wide variety of applicants but rigorous approval processes, it takes a liberal view of potential education service providers held accountable through contracts:

- “An ‘education service provider’ means a for-profit education management organization, non-profit charter management organization, school design provider, or any other partner entity with which a public charter school intends to contract for educational design, implementation, or comprehensive management.”

Charter Contract

One of the essential characteristics of the public charter school concept is a fixed-term, renewable contract between a school and its authorizer. Such a contract defines the roles, powers, responsibilities, and performance expectations for the school and its authorizer. While some states explicitly require an authorizer to enter into a charter contract with a school, several state laws omit such a requirement. To make clear that schools and authorizers must

⁷ See Elementary and Secondary Education Act, Title V, Part B, Subpart I, Section 5210, (1).

⁸ See Alexander Russo, *A Tough Nut to Crack in Ohio: Charter Schooling in the Buckeye State*, Washington, D.C.: Progressive Policy Institute, 2005; Nelson Smith, *Texas Roundup: Charter Schooling in the Lone Star State*,

Washington, D.C.: Progressive Policy Institute, 2005; Thomas B. Fordham Institute, National Alliance for Public Charter Schools, and National Association of Charter School Authorizers, *Turning the Corner to Quality: Policy Guidelines for Strengthening Ohio’s Charter Schools*, Washington, D.C.: Authors, 2006.

enter into such contracts, the model law provides the following definition of a “charter contract”:

- “A ‘charter contract’ means a fixed-term, renewable contract between a public charter school and an authorizer that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.”

Enrollment

The model law’s “Enrollment” section outlines the policies that govern enrollment in a public charter school in a state. We highlight four provisions from this section below that merit particular attention.

Open Enrollment

As public schools, charters must be open to any student who wishes to attend the school. A public charter school should not limit admissions based on such factors as academic ability. To ensure that public charter schools are open enrollment schools, the model law contains the following two provisions:

- “A public charter school shall be open to any student residing in the state.”
- “A public charter school shall not limit admission based on ethnicity, national origin, religion, gender, income level, disabling condition, proficiency in the English language, or academic or athletic ability.”

Lottery

To provide all students an equally fair chance at attending a public charter school, charters must hold a lottery if student demand exceeds the supply of available seats in a school. This approach prohibits a “first come, first serve” approach to enrollment which often discriminates against students who do not have parents aggressively pursuing each and every potential school option. Instead, when a school is looking to fill 100 seats from a list of 600 enrollees, student number #600 has an equally good chance as student #1 of attending the school. The model law contains the following language for lotteries:

- “If capacity is insufficient to enroll all students who wish to attend the school, the public charter school shall select students through a lottery.”

Limited Enrollment Preferences

While public charter schools must be open enrollment schools, they should also be allowed to provide enrollment preferences in limited circumstances. First, non-charter public schools that convert to public charter school status should be allowed to give an enrollment preference to students who live in the former attendance area of the school. Such a preference would allow the current students to remain at the school after it converts. Here is the relevant language from the model law:

- “Any non-charter public school converting partially or entirely to a public charter school shall adopt and maintain a policy giving enrollment preference to students who reside within the former attendance area of that public school.”

Second, it should be explicit that charters are allowed to give enrollment preferences to students enrolled in the school the previous year so those students are not subject to a lottery each year. Also, since it is a high priority for some families to have each of their children attend the same school, public charter schools should be allowed to give enrollment preferences to siblings of students already enrolled in the school. Here is the relevant language from the model law:

- “A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year and to siblings of students already enrolled in the public charter school. An enrollment preference for returning students excludes those students from entering into a lottery.”

Finally, public charter schools should be allowed to give an enrollment preference to the children of the school’s founders, governing board members, and full-time employees. Since these individuals often devote much

of their energies into starting and operating public charter schools, it is reasonable to allow a limited percentage of a school's available seats to be reserved for them, as long as it is no more than 10%. Here is the relevant language from the model law:

- “A public charter school may give enrollment preference to children of a public charter school's founders, governing board members, and full-time employees, so long as they constitute no more than 10% of the school's total student population.”

Focus on Serving Certain Groups of Students

While public charter schools should be open enrollment schools, state law should make it explicit that a school's mission can focus on serving certain groups of students. By making such schools explicitly allowable in state law, states provide avenues for parents and educators who want to create learning environments that are tailored to the particular needs of certain groups of students. One notable example is public charter schools that serve students with disabilities. According to a recent report, 71 public charter schools across the country have been specifically designed to serve students with disabilities.⁹ Although such schools are focused on certain groups of students, they are still open enrollment schools and do not have enrollment preferences for these groups of students. To make it explicit that such schools are permitted, the model law provides the following language:

- “This section does not preclude the formation of a public charter school whose mission is focused on serving students with disabilities, students of the same gender, students who pose such severe disciplinary problems that they warrant a specific educational program, or students who are at risk of academic failure. If capacity is insufficient to enroll all students who wish to attend the school, the public charter school shall select students through a lottery.”

Authorizers

The model law breaks new ground on the authorizer front. It not only addresses the standard question of which entities should be allowed to authorize in a state, but it also tackles newer areas of state law such as authorizer powers and duties, authorizer funding, and authorizer accountability. We discuss each of these four areas below.

Creating Choice in Authorizers: Multiple Ways to Create Multiple Authorizers

A well-designed public charter school law must allow multiple authorizers to which any group of potential charter founders can apply, so that all charter applicants have the opportunity to seek approval from a conscientious and well-motivated authorizer. The model law presents multiple approaches for creating a multiple-authorizer environment, with the understanding that the conditions and capacities within a state will determine which environment makes the most sense in that state. To create multiple authorizers, the model law provides for three things:

- Establishment of a state public charter school commission;
- Opportunity for local school boards to register as authorizers with the state's designated authorizer oversight body; and,
- Opportunity for various entities – including mayors, city councils, non-profit organizations, and public and private postsecondary institutions – to apply for authorizing ability to the state's designated authorizer oversight body.

It is important to note that some believe only existing public entities should be allowed to serve as authorizers, while others argue for the inclusion of private and non-profit entities to bring new expertise into the authorizing world. Experiences in various states with both public and non-public authorizing entities reveal that all types of authorizers *can* be successful if they meet at least three criteria: a clear desire to become an

⁹ See Julie F. Mead, *Charter Schools Designed for Children with Disabilities: An Initial Examination of Issues and Questions Raised*, Alexandria, VA: National Association of State Directors of Special Education, 2008.

authorizer; enough political insulation to allow data-driven decisions; and, the ability to create adequate infrastructure to carry out their authorizer tasks.¹⁰

To this end, the model law envisions the inclusion of multiple entities as authorizers, all under an authorizer accountability system. Given the dynamics within a given state, the specific portfolio of authorizers may vary. For example, one state may allow local school boards and a state public charter school commission to authorize public charter schools, while another state may allow local school boards, universities, and mayors to do so.

State Public Charter School Commission

The model law establishes a special-purpose state public charter school commission with statewide chartering authority. In a growing phenomenon across the country, seven states and D.C. now have special-purpose chartering boards, with a number of other states seriously discussing the creation of such entities.¹¹ The primary advantage of such boards is that their core mission is the authorization of public charter schools. That, and only that, is what they do, allowing them to develop expertise on a tough task that is usually given inadequate attention in a state. When Colorado created its special-purpose chartering board in 2004, one of its stated purposes was to enhance public charter school authorizing in the state. According to the law, it is “the intent of the general assembly that the institute shall exist to model best practices in authorizing charter schools and make those practices available to school districts.”¹²

There is no single “right way” to structure the appointment and composition of such a state public charter school commission. Particularly in the matter of appointing commission members, various approaches can produce successful results. The most practical

approach for a particular state will usually be determined by state-specific circumstances. For this reason, while the model law illustrates one possible approach to making such appointments, we recognize that variations on some specifics – such as the appointment process, number of board members, and terms of office – might make sense in some states.

Notwithstanding such potential variations, we recommend that states adhere to the following general principles and recommendations when creating a state public charter school commission:

- The commission should consist of an odd number of members to avoid tie votes. Seven or nine is a typical and practical size.
- Members should be appointed (either directly or through “advice and consent”) for staggered terms by multiple state government leaders or bodies that share responsibility for, and high interest in, the success of K-12 public education in the state. These appointing leaders or entities might include the governor, legislative leadership, the state board of education, and the state superintendent of education.
- The commission membership should be bipartisan, with no more than a simple majority of members from the same political party.
- The commission membership should include breadth of experience and expertise well-suited to the commission’s work.

In addition, in most states it would be advisable for the commission membership to reflect the geographic concentrations of population and likely concentrations of chartering activity throughout the state.

Local School Boards

To date, local school boards have been allowed to authorize often without having developed the commitment and capacity to doing the job well. To encourage local school boards to take their authorizing work seriously if they decide to do it, the model law requires them to register with the state’s designated authorizer oversight body and provide

¹⁰ See Louann Bierlein Palmer, *Alternative Charter School Authorizers: Playing a Vital Role in the Charter Movement*, Washington D.C.: Progressive Policy Institute, 2006.

¹¹ The states with state chartering boards are Arizona, Colorado, Georgia, Hawaii, Idaho, South Carolina, Utah, and Washington, D.C.

¹² See CO Rev Stat § 22-30.5-501, (2), (a).

information in several areas, such as their charter authorizing budget and personnel.

Mayors, City Councils, and Public Postsecondary Institutions

Currently, two states allow mayors or city councils to serve as authorizers, and 11 states allow public postsecondary institutions to serve in this role.¹³ In most cases, these entities have been granted the ability to authorize by state law, without any kind of application and accountability requirements. The model law also allows the inclusion of such entities and requires them to apply to the state's designated authorizer for statewide, regional, or local chartering authority (in accordance with each entity's regular operating jurisdiction and mission). They must provide information in several areas, such as a draft or preliminary outline of the request for proposals that they would issue to solicit public charter school applicants.

Other Private and Non-Profit Options

In addition to the options above, a small number of states currently allow other types of entities – such as private postsecondary institutions or nonprofit organizations – to serve as, or apply to serve as, charter authorizers.¹⁴ The model law allows the inclusion of such entities, and includes language requiring public accountability and transparency for such private or non-profit institutions in all matters concerning their charter-authorizing practices and decisions. The model law requires that such entities must apply to the state's designated authorizer oversight body, and clearly demonstrate their interest in, and capacity for, authorizing schools. These requirements mean that no pre-established longevity or asset amounts

are specified in the law, allowing new single-purpose non-profit authorizers to be established.

Authorizer Powers and Duties

Too often, state laws are silent or vague about authorizer powers and duties. Given that charter authorizing is still such a new and difficult task within K-12 public education, it is critical that state laws provide clarity regarding the roles and responsibilities of authorizers. To do so, the model law provides the following language:

- “Authorizers are responsible for executing, in accordance with this Act, the following essential powers and duties:
 - Soliciting and evaluating charter applications;
 - Approving quality charter applications that meet identified educational needs and promote a diversity of educational choices;
 - Declining to approve weak or inadequate charter applications;
 - Negotiating and executing sound charter contracts with each approved public charter school;
 - Monitoring, in accordance with charter contract terms, the academic and fiscal performance and legal compliance of public charter schools; and
 - Determining whether each charter contract merits renewal, nonrenewal, or revocation.”

Authorizer Funding: Developing a Statewide Formula

In two studies analyzing authorizing quality across the country the Thomas B. Fordham Institute found that authorizers often lack sufficient fiscal resources to fulfill their responsibilities professionally.¹⁵ Authorizer funding structures generally fall into three categories: fees retained from authorized public charter schools; budget allocation from parent organization (such as a university); and, state or local budget appropriation.

¹³ The two states that allow mayors or city councils to serve as authorizers are Indiana (the Indianapolis mayor only) and Wisconsin (the Milwaukee common council only). The 11 states that allow public postsecondary institutions to serve as authorizers are Florida (state universities for lab schools only and community college district boards of trustees for charter technical career centers only), Indiana, Michigan, Minnesota, Missouri (only in the two districts where charters are permitted – Kansas City and St. Louis), Nevada, New York, North Carolina, Ohio, Oklahoma (only in the 13 districts where charters are permitted), and Wisconsin (only in Milwaukee and Racine).

¹⁴ The two states that allow private postsecondary institutions to serve as charter authorizers are Minnesota and Missouri. The two states that allow non-profit organizations to serve as charter authorizers are Minnesota and Ohio.

¹⁵ See Louann Bierlein Palmer and Rebecca Gau, *Charter School Authorizing: Are States Making the Grade?*, Washington, D.C.: Thomas B. Fordham Institute, 2003; Rebecca Gau, *Trends in Charter School Authorizing*, Washington, D.C.: Thomas B. Fordham Institute, 2006.

Similar to the practice in 14 states, the model law allows an authorizer to retain a percentage or portion of revenue from each school it charters.¹⁶ There is no single formula for authorizer funding that is “the best” for every state. The determination of an adequate, efficient, and well-working formula for authorizer funding will depend on conditions in each state, including the variety and preexisting financial capacities of authorizers in the state. Below are a few principles and tips that guided the model law’s provisions on authorizer funding:

- The funding formula should be set by the state and apply uniformly to all authorizers in the state. Authorizers should not be permitted to offer “cut-rate” or “below-market” oversight fees to public charter schools, thereby creating an environment in which public charter schools seek out the lowest-cost instead of the highest-quality or best-fitting authorizer.
- To ensure efficient and well-directed use of tax dollars, the state’s designed authorizer oversight body should periodically review and, if warranted by the actual costs of authorizing (as reported annually to the state), adjust the authorizer funding formula or scale. Charter authorizing should be neither a financial burden nor a “cash cow” for authorizers. The funding formula should provide adequate funding for authorizers to fulfill the responsibilities of quality authorizing in accordance with the charter law, but should not give authorizers a financial incentive to pursue volume chartering at the possible expense of *quality* chartering.
- Three percent of public charter school per-pupil funding is generally regarded as adequate funding for authorizers in most states, particularly where separate start-up funding is allocated for the establishment of new authorizers like a statewide commission. In addition, once an authorizer has chartered schools for a few years and oversees a “critical mass” of charters, it might be able to continue authorizing effectively with a lower-

percentage fee (because it is beyond start-up and also may have achieved some economies of scale) until the point where the number of schools it authorizes increases costs on a per-school basis. Such a determination should be made by the state’s designated authorizer oversight body based on several consecutive years of financial data from all authorizers in the state. If the data warrant, the state’s designated authorizer oversight body could, for example, establish a sliding scale that provides for authorizers to receive a higher-percentage fee (not to exceed three percent of public charter school per-pupil dollars) in their first three years of authorizing, with the percentage decreasing thereafter.

Authorizer Accountability

One of the principles of the model law is that all authorizers should be held accountable for their work. The model law establishes accountability in two ways. First, the model law requires each authorizer to submit to the state’s designated authorizer oversight body and the legislature an annual report that includes the following items:

- The authorizer’s strategic vision for chartering and progress toward achieving that vision;
- The academic and financial performance of all operating public charter schools overseen by the authorizer, according to the performance expectations for public charter schools set forth in the state’s Public Charter Schools Act;
- The status of the authorizer’s public charter school portfolio, identifying all public charter schools in each of the following categories: approved (but not yet open), operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened;
- The authorizing functions provided by the authorizer to the public charter schools under its purview, including the authorizer’s operating costs and expenses as detailed through annual audited financial statements that conform with Generally Accepted Accounting Principles; and

¹⁶ See National Association of Charter School Authorizers, *Dollars and Sense: Funding Authorizers Responsibly*, Chicago, IL: Author, 2009.

- The services purchased from the authorizer by the public charter schools under its purview, including an itemized accounting of the actual costs of these services.

Second, the model law requires that each authorizer's performance be reviewed by the state's designated authorizer oversight body to ensure adherence to the charter law as well as quality performance. The model law allows the state's designated authorizer oversight body to conduct a special review of an authorizer for persistently unsatisfactory performance of the authorizer's portfolio of public charter schools, a pattern of well-founded complaints about the authorizer or its public charter schools, or other objective circumstances. As a result of such a review, the state's designated authorizer oversight body must notify an authorizer of identified problems and give the authorizer reasonable opportunity to respond and remedy the problems. If the authorizer fails to do so, the state's designated authorizer oversight body may sanction the authorizer, which can include the termination of the authorizer's chartering authority.

The key question is which entity is best-positioned and most competent and trustworthy in a state to serve this "authorizer oversight" function. It is highly unlikely that the answer will be the same in every state, which is one of the challenges in writing a model law. One size does not fit all.

The designated entity for authorizer oversight must be committed to the success of public charter schools and authorizers in the state as well as to the successful implementation of chartering policies and practices consistent with nationally recognized principles and standards for quality charter authorizing. In some states, it may make the most sense for lawmakers to designate the state board of education or the state department of education as the state's designated authorizer oversight body. These entities oversee all public education in a state, and are sometimes positioned well to oversee the work of charter authorizers.

Where state boards and departments of education are already serving as authorizers themselves or have a track record of being unsupportive or ambivalent toward public charter schools, lawmakers should designate another entity to serve as the state's designated authorizer oversight body. One option is to create a special legislative or governor's office of charter authorizer oversight, similar to other special legislative or governor's offices relating to public education. Another option is to designate a university to serve this role.

As practical conditions and circumstances may vary from state to state, lawmakers should carefully consider where to vest ultimate statewide authority over public charter school authorizers. The best choice for each state should be based on the long-term best interests of the state's public charter schools and students, rather than short-term, temporary, or political circumstances.

Application Process

The model law also breaks new ground in the section on the charter application process, particularly by requiring authorizers to issue a request for proposals at the front end of the process. We discuss three areas from this section below.

Request for Proposals

Too often, authorizers implement a charter application process without reflecting on how they can use chartering strategically to meet the most pressing educational challenges in their communities. And too many authorizers, even years into their role, approve charters without clear processes for holding them accountable.

To solicit, encourage, and guide the development of quality public charter school applications, the model law requires authorizers to issue and broadly publicize a request for proposals (RFP) that contains the following:

- The authorizer's strategic vision for chartering, including a clear statement of any preferences the authorizer wishes to grant to applications that help at-risk students. While these preferences should guide an authorizer's chartering decisions, authorizers should remain open to bold new ideas that show promise for improving public education in a particular community.
- The performance framework that the authorizer has developed for public charter school oversight and evaluation.
- The criteria that will guide the authorizer's decision to approve or deny a charter application.
- Clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful public charter school.
- The essential elements of the charter application.
- Specific requirements for conversion public charter schools, virtual public charter schools, public charter school governing boards seeking to contract with an education service provider, and public charter school governing boards currently operating one or more schools in the state or the nation.
- A statewide timeline for charter approval or denial decisions annually published by the state's designated authorizer oversight body which shall apply to all authorizers in the state.
- A thorough evaluation of each written charter application, an in-person interview with the applicant group, and an opportunity in a public forum for local residents to learn about and provide input on each application.
- Approval guidelines that include the following:
 - Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful public charter school;
 - Base decisions on documented evidence collected through the application review process; and,
 - Follow charter-granting policies and practices that are transparent, based on merit, and avoid conflicts of interest or any appearance thereof.
- The authorizer shall adopt by resolution all charter approval or denial decisions in an open meeting of the authorizer's governing board. For any charter denial, the authorizer shall clearly state, for public record, its reasons for denial.

Application Decision-making Process

State laws usually address authorizers' decision-making processes for charter applications through one of two approaches. The first approach treats the process rather vaguely (or not at all in the case of Maryland), leaving much discretion to authorizers for creating and implementing their own application process. The second approach provides some specifics about the process, but creates a situation where authorizers feel compelled to approve charter applications because the applicants have simply complied with the application submission requirements in the law.

The model law offers a third approach that provides some specifics about certain items, but also makes clear that the authorizer has discretion to make the appropriate call about charter applications within the bounds of certain principles and standards. The key aspects of the model law's approach include:

Charter Contracts

As mentioned earlier, one of the essential characteristics of the public charter school concept is a fixed-term, renewable contract between a school and its authorizer. Such a contract defines the roles, powers, responsibilities, and performance expectations for the school and its authorizer. While some states explicitly require authorizers to enter into charter contracts with public charter schools, other state laws do not. To make clear that schools and authorizers must enter into such contracts, the model law provides the following language:

- "Within [INSERT NUMBER OF DAYS] of approval of a charter application, the authorizer and the governing board of the approved public charter school shall execute a charter contract that clearly

sets forth the academic and operational performance expectations and measures by which the public charter school will be judged and the administrative relationship between the authorizer and public charter school, including each party's rights and duties charter."

Even in those states that require charter contracts, it is not always clear that a charter contract must be created as a separate document from the charter application. The purposes of the charter application are to present the proposed public charter school's academic and operational vision and plans, demonstrate the applicant's capacities to execute the proposed vision and plans, and provide the authorizer a clear basis for assessing the applicant's plans and capacities, not to specifically define the roles, powers, responsibilities, and performance expectations for the school and its authorizer. To make clear that schools and authorizers must enter into such contracts as separate documents from charter applications, the model law provides the following provision:

- "An approved charter application shall not serve as the school's charter contract."

Lastly, most state laws are still silent on the virtual public charter schools issue. While we believe most state law provisions relevant for bricks-and-mortar public charter schools are equally relevant to virtual public charter schools, we know state laws must account for the unique environments of virtual public charter schools in a few places, including the charter contracts section. The model law includes the following language about virtual public charter school contracts:

- "The charter contract for a virtual public charter school shall include description and agreement regarding the methods by which the school will:
 - Monitor and verify full-time student enrollment, student participation in a full course load, credit accrual, and course completion;
 - Monitor and verify student progress and performance in each course through regular, proctored assessments and submissions of coursework;
 - Conduct parent-teacher conferences; and
 - Administer state-required assessments to all students in a proctored setting."

Accountability

The model law also breaks new ground in the section on accountability, particularly by requiring authorizers to develop performance frameworks as tools to hold public charter schools accountable. We discuss four areas from this section below.

Performance Framework

Most of the best accountability work being done across the country has been created in practice by charter authorizers rather than in state law.¹⁷ Notable examples include the work of the Chicago Public Schools, the District of Columbia Public Charter School Board, the Indianapolis Mayor's Office, and the State University of New York.¹⁸ These entities and others have developed clear academic and operational performance goals and objectives with each of their public charter schools that serve as the basis for holding their schools accountable.

Up to now, charter supporters have struggled in translating such effective practices into state law to ensure wide adoption by authorizers throughout a state. Some charter supporters are understandably concerned about over-regulating the charter accountability process in state law, taking away authorizer discretion over complex decisions about school renewals, revocations, and non-renewals. Others are concerned that

¹⁷ See U.S. Department of Education, Office of Innovation and Improvement, *Supporting Charter School Excellence Through Quality Authorizing*, Washington, D.C.: Author, 2007.

¹⁸ See Robin J. Lake and Lydia Rainey, *Chasing the Blues Away: Charter Schools Scale Up in Chicago*, Washington, D.C.: Progressive Policy Institute, 2005; Government Accountability Office, *Charter Schools: Oversight Practices in the District of Columbia*, Washington, D.C.: Author, 2005; Government Accountability Office, *D.C. Charter Schools: Strengthening Monitoring and Process When Schools Close Could Improve Accountability and Ease Student Transitions*, Washington, D.C.: Author, 2005; Bryan C. Hassel, *Fast Break in Indianapolis: A New Approach to Charter Schooling*, Washington, D.C.: Progressive Policy Institute, 2004; Robin J. Lake, *Seeds of Change in the Big Apple: Charter Schooling in New York City*, Washington, D.C.: Progressive Policy Institute, 2004.

district authorizers would abuse any such accountability requirements in a manner to squash their public charter school. Notwithstanding these concerns, it is safe to say that the lack of a sound state law performance framework has allowed too many authorizers to take a pass on creating fair and rigorous accountability systems for their public charter schools.

The model law plows some new ground by including a section regarding performance frameworks that provides some specifics about certain items, but also makes clear that the authorizer has discretion to make the appropriate call about charter applications within the bounds of certain principles and standards. The key aspects of the model law's approach include:¹⁹

- Authorizers are required to base the performance provisions of the charter contract on a performance framework that includes at a minimum:
 - Student academic proficiency;
 - Student academic growth;
 - Achievement gaps in both proficiency and growth between major student subgroups;
 - Attendance;
 - Recurrent enrollment from year to year;
 - Postsecondary readiness (for high schools);
 - Financial performance and sustainability; and
 - Board performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter contract.
- Public charter schools are required to set annual performance targets in conjunction with their authorizers.
- All student performance data must be disaggregated by major student subgroups.
- Multiple schools operating under a single charter

contract or overseen by a single governing board must report their performance as separate, individual schools, and each school must be held independently accountable for its performance.

Ongoing Oversight and Corrective Actions

It is important that authorizers provide adequate oversight of their public charter schools and have the authority to sanction public charter schools that are not performing well but do not merit immediate closure. Most state laws are relatively silent on these matters. As a result, authorizers may provide inadequate oversight of their schools or take inappropriate steps that encroach on their schools' operational autonomy.²⁰ Furthermore, authorizers are sometimes hesitant to sanction low-performing charters because they claim not to have the clear authority to do so. To ensure that authorizers provide adequate oversight and have the ability to sanction low-performing public charter schools, the model law provides the following provisions:

- “An authorizer shall continually monitor the performance and legal compliance of the public charter school it oversees, including collecting and analyzing data to support ongoing evaluation according to the charter contract. Every authorizer shall have the authority to conduct or require oversight activities that enable the authorizer to fulfill its responsibilities under this Act, including conducting appropriate inquiries and investigations, so long as those activities are consistent with the intent of this Act, adhere to the terms of the charter contract, and do not unduly inhibit the autonomy granted to public charter schools.”
- “Each authorizer shall annually publish and provide, as part of its annual report to the state's designated authorizer oversight body, a performance report for each public charter school it oversees, in accordance with the

¹⁹ The model law's performance framework and minimum data elements are drawn from the recommendations of the Charter School Quality Consortium, a national leadership project funded by the U.S. Department of Education. This project convened two national Consensus Panels to develop a two-part performance framework to inform and improve evaluation of charter school academic and operational quality across the states. The complete framework and recommendations of the Quality Consortium and Consensus Panels are available in two reports, *A Framework for Academic Quality* and *A Framework for Operational Quality*, available at www.publiccharters.org.

²⁰ See Louann Bierlein Palmer and Rebecca Gau, *Charter School Authorizing: Are States Making the Grade?*, Washington, D.C.: Thomas B. Fordham Institute, 2003; Rebecca Gau, *Trends in Charter School Authorizing*, Washington, D.C.: Thomas B. Fordham Institute, 2006.

performance framework set forth in the charter contract and Section V, (7) of this Act. The authorizer may require each public charter school it oversees to submit an annual report to assist the authorizer in gathering complete information about each school, consistent with the performance framework.”

- “In the event that a public charter school’s performance or legal compliance appears unsatisfactory, the authorizer shall promptly notify the public charter school of the perceived problem and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants revocation in which case the revocation timeframes will apply.”
- “Every authorizer shall have the authority to take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in public charter school performance or legal compliance. Such actions or sanctions may include, if warranted, requiring a school to develop and execute a corrective action plan within a specified timeframe.”

Renewals, Revocations, and Non-renewals

Often overlooked in state laws are charter renewals, revocations, and non-renewals. Similar to the model law’s language for the application process, its language for renewals, revocations, and non-renewals provides some specifics about certain items, but also makes clear that the authorizer has discretion to make the appropriate call about charter applications within the bounds of certain principles and standards. The key aspects of the model law’s approach include:

- A charter contract may be renewed for successive five-year terms, although authorizers may vary the term based on the performance, demonstrated capacities, and particular circumstances of each public charter school and may grant renewal with specific conditions for necessary improvements to a public charter school.
- Authorizers must issue a public charter school performance report and charter renewal application guidance to eligible public charter schools.
- In making charter renewal decisions, authorizers must ground their decisions in evidence of the school’s performance, ensure that data used in making renewal decisions are available to the school and the public, and provide a public report summarizing the evidence basis for each decision.
- Authorizers may revoke or not renew a charter contract if a school does any of the following or otherwise fails to comply with the provisions of this Act:
 - Commits a material and substantial violation of any of the terms, conditions, standards, or procedures required under this Act or the charter contract;
 - Fails to meet or make sufficient progress toward the performance expectations set forth in the charter contract;
 - Fails to meet generally accepted standards of fiscal management; or,
 - Substantially violates any material provision of law from which the public charter school was not exempted.
- Authorizers must develop revocation and non-renewal processes that:
 - Provide the charter holders with a timely notification of the prospect of revocation or non-renewal and of the reasons for such possible closure;
 - Allow the charter holders a reasonable amount of time in which to prepare a response;
 - Provide the charter holders with an opportunity to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school at an orderly proceeding held for that purpose;
 - Allow the charter holders access to representation by counsel and to call witnesses on their behalf;
 - Permit the recording of such proceedings; and
 - After a reasonable period for deliberation, require a final determination be made and conveyed in writing to the charter holders.

- Authorizers must develop a public charter school closure protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, and proper disposition of school funds, property, and assets in accordance with the requirements of this Act.

Transfers

In some situations, it makes sense for a public charter school to transfer its contract from one authorizer to another before the expiration of its term, especially when its current authorizer has decided that it no longer has the commitment or capacity to effectively perform its authorizing duties. However, there are other situations in which it should be impermissible – for example, when a low-performing public charter school facing probation or closure from a high-quality authorizer seeks to transfer its charter to a less-exacting authorizer that will not place it on probation or close the school. Understanding that it is difficult to make hard-and-fast rules about when transfers should be allowed, the model law addresses the transfer issue in the following way:

- “Transfer of a charter contract, and of oversight of that public charter school, from one authorizer to another before the expiration of the charter term shall not be permitted except by special petition to the [INSERT NAME OF STATE’S AUTHORIZER OVERSIGHT BODY] by a public charter school or its authorizer. The [INSERT NAME OF STATE’S AUTHORIZER OVERSIGHT BODY] shall review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the public charter school’s students.”

Operations and Autonomy

The model law’s “Operations and Autonomy” section addresses several issues critical to the daily functioning of public charter schools. We highlight nine issues that merit particular attention.

Automatic Waivers

School-level flexibility is one of the core principles of public charter schooling. To provide public charter schools with needed autonomy, states and districts waive many of the state and local laws, rules, and regulations that burden traditional public schools. Generally, there are two approaches that state charter laws take to waivers. In 16 states, public charter schools apply to their local school boards or state boards of education for waivers of state and local laws, rules, and regulations. This approach is typically onerous for the schools, and makes it difficult for public charter schools to obtain the type of flexibility that is needed to develop unique and innovative programs.

A far better approach is found in 24 states and D.C., where the charter statute provides an automatic waiver from most state and local laws, rules, and regulations. Such an approach allows for greater flexibility within public charter schools and invites a greater number of charter applications with more innovative programs. The model law provides an automatic waiver to public charter schools via the following language:

- “Except as provided in this Act, a public charter school shall not be subject to the state’s education statutes or any state or local rule, regulation, policy, or procedure relating to non-charter public schools within an applicable local school district regardless of whether such rule, regulation, policy, or procedure is established by the local school board, the state board of education, or the state department of education.”

Multiple Schools on One Charter Contract and Multiple Charter Contracts for One Board

The charter movement has created a major opportunity for rapid improvement in the performance of public schooling by scaling up successful models launched at a single school. While replication is challenging, it has proven to be a more effective and efficient way of increasing the number of high-quality public school options available in a community as

compared to imposing “effective practices” on a school that is chronically failing.

When states first enacted charter laws, they envisioned organizations opening and operating individual schools, not multiple schools. To better support the significant amount of replication activity in the charter sector, the model law contains provisions allowing for the creation of multiple schools under a single charter contract, and also allows an effective governing board to hold multiple charter contracts:

- “A charter contract may consist of one or more schools, to the extent approved by the authorizer and consistent with applicable law. Each public charter school that is part of a charter contract shall be separate and distinct from any others.”
- “A single governing board may hold one or more charter contracts. Each public charter school that is part of a charter contract shall be separate and distinct from any others.”

Such arrangements provide a high degree of flexibility and minimize administrative restrictions on the expansion of successful programs. It is important to note that authorizers must play a strong role in these cases to ensure that only effective governance models and high performing programs are rewarded with replication.

Local Educational Agency Status

The term “local educational agency” or “LEA” is a creation of federal law. LEA status is particularly significant in relation to federal (and state) categorical funding streams, such as Title I and the Individuals with Disabilities Education Act.

Charters as Their Own LEAs

Some states treat public charter schools as their own LEAs. There are two primary advantages to this approach:

- State and federal categorical funding flows directly from the state department of education to public charter schools. There is no middleman,

such as a state charter authorizer or a local school district, to take a chunk of the funding or slow down the funding flow.

- Public charter schools retain significant autonomy over resource allocation. Because there is no middleman for state and federal categorical dollars, charters have maximum control over how such funding is spent.

The two major disadvantages to this approach are:

- Being an LEA can be hugely burdensome and costly. Individual public charter schools are responsible for applying to the various categorical programs and for detailed reporting about how they spend their program funds. These are not small, simple programs, but are actually some of the most heavily regulated and complex programs in public education. Furthermore, public charter schools that are their own LEAs are responsible for covering the costs of special education services to eligible students without the economies of scale that resides in school district LEAs.
- Public charter schools are often isolated from existing state and local expertise in navigating application, delivery, and reporting requirements for categorical programs.

One variation on this approach is for schools that are their own LEAs to join in special education cooperatives and other arrangements that mitigate the burden of paperwork and staffing on individual schools.

Charters as Part of Other LEAs

Some states treat public charter schools as part of other LEAs, such as school district LEAs or statewide LEAs. There are two primary advantages to this approach:

- Public charter schools are able to focus their energies on their core work. In this arrangement, the school district or statewide LEA focuses on ensuring that charters are receiving the state and federal funds to which they are entitled, while the charters focus on using those funds to deliver a high-quality education.

- Local districts have experience as an LEA and have developed expertise in navigating state and federal bureaucracies. Such experience and expertise could benefit public charter schools with many issues on their plate, particularly in their start-up phase.

The two major disadvantages to this approach are:

- This approach adds another layer between the flow of dollars from SEAs to public charter schools. In this situation, the dollars must flow from the SEA to the school district or statewide LEA, which then distributes them to individual public charter schools. Too often, these dollars do not flow to public charter schools in a timely way, resulting in significant problems for charters.
- There is the potential of impinging on public charter schools' autonomy, especially for school district LEAs that focus on creating more bureaucratic mechanisms to carry out its work. While local districts have experience and expertise as an LEA, their funding procedures, services, and reporting processes are usually designed for schools that do not have the unique mixture of autonomy and accountability found in charters – and often are uneven in terms of quality. It may be tough for districts to fit charters into their existing procedures in a way that is respectful of the charter concept.

The model law does not take a position on whether it is preferable for a public charter school to serve as its own LEA or not because there is no widely accepted best practice in this area. The model law does offer alternative provisions for states that elect to designate public charter schools as their own LEAs and those that make them part of school district or statewide LEAs. Whichever approach a state takes, it is essential that the ramifications of LEA status of charter schools are understood well by those creating or revising a state public charter school law and that LEA status is clearly stated and factored in throughout the law.

Special Education

Public charter school responsibilities with regard to special education depend to a great extent on their LEA status. Because the model law offers two options for LEA status (charters as their own LEAs vs. charters as part of school district or statewide LEAs), the model law also offers two options for how special education is handled by public charter schools in a state. The following language is applicable in states where *public charter schools are their own LEAs*:

- “A public charter school shall function as a Local Educational Agency (“LEA”). A public charter school shall be responsible for meeting the requirements of LEAs under applicable federal, state, and local laws, including those relating to special education. LEA status shall not preclude a public charter school from developing partnerships with districts for services, resources, and programs by mutual agreement or formal contract.”
- “A public charter school shall have primary responsibility for special education at the school, including identification and service provision. It shall be responsible for meeting the needs of enrolled students with disabilities. In instances where a student’s individualized education program team determines that a student’s needs are so profound that they cannot be met in the public charter school and that the public charter school cannot provide a free, appropriate public education to that student, the student’s district of residence shall place the student in a more appropriate setting.”²¹

The following language is applicable in states where *public charter schools are part of school district or statewide LEAs*:

- “The [INSERT NAME OF ENTITY] of a public charter school is the public charter school’s Local Educational Agency (“LEA”). A public charter school is a school within that LEA.”

²¹ For state examples of this approach, see MA 603 CMR 28.03(4)(i)(1)(i-iii) and NJ Rev Stat § 18A:36A-11(b).

- “The [INSERT NAME OF ENTITY] retains responsibility for special education and shall serve students in public charter schools in a manner consistent with LEA obligations under applicable federal, state, and local law.”

Contracting with Education Service Providers

In addition to addressing education service providers in the “Definitions” and “Application Process” sections, the model law also includes a provision in the “Operations and Autonomy” section that makes it clear that public charter schools may contract with education service providers so long as the school’s governing board retains oversight authority over the school. The model law states that a public charter school has the power:

- “To contract with an education service provider for the management and operation of the public charter school so long as the school’s governing board retains oversight authority over the school.”

Teacher Qualifications

Public charter schools are required to comply with the No Child Left Behind (NCLB) Act’s “highly qualified” teacher requirements, which are as follows:

- Teachers must hold a bachelor’s degree;
- Teachers must obtain full state certification, which can be “alternative certification”; and,
- Teachers must demonstrate subject-matter competency in the core academic subjects taught.

NCLB explicitly defers to state charter law regarding certification requirements. If a state does not require any charter teachers to be certified, NCLB does not impose that additional mandate. Even in these situations, though, the other two aspects of NCLB’s highly qualified requirements apply.

Because of the lack of a strong empirical connection between teacher certification and student achievement,²² the model law holds public

charter schools accountable for compliance with NCLB’s highly qualified teacher obligations, but it takes advantage of the flexibilities in the federal law regarding state teacher certification:

- “Public charter schools shall comply with applicable federal laws, rules, and regulations regarding the qualification of teachers and other instructional staff. In accordance with Section VIII, (1), (d), teachers in public charter schools shall be exempt from state teacher certification requirements.”

Collective Bargaining

Eighteen states currently require some or all public charter schools to be bound by the district collective bargaining agreements or personnel policies. These agreements and policies are often a significant constraint on school autonomy, and usually fly in the face of the core charter principle of school level flexibility. In order to promote autonomy of school leaders and teachers, the model law provides an automatic collective bargaining exemption whereby public charter school employees cannot be required to be members of any existing collective bargaining agreement, while prohibiting school leaders from interfering with laws or the rights of public charter school employees to organize:

- “Public charter school employees cannot be required to be members of any existing collective bargaining agreement between a school district and its employees. A public charter school may not interfere, however, with laws and rules protecting the rights of employees to organize and be free from discrimination.”

Access to State Retirement and Other Benefits Programs

State laws vary in how they address public charter school employee access to state retirement and other benefits programs. Some states allow charter employee access to these systems, but don’t require them to participate. Others require charter employees to participate. Still others prohibit charter employees

²² Education Commission of the States, *Eight Questions on Teacher Licensure*

and Effectiveness: What Does the Research Say?, Denver, CO: Author, 2005.

from accessing these systems.

Although some public charter schools will choose to provide these benefits through other mechanisms for cost or other reasons, it is important that charters, as public schools, have the same access to these systems as other public schools. To create a level playing field in terms of retirement and other benefits programs, the model law allows public charter schools to participate in state retirement and benefits programs:

- “Employees in public charter schools are eligible for participation in retirement and other benefits programs of the state, if the public charter school chooses to participate.”

Extra-Curricular and Interscholastic Activities Eligibility and Access

Most state laws are silent regarding extra-curricular and interscholastic activities eligibility and access for public charter school students and employees. To provide some clarity in this area, the model law states that public charter school students and employees are eligible for state- or district-sponsored interscholastic leagues, competitions, awards, scholarships, and recognition programs to the same extent as traditional public schools. The model also provides that students at charters that do not provide extra-curricular and interscholastic activities have access to those activities at traditional public schools for a fee via a mutual agreement.

Funding

The 41 jurisdictions with public charter school laws vary greatly in how they fund public charter schools. While their approaches vary, most states share one commonality: They usually provide significantly less funding to public charter schools as compared to traditional public schools. In fact, a 2005 study found that public charter schools receive 78% of the dollars that flow to traditional public schools.²³

²³ Thomas B. Fordham Institute, *Charter School Funding: Inequity's Next Frontier*, Washington, D.C.: Author, 2005.

The model law provides three options for how states should fund public charter schools based upon the flow of funds for public charter schools:

- In the first option, funding flows from the *state to school districts to public charter schools*. This option is modeled on the approach in New York with some variations. The advantage of this approach is that it is relatively easy to integrate charters into the existing funding system. By sending the money through school districts, however, states are providing a tangible reminder of the movement of dollars from districts to public charter schools, which can be problematic – particularly when the charters are authorized by non-district entities.
- In the second option, funding flows from the *state directly to public charter schools*. This option is modeled on the approach in Minnesota with some variations. The main advantage of this option is that it eliminates the middle man between states and schools. As a result, schools will likely receive their funds in a timely manner. With this approach, however, it can be more challenging for the state to figure out how to fold charters into the existing funding system for school districts.
- In the third option, funding flows from the *state to authorizers to public charter schools*. This option is modeled on the approach in Colorado with some variations. While it is relatively easy to integrate district-authorized charters into the existing funding system, it can be more of a challenge for charters authorized by non-district entities.

The key principles shaping the statutory language for each option in the model law are as follows:

- **Operational Funding.** Operational funding for public charter schools should be statutorily driven, clear, free from interference or an annual, separate line item appropriation, and in the same amount to district schools.

It is important to note that the model law provides different sources of operational funding among the three options for funding flow. For the option where the funds flow through districts, the operational funding amount is composed of state and local dollars in the same amount to district schools.

In the options where the funding flows either directly to schools or through authorizers, the funding sources differ by authorizer. For schools authorized by districts, the operational funding amount is composed of state and local dollars in the same amount to district schools. For schools authorized by non-district entities, though, the operational funding amount is composed of state dollars in the same amount to district schools. To ensure that there is no fiscal impact on state budgets, the model law provides that the state withhold from the state equalization payments for each school district with students attending the public charter school an amount equal to one hundred percent of the amount calculated pursuant to the state's funding formula for each student in the school district multiplied by the number of students enrolled in the public charter school from the school district.

- **Timely Flow of Funds.** Public charter schools should receive funds in a timely manner. If district or non-district authorizers fail to send funds to public charter schools in a timely manner, the state should be able to sanction them by intercepting funds until the obligation is satisfied.
- **Categorical Funding.** Public charter schools should have equal access to categorical funding streams, including pre-kindergarten and adult education, and state laws should provide clear guidance on the pass-through of federal and state categorical funding streams.
- **Special Education.** State laws should explicitly address how federal and state special education funds will flow to the entities serving as LEAs for public charter school special education purposes.

- **Financial Accountability.** Public charter schools should be held financially accountable in the following ways:
 - They should adhere to Generally Accepted Accounting Principles.
 - They should annually engage an external auditor to do an independent audit of the school's finances. They should file a copy of each audit report and accompanying management letter to its authorizer by a certain date.
- **Transportation Funding.** Public charter schools should receive funding for transportation similar to school districts.

Facilities

One of the biggest challenges facing public charter schools is finding and financing school facilities. The 41 jurisdictions with public charter school laws vary greatly in how they provide facility support to public charter schools. What is clear from the first 18 years of the public charter school movement is that there is not a “silver bullet” to resolving charters’ facilities challenges. Instead, states will likely have to implement several “silver bullets” in order to slay the facility beast.

In the model law, we provide a menu of approaches for supporting public charter school facility needs. The key components of the menu are as follows:

- **Per-Pupil Facilities Allowance.** The model law provides a per-pupil facilities allowance to each public charter school that is calculated via a rolling formula that is based on total facilities costs in a state over the past five years. While 11 states currently provide some type of a per-pupil facilities allowance to charters, the model law's language is modeled on the approach in the District of Columbia.²⁴

²⁴ See DC ST § 38-2908.

- **Public Charter School Facility Grant Program.** The model law provides a public charter school facility grant program funded by a bond authorization. Although five states provide some type of a grant program, the model law's language is modeled on the approach in Connecticut.²⁵
- **Public Charter School Facility Revolving Loan Program.** The model law provides a public charter school facility revolving loan program funded by state appropriations. If state appropriations are unavailable, we recommend the state use monies from the federal Charter Schools Program (CSP). According to federal law, states can use up to 10% of their grants from the CSP to establish a revolving loan fund. Although four states provide some type of loan program, the model law's language is modeled on the approach in California.²⁶
- **Bonding Authority.** Public charter schools should have equal access to all of the relevant tax-exempt bonding authorities in a state or have their own bonding authority. For the first option, a state must amend the appropriate section of the law (e.g., state health and educational facility authority section) to clarify that public charter schools are eligible to obtain tax-exempt financing from the relevant authority. For the second option, a state must create a new section of state law establishing the authority.
- **Moral Obligation.** The model law creates a mechanism for the legislature to provide limited credit enhancement for eligible highly-rated bond transactions for public charter schools. Although two states provide such a mechanism, the model law's language is modeled on the approach in Colorado.²⁷
- **Credit Enhancement Fund.** The model law creates a credit enhancement fund for public charter school facilities. Such a fund provides grants to eligible nonprofit organizations to carry out the following activities:
 - Obtaining financing to acquire interests in real property (including by purchase, lease, or donation), including financing to cover planning, development, and other incidental costs;
 - Obtaining financing for construction of facilities or the renovation, repair, or alteration of existing property or facilities (including the purchase or replacement of fixtures and equipment), including financing to cover planning, development, and other incidental costs;
 - Enhancing the availability of loans (including mortgages) and bonds; and
 - Obtaining lease guarantees.
- **Existing State Facilities Programs.** Public charter schools should have equal access to all of the existing state facilities programs for traditional public schools in a state. Examples include the Public School Capital Construction Assistance Fund in Colorado and the Public School Capital Outlay Fund in New Mexico. To clarify that public charter schools are eligible to obtain funding from the relevant program, a state must amend the relevant section of the law (e.g., public school capital construction assistance fund section).
- **Access to District Facilities and Land.** Public charter schools should have the right of first refusal to purchase or lease at or below fair market value a closed or unused public school facility or property.
- **Facility-Related Requirements.** The model law provides language that no state or local entity may impose any facility-related requirements that are stricter than those applied to traditional public schools.

²⁵ See CT Gen Stat § 10-66jj.

²⁶ See Education Code § 47614.5.

²⁷ See CO Rev Stat § 22-40.5-407.

A NEW MODEL LAW FOR SUPPORTING THE GROWTH OF HIGH-QUALITY PUBLIC CHARTER SCHOOLS

Short Title	27	Application Process	35
Legislative Declarations	27	Request for Proposals	33
Definitions	27	Application Decision-making Process	38
Enrollment	29	Purposes and Limitations of	
Open Enrollment and Lottery Requirements	29	Charter Applications	38
Enrollment Preferences	29	Initial Charter Term	39
Credit Transferability	29	Charter Contracts	39
Information to Parents and the General Public	29	Pre-Opening Requirements or Conditions	39
Determination of Student Capacity of Public			
Charter Schools	29	Accountability	39
Authorizers	30	Performance Framework	39
Eligible Authorizing Entities	30	Ongoing Oversight and Corrective Actions	40
State Public Charter School Commission	30	Renewals, Revocations, and Non-renewals	41
Chartering Authority Registration		School Closure and Dissolution	42
of Local School Boards	31	Charter Transfers	42
Chartering Authority Application		Annual Report	43
for Eligible Entities	32	Operations and Autonomy	43
Authorizer Powers, Duties, and Liabilities	32	Legal Status of Public Charter School	43
Principles and Standards		Local Education Agency Status	
for Charter Authorizing	33	Option 1: A Public Charter School	
Authorizer Reporting	33	Is a Local Educational Agency	43
Authorizer Funding	33	Option 2: A Public Charter School	
Conflicts of Interest	34	Is Not a Local Educational Agency	44
Exclusivity of Authorizing Functions		Powers of Public Charter School	44
and Rights	34	General Requirements	44
Services Purchased from Authorizer		Applicability of Other Laws, Rules,	
– Itemized Accounting	34	and Regulations	44
Oversight of Public Charter		Public Charter School Employees	45
School Authorizers	34	Access to Extra-Curricular and	
		Interscholastic Activities	45
		Funding	46
		Option 1: Funding Flows from the	
		State to School Districts to Public	46
		Charter Schools	46
		Enrollment	46
		Operational Funding	46
		Payment Schedule	46
		Sanctions for Failure to Make Payments	46
		Categorical Funding	46
		Special Education Funding	47
		Generally Accepted Accounting	
		Principles – Independent Audit	47
		Transportation Funding	47

Budget Reserves	48
Ability to Accept Gifts, Donations, and Grants	48
Option 2: Funding Flows From the State Directly to Public Charter Schools	48
Enrollment	48
Operational Funding.	48
Payment Schedule.	48
Categorical Funding.	48
Special Education Funding.	49
Generally Accepted Accounting Principles – Independent Audit	49
Transportation Funding	49
Budget Reserves	50
Ability to Accept Gifts, Donations, and Grants	50
Option 3: Funding Flows From the State to Authorizers to Public Charter Schools	50
Enrollment	50
Operational Funding.	50
Payment Schedule.	50
Sanctions for Failure to Make Payments . .	50
Categorical Funding.	51
Special Education Funding.	51
Generally Accepted Accounting Principles – Independent Audit	51
Transportation Funding	52
Budget Reserves	52
Ability to Accept Gifts, Donations, and Grants	52
Facilities.	52
Per-Student Facility Allowance	52
Public Charter School Facility Grant Program. . . .	52
Public Charter School Revolving Loan Program. .	53
Bonding Authority.	54
Moral Obligation of the State	55
Access to State Facilities Programs for Non-Charter Public Schools	55
Credit Enhancement Fund	55
Access to District Facilities and Land	56
Contracting for Use of Facilities	56
Use of Other Facilities Under Preexisting Zoning and Land Use Designations.	56
Exemptions from Ad Valorem Taxes and Other Fees.	56

I. Short Title

This act shall be known and may be cited as the “Public Charter Schools Act,” (the “Act”).

II. Legislative Declarations

- (1) The general assembly hereby finds and declares the following:
 - (a) It is in the best interests of the people of the state to provide all children with public schools that reflect high expectations and to create conditions in all schools where these expectations can be met;
 - (b) Education reform is necessary to strengthen the performance of elementary and secondary public school students;
 - (c) Those who know students best – their parents and educators – make the best education decisions regarding the students;
 - (e) Parents and educators have a right and a responsibility to participate in the education institutions which serve them;
 - (f) Different students learn differently and public school programs should be customized to fit the needs of individual students; and
 - (g) There are parents, educators, and other citizens in the state who are willing and able to offer educational programs but who lack a channel through which they can direct their efforts.
- (2) The general assembly finds and declares that the purposes of the state’s public charter schools as a whole are:
 - (a) To improve student learning by creating high-quality schools with high standards for student performance;
 - (b) To close achievement gaps between high-performing and low-performing groups of public school students;
 - (c) To increase high-quality educational opportunities within the public education system for all students, especially those at risk of academic failure;
 - (d) To create new professional opportunities for teachers, school administrators, and other

- school personnel that allow them to have a direct voice in the operation of their schools;
 - (e) To encourage the use of different, high-quality models of teaching, governing, scheduling, or other aspects of schooling that meet a variety of student needs;
 - (f) To allow public schools freedom and flexibility in exchange for exceptional levels of results-driven accountability;
 - (g) To provide students, parents, community members, and local entities with expanded opportunities for involvement in the public education system; and
 - (h) To encourage the replication of successful public charter schools.
- (3) All public charter schools in the state established under this Act are public schools and are part of the state’s public education system. The provisions of this Act should be interpreted liberally to support the findings and purposes of this section and to advance a renewed commitment by the state to the mission, goals, and diversity of public education.

III. Definitions

As used in this Act:

- (1) An “applicant” means any person or group that develops and submits an application for a public charter school to an authorizer.
- (2) An “application” means a proposal from an applicant to an authorizer to enter into a charter contract whereby the proposed school obtains public charter school status.
- (3) An “at-risk student” means a student who has an economic or academic disadvantage that requires special services and assistance to succeed in educational programs. The term includes, but is not necessarily limited to, students who are members of economically disadvantaged families, students who are identified as having special educational needs, students who are limited in English proficiency,

students who are at risk of dropping out of high school, and students who do not meet minimum standards of academic proficiency.

- (4) An “authorizer” means an entity authorized under this Act to review applications, decide whether to approve or reject applications, enter into charter contracts with applicants, oversee public charter schools, and decide whether to renew, not renew, or revoke charter contracts.
- (5) A “charter contract” means a fixed-term, renewable contract between a public charter school and an authorizer that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.
- (6) A “conversion public charter school” means a charter school that existed as a non-charter public school before becoming a public charter school.
- (7) An “education service provider” means a for-profit education management organization, non-profit charter management organization, school design provider, or any other partner entity with which a public charter school intends to contract for educational design, implementation, or comprehensive management.
- (8) A “governing board” means the independent board of a public charter school that is party to the charter contract with the authorizer and whose members have been elected or selected pursuant to the school’s application.
- (9) A “local school board” means a school board exercising management and control of a local school district pursuant to the state constitution and state statutes.
- (10) A “local school district” means a public agency that establishes and supervises one or more public schools within its geographical limits pursuant to the state constitution and state statutes.
- (11) A “non-charter public school” means a public school that is under the direct management,

governance, and control of a local school board or the state.

- (12) A “parent” means a parent, guardian, or other person or entity having legal custody of a child.
- (13) A “public charter school” means a public school that:
 - (a) Has autonomy over decisions including, but not limited to, matters concerning finance, personnel, scheduling, curriculum, and instruction;
 - (b) Is governed by an independent governing board;
 - (c) Is established and operating under the terms of a charter contract between the school’s board and its authorizer;
 - (d) Is a school to which parents choose to send their children;
 - (e) Is a school that admits students on the basis of a lottery if more students apply for admission than can be accommodated;
 - (f) Provides a program of education that includes one or more of the following: pre-school, pre-kindergarten, any grade or grades from kindergarten through 12th grade, and adult community, continuing, and vocational education programs;
 - (g) Operates in pursuit of a specific set of educational objectives as defined in its charter contract; and
 - (h) Operates under the oversight of its authorizer in accordance with its charter contract.
- (14) A “start-up public charter school” means a public charter school that did not exist as a non-charter public school prior to becoming a public charter school.
- (15) A “student” means any child who is eligible for attendance in public schools in the state.
- (16) A “virtual public charter school” means a public charter school that offers educational services predominantly through an on-line program.

IV. Enrollment

- (1) Open Enrollment and Lottery Requirements
 - (a) A public charter school shall be open to any student residing in the state.
 - (b) A school district shall not require any student enrolled in the school district to attend a public charter school.
 - (c) A public charter school shall not limit admission based on ethnicity, national origin, religion, gender, income level, disabling condition, proficiency in the English language, or academic or athletic ability.
 - (d) A public charter school may limit admission to students within a given age group or grade level and may be organized around a special emphasis, theme, or concept as stated in the school's application.
 - (e) A public charter school shall enroll all students who wish to attend the school, unless the number of students exceeds the capacity of a program, class, grade level, or building.
 - (f) If capacity is insufficient to enroll all students who wish to attend the school, the public charter school shall select students through a lottery.
- (2) Enrollment Preferences
 - (a) Any non-charter public school converting partially or entirely to a public charter school shall adopt and maintain a policy giving enrollment preference to students who reside within the former attendance area of that public school.
 - (b) A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year and to siblings of students already enrolled in the public charter school. An enrollment preference for returning students excludes those students from entering into a lottery.
 - (c) A public charter school may give enrollment preference to children of a public charter school's founders, governing board members, and full-time employees, so long as they constitute no more than 10% of the school's total student population.
 - (d) This section does not preclude the formation of a public charter school whose mission is focused on serving students with disabilities, students of the same gender, students who pose such severe disciplinary problems that they warrant a specific educational program, or students who are at risk of academic failure. If capacity is insufficient to enroll all students who wish to attend such school, the public charter school shall select students through a lottery.
- (3) Credit Transferability
 - (a) If a student who was previously enrolled in a public charter school enrolls in another public school in this state, the student's new school shall accept credits earned by the student in courses or instructional programs at the public charter school in a uniform and consistent manner and according to the same criteria that are used to accept academic credits from other public schools.
- (4) Information to Parents and the General Public
 - (a) A school district shall provide or publicize to parents and the general public information about public charter schools authorized by the district as an enrollment option within the district to the same extent and through the same means that the district provides and publicizes information about non-charter public schools in the district.
- (5) Determination of Student Capacity of Public Charter Schools
 - (a) An authorizer may not restrict the number of students a public charter school may enroll. The capacity of the public charter school shall be determined annually by the governing board of the public charter school in conjunction with the authorizer and in consideration of the public charter school's ability to facilitate the academic success of its students, to achieve the other objectives specified in the charter contract, and to ensure that its student enrollment does not exceed the capacity of its facility or site.

V. Authorizers

(1) Eligible Authorizing Entities

- (a) The state public charter school commission created under Section V, (2) of this Act may authorize public charter schools anywhere in the state, provided that the commission fulfills requirements of all public charter school authorizers under this Act.
- (b) A local school board may register with the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], pursuant to Section V, (3) of this Act, for chartering authority within the boundaries of the school district overseen by the local school board.
- (c) Governing boards of accredited public or private postsecondary institutions, including community colleges, technical colleges, tribal colleges, and four-year colleges and universities, may apply to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], pursuant to Section V, (4) of this Act, for statewide, regional, or local chartering authority, in accordance with each institution's regular operating jurisdiction.
- (d) A mayor may apply to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], pursuant to Section V, (4) of this Act, for chartering authority within the mayor's jurisdiction.
- (e) A city council may apply to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], pursuant to Section V, (4) of this Act, for chartering authority within the city council's jurisdiction.
- (f) Governing boards of non-profit or charitable organizations, which are exempt from federal taxes under sections 501(c)(3) or 501(c)(6) of the Internal Revenue Code, may apply to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], pursuant to Section V, (4) of this Act, and may be granted statewide, regional, or local chartering authority. Nonpublic sectarian or religious organizations, and any other charitable organization which in their federal IRS Form 1023, Part IV, describe activities

indicating a religious purpose, are not eligible to apply to become an authorizer.

(2) State Public Charter School Commission

- (a) This Act establishes a state public charter school commission (the "Commission") as an independent state agency with statewide chartering jurisdiction and authority.
- (b) The mission of the Commission shall be to authorize high-quality public charter schools throughout the state, particularly schools designed to expand opportunities for at-risk students, consistent with the purposes of this Act.
- (c) The Commission shall consist of nine members, no more than five of whom shall be members of the same political party. Three members shall be appointed by the Governor; three members shall be appointed by the President of the Senate; and three members shall be appointed by the Speaker of the House of Representatives. In making the appointments, the Governor, the President of the Senate, and the Speaker of the House of Representatives shall ensure statewide geographic diversity among Commission members.
- (d) Members appointed to the Commission shall collectively possess strong experience and expertise in public and nonprofit governance, management and finance, public school leadership, assessment, and curriculum and instruction, and public education law. All members of the Commission shall have demonstrated understanding of and commitment to charter schooling as a strategy for strengthening public education.
- (e) To establish staggered terms of office, the initial term of office for three Commission members shall be four years and thereafter shall be three years; the initial term of office for another three members shall be three years and thereafter shall be three years; and the initial term of office for the last three members shall be two years and thereafter shall be two years. No member shall serve more than seven consecutive years. The

initial appointments shall be made no later than [INSERT DATE].

- (f) A member of the Commission may be removed for any cause that renders the member incapable or unfit to discharge the duties of the office. Whenever a vacancy on the Commission exists, the original appointing authority shall appoint a member for the remaining portion of the term.
- (g) To commence operations, the Commission shall be funded initially by a one-time state appropriation of \$250,000. The Commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of this Act, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law.
- (h) The Commission shall operate with dedicated resources and staff qualified to execute the day-to-day responsibilities of public charter school authorizing in accordance with this Act.

(3) Chartering Authority Registration of Local School Boards

- (a) The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall publicize to all local school boards the opportunity to register with the state for chartering authority within the school districts they oversee. By [INSERT DATE] of each year, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall provide information about the opportunity, including a registration deadline, to all local school boards. To register as a charter authorizer in its school district, each interested local school board shall submit the following information in a format to be established by the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY]:

- (i) Written notification of intent to serve as a charter authorizer in accordance with this Act;

- (ii) An explanation of the local school board's strategic vision for chartering;
- (iii) An explanation of the local school board's budget and personnel capacity and commitment to execute the duties of quality charter authorizing, in accordance with this Act;
- (iv) An explanation of how the local school board will solicit public charter school applicants, in accordance with this Act;
- (v) A description or outline of the performance framework the local school board will use to guide the establishment of a charter contract and for ongoing oversight and evaluation of public charter schools, consistent with the requirements of this Act; and
- (vi) A draft of the local school board's renewal, revocation, and non-renewal processes, consistent with Section VII, (3).
- (vii) A statement of assurance that the local school board commits to serving as a charter authorizer in fulfillment of the expectations, spirit, and intent of this Act, and will fully participate in any authorizer training provided or required by the state.

- (b) Within [INSERT NUMBER OF DAYS] of receipt of a local school board's duly submitted registration materials, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall register the local school board as a charter authorizer within the local board's school district, and shall provide the local board a letter confirming its registration as a charter authorizer. No local school board shall engage in any charter-authorizing functions without current registration as a charter authorizer with the state. Once registered, the local school board's registration as a charter authorizer shall continue from year to year, provided that the local school board fulfills all charter-authorizing duties and expectations set forth in this Act and remains an authorizer in good standing with the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY].

(4) Chartering Authority Application for Eligible Entities

(a) The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall establish the annual application and approval process, including cycles and deadlines during the fiscal year, for all entities eligible to apply for chartering authority, as set forth in Section V, (1) of this Act. By [INSERT DATE] of each year, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall make available information and guidelines for all eligible entities concerning the opportunity to apply for chartering authority under this Act. The application process shall require each interested eligible entity to submit an application that clearly explains or presents the following elements:

- (i) Written notification of intent to serve as a charter authorizer in accordance with this Act;
- (ii) The applicant entity's strategic vision for chartering;
- (iii) A plan to support the vision presented, including explanation and evidence of the applicant entity's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing, in accordance with this Act;
- (iv) A draft or preliminary outline of the request for proposals that the applicant entity would, if approved as a charter authorizer, issue to solicit public charter school applicants, consistent with Section VI, (1) of this Act;
- (v) A draft of the performance framework that the applicant entity would, if approved as a charter authorizer, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of public charter schools, consistent with the requirements of this Act;
- (vi) A draft of the applicant entity's renewal, revocation, and non-renewal processes, consistent with Section VII, (3) of this Act;

(vii) A statement of assurance that the applicant entity seeks to serve as a charter authorizer in fulfillment of the expectations, spirit, and intent of this Act, and that if approved as a charter authorizer, the entity will fully participate in any authorizer training provided or required by the state; and

(viii) A statement of assurance that the applicant will ensure public accountability and transparency in all matters concerning their charter-authorizing practices, decisions, and expenditures.

(b) By [INSERT DATE] of each year, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall decide whether to grant or deny chartering authority to each applicant. The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall make its decisions on the merits of each applicant's proposal and plans.

(c) Within [INSERT NUMBER OF DAYS] of the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY]'s decision, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall execute a renewable authorizing contract with each entity it has approved for chartering authority. The initial term of each authorizing contract shall be six years. The authorizing contract shall specify each approved entity's agreement to serve as a charter authorizer in accordance with the expectations of this Act, and shall specify additional performance terms based on the applicant's proposal and plan for chartering. No approved entity shall commence charter authorizing without an authorizing contract in effect.

(5) Authorizer Powers, Duties, and Liabilities

(a) Authorizers are responsible for executing, in accordance with this Act, the following essential powers and duties:

- (i) Soliciting and evaluating charter applications;
 - (ii) Approving quality charter applications that meet identified educational needs and promote a diversity of educational choices;
 - (iii) Declining to approve weak or inadequate charter applications;
 - (iv) Negotiating and executing sound charter contracts with each approved public charter school;
 - (v) Monitoring, in accordance with charter contract terms, the performance and legal compliance of public charter schools; and
 - (vi) Determining whether each charter contract merits renewal, nonrenewal, or revocation.
- (b) An authorizing entity may delegate its duties to offices, employees, and contractors.
 - (c) Regulation by authorizers shall be limited to these powers and duties, and consistent with the spirit and intent of this Act.
 - (d) An authorizing entity, members of the board of an authorizer in their official capacity, and employees of an authorizer are immune from civil and criminal liability with respect to all activities related to a public charter school they authorize.
- (6) Principles and Standards for Charter Authorizing
- (a) All authorizers shall be required to develop and maintain chartering policies and practices consistent with nationally recognized principles and standards for quality charter authorizing in all major areas of authorizing responsibility including: organizational capacity and infrastructure; soliciting and evaluating charter applications; performance contracting; ongoing public charter school oversight and evaluation; and charter renewal decision-making. Authorizers shall carry out all their duties under this Act in a manner consistent with such nationally recognized principles and standards and with the spirit and intent of this Act. Evidence of material or persistent failure to do so shall constitute grounds for losing charter authorizing powers.
- (7) Authorizer Reporting
- (a) Every authorizer shall be required to submit to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] and the general assembly an annual report summarizing:
 - (i) The authorizer's strategic vision for chartering and progress toward achieving that vision;
 - (ii) The academic and financial performance of all operating public charter schools overseen by the authorizer, according to the performance expectations for public charter schools set forth in this Act;
 - (iii) The status of the authorizer's public charter school portfolio, identifying all public charter schools in each of the following categories: approved (but not yet open), operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened;
 - (iv) The authorizing functions provided by the authorizer to the public charter schools under its purview, including the authorizer's operating costs and expenses detailed in annual audited financial statements that conform with Generally Accepted Accounting Principles; and
 - (v) The services purchased from the authorizer by the public charter schools under its purview, including an itemized accounting of the actual costs of these services, as required in Section V, (11).
- (8) Authorizer Funding
- (a) To cover authorizer costs for overseeing public charter schools in accordance with this Act, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall remit to each authorizer an oversight fee for each public charter school it authorizes.

The oversight fee shall be drawn from and calculated as a uniform percentage of the per-student operational funding allocated to each public charter school under Section IX, (2) of this Act, not to exceed three percent of each public charter school's per-student funding in a single school year. The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall establish a statewide formula for authorizer funding, which shall apply uniformly to every authorizer in the state. The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] may establish a sliding scale for authorizer funding, with the funding percentage decreasing after the authorizer has achieved a certain threshold, such as after a certain number of years of authorizing or after a certain number of schools has been authorized.

- (b) An authorizer's oversight fee shall not include any costs incurred in delivering services that a public charter school may purchase at its discretion from the authorizer. The authorizer shall use its funding provided under this section exclusively for the purpose of fulfilling authorizing obligations in accordance with this Act.
 - (c) The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall annually review the effectiveness of the state formula for authorizer funding, and shall adjust the formula if necessary to maximize public benefit and strengthen the implementation of this Act.
- (9) Conflicts of Interest
- (a) No employee, trustee, agent, or representative of an authorizer may simultaneously serve as an employee, trustee, agent, representative, vendor, or contractor of a public charter school authorized by that entity.
- (10) Exclusivity of Authorizing Functions and Rights
- (a) No governmental or other entity, other than those expressly granted chartering authority as set forth in this Act, may assume any

charter authorizing function or duty in any form, unless expressly allowed by law.

(11) Services Purchased from Authorizer – Itemized Accounting

- (a) With the exception of oversight services as required by Section IV, (8), no public charter school shall be required to purchase services from its authorizer as a condition of charter approval or of executing a charter contract, nor may any such condition be implied.
- (b) A public charter school may, at its discretion, choose to purchase services from its authorizer. In such event, the public charter school and authorizer shall execute an annual service contract, separate from the charter contract, stating the parties' mutual agreement concerning any services to be provided by the authorizer and any service fees to be charged to the public charter school. An authorizer may not charge more than market rates for services provided to a public charter school.
- (c) Within [INSERT NUMBER OF DAYS] after the end of each fiscal year, each authorizer shall provide to each public charter school it oversees an itemized accounting of the actual costs of services purchased by the public charter school from the authorizer. Any difference between the amount initially charged to the public charter school and the actual cost shall be reconciled and paid to the owed party. If either party disputes the itemized accounting, any charges included in such accounting, or charges to either party, the disputing party is entitled to request a third-party review at its own expense. The review shall be conducted by [INSERT NAME OF STATE'S AUTHORIZER of authorizers] whose determination shall be final.

(12) Oversight of Public Charter School Authorizers

- (a) The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall be responsible for overseeing the performance and effectiveness of all authorizers established under this Act.

- (b) In accordance with Section V, (7), every authorizer shall be required to submit to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] and the general assembly an annual report. The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall, by [INSERT DATE] of each year, communicate to every authorizer the requirements for the format, content, and submission of the annual report.
- (c) Persistently unsatisfactory performance of an authorizer's portfolio of public charter schools, a pattern of well-founded complaints about the authorizer or its public charter schools, or other objective circumstances may trigger a special review by the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY]. In reviewing or evaluating the performance of authorizers [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall apply nationally recognized principles and standards for quality charter authorizing. If at any time the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] finds that an authorizer is not in compliance with an existing charter contract, its authorizing contract with the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], or the requirements of all authorizers under this Act, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall notify the authorizer in writing of the identified problems, and the authorizer shall have reasonable opportunity to respond and remedy the problems.
- (d) If a local school board registered as an authorizer under Section V, (3) of this Act persists in violating a material provision of a charter contract or fails to remedy other authorizing problems after due notice from the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall notify the local school board, within a reasonable amount of time under the circumstances, that it intends to terminate the local board's chartering authority unless the local board demonstrates a timely and satisfactory remedy for the violation or deficiencies.
- (e) If an authorizer granted chartering authority under Section V, (4) of this Act persists, after due notice from the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], in violating a material provision of a charter contract or its authorizing contract with the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], or fails to remedy other identified authorizing problems, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall notify the authorizer, within a reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation or deficiencies.
- (f) In the event of revocation of any authorizer's chartering authority, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall manage the timely and orderly transfer of each charter contract held by that authorizer to another authorizer in the state, with the mutual agreement of each affected public charter school and proposed new authorizer. The new authorizer shall assume the existing charter contract for the remainder of the charter term.

VI. Application Process

- (1) Request for Proposals
 - (a) To solicit, encourage, and guide the development of quality public charter school applications, every authorizer operating under this Act shall issue and broadly publicize a request for proposals by [INSERT DATE]. The content and dissemination of the request for proposals shall be consistent with the purposes and requirements of this Act.
 - (b) Charter applicants may submit a proposal for a particular public charter school to no more than one authorizer at a time.
 - (c) The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall annually establish and disseminate a statewide timeline for charter approval or

- denial decisions, which shall apply to all authorizers in the state.
- (d) Each authorizer's request for proposals shall present the authorizer's strategic vision for chartering, including a clear statement of any preferences the authorizer wishes to grant to applications that help at-risk students.
 - (e) The request for proposals shall include or otherwise direct applicants to the performance framework that the authorizer has developed for public charter school oversight and evaluation in accordance with Section VII, (1) of this Act.
 - (f) The request for proposals shall include the criteria that will guide the authorizer's decision to approve or deny a charter application.
 - (g) The request for proposals shall state clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful public charter school.
 - (h) The request for proposals shall require charter applications to provide or describe thoroughly, and each charter application shall provide or describe thoroughly, all of the following essential elements of the proposed school plan:
 - (i) An executive summary;
 - (ii) The mission and vision of the proposed public charter school, including identification of the targeted student population and the community the school hopes to serve;
 - (iii) The location or geographic area proposed for the school;
 - (iv) The grades to be served each year for the full term of the charter contract;
 - (v) Minimum, planned, and maximum enrollment per grade per year for the term of the charter contract;
 - (vi) Evidence of need and community support for the proposed public charter school;
 - (vii) Background information on the proposed founding governing board members and, if identified, the proposed school leadership and management team;
 - (viii) The school's proposed calendar and sample daily schedule;
 - (ix) A description of the academic program aligned with state standards;
 - (x) A description of the school's instructional design, including the type of learning environment (such as classroom-based or independent study), class size and structure, curriculum overview, and teaching methods;
 - (xi) The school's plan for using internal and external assessments to measure and report student progress on the performance framework developed by the authorizer in accordance with Section VII, (1) of this Act;
 - (xii) The school's plans for identifying and successfully serving students with disabilities, students who are English language learners, students who are academically behind, and gifted students, including but not limited to compliance with applicable laws and regulations;
 - (xiii) A description of co-curricular or extracurricular programs and how they will be funded and delivered;
 - (xiv) Plans and timelines for student recruitment and enrollment, including lottery procedures;
 - (xv) The school's student discipline policies, including those for special education students;
 - (xvi) An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies (such as advisory bodies or parent and teacher councils), and any external organizations that will play a role in managing the school;

- (xvii) A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown in the organization chart;
 - (xviii) A staffing chart for the school's first year, and a staffing plan for the term of the charter;
 - (xix) Plans for recruiting and developing school leadership and staff;
 - (xx) The school's leadership and teacher employment policies, including performance evaluation plans;
 - (xxi) Proposed governing bylaws;
 - (xxii) Explanations of any partnerships or contractual relationships central to the school's operations or mission;
 - (xxiii) The school's plans for providing transportation, food service, and all other significant operational or ancillary services;
 - (xxiv) Opportunities and expectations for parent involvement;
 - (xxv) A detailed school start-up plan, identifying tasks, timelines and responsible individuals;
 - (xxvi) Description of the school's financial plan and policies, including financial controls and audit requirements;
 - (xxvii) A description of the insurance coverage the school will obtain;
 - (xxix) Start-up and five-year budgets with clearly stated assumptions;
 - (xxix) Start-up and first-year cash-flow projections with clearly stated assumptions;
 - (xxx) Evidence of anticipated fundraising contributions, if claimed in the application; and,
 - (xxxi) A sound facilities plan, including backup or contingency plans if appropriate.
- (i) In the case of an application to establish a public charter school by converting an existing non-charter public school to public charter school status, the request for proposals shall additionally require the applicants to demonstrate support for the proposed public charter school conversion by a petition signed by a majority of teachers and a petition signed by a majority of parents of students in the existing non-charter public school.
- (j) In the case of a proposal to establish a virtual public charter school, the request for proposals shall additionally require the applicants to describe the proposed school's system of course credits and how the school will:
- (i) Monitor and verify full-time student enrollment, student participation in a full course load, credit accrual, and course completion;
 - (ii) Monitor and verify student progress and performance in each course through regular, proctored assessments and submissions of coursework;
 - (iii) Conduct parent-teacher conferences; and
 - (iv) Administer state-required assessments to all students in a proctored setting.
- (k) In the case of a proposed public charter school that intends to contract with an education service provider for substantial educational services, management services, or both types of services, the request for proposals shall additionally require the applicants to:
- (i) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of non-academic school functions if applicable;
 - (ii) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of

- services and resources to be provided by the service provider; performance evaluation measures and timelines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract; and
 - (iii) Disclose and explain any existing or potential conflicts of interest between the school governing board and proposed service provider or any affiliated business entities.
 - (l) In the case of a public charter school proposal from an applicant that currently operates one or more schools in any state or nation, the request for proposals shall additionally require the applicant to provide evidence of past performance and current capacity for growth.
- (2) Application Decision-making Process
- (a) In reviewing and evaluating charter applications, authorizers shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing. The application review process shall include thorough evaluation of each written charter application, an in-person interview with the applicant group, and an opportunity in a public forum for local residents to learn about and provide input on each application.
 - (b) In deciding whether to approve charter applications, authorizers shall:
 - (i) Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful public charter school;
 - (ii) Base decisions on documented evidence collected through the application review process;
 - (iii) Follow charter-granting policies and practices that are transparent, based on merit, and avoid conflicts of interest or any appearance thereof.
 - (c) No later than [INSERT NUMBER OF DAYS] after the filing of a charter application, the authorizer shall decide to approve or deny the charter application. The authorizer shall adopt by resolution all charter approval or denial decisions in an open meeting of the authorizer's governing board.
 - (d) An approval decision may include, if appropriate, reasonable conditions that the charter applicant must meet before a charter contract may be executed pursuant to Section VI, (5) of this Act.
 - (e) For any charter denial, the authorizer shall clearly state, for public record, its reasons for denial. A denied applicant may subsequently re-apply to that authorizer or apply to any other authorizer in the state.
 - (f) Within [INSERT NUMBER OF DAYS] of taking action to approve or deny a charter application, the authorizer shall report to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] the action it has taken. The authorizer shall provide a copy of the report to the charter applicant at the same time that the report is submitted to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY]. The report shall include a copy of the authorizer governing board's resolution setting forth the action taken and reasons for the decision and assurances as to compliance with all of the procedural requirements and application elements set forth in Section VI of this Act.
- (3) Purposes and Limitations of Charter Applications
- (a) The purposes of the charter application are to present the proposed public charter school's academic and operational vision and plans, demonstrate the applicant's capacities to execute the proposed vision and plans, and provide the authorizer a clear basis for assessing the applicant's plans and capacities.

An approved charter application shall not serve as the school's charter contract.

(4) Initial Charter Term

- (a) An initial charter shall be granted for a term of five operating years. The charter term shall commence on the public charter school's first day of operation. An approved public charter school may delay its opening for one school year in order to plan and prepare for the school's opening. If the school requires an opening delay of more than one school year, the school must request an extension from its authorizer. The authorizer may grant or deny the extension depending on the particular school's circumstances.

(5) Charter Contracts

- (a) Within [INSERT NUMBER OF DAYS] of approval of a charter application, the authorizer and the governing board of the approved public charter school shall execute a charter contract that clearly sets forth the academic and operational performance expectations and measures by which the public charter school will be judged and the administrative relationship between the authorizer and public charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract shall include but need not be limited to applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the public charter school is operating and has collected baseline achievement data for its enrolled students.

- (b) The charter contract for a virtual public charter school shall include description and agreement regarding the methods by which the school will:

- (i) Monitor and verify full-time student enrollment, student participation in a full course load, credit accrual, and course completion;

- (ii) Monitor and verify student progress and performance in each course through regular, proctored assessments and submissions of coursework;
- (iii) Conduct parent-teacher conferences; and
- (iv) Administer state-required assessments to all students in a proctored setting.

- (c) The charter contract shall be signed by the president of the authorizer's governing board and the president of the public charter school's governing body. Within [INSERT NUMBER OF DAYS] of executing a charter contract, the authorizer shall submit to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

- (d) No public charter school may commence operations without a charter contract executed in accordance with this provision and approved in an open meeting of the authorizer's governing board.

(5) Pre-Opening Requirements or Conditions

- (a) Authorizers may establish reasonable pre-opening requirements or conditions to monitor the start-up progress of newly approved public charter schools and ensure that they are prepared to open smoothly on the date agreed, and to ensure that each school meets all building, health, safety, insurance, and other legal requirements for school opening.

VII. Accountability

(1) Performance Framework

- (a) The performance provisions within the charter contract shall be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures and metrics that will guide the authorizer's evaluations of each public charter school. The performance

framework shall include indicators, measures and metrics for, at a minimum:

- (i) Student academic proficiency;
 - (ii) Student academic growth;
 - (iii) Achievement gaps in both proficiency and growth between major student subgroups;
 - (iv) Attendance;
 - (v) Recurrent enrollment from year to year;
 - (vi) Postsecondary readiness (for high schools);
 - (vii) Financial performance and sustainability; and
 - (viii) Board performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter contract.
- (b) Annual performance targets shall be set by each public charter school in conjunction with its authorizer, and shall be designed to help each school meet applicable federal, state, and authorizer expectations.
 - (c) The performance framework shall allow the inclusion of additional rigorous, valid, and reliable indicators proposed by a public charter school to augment external evaluations of its performance, provided that the authorizer approves the quality and rigor of such school-proposed indicators, and they are consistent with the purposes of this Act.
 - (d) The performance framework shall require the disaggregation of all student performance data by major student subgroups (gender, race, poverty status, special education status, English Learner status, and gifted status).
 - (e) For each public charter school it oversees, the authorizer shall be responsible for collecting, analyzing, and reporting all data from state assessments in accordance with the performance framework.
 - (f) Multiple schools operating under a single charter contract or overseen by a single governing board shall be required to report their performance as separate, individual schools,

and each school shall be held independently accountable for its performance.

- (2) Ongoing Oversight and Corrective Actions
 - (a) An authorizer shall continually monitor the performance and legal compliance of the public charter schools it oversees, including collecting and analyzing data to support ongoing evaluation according to the charter contract. Every authorizer shall have the authority to conduct or require oversight activities that enable the authorizer to fulfill its responsibilities under this Act, including conducting appropriate inquiries and investigations, so long as those activities are consistent with the intent of this Act, adhere to the terms of the charter contract, and do not unduly inhibit the autonomy granted to public charter schools.
 - (b) Each authorizer shall annually publish and provide, as part of its annual report to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] and the general assembly, a performance report for each public charter school it oversees, in accordance with the performance framework set forth in the charter contract and Section V, (7) of this Act. The authorizer may require each public charter school it oversees to submit an annual report to assist the authorizer in gathering complete information about each school, consistent with the performance framework.
 - (c) In the event that a public charter school's performance or legal compliance appears unsatisfactory, the authorizer shall promptly notify the public charter school of the perceived problem and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants revocation in which case the revocation timeframes will apply.
 - (d) Every authorizer shall have the authority to take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in public charter school performance or legal compliance. Such actions or sanctions may

include, if warranted, requiring a school to develop and execute a corrective action plan within a specified timeframe.

(3) Renewals, Revocations, and Non-renewals

- (a) A charter may be renewed for successive five-year terms of duration, although the authorizer may vary the term based on the performance, demonstrated capacities, and particular circumstances of each public charter school. An authorizer may grant renewal with specific conditions for necessary improvements to a public charter school.
- (b) No later than [INSERT DATE], the authorizer shall issue a public charter school performance report and charter renewal application guidance to any public charter school whose charter will expire the following year. The performance report shall summarize the public charter school's performance record to date, based on the data required by this Act and the charter contract, and shall provide notice of any weaknesses or concerns perceived by the authorizer concerning the public charter school that may jeopardize its position in seeking renewal if not timely rectified. The public charter school shall have [INSERT NUMBER OF DAYS] to respond to the performance report and submit any corrections or clarifications for the report.
- (c) The renewal application guidance shall, at a minimum, provide an opportunity for the public charter school to:
 - (i) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal;
 - (ii) Describe improvements undertaken or planned for the school; and
 - (iii) Detail the school's plans for the next charter term.
- (d) The renewal application guidance shall include or refer explicitly to the criteria that will guide the authorizer's renewal decisions, which shall be based on the performance

framework set forth in the charter contract and consistent with this Act.

- (e) No later than [INSERT DATE], the governing board of a public charter school seeking renewal shall submit a renewal application to the charter authorizer pursuant to the renewal application guidance issued by the authorizer. The authorizer shall rule by resolution on the renewal application no later than [INSERT NUMBER OF DAYS] after the filing of the renewal application.
- (f) In making charter renewal decisions, every authorizer shall:
 - (i) Ground its decisions in evidence of the school's performance over the term of the charter contract in accordance with the performance framework set forth in the charter contract;
 - (ii) Ensure that data used in making renewal decisions are available to the school and the public; and
 - (iii) Provide a public report summarizing the evidence basis for each decision.
- (g) A charter contract may be revoked at any time or not renewed if the authorizer determines that the public charter school did any of the following or otherwise failed to comply with the provisions of this Act:
 - (i) Commits a material and substantial violation of any of the terms, conditions, standards, or procedures required under this Act or the charter contract;
 - (ii) Fails to meet or make sufficient progress toward the performance expectations set forth in the charter contract;
 - (iii) Fails to meet generally accepted standards of fiscal management; or
 - (iv) Substantially violates any material provision of law from which the public charter school was not exempted.
- (h) An authorizer must develop revocation and non-renewal processes that:

- (i) Provide the charter holders with a timely notification of the prospect of revocation or non-renewal and of the reasons for such possible closure;
 - (ii) Allow the charter holders a reasonable amount of time in which to prepare a response;
 - (iii) Provide the charter holders with an opportunity to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school at an orderly proceeding held for that purpose;
 - (iv) Allow the charter holders access to representation by counsel and to call witnesses on their behalf;
 - (v) Permit the recording of such proceedings; and
 - (vi) After a reasonable period for deliberation, require a final determination be made and conveyed in writing to the charter holders.
- (i) If an authorizer revokes or does not renew a charter, the authorizer shall clearly state, in a resolution of its governing board, the reasons for the revocation or nonrenewal.
 - (j) Within [INSERT NUMBER OF DAYS] of taking action to renew, not renew, or revoke a charter, the authorizer shall report to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] the action taken, and shall provide a copy of the report to the public charter school at the same time that the report is submitted to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY]. The report shall include a copy of the authorizer governing board's resolution setting forth the action taken and reasons for the decision and assurances as to compliance with all of the requirements set forth in this Act.
- (4) School Closure and Dissolution
 - (a) Prior to any public charter school closure decision, an authorizer shall have developed a public charter school closure protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, and proper disposition of school funds, property, and assets in accordance with the requirements of this Act. The protocol shall specify tasks, timelines, and responsible parties, including delineating the respective duties of the school and the authorizer. In the event of a public charter school closure for any reason, the authorizer shall oversee and work with the closing school to ensure a smooth and orderly closure and transition for students and parents, as guided by the closure protocol.
 - (b) In the event of a public charter school closure for any reason, the assets of the school shall be distributed first to satisfy outstanding payroll obligations for employees of the school, then to creditors of the school, and then to the state treasury to the credit of the general revenue fund. If the assets of the school are insufficient to pay all parties to whom the school owes compensation, the prioritization of the distribution of assets may be determined by decree of a court of law.
 - (5) Charter Transfers
 - (a) Transfer of a charter contract, and of oversight of that public charter school, from one authorizer to another before the expiration of the charter term shall not be permitted except by special petition to the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] by a public charter school or its authorizer. The [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the public charter school's students.

(6) Annual Report

- (a) On or before [INSERT DATE] of each year beginning in the first year after the state will have had public charter schools operating for a full school year, the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY] shall issue to the governor, the general assembly, and the public at large, an annual report on the state's public charter schools, drawing from the annual reports submitted by every authorizer as well as any additional relevant data compiled by the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY], for the school year ending in the preceding calendar year. The annual report shall include a comparison of the performance of public charter school students with the performance of academically, ethnically, and economically comparable groups of students in non-charter public schools. In addition, the annual report shall include the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY]'s assessment of the successes, challenges, and areas for improvement in meeting the purposes of this Act, including the [INSERT NAME OF STATE'S AUTHORIZER OVERSIGHT BODY]'s assessment of the sufficiency of funding for public charter schools, the efficacy of the state formula for authorizer funding, and any suggested changes in state law or policy necessary to strengthen the state's public charter schools.

with the school's authorizer, where such contracting is consistent with applicable laws, rules, and regulations.

- (d) Except as provided in this Act, a public charter school shall not be subject to the state's education statutes or any state or local rule, regulation, policy, or procedure relating to non-charter public schools within an applicable local school district regardless of whether such rule, regulation, policy, or procedure is established by the local school board, the state board of education, or the state department of education.
- (e) A charter contract may consist of one or more schools, to the extent approved by the authorizer and consistent with applicable law. Each public charter school that is part of a charter contract shall be separate and distinct from any others.
- (f) A single governing board may hold one or more charter contracts. Each public charter school that is part of a charter contract shall be separate and distinct from any others.
- (2) Local Educational Agency Status *[The 41 jurisdictions with public charter school laws vary greatly in how they address the local educational agency (LEA) status of public charter schools. In this model law, we provide two options for handling this issue in state law.]*

OPTION 1: A PUBLIC CHARTER SCHOOL IS A LOCAL EDUCATIONAL AGENCY

VIII. Operations and Autonomy

(1) Legal Status of Public Charter School

- (a) Notwithstanding any provision of law to the contrary, to the extent that any provision of this Act is inconsistent with any other state or local law, rule, or regulation, the provisions of this Act shall govern and be controlling.
- (b) A public charter school shall be a non-profit education organization.
- (c) A public charter school shall be subject to all federal laws and authorities enumerated herein or arranged by charter contract

- (a) A public charter school shall function as a Local Educational Agency ("LEA"). A public charter school shall be responsible for meeting the requirements of LEAs under applicable federal, state, and local laws, including those relating to special education. LEA status shall not preclude a public charter school from developing partnerships with districts for services, resources, and programs by mutual agreement or formal contract.
- (b) A public charter school shall have primary responsibility for special education at the school, including identification and service provision. It shall be responsible for meeting

the needs of enrolled students with disabilities. In instances where a student's individualized education program team determines that a student's needs are so profound that they cannot be met in the public charter school and that the public charter school cannot provide a free, appropriate public education to that student, the student's district of residence shall place the student in a more appropriate setting.

OPTION 2: A PUBLIC CHARTER SCHOOL IS NOT A LOCAL EDUCATIONAL AGENCY

- (a) The [INSERT NAME OF ENTITY] of a public charter school is the public charter school's Local Educational Agency ("LEA"). A public charter school is a school with that LEA.
 - (b) The [INSERT NAME OF ENTITY] retains responsibility for special education and shall serve students in public charter schools in a manner consistent with LEA obligations under applicable federal, state, and local law.
- (3) Powers of Public Charter School
- (a) A public charter school shall have all the powers necessary for carrying out the terms of its charter contract including the following powers:
 - (i) To receive and disburse funds for school purposes;
 - (ii) To secure appropriate insurance and to enter into contracts and leases, free from prevailing wage laws;
 - (iii) To contract with an education service provider for the management and operation of the public charter school so long as the school's governing board retains oversight authority over the school;
 - (iv) To incur debt in reasonable anticipation of the receipt of public or private funds;
 - (v) To pledge, assign, or encumber its assets to be used as collateral for loans or extensions of credit;
 - (vi) To solicit and accept any gifts or grants for school purposes subject to applicable laws and the terms of its charter contract;
 - (vii) To acquire real property for use as its facility or facilities, from public or private sources; and,
 - (viii) To sue and be sued in its own name.
- (4) General Requirements
- (a) A public charter school shall not discriminate against any person on the basis of race, creed, color, sex, disability, or national origin or any other category that would be unlawful if done by a non-charter public school.
 - (b) No public charter school may engage in any sectarian practices in its educational program, admissions or employment policies, or operations.
 - (c) A public charter school shall not discriminate against any student on the basis of national-origin minority status or limited proficiency in English. Consistent with federal civil rights laws, public charter schools shall provide limited English proficient students with appropriate services designed to teach them English and the general curriculum.
 - (d) A public charter school shall not charge tuition and may only charge such fees as may be imposed on other public schools in the state.
 - (e) The powers, obligations, and responsibilities set forth in the charter contract cannot be delegated or assigned by either party.
- (5) Applicability of Other Laws, Rules, and Regulations
- (a) Public charter schools shall be subject to the same civil rights, health, and safety requirements applicable to other public schools in the state, except as otherwise specifically provided in this Act.
 - (b) Public charter schools shall be subject to the student assessment and accountability requirements applicable to other public schools in the state, but nothing herein shall preclude a public charter school from establishing additional student assessment measures that go beyond state requirements if the school's authorizer approves such measures.
 - (c) Public charter school governing boards shall be subject to and comply with state open meetings and freedom of information laws.

- (6) Public Charter School Employees
 - (a) Public charter schools shall comply with applicable federal laws, rules, and regulations regarding the qualification of teachers and other instructional staff. In accordance with Section VIII, (1), (d), teachers in public charter schools shall be exempt from state teacher certification requirements.
 - (b) Employees in public charter schools shall have the same rights and privileges as other public school employees except as otherwise stated herein.
 - (c) Employees in public charter schools are eligible for participation in retirement and other benefits programs of the state, if the public charter school chooses to participate.
 - (d) Teachers and other school personnel, as well as governing board trustees, shall be subject to criminal history record checks and fingerprinting requirements applicable to other public schools.
 - (e) Public charter school employees cannot be required to be members of any existing collective bargaining agreement between a school district and its employees. A public charter school may not interfere, however, with laws and other applicable rules protecting the rights of employees to organize and be free from discrimination.
- (7) Access to Extra-Curricular and Interscholastic Activities
 - (a) A public charter school shall be eligible for state-sponsored or district-sponsored interscholastic leagues, competitions, awards, scholarships, and recognition programs for students, educators, administrators, and schools to the same extent as non-charter public schools.
 - (b) A public charter school student is eligible to participate in extracurricular activities not offered by the student's school at:
 - (i) The school within whose attendance boundaries the student's custodial parent or legal guardian resides; or
 - (ii) The non-charter public school from which the student withdrew for the purpose of attending a public charter school.
 - (c) A public charter school student is eligible for extracurricular activities at a non-charter public school consistent with eligibility standards as applied to full-time students of the non-charter public school.
 - (d) A school district or non-charter public school may not impose additional requirements on a public charter school student to participate in extracurricular activities that are not imposed on full-time students of the non-charter public school.
 - (e) When selection to participate in an extracurricular activity at a non-charter public school is made on a competitive basis, a public charter school student is eligible to try out for and participate in the activity as provided in this section.
 - (f) The state board of education shall make rules establishing fees for public charter school students' participation in extracurricular activities at non-charter public schools. The rules shall provide that:
 - (i) Public charter school students pay the same fees as other students to participate in extracurricular activities;
 - (ii) Public charter school students are eligible for fee waivers similar to other students;
 - (iii) For each public charter school student who participates in an extracurricular activity at a non-charter public school, the public charter school shall pay a share of the non-charter public school's costs for the extracurricular activity; and
 - (iv) A public charter school's share of the costs of having one or more students participate in an extracurricular activity at non-charter public schools shall reflect state and local tax revenues expended, except capital facilities expenditures, for such extracurricular

activities in a non-charter public school divided by total student enrollment of the non-charter public school.

- (g) In determining a public charter school's share of the costs of an extracurricular activity under Subsections (f)(iii) and (iv), the state board of education may establish uniform fees statewide based on average costs statewide or average costs within a sample of school districts.

IX. Funding

[The 41 jurisdictions with public charter school laws vary greatly in how they fund public charter schools. In this model law, we provide three options for handling this issue in state law. In the first option, funding flows from the state to school districts to public charter schools. In the second option, funding flows from the state directly to public charter schools. In the third option, funding flows from the state to authorizers to public charter schools.]

OPTION 1: FUNDING FLOWS FROM THE STATE TO SCHOOL DISTRICTS TO PUBLIC CHARTER SCHOOLS

(1) Enrollment

- (a) The enrollment of students attending public charter schools shall be included in the enrollment, attendance, and, if applicable, count of students with disabilities of the school district in which the student resides. The public charter school shall report all such data to the school districts of residence in a timely manner. Each school district shall report such enrollment, attendance, and count of students with disabilities to the state department of education.

(2) Operational Funding

- (a) The school district of residence shall pay directly to the public charter school for each student enrolled in the public charter school who resides in the school district an amount for that student equal to one hundred percent

of the amount calculated pursuant to the state's funding formula for school districts, notwithstanding the oversight fee reductions pursuant to Section V, (8) of this Act.

(3) Payment Schedule

- (a) Payments made pursuant to this section shall be made by school districts in twelve substantially equal installments each year beginning on the first business day of July and every month thereafter. Amounts payable under this section shall be determined by the state department of education. Amounts payable to a public charter school in its first year of operation shall be based on the projections of initial-year enrollment set forth in the charter contract. Such projections shall be reconciled with the actual enrollment at the end of the school's first year of operation, and any necessary adjustments shall be made to payments during the school's second year of operation.

(4) Sanctions for Failure to Make Payments

- (a) In the event of the failure of a school district to make payments required by this section, the state treasurer shall deduct from any state funds which become due to such school district an amount equal to the unpaid obligation. The treasurer shall pay over such sum to the public charter school upon certification of the state department of education. The state department of education shall or delegation promulgate regulations to implement the provisions of this section.

(5) Categorical Funding

- (a) A school district shall direct the proportionate share of moneys generated under federal and state categorical aid programs to public charter schools serving students eligible for such aid. A school district shall ensure that public charter schools with rapidly expanding enrollments are treated equitably in the calculation and disbursement of all federal and state categorical aid program dollars.

Each public charter school that serves students who may be eligible to receive services provided through such programs shall comply with all reporting requirements to receive the aid.

(6) Special Education Funding

FOR PUBLIC CHARTER SCHOOLS THAT ARE THEIR OWN LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) A school district shall pay directly to a public charter school any federal or state aid attributable to a student with a disability attending the school.
- (b) At either party's request, a public charter school and its authorizer may negotiate and include in the charter contract alternate arrangements for the provision of and payment for special education services.

FOR PUBLIC CHARTER SCHOOLS THAT ARE PART OF NON-DISTRICT AUTHORIZER LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) A school district shall pay directly to a public charter school any federal or state aid attributable to a student with a disability attending the school.
- (b) A public charter school shall pay to its authorizer any federal or state aid attributable to a student with a disability attending a public charter school in proportion to the level of services for such student that the authorizer provides directly or indirectly.
- (c) At either party's request, a public charter school and its authorizer may negotiate and include in the charter contract alternate arrangements for the provision of and payment for special education services, including, but not necessarily limited to, a reasonable reserve not to exceed five percent of the authorizer's total budget for providing special education services. The reserve shall only be used by the authorizer to offset excess costs of providing services to students with disabilities enrolled in one of its public charter schools.

FOR PUBLIC CHARTER SCHOOLS THAT ARE PART OF SCHOOL DISTRICT LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) The school district shall provide special education services to students enrolled in public charter schools on the same basis as such services are provided to students enrolled in other public schools of the school district.
 - (b) The school district shall retain any federal or state aid attributable to a student with a disability attending a public charter school in proportion to the level of services for such student with a disability that the school district provides directly or indirectly.
 - (c) At either party's request, however, the public charter school and the school district may negotiate and include in a contract alternate arrangements for the provision of and payment for special education services. If the public charter school and the school district have negotiated to allow the public charter school to provide special education services, the proportionate share of state and federal resources generated by such students shall be directed by the school district to the public charter school enrolling such students.
- (7) Generally Accepted Accounting Principles – Independent Audit
- (a) A public charter school shall adhere to Generally Accepted Accounting Principles.
 - (b) A public charter school shall annually engage an external auditor to do an independent audit of the school's finances. A public charter school shall file a copy of each audit report and accompanying management letter to its authorizer by [INSERT DATE].
- (8) Transportation Funding
- (a) The state department of education shall disburse state transportation funding to a school district for each of the public charter school students residing in the school district on the same basis and in the same manner as it is paid to school districts. A school district shall disburse

state transportation funding to a public charter school in proportion to the amount generated by the school's students who reside in the school district.

- (b) A public charter school may enter into a contract with a school district or private provider to provide transportation to the school's students.
- (9) Budget Reserves
- (a) Any monies received by a public charter school from any source and remaining in the public charter school's accounts at the end of any budget year shall remain in the public charter school's accounts for use by the public charter school during subsequent budget years.
- (10) Ability to Accept Gifts, Donations, and Grants
- (a) Nothing in this article shall be construed to prohibit any person or organization from providing funding or other assistance to the establishment or operation of a public charter school. The governing board of a public charter school is authorized to accept gifts, donations, and grants of any kind made to the public charter school and to expend or use such gifts, donations, and grants in accordance with the conditions prescribed by the donor; provided, however, that no gift, donation, or grant may be accepted if subject to a condition that is contrary to any provision of law or term of the charter contract.

OPTION 2: FUNDING FLOWS FROM THE STATE DIRECTLY TO PUBLIC CHARTER SCHOOLS

- (1) Enrollment
- (a) Each public charter school shall certify to the state department of education its student enrollment in the same manner as school districts.
- (2) Operational Funding
- (a) For a public charter school authorized by a school district, the state shall pay directly to the public charter school for each student enrolled in the public charter school an

amount for that student equal to one hundred percent of the amount calculated pursuant to the state's funding formula for the student's resident school district, notwithstanding the oversight fee reductions pursuant to Section V, (8) of this Act.

- (b) For a public charter school authorized by an entity other than a school district, the state department of education shall withhold from the state equalization payments for each school district with students residing in the school district and attending the public charter school an amount equal to one hundred percent of the amount calculated pursuant to the state's funding formula for each student in the resident school district multiplied by the number of students enrolled in the public charter school from the resident school district. The state department of education shall send the sum of these withholdings to the public charter school, notwithstanding the oversight fee reductions pursuant to Section V, (8) of this Act.
- (3) Payment Schedule
- (a) Payments made pursuant to this section shall be made by the state in twelve substantially equal installments each year beginning on the first business day of July and every month thereafter. Amounts payable under this section shall be determined by the state department of education. Amounts payable to a public charter school in its first year of operation shall be based on the projections of initial-year enrollment set forth in the charter contract. Such projections shall be reconciled with the actual enrollment at the end of the school's first year of operation, and any necessary adjustments shall be made to payments during the school's second year of operation.
- (4) Categorical Funding
- (a) The state shall direct the proportionate share of moneys generated under federal and state categorical aid programs to public charter schools serving students eligible for such aid. The state shall ensure that public

charter schools with rapidly expanding enrollments are treated equitably in the calculation and disbursement of all federal and state categorical aid program dollars. Each public charter school that serves students who may be eligible to receive services provided through such programs shall comply with all reporting requirements to receive the aid.

(5) Special Education Funding

FOR PUBLIC CHARTER SCHOOLS THAT ARE THEIR OWN LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) The state shall pay directly to a public charter school any federal or state aid attributable to a student with a disability attending the school.
- (b) At either party's request, a public charter school and its authorizer may negotiate and include in the charter contract alternate arrangements for the provision of and payment for special education services.

FOR PUBLIC CHARTER SCHOOLS THAT ARE PART OF NON-DISTRICT AUTHORIZER LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) The state shall pay directly to a public charter school any federal or state aid attributable to a student with a disability attending the school.
- (b) A public charter school shall pay to its authorizer any federal or state aid attributable to a student with a disability attending a public charter school in proportion to the level of services for such student that the authorizer provides directly or indirectly.
- (c) At either party's request, a public charter school and its authorizer may negotiate and include in the charter contract alternate arrangements for the provision of and payment for special education services, including, but not necessarily limited to, a reasonable reserve not to exceed five percent of the authorizer's total budget for providing special education services. The reserve shall only be used by the authorizer to offset excess costs of providing services to students with disabilities enrolled in one of its public charter schools.

FOR PUBLIC CHARTER SCHOOLS THAT ARE PART OF SCHOOL DISTRICT LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) The school district shall provide special education services to students enrolled in public charter schools on the same basis as such services are provided to students enrolled in other public schools of the school district.
 - (b) The school district shall retain any federal or state aid attributable to a student with a disability attending a public charter school in proportion to the level of services for such student with a disability that the school district provides directly or indirectly.
 - (c) At either party's request, however, the public charter school and the school district may negotiate and include in a contract alternate arrangements for the provision of and payment for special education services. If the public charter school and the school district have negotiated to allow the public charter school to provide special education services, the proportionate share of state and federal resources generated by such students shall be directed by the school district to the public charter school enrolling such students.
- (6) Generally Accepted Accounting Principles – Independent Audit
- (a) A public charter school shall adhere to Generally Accepted Accounting Principles.
 - (b) A public charter school shall annually engage an external auditor to do an independent audit of the school's finances. A public charter school shall file a copy of each audit report and accompanying management letter to its authorizer by [INSERT DATE].
- (7) Transportation Funding
- (a) The state department of education shall disburse state transportation funding to a public charter school on the same basis and in the same manner as it is paid to school districts.
 - (b) A public charter school may enter into a contract with a school district or private

provider to provide transportation to the school's students.

(8) Budget Reserves

- (a) Any monies received by a public charter school from any source and remaining in the public charter school's accounts at the end of any budget year shall remain in the public charter school's accounts for use by the public charter school during subsequent budget years.

(9) Ability to Accept Gifts, Donations, and Grants

- (a) Nothing in this article shall be construed to prohibit any person or organization from providing funding or other assistance to the establishment or operation of a public charter school. The governing board of a public charter school is authorized to accept gifts, donations, and grants of any kind made to the public charter school and to expend or use such gifts, donations, and grants in accordance with the conditions prescribed by the donor; provided, however, that no gift, donation, or grant may be accepted if subject to a condition that is contrary to any provision of law or term of the charter contract.

**OPTION 3: FUNDING FLOWS FROM
THE STATE TO AUTHORIZERS TO PUBLIC
CHARTER SCHOOLS**

(1) Enrollment

- (a) Each authorizer shall certify to the state department of education the student enrollment for that year for each of its public charter schools in the same manner as school districts.

(2) Operational Funding

- (a) For a public charter school authorized by a school district, the school district shall pay directly to the public charter school for each student enrolled in the school an amount for that student equal to one hundred percent of the amount calculated pursuant to the state's funding formula for the student's resident school district,

notwithstanding the oversight fee reductions pursuant to Section V, (8) of this Act.

- (b) For a public charter school authorized by an entity other than a school district, the state department of education shall withhold from the state equalization payments for each school district with students residing in the school district and attending the public charter school an amount equal to one hundred percent of the amount calculated pursuant to the state's funding formula for each student in the resident school district multiplied by the number of students enrolled in the public charter school from the resident school district. The state department of education shall send the sum of these withholdings to the authorizer. The authorizer shall forward the sum of these withholdings to each public charter school, notwithstanding the oversight fee reductions pursuant to Section V, (8) of this Act.

(3) Payment Schedule

- (a) Payments made pursuant to this section shall be made by an authorizer in twelve substantially equal installments each year beginning on the first business day of July and every month thereafter. Amounts payable under this section shall be determined by the state department of education. Amounts payable to a public charter school in its first year of operation shall be based on the projections of initial-year enrollment set forth in the charter contract. Such projections shall be reconciled with the actual enrollment at the end of the school's first year of operation, and any necessary adjustments shall be made to payments during the school's second year of operation.

(4) Sanctions for Failure to Make Payments

- (a) In the event of the failure of an authorizer to make payments required by this section, the state treasurer shall deduct from any state funds which become due to such an authorizer an amount equal to the unpaid obligation. The treasurer shall pay over such

sum to the public charter school upon certification of the state department of education. The state department of education shall promulgate regulations to implement the provisions of this section.

(5) Categorical Funding

- (a) An authorizer shall direct the proportionate share of moneys generated under federal and state categorical aid programs to public charter schools serving students eligible for such aid. The state shall ensure that public charter schools with rapidly expanding enrollment are treated equitably in the calculation and disbursement of all federal and state categorical aid program dollars. Each public charter school that receives such aid shall comply with all reporting requirements to receive the aid.

(6) Special Education Funding

FOR PUBLIC CHARTER SCHOOLS THAT ARE THEIR OWN LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) An authorizer shall pay directly to the public charter school any federal or state aid attributable to a student with a disability attending the school.
- (b) At either party's request, a public charter school and its authorizer may negotiate and include in the charter contract alternate arrangements for the provision of and payment for special education services.

FOR PUBLIC CHARTER SCHOOLS THAT ARE PART OF NON-DISTRICT AUTHORIZER LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) The authorizer shall pay directly to a public charter school any federal or state aid attributable to a student with a disability attending the school.
- (b) A public charter school shall pay to its authorizer any federal or state aid attributable to a student with a disability attending a public charter school in proportion to the level of services for such student that the authorizer provides directly or indirectly.

- (c) At either party's request, a public charter school and its authorizer may negotiate and include in the charter contract alternate arrangements for the provision of and payment for special education services, including, but not necessarily limited to, a reasonable reserve not to exceed five percent of the authorizer's total budget for providing special education services. The reserve shall only be used by the authorizer to offset excess costs of providing services to students with disabilities enrolled in one of its public charter schools.

FOR PUBLIC CHARTER SCHOOLS THAT ARE PART OF SCHOOL DISTRICT LEAS FOR SPECIAL EDUCATION PURPOSES:

- (a) The school district shall provide special education services to students enrolled in public charter schools on the same basis as such services are provided to students enrolled in other public schools of the school district.
- (b) The state shall disburse to a school district any federal or state aid attributable to a student with a disability attending a public charter school in proportion to the level of services for such student with a disability that the school district provides directly or indirectly.
- (c) At either party's request, however, the public charter school and the school district may negotiate and include in a contract alternate arrangements for the provision of and payment for special education services. If the public charter school and the school district have negotiated to allow the public charter school to provide special education services, the proportionate share of state and federal resources generated by such students shall be directed by the school district to the public charter school enrolling such students.

(7) Generally Accepted Accounting Principles – Independent Audit

- (a) A public charter school shall adhere to Generally Accepted Accounting Principles.

- (b) A public charter school shall annually engage an external auditor to do an independent audit of the school's finances. A public charter school shall file a copy of each audit report and accompanying management letter to its authorizer by [INSERT DATE].
- (8) Transportation Funding
 - (a) The state department of education shall disburse state transportation funding to an authorizer for each of its public charter school students on the same basis and in the same manner as it is paid to school districts. An authorizer shall disburse state transportation funding to a public charter school in proportion to the amount generated by the school's students.
 - (b) A public charter school may enter into a contract with a school district or private provider to provide transportation to the school's students.
- (9) Budget Reserves
 - (a) Any monies received by a public charter school from any source and remaining in the public charter school's accounts at the end of any budget year shall remain in the public charter school's accounts for use by the public charter school during subsequent budget years.
- (10) Ability to Accept Gifts, Donations, and Grants
 - (a) Nothing in this article shall be construed to prohibit any person or organization from providing funding or other assistance to the establishment or operation of a public charter school. The governing board of a public charter school is authorized to accept gifts, donations, and grants of any kind made to the public charter school and to expend or use such gifts, donations, and grants in accordance with the conditions prescribed by the donor; provided, however, that no gift, donation, or grant may be accepted if subject to a condition that is contrary to any provision of law or term of the charter contract.

X. Facilities

[In this model law, we provide a menu of approaches for handling this issue in state law, most of which should be included in a given state's law.]

- (1) Per-Student Facility Allowance
 - (a) The per-student facility allowance for public charter schools shall be determined as follows: the total capital costs for public schools in the state over the past five years shall be divided by the total student count in the state over the past five years.
 - (b) The actual facility allowance payments to be received by each public charter school shall be determined as follows: the per-student facility allowance shall be multiplied by the number of students estimated to be attending each public charter school.
- (2) Public Charter School Facility Grant Program
 - (a) The state board of education shall establish, within available bond authorizations, a grant program to assist public charter schools in financing school building projects, general improvements to school buildings, and repayment of debt for school building projects. Public charter schools may apply for such grants to the state board of education at such time and in such manner as the state board of education prescribes. The state board of education shall give preference to applications that provide for matching funds from non-state sources.
 - (b) For the purposes described in subsection (c) of this section, the [INSERT NAME OF APPROPRIATE STATE BONDING AUTHORITY] shall have the power, from time to time, to authorize the issuance of bonds of the state in one or more series and in principal amounts not exceeding in the aggregate [INSERT DOLLAR AMOUNT] provided [INSERT DOLLAR AMOUNT] of said authorization shall be effective [INSERT DATE].
 - (c) The proceeds of the sale of said bonds, to the extent of the amount stated in subsection

- (b) of this section, shall be used by the state board of education for the purpose of grants pursuant to subsection (a).
- (d) Bonds issued pursuant to this section shall be general obligations of the state and the full faith and credit of the state are pledged for the payment of the principal of and interest on said bonds as the same become due, and accordingly and as part of the contract of the state with the holders of said bonds, appropriation of all amounts necessary for punctual payment of such principal and interest is hereby made, and the state treasurer shall pay such principal and interest as the same become due.
- (3) Public Charter School Facility Revolving Loan Program
- (a) The public charter school facility revolving loan program is hereby created in the state treasury. The public charter school facility revolving loan program shall be comprised of federal funds obtained by the state for public charter schools and any other funds appropriated or transferred to the fund by the state. Funds appropriated to the public charter school facility revolving loan program shall remain available for the purposes of the program until re-appropriated or reverted by the general assembly.
- (b) Loans may be made from moneys in the public charter school facility revolving loan program to a public charter school, upon application by a public charter school and approval by the state board of education or its designee. Money loaned to a public charter school pursuant to this section shall be for construction, purchase, renovation, and maintenance of public charter school facilities. No loan to a public charter school shall exceed [INSERT DOLLAR AMOUNT] over [INSERT NUMBER OF YEARS]. A public charter school may receive multiple loans from the public charter school facility revolving loan program, as long as the total amount received from the program over [INSERT NUMBER OF YEARS] does not exceed [INSERT DOLLAR AMOUNT].
- (c) The state board of education or its designee may consider all of the following when making a determination as to the approval of a public charter school's loan application:
- (i) Soundness of the financial business plans of the applicant public charter school.
 - (ii) Availability to the public charter school of other sources of funding.
 - (iii) Geographic distribution of loans made from the public charter school facility revolving loan program.
 - (iv) The impact that loans received pursuant to this section will have on the public charter school's receipt of other private and public financing.
 - (v) Plans for innovatively enhancing or leveraging funds received pursuant to this section, such as loan guarantees or other types of credit enhancements.
 - (vi) The financial needs of the public charter school.
- (d) Commencing with the first fiscal year following the fiscal year the public charter school receives the loan, the [INSERT NAME OF APPROPRIATE STATE AGENCY] shall deduct from apportionments made to the public charter school, as appropriate, an amount equal to the annual repayment of the amount loaned to the public charter school under this section and pay the same amount into the public charter school facility revolving loan program in the state treasury. Repayment of the full amount loaned to the public charter school shall be deducted by the [INSERT NAME OF APPROPRIATE STATE AGENCY] in equal annual amounts over a number of years agreed upon between the public charter school and the state board of education or its designee, not to exceed [INSERT NUMBER OF YEARS] for any loan.
- (e) Notwithstanding other provisions of law, a loan may be made to a public charter school pursuant to this section only in the case of a public charter school that is incorporated.

- (f) Notwithstanding other provisions of law, in the case of default of a loan made directly to a public charter school pursuant to this section, the public charter school shall be solely liable for repayment of the loan.

(4) Bonding Authority

[Public charter schools should either have equal access to all of the relevant bonding authorities in a state or have their own bonding authority. For the first option, a state must amend the appropriate section of the law (e.g., state health and educational facility authority section) to clarify that public charter schools are eligible to obtain tax-exempt financing from the relevant authority. For the second option, see language below.]

(a) As used in this section:

- (i) “Authority” means the state public charter school finance authority created by this section.
- (ii) “Obligations” mean any notes, debentures, revenue bonds, or other evidences of financial indebtedness, except general obligation bonds.
- (iii) “Project” means:
 - (A) Any building, structure, or property owned, or to be acquired, by a public charter school for any of its educational purposes and the related appurtenances, easements, rights-of-way, improvements, paving, utilities, landscaping, parking facilities, and lands; or
 - (B) Any capital equipment owned, or to be acquired, by a public charter school for any of its educational purposes, interests in land, and grounds, together with the personal property necessary, convenient, or appurtenant to them.

- (b) There is created a body politic and corporate known as the state public charter school finance authority. The authority is created to provide an efficient and cost-effective method of financing public charter school facilities.
- (c) The governing board of the authority shall be composed of:
 - (i) The governor or the governor’s designee;
 - (ii) The state treasurer; and
 - (iii) The state superintendent of public instruction or the state superintendent’s designee.
- (d) Upon request, the state board of education shall provide staff support to the authority.
- (e) The authority shall have perpetual succession as a body politic and corporate.
- (f) The authority may:
 - (i) Sue and be sued in its own name;
 - (ii) Have, and alter at will, an official seal;
 - (iii) Receive and accept aid or contributions from any source, including the United States or this state, in the form of money, property, labor, or other things of value to be held, used, and applied to carry out the purposes of this part, subject to the conditions upon which the aid and contributions are made, for any purpose consistent with this part;
 - (iv) Exercise the power to borrow money and issue obligations, except the authority may only exercise powers to finance a project as defined in state law;
 - (v) Employ advisers, consultants, and agents, including financial experts, independent legal counsel, and any advisers, consultants, and agents as may be necessary in its judgment and fix their compensation;
 - (vi) Make and execute contracts and other instruments necessary or convenient for the performance of its duties

and the exercise of its powers and functions; and

- (vii) Have and exercise any other powers or duties that are necessary or appropriate to carry out and effectuate the purposes of this chapter.

- (g) If the authority is dissolved at any time, for any reason, all funds, property, rights, and interests of the authority, following the satisfaction of the authority's obligations, shall immediately vest in and become the property of the state, which shall succeed to all rights of the authority subject to any encumbrances which may then exist on any particular properties.
- (h) None of the net earnings of the authority shall inure to the benefit of any private person.

(5) Moral Obligation of the State

- (a) The general assembly hereby finds and declares that its intent in enacting this section is to support public charter schools and public charter school capital construction by helping qualified public charter schools that choose to have the [INSERT NAME OF BONDING AUTHORITY] issue bonds on their behalf obtain more favorable financing terms for the bonds.
- (b) If the [INSERT NAME OF BONDING AUTHORITY] has issued bonds on behalf of a public charter school that defaults on its debt service payment obligations, the board of directors of the authority shall submit to the governor a certificate certifying any amount of moneys required to fulfill the school's debt service payment obligations. The governor shall submit a request for appropriations in an amount sufficient to fulfill the school's debt service payment obligations and the general assembly may, but shall not be required to, appropriate moneys for said purpose. If, in its sole discretion, the general assembly appropriates any moneys for said purpose, the aggregate outstanding principal amount of bonds for which moneys may

be appropriated for said purpose shall not exceed [INSERT DOLLAR AMOUNT].

(6) Access to State Facilities Programs for Non-Charter Public Schools

[Public charter schools should have equal access to all of the existing state facilities programs for traditional public schools in a state. To implement this item, a state must amend the relevant section of the law (e.g., public school capital construction assistance fund section) to clarify that public charter schools are eligible to obtain funding from the relevant program.]

(7) Credit Enhancement Fund

- (a) [INSERT DOLLAR AMOUNT] shall be set aside for a credit enhancement fund for public charter schools to be administered by the state board of education.
- (b) Using the amounts described in paragraph (a), the state board of education shall make and disburse grants to eligible nonprofit corporations to carry out the purposes described in paragraph (c).
- (c) The recipient of a grant under this fund shall use the monies provided under the grant to carry out activities to assist public charter schools in:
 - (i) Obtaining financing to acquire interests in real property (including by purchase, lease, or donation), including financing to cover planning, development, and other incidental costs;
 - (ii) Obtaining financing for construction of facilities or the renovation, repair, or alteration of existing property or facilities (including the purchase or replacement of fixtures and equipment), including financing to cover planning, development, and other incidental costs;
 - (iii) Enhancing the availability of loans (including mortgages) and bonds; and
 - (iv) Obtaining lease guarantees.

- (d) Funds provided under a grant under this subparagraph may not be used by a recipient to make direct loans or grants to public charter schools.
- (8) Access to District Facilities and Land
 - (a) A public charter school shall have a right of first refusal to purchase or lease at or below fair market value a closed public school facility or property or unused portions of a public school facility or property located in a school district from which it draws its students if the school district decides to sell or lease the public school facility or property.
- (9) Contracting for Use of Facilities
 - (a) A public charter school may negotiate and contract at or below fair market value with a school district, the governing body of a state college or university or public community college, or any other public or for-profit or nonprofit private entity for the use of facility for a school building.
- (10) Use of Other Facilities under Preexisting Zoning and Land Use Designations
 - (a) Library, community service, museum, performing arts, theatre, cinema, church, community college, college, and university facilities may provide space to public charter schools within their facilities under their preexisting zoning and land use designations.
- (11) Exemptions from Ad Valorem Taxes and Certain Fees
 - (a) Any facility, or portion thereof, used to house a public charter school shall be exempt from ad valorem taxes.
 - (b) Public charter school facilities are exempt from assessments of fees for building permits, fees for building and occupational licenses, impact fees, service availability fees, and assessments for special benefits.

The model law provides a menu of approaches for the charter school facilities issue, most of which should be included in a given state's law.

APPENDIX A

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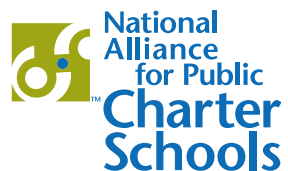
The National Alliance for Public Charter Schools (www.publiccharters.org) is the national nonprofit organization committed to advancing the charter school movement. The Alliance provides assistance to state charter school associations and resource centers, develops and advocates for improved public policies, and serves as the united voice for this large and diverse movement. Currently, more than 1.4 million students attend 4,600 public charter schools in 40 states and the District of Columbia. The first charter school opened in Minnesota in 1992.



Fulfilling the Compact: Building a Breakthrough, Results-Driven Public Charter School Sector

Prepared for the National Alliance for
Public Charter Schools by Public Impact

June 2012



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This report was written by Joe Ableidinger, Lucy Steiner, Angie Spong, and Bryan C. Hassel of Public Impact.

Public Impact's mission is to dramatically improve learning outcomes for all children in the U.S., with a special focus on students who are not served well. A national education policy and management consulting firm based in Chapel Hill, N.C., Public Impact is a team of researchers, thought leaders, tool-builders, and on-the-ground consultants working with leading education reformers. For more on Public Impact, please visit: www.publicimpact.com.

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EXECUTIVE SUMMARY

In 2005, the Task Force on Charter School Quality and Accountability issued *Renewing the Compact*, a position statement for the charter school sector that presented recommendations for achieving the goals of growth and quality. This report evaluates the sector's progress on those goals and recommends **bold actions** to capitalize on its successes while confronting persistent challenges. By taking these bold actions now, critical stakeholders can **build a breakthrough sector** and **create a results-driven culture**, which will improve the impact of charter schools on student outcomes and the education system.

Positive Developments and Trends

Research and expert opinion spotlighted several main positive developments or trends in the sector during the past five to 10 years.

- **Proof points of quality.** Numerous charter schools and networks demonstrate that traditionally underserved students can achieve at high levels.
- **Flood of entrepreneurial talent.** A new generation of talented, motivated teachers, school leaders, and entrepreneurs has been attracted to public schooling through the promise of charter schools.
- **Emergence of a new school governance model.** The charter sector has created a new type of relationship between individual schools and the entities that create and oversee them.
- **Increased recognition of quality and accountability.** Authorizers, policymakers, and sector leaders increasingly focus on accountability for student learning outcomes.
- **Policy and advocacy “wins.”** Recent years have seen significant and steady progress on key charter policy issues and in growing public and political support.
- **Hopeful signs for charter funding.** Federal funding has combined with steady philanthropic support for start-ups to fuel the sector's expansion, and recent initiatives have provided needed assistance for facilities funding.

Recommendations: Bold Actions for Building a Breakthrough Sector and Creating a Results-Driven Culture

The charter sector has made significant progress in the areas noted above, but much important work remains. The bold actions that follow are organized according to two broad needs identified most often in the literature and by experts interviewed or surveyed for this report: 1) the need to build a breakthrough charter

sector by capitalizing on its capacity for innovation and its ability to scale successes; and 2) the need to create a results-driven culture across the sector.

Building a Breakthrough Sector

- **Make the charter sector the source of innovative solutions to public education’s most pressing challenges.** Provide opportunities and new incentives for break-the-mold school models that address a wider variety of student and school needs.
- **Focus advocacy efforts on building broad support for a high-quality charter sector that can solve public education’s most pressing challenges.** Advocate more forcefully and strategically for state policy changes in key areas of charter operations, and make a concerted effort to unite charter supporters in common policy battles at the federal and state levels.
- **Increase the supply of excellent new charter schools.** Attract and support talented people to open, lead, and govern high-performing charter schools.
- **Turbo-charge the growth of the highest-performing charter schools.** Create policies and practices that build the supply of high-quality seats by scaling up success much more quickly.

Creating a Results-Driven Culture

- **Hold authorizers accountable for outcomes.** Shine a light on authorizers that charter or fail to intervene in low-performing schools.
- **Make the charter sector the cutting edge of defining “success” and operating with transparency.** Use charter schools as laboratories for determining what constitutes success and how to measure it.
- **Close or intervene in persistently low-performing schools.** Enact automatic closure provisions and push authorizers to act in the face of true failure.

The charter sector has reached a crossroads. Its successes have been worth celebrating, and looking ahead, its promise is even greater. However, to realize that promise, leaders throughout the sector must commit to taking bold and often difficult or risky steps to confront the challenges of growth and quality.

Methodology

Public Impact worked closely with NAPCS to design a project framework that incorporated the principles and recommendations from *Renewing the Compact* (see Appendix III). We then conducted an extensive review of key publications within this framework, relying to the extent possible on existing empirical research, but also considering observational research and written expert opinion to provide a full picture of the sector’s progress (see Appendix IV for sources). We also interviewed 20 individuals with deep knowledge of the sector (see Appendix V), and collected survey responses from 48 education leaders, including representatives of charter schools, state charter support organizations, incubators, think tanks, advocacy groups, foundations, authorizers, and government agencies. For the reader’s reference, we also drafted a figure and accompanying narrative description of the sector showing how its stakeholders affect student outcomes and the education system (see Appendix VI: How the Charter Sector Can Transform Public Education).

INTRODUCTION: RENEWING THE COMPACT, 2005–2012

The charter sector is at a turning point. By many indications, charter schools have broader support than ever before. And yet, significant threats loom, including uneven quality, thin leadership and teaching pipelines, and excessive reliance on external funding. The capacity of sector leaders to seize this moment and respond to these challenges will go a long way toward determining whether the sector reaches its potential.

In January 2005, the National Alliance for Public Charter Schools (NAPCS) appointed a Task Force on Charter School Quality and Accountability, which issued *Renewing the Compact*, a position statement for the charter sector with recommendations for simultaneously achieving growth and quality.¹ In early 2012, NAPCS commissioned Public Impact to assist it in assessing the degree to which the sector has met the goals proposed in *Renewing the Compact*, and in charting a course for the future of the sector.

Renewing the Compact drew together the opinions of distinguished charter sector leaders and policy thinkers into seven principles for quality chartering and a set of 12 reflections and recommendations for the sector (see Appendices I and II). These principles and recommendations aimed to confront challenges facing the sector, and can be summarized in overarching goals in five key areas:

- **Achievement.** Focus resolutely on student achievement.
- **Talent.** Draw talented individuals to positions in charter classrooms and school-level leadership, and on charter boards.
- **Funding.** Fully and equitably fund charter schools.
- **Support.** Increase attention to quality in policy advocacy, authorizing, and charter support.
- **Scale.** Scale up successful charter schools and responsibly close those that fail.

This report summarizes the sector's progress over the past seven years in relation to these broad goals. Like *Renewing the Compact*, this report draws extensively on the opinions of charter sector leaders, including some who contributed to the original *Compact* document.

This report summarizes positive developments and trends in the sector, and persistent challenges. It then provides a detailed assessment of how, through a set of bold actions, critical stakeholders can capitalize on the sector's strengths and address its challenges.

SUMMARY FINDINGS: PROGRESS AND PERSISTENT CHALLENGES

Education leaders have long understood the charter sector's potential to transform public schooling. As early as 1990, before the first charter law had even been written, leaders envisioned different methods of forming and operating public schools. To some, the core innovations of the sector are embodied in these methods: new authority structures designed to withdraw the "exclusive franchise" that districts previously held over student assignment, school operations, and local education policy.² To others, the sector realized its promise when these new schools began to achieve improved student results.

The charter sector has made important progress in several of the areas in which it has exhibited transformational potential, yet persistent challenges remain. This section summarizes positive developments and trends in the charter sector in recent years, as well as persistent challenges facing the sector.

Positive Developments and Trends

The first question asked of each interviewee and survey respondent concerned the most positive developments or trends in the sector over the past five to 10 years. Research and this expert opinion coalesced around several positive developments or trends in the sector during that period—developments that closely align with the central goals of *Renewing the Compact*.

Summary: Positive Developments and Trends

Proof points of quality

Numerous charter schools and networks demonstrate that traditionally underserved students can achieve at high levels.

Flood of entrepreneurial talent

A new generation of talented, motivated teachers, school leaders, and entrepreneurs has been attracted to public schooling through the promise of charters.

Emergence of a new school governance model

The charter sector has created a new type of relationship between individual schools and the entities that create and oversee them.

Increased recognition of quality and accountability

Authorizers, policymakers, and sector leaders increasingly focus on accountability for student learning outcomes.

Policy and advocacy “wins”

Recent years have seen significant and steady progress on key charter policy issues and in growing public and political support.

Hopeful signs for charter funding

Federal funding has combined with steady philanthropic support for start-ups to fuel the sector’s expansion, and recent initiatives have provided needed assistance for facilities funding.

Proof points of quality. For years, powerful anecdotes have emerged about high-performing, achievement gap-closing charter schools. For example, at Amistad Academy in 2008, 82 percent of students met state standards in reading, 94 percent in math, and 97 percent in writing. The school’s students were nearly all African-American or Latino, and 68 percent qualified for free or reduced-price lunch.³ Two of Rocketship Education’s schools are among the 15 highest-performing high-poverty schools in all of California. DSST Public Schools, with a mostly minority population, boasted the second-highest longitudinal growth rate in Colorado student test scores in 2010.⁴

Likewise, an increasing number of school networks show success at scale, such as KIPP, Uncommon Schools, Aspire Public Schools, YES Prep Public Schools, and IDEA Public Schools. Many stand-alone schools have also achieved strong results, including Jumokey Academy, E.L. Haynes Public Charter School, and Seed Academy/Harvest Preparatory School, to name just a few. Because of schools like these, “few debate one fact about the charter sector: the existence of a subset of schools that induce extremely high academic progress and achievement by children who enter years behind, many of whom are poor and a disproportionate number of whom are racial minorities.”⁵

New Orleans dramatically illustrates the potential for high-quality charter schools to be more than a marginal feature of a city’s education landscape. Nearly 80 percent of the city’s students attended charter schools in 2011–12. On average, those schools have outperformed traditional public schools statewide, and the percentage of students attending schools designated as “failing” by state performance standards has dropped dramatically.⁶ Other cities, including Boston, Washington, D.C., and New York City, are emerging as additional examples of city systems experiencing widespread success and marked growth in the number of students attending charter schools.⁷

Flood of entrepreneurial talent. According to one national study, charter leaders “overwhelmingly

expressed belief that their success hinges on the strength of their people, primarily in schools, but also in the central office.”⁸ Fortunately, many charter schools have succeeded in attracting talented candidates to teaching and school leadership positions, bringing a new generation of teachers and leaders to the sector, and to public schools.

The talent sources include teacher and leader training organizations such as Teach For America (TFA), The New Teacher Project (TNTP), Building Excellent Schools (BES), and the Broad Residency, as well as local incubators, school leadership training programs, and some of the more established charter support organizations.⁹ Some large nonprofit charter management organizations (CMOs) have started their own leadership training initiatives (e.g., KIPP’s Fisher Fellowship), and some have gained authority to certify their own teachers (e.g., High Tech High).¹⁰ The sector has brought in leaders with a broad range of professional experiences useful for the varied tasks required to open and operate new schools.¹¹

Such leaders include those who pioneered CMOs, such as Aspire Public Schools and IDEA Public Schools, and new school models, such as Rocketship Education. The charter sector has also spawned numerous organizations designed to address the many challenges charter schools face. These include incubators, which focus on recruiting, training, and supporting high-quality leaders as they open and operate new charter schools. Other support organizations provide varied services including data analysis, instructional support, board training, facilities financing, and back-office and financial management systems and services.

Emergence of a new school governance model.

The most innovative development the charter sector has introduced to public education may be the new relationship it created between individual charter schools, their boards of directors, and the authorizers that oversee them. Authorizers have become an industry of sorts, one which now boasts a vibrant

national organization that supports and guides the development of quality authorizing policies and practices—the National Association of Charter School Authorizers (NACSA).

This new school governance model has generated research and thinking into how to make relationships between authorizers and schools work to produce excellent student learning outcomes. It has also increasingly spurred traditional school districts to adopt “portfolio strategies” through which they are opening new autonomous schools and giving existing schools more control over hiring and budgeting in exchange for heightened accountability, at least for segments of their populations.¹² New Orleans is the most advanced example—while not a conventional district, the Recovery School District (RSD) has become a symbol of the potential for dramatic shifts from traditional to nontraditional governance. Other cities, including New York, Chicago, Denver, Hartford, Baltimore, and Washington, D.C., have introduced portfolio-style models into their districts.¹³

Increased recognition of quality and accountability.

Among interviewees and survey respondents for this report, the most common topic mentioned in responses to questions about positive developments and trends in the sector was the increased recognition of the importance of quality. This was noted most consistently in relation to stricter and more well-developed authorizing processes but also with respect to the scrutiny authorizers, charter boards, and policymakers apply to student learning outcomes.

Among the recent wave of publications documenting rapid growth in the sector, most describe the importance of charter growth in terms of “growth with quality,” calling to mind *Renewing the Compact’s* admonitions that “growth is not an end in itself” and “quality is more important than quantity.”¹⁴ To be sure, the charter sector has been home to vigorous debates about whether “quality” is being defined too narrowly based on student performance on standardized tests. But the sector has benefitted in

recent years from increasingly dominant voices calling for attention to quality—however defined—instead of simply regarding increased choice as “good” irrespective of quality.

The quantity/quality conundrum is most vexing in the context of high-stakes decisions to close or intervene in low-performing schools—a topic being discussed with increasing urgency by leaders across the sector. On the flip side, leaders now more than ever see consistent high performance as a gateway to replication of the best schools, and federal Charter School Program funding as a means to replicate high-performing models. As an example of the increased focus on these topics, the National Association of Charter School Authorizers and its partners won federal support in 2010 for the “Performance Management, Replication, and Closure (PMRC)” project, which aims to strengthen replication and closure policies across the country.¹⁵

Policy and advocacy “wins.” Over the past seven years, charter advocates have spearheaded critical policy and advocacy “wins” in several states. In almost all cases, NAPCS’s model charter school law has been instrumental in driving these changes. Maine passed a charter law in 2011 that closely tracks many of the model law’s 20 “essential components”—leading Maine to vault to the top of the annual NAPCS model law rankings. In North Carolina, Louisiana, Tennessee, Michigan, Indiana, and Wisconsin, caps have been raised or lifted. New Mexico, Rhode Island, and Hawaii have passed important new quality-control measures. Tennessee, Illinois, Indiana, and Nevada have added new and more charter-friendly authorizers. Several cities and states, including South Carolina, Indiana, Texas, Arkansas, Florida, Georgia, and Tennessee, have improved policies in the crucial areas of facilities and facilities funding. Although not universal, the general trend across the country has been toward more supportive charter laws.¹⁶

The sector has also seen strong support from politicians at the federal, state, and city levels. President Obama and Secretary Duncan have been vocal charter

proponents at the federal level (likewise for Obama’s 2008 opponent, John McCain, and his 2012 opponent, Mitt Romney). In addition, more governors and mayors from both sides of the aisle back reform agendas that include policy wins for charters.

Interviewees and survey respondents offered praise for NAPCS’s model charter school law and related rankings, widely agreeing on their power in shaping charter policy discussions across the country.

Hopeful signs for charter funding. Although charter schools continue to receive inequitable per-pupil funding and facilities support from state and local sources,¹⁷ federal and private funding have been a strong point. As noted above, the charter sector has fared well under the Obama administration, as it did under the Bush and Clinton administrations. In part, the administration has supported charters through strong federal funding. The sector has benefitted significantly from the Investing in Innovation (“i3”) fund and the Race to the Top competition, as well as continuing support for the federal Charter Schools Program, which has awarded approximately \$180 million per year to state education agencies every year for the past decade.¹⁸

The public charter school sector has also seen hopeful signs of increased support in the crucial areas of facilities and facilities financing. Nonprofit organizations have stepped in to offer grants, loans, and credit enhancements for charter schools that otherwise would face high interest rates or an inability to obtain financing on account of the risks they posed for lenders. Some community development organizations have added charters to their focus on building infrastructure in low-income neighborhoods. National foundations have also undertaken charter funding initiatives, and new nonprofit and for-profit enterprises have emerged focused solely on charter school facilities and facilities financing.¹⁹

Persistent Challenges

Interviewees and survey respondents also offered opinions on where the sector has struggled—where there have been recent negative developments or missed opportunities. Research and expert opinion emphasized the importance of several persistent challenges the sector would do well to address in the years ahead.

Summary: Persistent Challenges

Inadequate supply of new high-quality schools

Not enough strong charter founders exist to satisfy the need for high-performing charter schools.

Unfulfilled potential for breakthrough school models

Too few new school operators have departed dramatically from established school constructs in staffing and operations, and authorizers and policymakers have not done enough to encourage innovation within the charter sector.

Slow growth of the best charter schools

High-performing charter schools and CMOs are not growing quickly enough to meet demand, and most have limited growth ambitions.

Limited authorizer accountability for student results

Authorizers are not sufficiently accountable to the public for the results their schools achieve, and authorizers' portfolio outcomes lack transparency.

Lack of contribution to evolving attempts to define and measure success

Charter schools have too seldom served as laboratories to explore new standards for measuring student achievement in academic and non-academic areas.

Persistence of too many chronically low-performing charter schools

Although the sector has significantly increased its attention to quality, authorizers too rarely act to close low-performing schools.

Insufficient policies for funding, facilities, and autonomy

Most charter schools are still underfunded, struggle to find affordable facilities, and lack crucial autonomies.

Underdeveloped advocacy and public communications

Advocacy at the state and federal levels can be fragmented; too little is done to engage parents, the public, and community groups to build awareness and grassroots, quality-focused activism.

Inadequate supply of new high-quality schools.

Today, the supply of high-quality charter schools falls far short of the need for better educational options. With approximately 2 million students in charter schools, the best 10 percent of charter school “seats”—across independently run schools and those in networks—are available to only 200,000 students.²⁰ Even the best 25 percent reach only half a million. At the sector's current growth rate, it will be over 10 years before the top 10 percent of seats are available to 1 million students. Meanwhile, the nation is home to more than 10 million students in poverty and millions more non-poor students who need better educational options. To meet this need, the sector must find more strong charter founders to satisfy the need for high-performing charter schools.

Incubators of promising charter school founders and leaders have begun to emerge in such states as Louisiana (New Orleans), Tennessee, Minnesota, and Colorado.²¹ A small number of national organizations also aim to prepare individuals for charter leadership positions. Teacher preparation programs including Teach For America and The New Teacher Project bring numerous future school founders and leaders into charter schools every year. However, despite the successes and promise of programs like these, nationally there are too many locations these programs do not reach. Even in the locations they serve, demand often outpaces supply.

To meet this need, the sector must find more strong charter founders to satisfy the need for high-performing charter schools. When a region has a small charter sector, its schools may have little trouble filling these staff positions, often receiving many applicants per slot. But as the sector grows, schools may face more staffing challenges, and may find it particularly difficult to answer calls for experienced leaders or leadership diversity. More than two-thirds of charter school leaders say they expect to leave their schools within five years, and only half of their schools have succession plans in place.²² Charter school teachers also tend to leave their schools after relatively brief tenures, creating recruitment and retention challenges for individual charter schools and

the sector as a whole. One study, for example, found that teacher turnover in charters is double the rate of district schools (charter turnover rates are more in line with the norm in professional jobs, while district attrition is very low).²³ Studies of high-performing CMOs question the long-term tenability of models that require teachers to work 60- to 80-hour weeks.²⁴ And although early-career charter school teachers appear to earn salaries similar to those in district schools, studies suggest pay may rise more over a teacher's career in district schools.²⁵

Unfulfilled potential for breakthrough school models. The charter sector has seen the development of schools and networks that have adopted innovative school models, built breakthrough school cultures, or introduced dramatically new approaches to staffing, scheduling, or curriculum.²⁶

However, education innovation is too often stifled by such barriers as state and federal policy, talent shortages, and limited resources.²⁷ There is also a dearth of financial and other supports pushing education innovators to “get in the game.” Few authorizers or funders offer incentives for charter school founders to take risks by proposing dramatically different approaches to the design and running of schools.²⁸ Some sector leaders worry that authorizers may be sticking too closely to established models, taking too few chances on promising but unproven alternatives, and stifling innovation in the process.

Slow growth of the best charter networks. Although little research exists on the highest-performing independently operated schools, we do know that the highest-performing charter networks have shown exceptional promise to serve the students most in need. However, these networks' schools reach only a fraction of the students who could benefit from them. Five of the highest-performing CMOs together serve less than 48,000 students, and, as of 2009–10, all CMOs combined served only 228,000 students (14 percent of all charter students). More students—420,000 in 2009–10—remained on charter school waiting lists.²⁹

CMOs add only 1.3 schools per year, on average. Some do not plan to grow beyond four or five schools. About half of the 29 CMOs polled in a 2010 survey planned to open 10 schools or fewer by 2025, and only five CMOs expressed an intention to open 30 or more schools by 2025.³⁰ Those that aim to expand dramatically face formidable growth barriers, including caps, inequitable funding, scarce facilities, talent shortages, a limited pool of authorizers, and potentially hostile local or district leadership.³¹

Limited authorizer accountability for student results. Charter school authorizers are intended to serve as gatekeepers who not only prevent poorly prepared applicants from founding schools, but also remove consistently low performers from the field. Unfortunately, authorizers do not always meet their responsibilities, and authorizer competence across the sector has been described as uneven at best.³²

One reason authorizers tend toward lax oversight is because they are typically not held accountable for the performance of the schools they authorize. Authorizers undergo regular school evaluation reviews in Minnesota, but that is not the case in most states. Minnesota's authorizer review process started recently, so it is too soon to determine if the process has affected school quality.³³ As long as authorizers remain beyond reproach, the quality of the schools they authorize is likely to suffer.

Lack of contribution to evolving attempts to define and measure success. Charter schools have introduced some innovative ideas into public education, but as a sector they have yet to push the envelope on student assessment. Some charter leaders have spoken out against standardized testing and argued that such tests do not adequately measure holistic student outcomes, but no viable alternative for measuring student growth and achievement is readily apparent. As one interviewee lamented, “If the selling point [of charters] is our R&D sector, I would have expected to see more happening here.”

The charter sector offers a unique opportunity for schools to experiment with new areas of assessment. Under customized contracts with authorizers, they could agree to measure personal characteristics like emotional intelligence, curiosity, and grit, or to experiment with new approaches to testing traditional academic concepts. Though the possibilities are vast, there has been little willingness on the part of charters and authorizers to invest in new assessment approaches—investments that could lead to the development of new assessments influential enough to lead to systemic change.

Persistence of too many chronically low-performing charter schools. Charter operators are increasingly adopting “quality” as their watchword, but this has not done enough to bring quality to the fore. Aside from authorizer accountability, one of the most important ways to regulate charter quality is to close failing schools—yet too few state policymakers or authorizers are actually taking steps to do this.

In 2010–11, just 6.2 percent of charter schools reviewed for renewal were closed, down from 8.8 percent in 2009–10 and 12.6 percent in 2008–09. It is unclear whether this decline reflects increases in quality, stronger interventions short of closure, changes in state laws or authorizer policies and practices, or political pressures.³⁴

When authorizers close schools, they may lose fees and face angry parents and community members, as well as potential political backlash and legal challenges. To some extent, a school closure is more art than science, requiring a high degree of political sophistication and sensitivity. Closures are made all the more difficult and intimidating by a lack of clear guidance around when a closure is justified or necessary; the potential for interventions short of closure; and how best to manage closures.

Insufficient policies for funding, facilities, and autonomy. The policy environment for charter schools continues to improve in many states year after year, as noted above. However, in some vital aspects

of charter operations—namely funding, facilities, and autonomy—improvement simply is not occurring fast enough, if at all.

Funding disparities for charters have not budged since 2005, when the Fordham Institute reported that average per-pupil charter funding as a percentage of school district funding was approximately 80 percent.³⁵ The 2009–10 report *Inequity Persists* found no improvement in this figure. Disparities in urban charter districts have even increased.³⁶ Based on 2009–10 data, the average per-pupil charter funding as a percentage of average district funding in urban districts was approximately 72 percent.³⁷ It is no wonder, then, that many charter schools remain dependent upon philanthropic support to survive. Most CMOs still receive about 13 percent of their total revenue from major gifts.³⁸ Independently operated charter schools often receive far less—sometimes nothing—in private support. In the long run, charters cannot expect to sustain their programs—or scale up as rapidly or successfully as some would like—without far more equitable public funding.

Inequitable access to facilities remains a similarly pressing problem. District schools are not responsible for locating and financing facilities, so more of their per-pupil funds can be funneled into instruction. In all but 15 states and the District of Columbia, however, charters must dip into even smaller pots of per-pupil funding to secure facilities before the funding of instruction can even begin.³⁹ This situation persists despite the fact that empty district buildings pepper the landscapes of many cities, and that some jurisdictions have passed laws ostensibly requiring districts to offer charters their unused facilities.⁴⁰

On top of funding and facilities woes, charter schools still struggle to secure and defend the autonomies to which many highly successful charters credit their stellar results. These autonomies are part of the supposed bargain struck by sector advocates in creating and structuring charter laws: autonomy in exchange for heightened accountability. Even so, charter sector leaders continue to fight for essential

autonomies in key areas such as staffing, curriculum, scheduling, budgeting, and defining school culture.⁴¹

Underdeveloped advocacy and public communications. Advocacy campaigns for more advantageous charter policies necessitate a strong presence at the local, state, and national levels, as well as coordination among the organizations involved. Survey respondents expressed concern that such coordination was lacking.

Some respondents called for NAPCS (or another national charter advocacy organization) to focus intently on building consensus among state-level organizations and amplifying their collective concerns on Capitol Hill. In this way, one organization would serve as the national voice of the movement—a role many see NAPCS currently playing. Others argued that the most important function of a national charter advocacy organization is to bolster state-level organizations, since many of these groups are underfunded and yet represent the last line of defense against state-level legislative attack. A key challenge facing the sector is to achieve consensus around which organization (or organizations) is best situated to play each of these important roles, and then to channel increased funding to their efforts.

Respondents generally agreed on the need for more positive charter school public relations. Among the concerns raised in survey responses: there has not been enough messaging that differentiates excellent charters from failing ones; there have been too few success stories shared; and there have been too few attempts to counter popular myths about the sector, such as that charter schools charge tuition or can be religious schools. These are difficult problems to address—public relations and communications strategies are time-consuming and expensive, and their effectiveness is not guaranteed.

The sector also needs a larger base of state and local political support for high-quality chartering. Legislatures and state governments still have too few champions of a quality sector. Parents of charter

school students have not been educated about the importance of activism on behalf of charters or recruited in sufficient numbers to join state and local advocacy efforts.⁴² In short, the sector has not done enough to rally those most necessary to its advancement in size and quality.

Resulting Imperatives

Renewing the Compact set forth principles and recommendations that aimed to achieve progress in the areas of student achievement, talent, funding, support, and scale. As this summary has explained, the sector has made significant progress in these areas, but much important work remains. The following section provides bold recommendations for the sector's future. These recommendations will help capitalize on successes achieved to date while confronting persistent challenges.

RECOMMENDATIONS: BOLD ACTIONS FOR BUILDING A BREAKTHROUGH SECTOR AND CREATING A RESULTS- DRIVEN CULTURE

The charter sector faces daunting, persistent challenges, frustrating many of the experts consulted for this report. But those experts had plenty of ideas about the way forward.

The bold actions that follow are organized according to the two broad needs identified most often in the literature and by interviewees and survey respondents: 1) the need to **build a breakthrough charter sector** by capitalizing on its capacity for innovation and its ability to scale up successes; and 2) the need to **create a results-driven culture** across the charter sector.

The first two actions listed under **building a breakthrough charter sector** represent a potentially

game-changing new direction for the sector: make the charter sector the source of innovative solutions to public education's most pressing challenges, and focus advocacy efforts on building broad support for the sector to take on these challenges. Several interviewees expressed optimism that these actions would usher in sweeping changes to the sector and pave the way for successfully meeting the needs of far more students and families. The other actions described under this recommendation refer to additional ways to propel the sector forward, including increasing the supply of excellent new charter schools by attracting and supporting talented leaders, and the need to turbo-charge growth of the highest-performing charter schools.

The second set of actions would **create a results-driven culture** across the charter sector. The sector has in recent years “talked a good game” on focusing on quality, but many leaders interviewed and surveyed for this report flagged shortcomings in the sector's approach to quality. These actions *demand accountability* for performance and increase the sector's role in *creating and improving standards* and the means of effectively measuring progress against them.

Each of the actions includes several specific recommendations for the sector—recommendations which were informed by research as well as the insights of 67 sector leaders (interviewees and survey respondents).⁴³ The recommendations are followed by suggestions of which stakeholders are best positioned to move them forward. As with *Renewing the Compact* in 2005, the actions and recommendations aim to foster the goals of growth and quality simultaneously. What sets these 2012 recommendations apart is a call to innovate with greater urgency, and to increase the sector's influence and impact on U.S. education reform.

Bold Actions for Building a Breakthrough Sector and Creating a Results-Driven Culture

Building a Breakthrough Sector

- | | |
|----|---|
| 1. | Make the charter sector the source of innovative solutions to public education's most pressing challenges. Provide opportunities and new incentives for break-the-mold school models that address a wider variety of student and school needs. |
| 2. | Focus advocacy efforts on building broad support for a high-quality charter sector that can solve public education's most pressing challenges. Advocate more forcefully and strategically for state policy changes in key areas of charter operations, and make a concerted effort to unite charter supporters in common policy battles at the federal and state levels. |
| 3. | Increase the supply of excellent new charter schools. Attract and support talented people to open, lead, and govern high-performing charter schools. |
| 4. | Turbo-charge the growth of the highest-performing charter schools. Create policies and practices that build the supply of high-quality seats by scaling up success much more quickly. |

Creating a Results-Driven Culture

- | | |
|----|--|
| 5. | Hold authorizers accountable for outcomes. Shine a light on authorizers that charter or fail to intervene in low-performing schools. |
| 6. | Make the charter sector the cutting edge of defining “success” and operating with transparency. Use charter schools as laboratories for determining what constitutes success and how to measure it. |
| 7. | Close or intervene in persistently low-performing schools. Enact automatic closure provisions and push authorizers to act in the face of true failure. |

Building a Breakthrough Sector

The first 20 years of the charter sector's existence saw a new form of school governance take root in states across the country, with resulting breakthrough successes in high-performing schools, especially so-called "no excuses" schools serving high-poverty, urban student populations. Now, the sector needs to take those successes to scale, both by growing existing successful approaches and by creating the next wave of great schools. An ambitious goal would help: For example, in the next decade, the sector should aim to create 1 million new "seats" as good as the top 10 percent of today's charter schools. And as it scales up, the sector should also aim to "scale wide," innovating to address a more diverse range of student and school challenges than it does now.

Action 1. Make the charter sector the source of innovative solutions to public education's most pressing challenges.

The charter sector has spawned cutting-edge approaches to some of the most vexing issues in public education. It has drawn on a wide variety of support organizations to help develop new approaches to funding, classroom instruction, and school operations. The sector itself is a dramatic innovation, setting up a new kind of relationship between oversight bodies and schools. But dramatic, breakthrough innovations have been too few and too limited in overall impact. Operators, authorizers, and policymakers all need to be bolder in designing promising break-the-mold school models and breaking down barriers to their implementation, so charter schools can expand their role in producing solutions to America's biggest education challenges.

Innovations in addressing public education's toughest practical challenges and in reaching the most underserved student populations could dramatically affect the sector. Addressing education's toughest challenges encompasses areas such as staffing (including recruitment and retention), student funding, governance, STEM education, school turnarounds, and the effective use of technology to reshape classroom structures and teaching roles. Addressing the most

underserved student populations requires moving beyond urban, low-income populations as the primary success story of the sector, to address a wider range, such as students with disabilities, students learning English, students in the juvenile justice system, rural students, and dropouts and students in need of credit recovery. Although examples of successful charter schools in these categories exist, the sector has not had as deep and wide an impact on these students as it has on the urban, low-income population.

High schools pose particular challenges for innovators. Rigid seat time and sequencing rules constrain the educational process at precisely the time in their careers when many students would benefit from increased scheduling flexibility and more numerous and diverse course alternatives.

Recommendations

- **Create incentives to increase innovation.** Just as the charter sector needs new means for drawing talented *individuals* into the sector (see below), it also must expand strategies for channeling promising new *ideas* into structuring and operating schools. Competitions that reward innovation directly with funding, recognition, or support can open channels for bold, new ideas to take root in new school creation. The Gates Foundation's Next Generation Learning Challenges provide an example of a competition open to (but not limited to) charters, designed to push the envelope on new approaches to school design. Actors across the charter sector can create incentives for existing and prospective operators to think deeply and intelligently about the fundamental building blocks of schools and how they might be reorganized to improve student learning outcomes. They can also provide incentives for operators to address public education's toughest practical challenges and serve broader ranges of students.
- **Empower authorizers to specialize in certain areas of innovation or to address the challenges of specific student populations.** In addition to standard authorizers, states should consider empowering differentiated authorizers to focus exclusively on particular types of schools.⁴⁴ For

example, an authorizer might only oversee schools with blended learning models, unique staffing and compensation plans, novel assessment systems, or specialized subject-matter focuses (e.g., STEM). Some authorizers might specialize in turnarounds, charter conversions, or replication of high-performing schools. And some might authorize only schools that serve specific challenging student populations that have previously been underserved, such as students with disabilities, students learning English, students in the juvenile justice system, students in rural areas, or those in need of credit or dropout recovery. This would permit authorizers to develop expertise in confronting a narrower set of challenges, and they would be well positioned to aid schools in identifying specialists in their focus area to serve as school leaders, board members, or teachers, or to provide school supports.

- **Remove seat-time and assessment barriers to innovating in charter schools.** Charter school operators should be able to propose, for authorizer approval, unique curricular approaches and timelines for meeting a set of state-mandated standards for promotion or high school graduation. Given the diverse needs and circumstances of many high school students, charter high schools, especially, should be exempt from seat-time and sequencing requirements, regulations tied to traditional grade-level designations (freshman, sophomore, junior, senior), and assessments that are required to be taken on specific dates or at certain points in a student's school career. Dramatic changes like these will require significant supports from outside the schools, to design reliable assessments in core subjects that can be taken on demand and used across schools to show student competency (or "mastery").

How can critical stakeholders make the charter sector the source of innovative solutions to public education's most pressing challenges?

- **State charter associations and national advocacy organizations can:**
 - document and publicize innovative charter successes, and examples of charter schools addressing public education's most vexing problems.
 - push for the creation of specialized authorizers and the elimination of barriers preventing dramatically different approaches to charter high schools.
- **Authorizers can:**
 - design application criteria, set competitive priorities, or issue separate RFPs to incentivize innovation by charter applicants.
 - support innovation through expertise in specific areas or with particular student populations (for differentiated authorizers).
 - open high schools to innovation by helping schools secure needed autonomies and move away from seat-time and other barriers to innovation.
- **Private funders can:**
 - support research to determine which innovative practices work.
 - publicize and scale up the most effective models.
 - create competitions, offer prizes, and otherwise encourage the creation and implementation of dramatic, thoughtful ideas for new charter schools.
- **Policymakers can:**
 - create differentiated authorizers or empower authorizers to specialize in specific areas or meet the needs of particular student populations.
 - grant charter schools, particularly high schools, autonomy to take dramatically different approaches to prepare students for graduation.

Action 2. Focus advocacy efforts on building broad support for a high-quality charter sector that solves public education's most pressing challenges.

In the early years of the charter movement, sector leaders were willing to bargain away crucial supports simply to win the right for charters to exist.⁴⁵ As *Renewing the Compact* put it: "In our quest for independence, [the sector] accepted laws that left gaping holes in the fabric of financial support, or that allowed districts to create charters-in-name-only, tethered to outmoded work rules and somnolent central-office services."⁴⁶ In many states, these original laws have meant that charter schools have been battling ever since to secure the policy environment that will allow them to thrive. Though individual states have begun to win some of these policy battles—especially around lifting arbitrary caps on growth—unequal funding, lack of access to facilities, and an absence of autonomies remain far too prevalent throughout the sector.

The battle for policies that support a strong, quality-focused, and creative charter sector cannot merely be waged by disparate local groups. Charter policy is set at the state and federal level. Thus, it is in every charter advocacy organization's best interests to reach across jurisdictional lines and coordinate a strong, unified message. And they need to unite with all those who favor an excellent charter sector, focused on solving public education's most pressing challenges, to support a quality-focused agenda. State-level charter associations could do more to communicate with other state reform organizations, such as the state branches of 50CAN, Stand for Children, and Students First, or to share best practices with sister state associations. Addressing the most underserved student populations requires moving beyond urban, low-income populations as the primary success story of the sector, to address a wider range, such as students with disabilities, students learning English, students in the juvenile justice system, rural students, and dropouts and students in need of credit recovery. Although examples of successful charter schools in these categories exist, the sector has not had as deep

and wide an impact on these students as it has on the urban, low-income population.

Too many advocacy organizations were pegged by interviewees and survey respondents as advocating "for the sector" rather than advocating for a *high-quality* sector that produces solutions to America's biggest education challenges. One interviewee described advocacy organizations as too often "member-driven" rather than "performance-driven."

Recommendations

- Redouble efforts to pursue equitable funding.**
 Without equitable public funding, many existing, successful charter models cannot be sustained in the long term. Equitable funding would lift a major barrier currently preventing a diversity of operators and new ideas from flourishing in many states. Charter supporters must be dogged in their pursuit of equitable funding, using every opportunity to highlight inequities and resisting "bargains" that ask them to do more with less. Pursuing equitable funding is especially challenging in these economic times but remains a central policy issue for the sector. Today, requests to policymakers for "new money" would likely fall on deaf ears, and proposals to shift dollars from districts to charters would likely provoke a louder response. Creative strategies, like tying new facilities funding or increased operating dollars to results, or to reaching more students with great charter schools, could prove more persuasive.
- Push for actual access to unused public facilities.**
 A few cities and districts have expanded access to public school buildings by codifying a right of first refusal to lease or purchase them; others have extended low- or no-cost leasing privileges to charter schools. Some states "require" districts to take such steps, but in reality these provisions have not compelled many unwilling districts to make vacant space available to charter schools. States should continue to amplify the potency of these mandates, requiring districts to: post inventories of vacant and underused facilities;

give charter schools the first opportunity to lease them; be transparent and evenhanded throughout the process; and be subject to state audits to determine if they are truly making all possible space available.⁴⁷ In places with significant amounts of vacant and underused space that districts are not voluntarily making available to charter schools, policymakers should consider turning facilities ownership over to an impartial public authority, which can then lease space to district and charter operators as needed.

- **Pursue the next generation of facilities financing policies.** Federal credit enhancement funds, philanthropic efforts, and access to tax-exempt conduit financing have helped some charter schools obtain affordable facilities financing, but facilities still remain far too great a financial drain, and sometimes an outright blockade, for charter schools. They need bolder policies. Early-stage charter schools will always be risky for lenders, so credit enhancement strategies must be expanded, with both public and private funds on the line. As charter schools prove their value to students, they should gain access to the kind of financing districts typically enjoy: bonds backed by the full faith and credit of the public or, if that is not an option, the “moral obligation” of the state to repay their bonds.
- **Preserve and strengthen charter school autonomies.** In order for charter schools to meet higher standards than their district school counterparts—especially when so many charters remain at significant financial disadvantages—they must be allowed the autonomy to craft their own academic strategies for success. Charter advocates should strategize on a regular basis to maintain and expand autonomies in finance, personnel, scheduling, curriculum, and instruction.⁴⁸
- **Update the charter model law.** NAPCS’s model charter law is widely cited by sector experts as a major advance in the charter sector’s ongoing quest for supportive policies. Maine’s new charter law closely tracks the model law. In the past few
- years, states including Illinois, Michigan, Indiana, New Mexico, Hawaii, and North Carolina have all substantially overhauled their laws to align with NAPCS’s model law. Legislative leaders must continue to perceive the model law as relevant when seeking to improve existing charter laws or promulgate new ones. To that end, NAPCS should integrate new provisions in line with the sector’s evolution over the past several years, and with the policy components of bold new priorities for the sector, such as those contained throughout this report.
- **Provide sufficient funding for a national organization to serve as the go-to national voice for the charter sector to drive a quality-focused agenda in matters of federal policy.** A wide array of funders should provide adequate support for NAPCS’s effort to speak with a national voice for an excellence-focused charter sector, and mobilize state, local, and other national organizations that share that mission. Working in coalition with groups like for-profit operators and large CMOs, who have more resources and who can directly lobby, could be advantageous but could also generate significant tensions when coalition members have disparate interests or focus on growth irrespective of quality. Funders for NAPCS and other quality-oriented organizations therefore need to ensure that these organizations can advocate for quality-focused policies, even if other well-funded segments of the charter sector may not agree. NAPCS is well positioned to continue in a strong federal advocacy role, to build on recent federal policy successes, and to keep federal policymakers focused on what will foster high-quality, accountable chartering.
- **Provide more support to state-level organizations to enable their unrelenting focus on quality.** Some sector leaders think that national charter organizations should address policy issues at the federal level, leaving state organizations solely in charge of state-level efforts. However, many smaller state organizations lack the capacity to do more than stave off legislative attacks. For

the charter sector to grow and simultaneously increase excellence, every state needs a strong state-based organization that can successfully press a quality-oriented charter agenda, requiring proactive efforts—offense as well as defense. Such a strategy necessitates stronger and better-funded state organizations.

State-level organizations need not reinvent the wheel or duplicate efforts in other states. National organizations such as NAPCS could play a much more active role not just in building state capacity, but in actually *providing* capacity. These organizations could carry out more work that directly helps state-level efforts, such as: developing issue-oriented, research-based advocacy materials focused on quality; setting up the infrastructure for database-driven communications efforts; conducting market research on messages that resonate with different audiences; and even providing short-term adjunct staff in places where key advocacy moments require more boots on the ground. Since national organizations will inevitably have limited resources to commit to state work, they should ration it by providing the most support to state efforts that are focused on building a high-quality sector.

- **Grow a network of advocates for a high-quality charter sector within every level of federal and state government.** In any advocacy campaign, one key step is to reach out to legislators. However, hundreds more government officials exert influence over K–12 education policy. Continuing to deliberately cultivate relationships with a wide range of key influencers—education advisors to the president, the secretary of education, governors, and chief state school officers, for example, as well as congressional staffers, sub-cabinet officers at the U.S. Department of Education, local boards of education, and other key players—could pay huge dividends in the long run in focusing discussions on how to make the charter sector the source of innovative solutions to public education’s most pressing challenges.⁴⁹

In addition, charter organizations should work to fill government job openings with candidates who stand for quality-focused charter sector growth. By keeping track of these job openings within a searchable database, and keeping tabs on job candidates who are proven champions of the charter sector, a funder or organization could make deep inroads into the K–12 bureaucracy.

- **Grow a network of advocates for a high-quality charter sector within communities.** Beyond cultivating relationships with government officials, building a constituent base that will apply external pressure in favor of a high-quality charter sector is a worthwhile goal. Even so, past full-blown PR campaigns targeting the public have been expensive and only marginally effective. Advocacy organizations should instead target communications efforts toward an oft-neglected group: the parents of charter school students. Charter parents and students can put a face on the charter movement through their personal stories. Parents can also represent the constituent voice for legislators, and even if they disagree, legislators are likely to listen because parent opinions may translate into actual votes.

The expansion of charter schools into new geographies and student populations that address a range of challenges could similarly grow the base of parent support. As long as the public face of the charter sector remains so predominantly the “no excuses” model that serves urban, low-income students, parents and community members elsewhere have little reason to become invested. In the words of one interviewee, the charter sector has become something of a boutique, rather than a shopping mall full of educational choices, and as long as that is the case, the charter movement risks remaining on the margins of public understanding and support.

How can critical stakeholders advocate to build broad support for a high-quality sector with the capacity to solve public education's most pressing challenges?

- **National advocacy organizations can:**

- reframe the public debate about the purpose of the sector by stressing its ability to solve public education's most pressing challenges.
- push unceasingly for increased access to funding and facilities, and for increased operational autonomy for charter school leaders.
- resist policy "bargains" that will require charter schools to do more with less.
- direct their assistance to state charter organizations and state-level efforts focused on excellence.
- work to maximize the extent to which federal and state funds are directed to quality-focused activities.
- build state-level capacity and in some cases actually *provide* state-level capacity.

- **Leaders of high-performing charter schools and CMOs can:**

- communicate frequently with supportive policymakers about the difficulties they encounter in maintaining excellence in the face of problematic policies.
- encourage parents and community members to vocally support their schools and the sector as a whole.

- **State-level advocates and charter and CMO leaders can:**

- shun growth strategies not tied to quality.
- build support for quality among charter school parents.
- expand into new geographies and new student populations to encourage buy-in from a new base of supporters.

- **Private funders can:**

- offer low-interest loans in greater volume to fledgling charter schools.
- extend increased funding specifically for charter schools' capital investments.
- increase funding for national advocacy and coalition-building focused on quality.
- support state organizations, particularly in states with smaller charter markets, that feel pressure to expand their states' sectors or their own membership without strong regard for the need to build a quality-focused sector.

- **Policymakers can:**

- continue to work across the aisles to support charter schools by emphasizing their role in solving public education's most pressing challenges.
- resist compromise on the core issues of equitable funding, access to facilities, and ensuring charter autonomy.
- increase access to a wide range of financing alternatives for charter schools.

Action 3. Increase the supply of excellent new charter schools.

A great strength of the charter sector has been its ability to attract a new generation of talented people into public education. Yet the sector is not creating excellent new schools quickly enough to meet the challenge of educating today's many underserved students. As the sector grows, it will need to attract even more talented people and prepare them to open, lead, govern, and teach in high-performing charter schools.

Recommendations

- Seed charter incubators to serve every major U.S. city that has a charter sector.** Charter incubators intentionally build the supply of high-quality charter schools and CMOs. They recruit leaders who show exceptional promise, and they train and support them as they prepare to open and lead new schools.⁵⁰ They share a belief that “new school founders who are carefully vetted and receive critical supports are more likely to be successful, on average, than those who start new schools on their own.”⁵¹ Established and emerging incubators such as the Tennessee Charter School Incubator, New Schools for New Orleans, Charter School Partners, Get Smart Schools, and The Mind Trust’s Charter School Incubator have provided early indications that investing in incubation can help dramatically increase the supply of talented leaders who are prepared to operate high-quality charter schools. Unfortunately, too few localities have organizations actively engaged in incubation at a sufficient scale.
- Develop specialized incubators to address the leadership challenges of operating innovative school models or serving unique student populations.** To date, incubators have tended to be city-based and have geared recruitment toward promising leaders without regard to the specific types of charter school they would open. In addition to expanding these initiatives, the sector would benefit from new incubators tailored to specific models or student populations. For example, although it would be impractical to start an incubator for every rural area where chartering might take root, statewide, regional, or national incubators could focus on recruiting and selecting talented individuals and preparing them to face the specific challenges of opening and leading high-performing charter schools in rural areas. Other areas where specialized incubators could have a strong impact on sector leadership include: schools designed to succeed with underserved populations such as students with disabilities, students learning English, and students in the juvenile justice system; technology-rich school models; and models built specifically to confront the long-term difficulty of achieving financial sustainability. See Action 2 for more discussion of the specific challenges that incubation might usefully address.
- Expand the amount and types of funding for incubation and other efforts to boost the supply of exceptional founder-leaders.** Incubation offers a high potential return on investment for funders. Costs range from \$200,000 to \$500,000 per school and are a one-time investment. By contrast, other reform strategies may require millions of dollars per school and require sustained investment over many years. In addition to private funding, efforts are under way to open channels for public dollars to support incubation.⁵² The impact of incubation may be enhanced by efforts to recruit promising new school leaders from across education and from other sectors.
- Initiate student loan reimbursement programs for charter school alumni who return as teachers or leaders.** One way to help the charter sector continue to attract strong teachers and leaders as it grows is partial student loan reimbursement programs for the alumni of excellent charter schools—alumni whose experiences presumably provided a deep understanding of what elements a great charter school should possess. This could be a charter-specific program, or one designed more broadly to fuel the pipeline of teachers into high-needs schools. Alumni who return to charters

as teachers would receive a certain percentage of loan reimbursement; those who remain longer and move into advanced roles or leadership positions could earn back the full amount of their student loan obligation.

- **Recruit, train, and support board members for the challenges of overseeing charter schools and holding them accountable for student learning outcomes.** The *Renewing the Compact* recommendations on charter boards remain important in 2012: The sector needs to recruit a deep bench of potential charter board members to fill needs as the sector expands. There should be a nonnegotiable set of core skills that board members (or boards as a whole) must meet, and a long-term leadership development plan that helps maintain continuity as board membership changes. Board members need training and support to understand and fulfill their responsibilities, and

they also need access to data on the schools they oversee that will facilitate their work.⁵³

Finally, governing boards of charter schools that demonstrate high student achievement should be permitted to oversee multiple schools or campuses.

- **Create jobs and career paths to make teaching and school leadership attractive long-term options for talented people.** Although individual charter schools and charter networks have experimented with new talent strategies, the sector as a whole has not shown enough leadership in this area. Several strategies commonly used in other sectors could help make the charter sector even more of a talent magnet, including creating career ladder opportunities for advanced roles within teaching, extending the reach of excellent performers, and paying teachers more for reaching more students or for taking on more demanding roles.⁵⁴

How can critical stakeholders increase the supply of excellent new charter schools?

- **State charter associations and national advocacy organizations can:**
 - lead efforts to identify and support a diverse array of promising organizations and individuals to lead incubation efforts.
 - help prepare charter board members to understand and fulfill their responsibilities, emphasizing their accountability for student learning outcomes.
- **Leaders of high-performing charter schools and CMOs can:**
 - create incubation initiatives (such as KIPP's Fisher Fellows or the E.L. Haynes Public Charter School).
 - build new school and staffing models that make the profession more attractive and rewarding for talented individuals (**authorizers** should provide incentives for them to do so).
 - initiate student loan reimbursement programs for the alumni of high-performing charter schools.
 - share their best selection, development, and evaluation practices with other CMOs and incubators.
- **Private funders can:**
 - support incubation, including the creation of specialized leadership incubators.
 - fund initiatives that draw talented individuals to the sector from elsewhere in education or from other sectors.
 - provide seed capital for tuition reimbursement programs.
- **Policymakers can:**
 - dedicate public funding to incubation.
 - grant charters autonomy to pioneer staffing innovations.
 - permit single boards to oversee multiple charter schools or campuses.

Action 4. Turbo-charge the growth of the highest-performing charter schools.

Positive proof points abound within the charter sector. Yet numerous barriers to growth confront the best charter schools, not the least of which is a fear of expansion that exists across the sector. Even those who want to grow often face practical, policy, and sector barriers.⁵⁵ Charter supporters need to confront the challenges of growing the sector's best to rapidly and effectively meet the massive need for high-quality charter seats across the country.

Recommendations

- **Reward growth accompanied by excellence.** It is no secret how difficult it is to grow while maintaining excellent outcomes. Those who succeed should reap rewards that accrue both to the organization (in part to encourage further growth) and also to the individual CMO or school leaders and staff who took on the challenge of growth and made it work. Rewarding high performers also fuels investment in systems and talent pipelines that enable further growth. In 2011, Public Impact proposed a new formula for measuring growth and excellence: Charter School Success = Student Outcomes X Annual Number of Students Reached.⁵⁶ Schools and networks should be encouraged to commit to this formula as a key performance measure. Charter authorizers and operators should also develop appropriate performance-based funding measures that reward excellence and reach.
- **Invest in the next big charter brands.** Typically, new charter operators and authorizers focus on achieving excellence in one school before entertaining serious thoughts of expansion. After individual schools have demonstrated excellence, they should be encouraged to consider expanding their impact to more students or more schools, and assisted in developing thoughtful plans and systems in anticipation of growth.
- **Build leadership and talent pipelines to support growth.** A rapid scale-up of successful school models will require major infusions of leadership and teaching talent that are likely to quickly exhaust internal talent pipelines. Growth leaders should consider recruiting operational experts skilled at confronting the challenges of growth, which might include experienced educators but might also involve importing leaders from other sectors with proven track records, training them to succeed in education, and helping them develop teams to address gaps in their skills or knowledge. Additionally, as discussed above, charter schools should create jobs and career paths to make teaching and school leadership attractive long-term options for the most talented people, which will improve recruitment and retention to support growth.
- **Develop communities of growth-oriented charters and networks to confront common challenges and create a culture that values growth.** Partnerships and alliances among those invested in quality growth will enable charter schools and networks to share successful approaches to growth, collectively overcome growth barriers, and unite to advocate for policy changes to facilitate growth with excellence.

How can critical stakeholders turbo-charge the growth of the highest-performing charter schools?

- **State charter associations and national advocacy organizations can:**
 - better understand impediments to quality growth and work to alleviate them.
 - encourage successful charters to grow, and facilitate their growth planning.
 - facilitate partnerships and alliances among operators and supporters to confront growth barriers, or advocate for changes in policies that inhibit growth.
- **Authorizers can:**
 - create some measures of school success that include both excellence *and* growth, while recognizing that not all schools plan to replicate.
 - encourage successful schools to consider growth.
 - design charter contracts and policies to reward excellence financially or through streamlined processes for renewal, replication, or the granting of additional charters.
- **Charter and CMO leaders can:**
 - plan intentionally for growth after achieving excellence with their first schools.
 - negotiate with authorizers for charter contracts that reward growth with excellence, both for the organization and for individual teachers and leaders.
- **Private funders can:**
 - seed the creation of new charter organizations that begin with growth in mind.
 - facilitate replication planning by successful operators.
 - fund support organizations that help excellent operators confront and manage the challenges of quality growth.
- **Policymakers can:**
 - craft policy agendas to include measures of charter success that includes both growth and excellence, without penalizing schools that opt not to grow.
 - eliminate policies that limit growth of high-performing charter schools.
 - build performance incentives into state charter funding laws.

Creating a Results-Driven Culture

The four actions in the preceding section will lead to the creation of new charter schools with the incentive and ability to grow and innovate. But after schools open, operators, authorizers, and others need to put plans into action that will ensure improved student learning outcomes and other positive impacts on students and the overall education system. Specific actions to accomplish this include: holding authorizers accountable for outcomes; making the charter sector the cutting edge of defining “success” and operating with transparency; and closing or intervening in persistently low-performing schools.

Action 5. Hold authorizers accountable for outcomes.

The sector has made commendable progress in recent years in refining principles and standards for quality authorizing, led by the National Association of Charter School Authorizers (NACSA).⁵⁷ To develop these standards, NACSA distilled a wide range of practice-based wisdom into a set of actionable strategies that can guide authorizers as they set policies and carry out their daily work.⁵⁸

With these vital standards identified, the sector should prioritize efforts to hold authorizers accountable for meeting basic responsibilities. At the same time, sector leaders must acknowledge and confront a major tension in authorizing—the extent to which overreliance on standards and established best practices could stifle innovation.

Recommendations

- **Spotlight authorizer practices and outcomes to encourage compliance with established standards.** In the words of a time-tested adage, “sunlight is the best disinfectant.”⁵⁹ Authorizers should be subject to scrutiny through enhanced transparency requirements in their practices, and with respect to their schools’ outcomes. Such openness would assist schools in choosing authorizers to best serve their needs and place pressure on authorizers that fail to fulfill their duties.

Scrutiny should come through case studies, the maintenance of databases that allow easy comparisons of practices and outcomes across authorizers, and public recognition of strong examples of good authorizing and problematic practices. Authorizer report cards that measure fidelity to established standards, academic performance, and information about school closures would also enhance this scrutiny.

- **Insist on real consequences for underperforming schools, including closure when necessary.** Authorizers must hold charters to the requirements embodied in federal and state law, authorizers’ own internal standards, and the terms of individual charter contracts. Authorizers should be pressured by actors throughout the sector to establish and maintain clear performance measures for the schools they charter. They should be encouraged to define objective measures before they charter schools, to avoid controversy about unclear requirements or fuzzy standards.
- **Create space for authorizers to take risks and authorize innovation.** While the development of standards for “good authorizing” are a positive development in the sector overall, they should not be immutable or so inflexible as to discourage unproven but reasoned authorizing practices. As with school accountability (discussed below), there should be room for authorizers to take reasonable risks to authorize innovative schools, including those with new models and practices, and those that take on particularly challenging student populations.

How can critical stakeholders improve authorizer accountability for outcomes?

- **State charter associations and national advocacy organizations can:**
 - encourage maintenance of databases on authorizer practices and performance.
 - create or support report cards, case studies, and other publications that scrutinize authorizer practices and highlight best practices.
 - encourage policies and practices that hold authorizers accountable but also leave room for them to take risks on innovative but unproven models and practices, and on schools that take on challenging student populations.
- **Private funders can:**
 - condition authorizer funding on compliance with NACSA standards.
 - invest in the development of databases, reports, case studies, and other resources that scrutinize authorizer approaches and highlight best practices.
- **Policymakers can:**
 - perform audits on authorizers to ensure compliance with federal and state law.
 - require the publication of information on state authorizer practices and results, including data on schools' academic performance and closure rates.
 - mandate the public dissemination of charter school data and charter agreements to encourage and facilitate public scrutiny.

Action 6. Make the charter sector the cutting edge of defining “success” and operating with transparency.

Interviewees and survey respondents praised sector leaders for instigating a “drumbeat for quality,” which they recognized as having become steadier and more intense since the release of *Renewing the Compact*.

Most sector leaders define a quality school as one that achieves excellent student learning outcomes, most commonly measured by required end-of-grade tests. Yet some feel frustrated with the charter sector’s inability to challenge the status quo on the outcomes measured (academic outcomes in core subjects) and the means for measuring them (multiple-choice standardized tests). Some expressed a desire to see charter schools more actively experiment with different types of assessments. Some pined for broader measurements, including student character traits, such as “zest, grit, self-control, social intelligence, gratitude, optimism and curiosity.”⁶⁰ And some expressed hope that the sector would help move the broader field

toward innovative methods for measuring success that go beyond standardized testing.

Recommendations

- **Use charter autonomy to pioneer new measures of student performance.** Charter schools should be encouraged to include additional and different means of student outcome assessment in their charter agreements and operational plans. Authorizers might require schools to propose new assessment measures, or make the inclusion of such measures a competitive priority. Researchers and advocates can help with the creation of such measures, and shine a light on them as they are implemented, to help determine what works and expand successful measures to other schools, or even use the results to influence changes in statewide assessment.

New measures are especially important in schools serving nontraditional students, for whom schools need to establish rigorous expectations defined according to their students’ unique circumstances.

Even as charters experiment with new methods for measuring student success, they must continue to focus on achieving excellent results according to established measures of student outcomes, including state-mandated assessments. In this way they can continue to build credibility as beacons of excellence and leverage their strong reputations to influence systemic changes in performance measurement and other policy areas.

- **Increase transparency around data, enrollment, and demographics.** As one interviewee for this report noted, “the fundamental challenge [for the sector] is that charter schools really aren’t any one thing, and the movement has acted as if they are.” This means that even though a subset of extraordinary charters shows great results, detractors still succeed in relying on arguments built on average performance across the sector, generalizing

from a minority of bad actors, or targeting categories of schools (such as for-profit EMOs or full-time online schools) that make easy political targets due to their structure or results achieved to date. Charter advocates and funders should seek to disaggregate charter sector data so that more is known about the performance of certain kinds of charters, resulting in useful comparisons across the sector and with district schools.

In particular, charter sector stakeholders should be transparent about where students start and where they end up, allowing for growth measures that are a better gauge of the impact of school-based factors than achievement measures alone. This is particularly important to encourage charter schools to address the most challenging and needy students, and to be open and transparent about their successes and struggles.

How can critical stakeholders make the charter sector the cutting edge of defining “success” and operating with transparency?

- **State charter associations and national advocacy organizations can:**
 - disaggregate charter sector data and publicize successes (and struggles) of certain types of charters, or charters in certain policy environments, rather than average statewide or sector-wide results.
 - focus on student growth as the most meaningful measure of school success.
- **Leaders of high-performing charter schools and CMOs can:**
 - work with authorizers to include new measures of student performance in charter agreements and operational plans.
 - maintain a strong focus on high performance on established measures of student outcomes, including state-mandated assessments.
 - share data on student growth and performance.
- **Authorizers can:**
 - encourage the inclusion of new measures of student performance in charter agreements and operational plans, and make including such measures a competitive priority in charter applications.
 - prioritize student growth over time, instead of just snapshots of student achievement, in accountability plans.
 - consider which student populations are being served when establishing performance expectations.
- **Private funders and researchers can:**
 - Help create new measures of success, evaluate what works, and advocate for expansion of successful measures.

Action 7. Close or intervene in persistently low-performing schools.

Closing or intervening in a failing or struggling charter school is never easy. Parents and children become invested in their schools, even unsuccessful ones, and often do not want them to close in spite of low performance. Closures disrupt families and communities, and usually involve laying off teachers and principals. Even so, greater harm is done to children by permitting failing schools to remain open indefinitely.

Nearly every charter leader interviewed for this report cited the lack of closures of low-performing schools to be the Achilles' heel of the sector. According to a 2010 report, 72 percent of low-performing charter schools in 10 states were allowed to remain open, and remained low-performing, for five years.⁶¹ Closures would open slots under caps for potentially higher-performing schools, and would help define the sector based on its strict approach to quality. Closing failing schools would provide a strong answer to charter critics who complain that the sector bends too strongly toward growth irrespective of quality.

Whether school closure is appropriate when the failing charter school is nonetheless performing better than nearby district schools troubled some interviewees and survey respondents. Finally, within the minority of charter operators, boards, or authorizers who have actually taken bold action to close schools, too few have been able to handle the process in a way that was sensitive to all stakeholders.

Recommendations

- **Enact automatic closure provisions in every state as a backstop for quality authorizing.** If authorizers will not close a school and/or if incentives fail to work, states need to be willing to step in instead. The most responsible policy—described in detail in NAPCS's model charter law—requires automatic closure for schools that fail to meet performance expectations as defined in their charters for some predefined number of years.⁶² Authorizers should be able to override automatic closure if, in their judgment, keeping the school

open is in the best interests of students and the public (e.g., because a new board and leadership has stepped in and the school is improving rapidly).

- **Fuel the supply of replacement schools for chronic low performers.** Authorizers or states could choose to assign failing schools to alternate operators, if ones were ready and available; the problem is that very few talented operators are waiting around for such opportunities to appear.⁶³ As noted above, the charter sector needs to build the supply of talented people prepared to open and operate excellent charter schools. Closure would be easier to manage, and the outcomes better for students, if strong replacement pipelines could be tapped to move students from failing schools to more promising alternatives. States could also consider incentivizing turnaround work for successful charter operators, providing a more palatable option than automatic closure.
- **Improve methods of closing schools to mitigate harmful effects to children and communities.** When, in 2004, a California for-profit education management company was forced to close more than 60 campuses, 10,000 students were left to search for new schools a mere month before classes began. Parents and communities were understandably outraged. California responded by adopting a memorandum of understanding template for authorizers, which provides an in-depth description of how to close a charter school.⁶⁴ Giving authorizers the tools and knowledge necessary to close schools as painlessly as possible is an excellent way to support them through a difficult process, as well as to minimize negative effects on students and families.
- **Do a better job selecting and training board members.** According to a group of highly regarded authorizers, failing charter schools can be effectively turned around by a talented, well-connected, and politically savvy board.⁶⁵ Excellent boards can also bolster fundraising efforts, build community support, and foster the kind of operational excellence that allows schools to thrive. However, little has changed since 2005,

How can critical stakeholders facilitate closure or intervention in persistently low-performing schools?

- **State charter associations and national advocacy organizations can:**
 - share best practices among authorizers to facilitate responsible closure decisions and successful management of the closure process.
 - facilitate selection and training of high-quality charter board members.
- **Authorizers can:**
 - create clear, objective, and reasonable expectations of authorized schools.
 - communicate with school leaders and members of school communities over time to minimize the surprise of intervention and closure decisions.
 - act decisively to intervene in or close persistently low-performing schools.
- **Private funders can:**
 - invest in organizations that are preparing leaders to open schools to replace closures or serve the same communities.
 - fund recruitment and training of excellent charter board members.
- **Policymakers can:**
 - require automatic closure (with an authorizer override provision) for schools that fail to meet performance expectations for a predefined number of years.
 - provide strong incentives and state support for turnarounds.
 - permit multiple charters to share one excellent board.

when *Renewing the Compact* first noted that far too few excellent board members were serving charter schools; a recent study found that boards are still predominantly unskilled and uninvolved.⁶⁶ *Renewing the Compact's* recommendations that multiple charters share one excellent board, and that charters invest in orientations and continuing education for board members, remain quite relevant today.

CONCLUSION

The charter sector has made important progress in key areas highlighted in *Renewing the Compact*. Yet persistent challenges inhibit the sector's fulfillment of its full promise. This report has highlighted actions to capitalize on the sector's existing strengths and confront those challenges.

By boldly pursuing the recommendations set forth in this report, stakeholders can create the next wave of new charter schools to solve public education's most pressing challenges; advocate for policies that will create a sector defined by quality; scale up existing successful approaches; deepen real accountability for performance; and create and improve standards and the means of effectively measuring progress against them.

As it was when *Renewing the Compact* was released in 2005, the charter sector is at a crossroads. Its successes are worth celebrating, and looking ahead, its promise is even greater. However, the sector will realize its promise only if leaders throughout the sector take bold steps to meet the challenges of growth and quality, to serve far more students with excellence.

APPENDIX I. SEVEN PRINCIPLES OF QUALITY CHARTERING, FROM ORIGINAL *RENEWING THE COMPACT* POSITION STATEMENT

1. Quality is more important than quantity. Growth is not an end in itself.
2. The primary aim of charter schools is to pursue academic achievement for all students. Non-academic goals are important but do not by themselves justify charter renewal.
3. Charter schools must achieve at high levels—not just offering something marginally better than failing neighboring schools, but providing the kind of education that equips graduates for success in postsecondary education, fulfilling work in the 21st century economy, and responsible citizenship.
4. Charter accountability must be both internal and external. State mandated standardized tests are a necessary and appropriate condition of public accountability, but are not sufficient. Charter schools should embrace more frequent and expansive student assessment as a source of feedback that guides professional practice.
5. People make the difference. There is no foolproof “charter model” and a high priority must be placed on recruiting, mentoring, and evaluating those who lead and teach in charter schools.
6. Since charter schools are public schools, the students who attend them are entitled to the same level of financial support as students in other public schools.
7. Every kind of organization that supports or represents charter schools should be a force for quality, including authorizers, resource centers, state associations, lenders, and national advocacy groups.

APPENDIX II. REFLECTIONS AND RECOMMENDATIONS FROM ORIGINAL *RENEWING THE COMPACT* POSITION STATEMENT

- Let evidence drive operations.
- Embrace assessment.
- Spread effective practices.
- Build a high-quality, sustainable teacher force.
- Build high-quality, sustainable charter leadership.
- Develop the capacity of charter school boards of trustees.
- Strengthen authorizer competence and responsibility.
- Strengthen charter school accreditation.
- State associations must stand for quality.
- Fully fund charter schools.
- Public and private funders help bring quality to scale.
- Charter school laws must be about quality.

APPENDIX III. RESEARCH FRAMEWORK

Proposed Framework	<i>Renewing the Compact: Principles*</i>	Reflections and Recommendations*
Student Achievement in Charter Schools: Assessment and Excellence	<ul style="list-style-type: none"> Charter accountability must be both internal and external. State mandated standardized tests are a necessary and appropriate condition of public accountability, but are not sufficient. Charter schools should embrace more frequent and expansive student assessment as a source of feedback that guides professional practice. The primary aim of charter schools is to pursue academic achievement for all students. Non-academic goals are important but do not by themselves justify charter renewal. Charter schools must achieve at high levels—not just offering something marginally better than failing neighboring schools, but providing the kind of education that equips graduates for success in postsecondary education, fulfilling work in the 21st century economy, and responsible citizenship. 	<ul style="list-style-type: none"> Embrace assessment. Let evidence drive operations. Strengthen charter school accreditation.
Talent: Charter School Teachers, Principals, and Boards	<ul style="list-style-type: none"> People make the difference. There is no foolproof “charter model” and a high priority must be placed on recruiting, mentoring, and evaluating those who lead and teach in charter schools. 	<ul style="list-style-type: none"> Build a high-quality, sustainable teacher force. Build high-quality, sustainable charter leadership. Develop the capacity of charter school boards of trustees.
Equitable Funding: Operating and Facilities	<ul style="list-style-type: none"> Since charter schools are public schools, the students who attend them are entitled to the same level of financial support as students in other public schools. 	<ul style="list-style-type: none"> Fully fund charter schools.
Conditions for Success: Policy Environment, High-Quality Authorizing, Associations and other Supports	<ul style="list-style-type: none"> Every kind of organization that supports or represents charter schools should be a force for quality, including authorizers, resource centers, state associations, lenders, and national advocacy groups. 	<ul style="list-style-type: none"> Charter school laws must be about quality. Strengthen authorizer competence and responsibility. State associations must stand for quality. Spread effective practices.
Advocacy and Communications		
Growth with Quality	<ul style="list-style-type: none"> Quality is more important than quantity. Growth is not an end in itself. 	<ul style="list-style-type: none"> Public and private funders help bring quality to scale.

*Taken verbatim from *Renewing the Compact* (2005).

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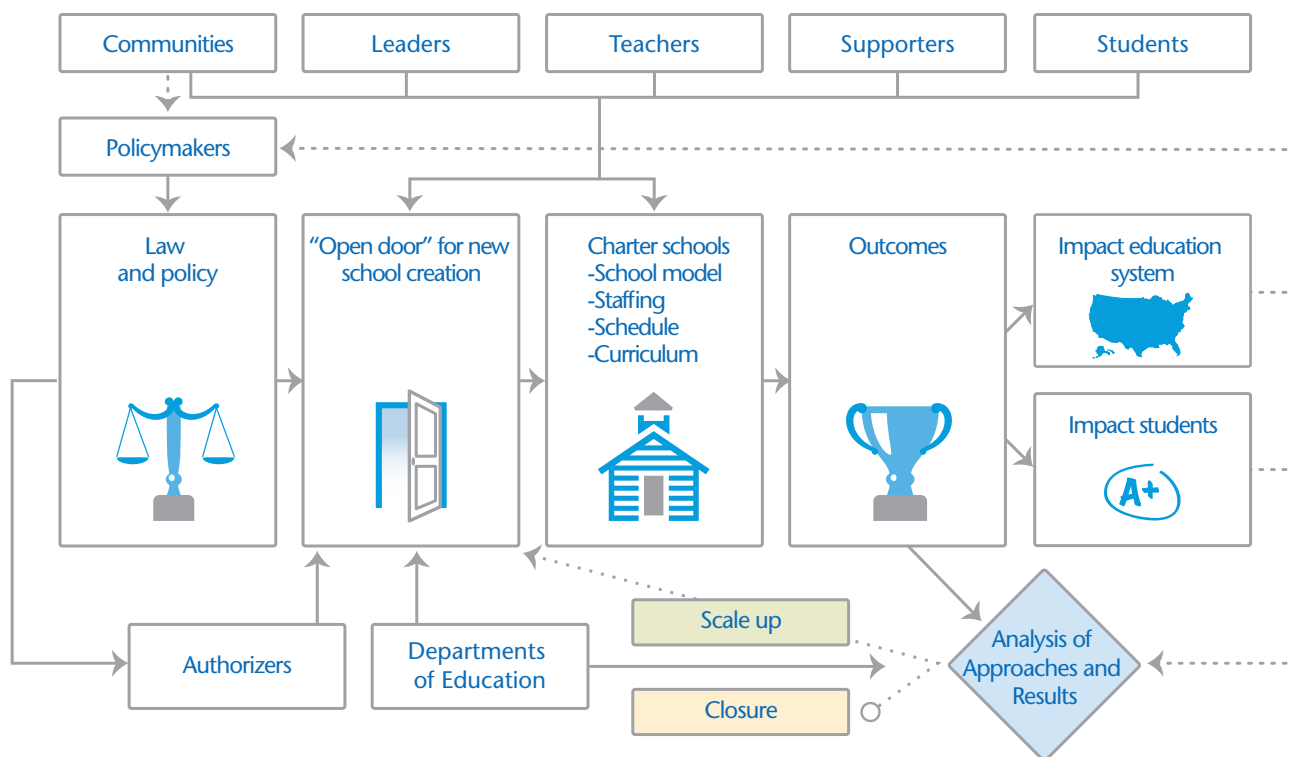
APPENDIX V. LIST OF INTERVIEWEES

The following individuals generously provided expert opinion on the charter sector's progress and future direction. Their thoughts were invaluable to the authors' analysis and drafting of this report. The authors also collected survey responses from 48 education leaders, including representatives of charter schools, state charter support organizations, incubators, think tanks, advocacy groups, foundations, authorizers, and government agencies.

The views expressed in this report are those of the authors and not necessarily those of any interviewee or survey respondent or his/her organization. All errors are the authors' alone.

- Mashea Ashton, Newark Charter School Fund
- David Domenici, Center for Educational Excellence in Alternative Settings
- Josh Edelman, Bill & Melinda Gates Foundation
- Checker Finn, Thomas B. Fordham Institute
- Howard Fuller, Institute for the Transformation of Learning, Marquette University
- Alex Johnston, Bloomberg Philanthropies
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- Robin Lake, Center on Reinventing Public Education
- Christopher Nelson, Doris & Donald Fisher Fund
- Eric Paisner, National Alliance for Public Charter Schools
- James Peyser, NewSchools Venture Fund
- Macke Raymond, Hoover Institution
- Greg Richmond, National Association of Charter School Authorizers
- Jon Schnur, America Achieves
- Don Shalvey, Bill & Melinda Gates Foundation
- Nelson Smith, Former President and CEO, National Alliance for Public Charter Schools
- Jed Wallace, California Charter Schools Association
- Ursula Wright, National Alliance for Public Charter Schools
- Todd Ziebarth, National Alliance for Public Charter Schools
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APPENDIX VI. HOW THE CHARTER SECTOR CAN TRANSFORM PUBLIC EDUCATION



EXPLANATION: Policymakers set ground rules for the sector, which are embodied in law and policy to do two things: (1) set the conditions under which new charter schools are created, and (2) empower a set of actors to determine who gets to open new schools and on what terms. Actors from several categories participate in the marketplace for new school creation: communities, prospective operators, those interested in school leadership or teaching positions in new schools, support groups (including incubators, state associations and non-public funders), and students. Communities also exert pressure on policymakers to change ground rules. Those who pass successfully through the “open door” for new school creation become new charter schools, which operate under additional rules affecting the school model, staffing, scheduling, curriculum, etc. Each school produces student outcomes and may affect the overall system by exporting best practices or inducing competitive responses from other schools (charter and district). These outcomes and impacts produce data on approaches and results that authorizers and government agencies analyze, possibly resulting in school closure (in case of failure), or the scale-up or replication of successes. Outcomes and impacts can also combine with public opinion to prompt policymakers to make changes in law and policy.

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General Resources

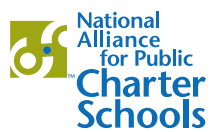
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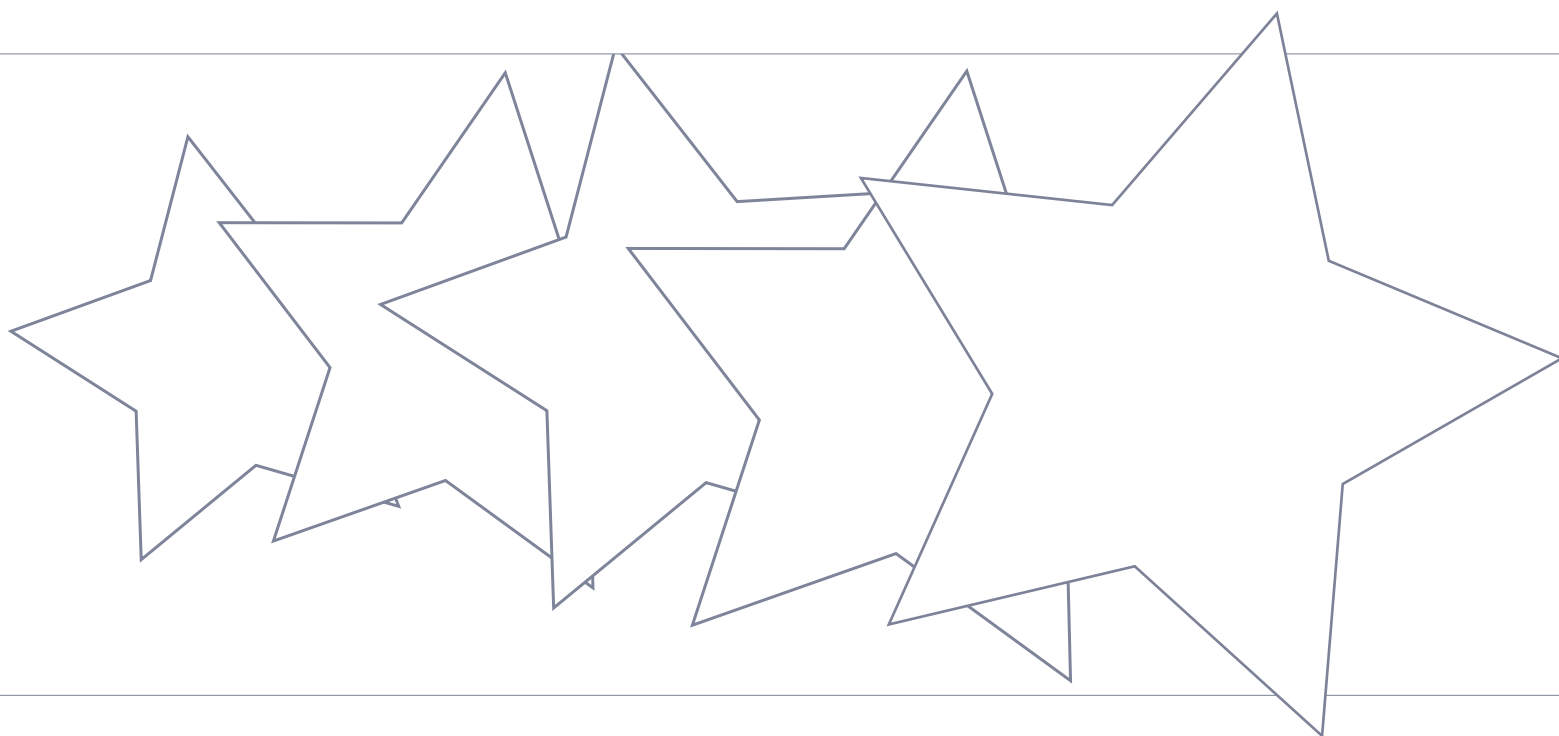
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UNDERSTANDING THE STAR RATING SYSTEM

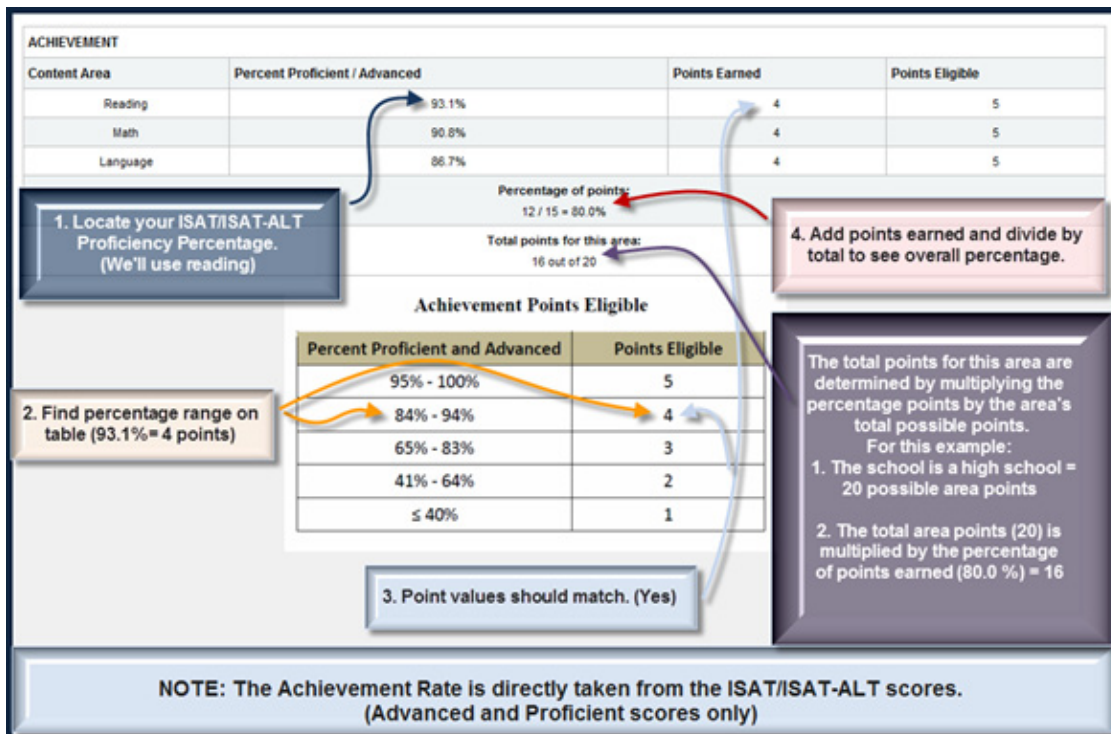
This guide outlines how to interpret the Star Rating System accountability information found on the AYP site.



For assistance, please contact
Dr. Angela Rishell at
arishell@sde.idaho.gov
208-332-6976

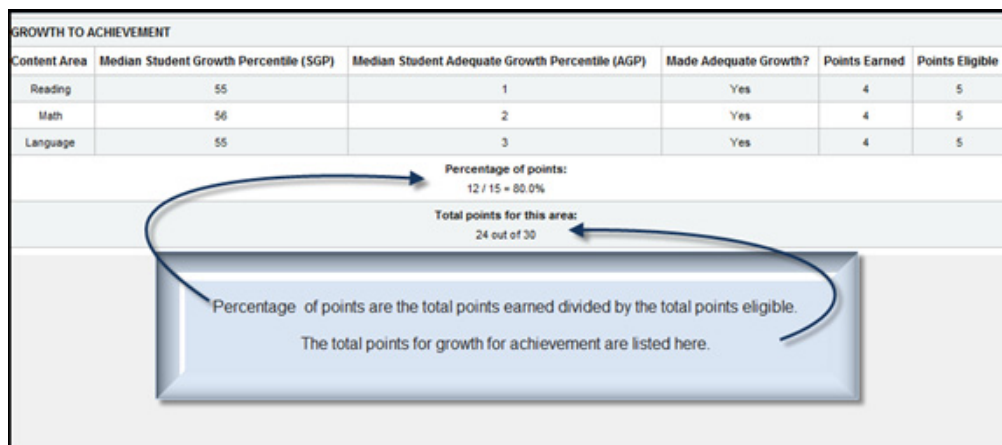
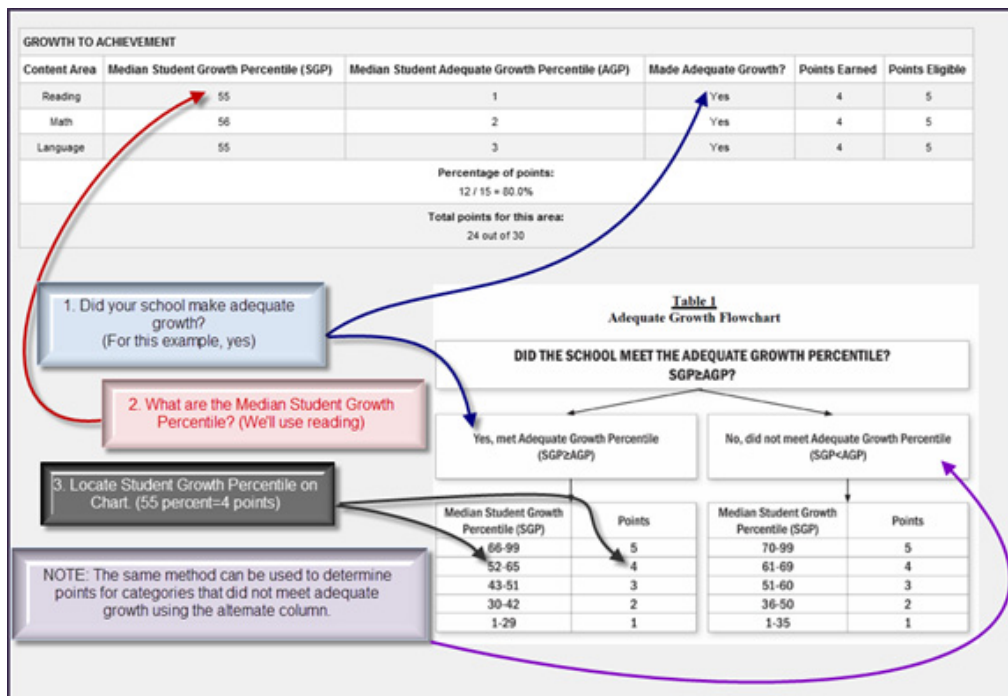
Accountability Area 1: Achievement

- This category is a direct reflection of student achievement on the ISAT tests.
 - These scores may look different than your AYP data because basic students are counted as 0.5 proficient for the old AYP system. For the Star System, only students who score proficient or advanced will be included in the calculations.
- To interpret the data presented on this site:
 1. locate your ISAT/ISAT-ALT proficiency percentage
 2. locate your percentage range on the table (which will then show you your total points earned from the total points eligible column).
 3. The Points Earned column on the school page should mirror the points eligible on the table.
 - Repeat for all categories.
 4. Add points and divide by total to see overall percentage.
 5. For the purpose of the star rating system each accountability area is given a set number of points that are different for elementary and high school (there is an adjustment for categories not reported at the elementary level... graduation, etc.).
 - The total points for high schools = 20
 - The total points for elementary = 25
 - The total percentage points earned is then taken and multiplied by the total points to determine total points earned for each area.



Accountability Area 2: Growth To Achievement

- Academic growth and academic growth gaps are evaluated based on a normative comparison of how much the typical or median student in the school/subgroup grew compared to his/her academic peers. This is called Median Student Growth Percentile (SGP).
- Growth to Achievement and Growth to Achievement Subgroups are evaluated based on the criterion of whether or not the growth rate is adequate for the typical or median student in the school/subgroup to reach or maintain a performance level of proficient or advanced within three years or by 10th grade, whichever comes first. This is called Median Student Adequate Growth Percentile (AGP).
- The Growth to Achievement and Growth to Achievement Subgroups indicators use two different scoring guides depending on whether or not the median growth percentile of the school or subgroup meets or exceeds the adequate growth needed for that school or subgroup.



ADDITIONAL SIMPLIFIED EXAMPLE:

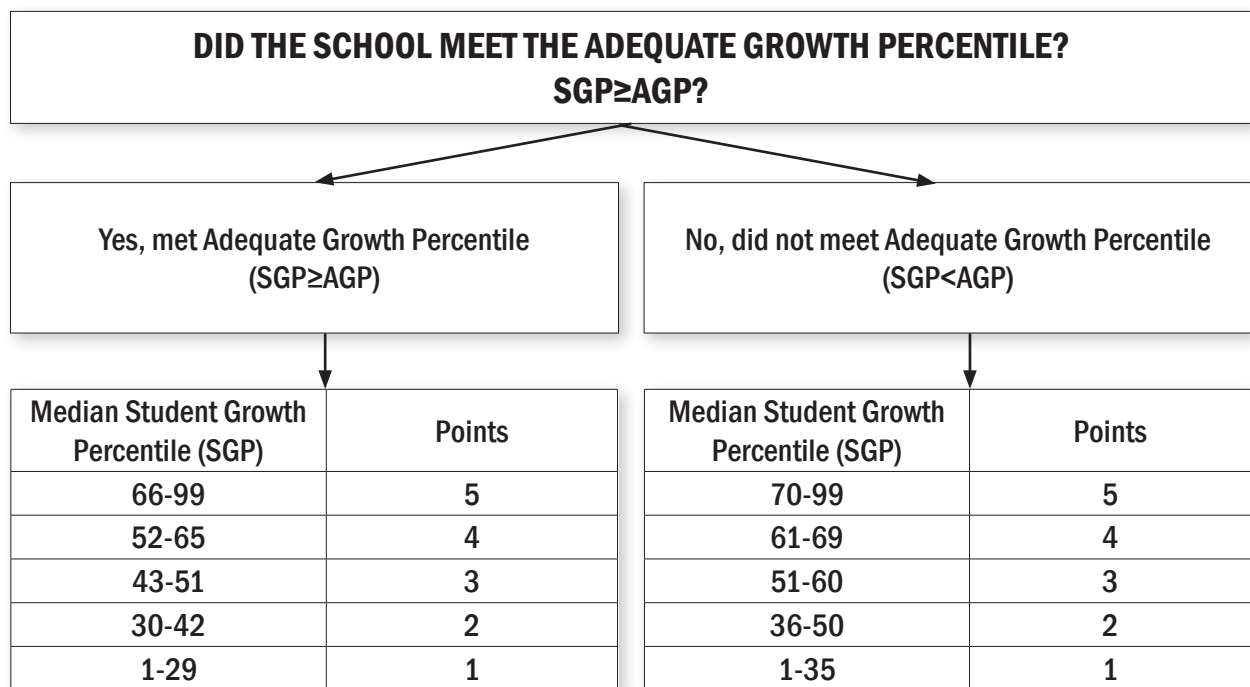
Here is a very simplified example of how SGP and AGP work. Say the state of Idaho only has eight 4th graders, and your school has three of them: Jonny, Sally, and Mike.

Name	ISAT Reading 3rd	ISAT Reading 4th
Jonny	179	192
Sally	202	233
Mike	202	200
Kim	202	264
Sue	179	194
Tom	179	180
Sammy	160	194
Joe	255	255

To calculate Jonny's SGP for Reading, you look at his academic peers, Sue and Tom. They performed similar to Jonny on the 3rd grade ISAT Reading. When looking at Jonny's 4th grade ISAT Reading scale score, 192, you notice that it is higher than Tom's score (180) but lower than Sue's score (194). Jonny performed better than 50% of his academic peers; therefore Jonny's SGP is 50. Similarly, Sally received a SGP of 50 and Mike received a SGP of 17. Your school's median SGP would be 50.

With a scale score of 179, Jonny is below basic. He needs to achieve a scale score of 208 or higher on the 6th grade ISAT reading test in order to be proficient within 3 years. Using our state-level data, we predict that Jonny's growth percentile needs to be 58 over the next three years to achieve proficiency; therefore, Jonny's AGP is 58. Because Jonny's growth percentile was only 50 this year, he is not making enough growth to meet his three year target. Therefore, we determine that Jonny did not "make adequate growth".

Remember that Jonny, Sally, and Mike are also in your school. Sally is already proficient in reading with a scale score of 202, and say her AGP = 10 percentile to maintain this proficiency status for the next three years. Similarly, Mike received an AGP of 10. Your school's median AGP is 10. Because your school's median SGP is bigger than your school's median AGP, your school "made adequate growth". Your school will receive 3 points based on the following chart.



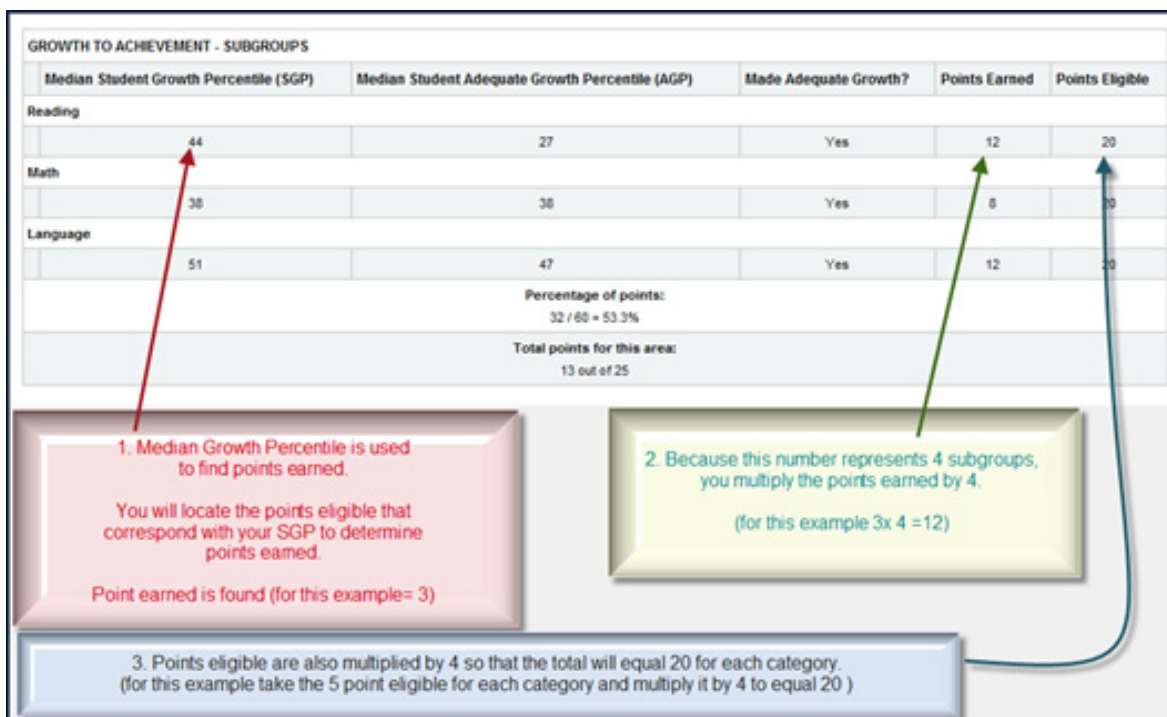
Name	SGP	AGP	Made Adequate Growth?
Jonny	50	58	No
Sally	50	10	Yes
Mike	17	10	Yes
School Median	50	10	Yes

Accountability Area 3: Growth To Achievement Subgroups

- Growth to Achievement, as stated previously, is also broken down by subgroups. The example below is for a school with subgroups.

GROWTH TO ACHIEVEMENT - SUBGROUPS					
	Median Student Growth Percentile (SGP)	Median Student Adequate Growth Percentile (AGP)	Made Adequate Growth?	Points Earned	Points Eligible
Reading					
Free/Reduced Lunch	49	3	Yes	3	5
Students With Disabilities	69	23	Yes	5	5
Limited English Proficiency	49	86	No	2	5
Minority Students	52	2	Yes	4	5
Math					
Free/Reduced Lunch	51	5	Yes	3	5
Students With Disabilities	81	69	Yes	5	5
Limited English Proficiency	50	87	No	2	5
Minority Students	53	7	Yes	4	5
Language					
Free/Reduced Lunch	45	30	Yes	3	5
Students With Disabilities	57	69	No	3	5
Limited English Proficiency	23	94	No	1	5
Minority Students	35	22	Yes	2	5
Percentage of points: 37 / 60 = 61.7%					
Total points for this area: 12 out of 20					
Growth to Achievement for Subgroups is the same as for the overall category. The total points are then added and presented at the bottom of the page. NOTE: You can make it in some categories and not in others					

- However, if a school does not have enough students (25) in all four subgroups, the subgroup categories will be rolled into one group which will be reported in the following fashion:



Accountability Area 4: Post Secondary And Career Readiness

NOTE: The Post Secondary and Career Readiness accountability area is broken down into two categories (for now): Graduation Rate (50%) and Advanced Opportunity (50%). Starting next year, we will add the third category: College Entrance Placement Exams. Once the third category is established, each category will be valued at 33.33% of the total area points.

ADVANCED OPPORTUNITIES

- Advanced Opportunities includes both the percent of students who completed and the percent who earned a grade of C or better on an Advanced Placement (AP), International Baccalaureate (IB), or dual credit or tech prep course.
- Eligible students in this category are all public school juniors and seniors. The first measure considers the total number of students eligible for such courses (as defined in IDAPA 08.02.03.106.02) to be all juniors and seniors and the percent of the eligible students who completed one or more courses.
 - As a note, percent completing advanced opportunity is the number of students that completed a course with a grade A through F divided by the number of eligible students. You must have reported the students on your ISEE report. You may appeal any students that were not included during the appeal window.
- The second measure is a cumulative percentage of the number of courses taken by any eligible students who completed a course with a grade of C or better. If a student takes multiple courses, the higher of the two course grades will be calculated into the matrix.

POST SECONDARY		
Content Area	Points Earned	Points Eligible
Graduation Rate (96.0%)	5	5
Advanced Opportunity	5	5
Percentage of points: $10 / 10 = 100.0\%$		
Total points for this area: 30 out of 30		

The Advanced Opportunity information is pulled directly from ISEE. That percentage is then converted to points using the below table

Advanced Opportunities Eligible Points					
Advanced Opportunity Eligible Points	Percent Completing an Advanced Opportunity Course with C or better				
	90%-100%	75%-89%	60%-74%	40%-59%	≤ 39%
Percent Completing Advanced Opportunity					
50% - 100%	5	5	3	2	1
25% - 50%	5	4	3	2	1
16% - 24%	4	4	3	2	1
6% - 15%	3	2	2	1	1
≤ 5%	1	1	1	1	1

GRADUATION REQUIREMENTS

- Graduation Requirements
 - Idaho's graduation rate goal is 90%.
 - The data presented is the same data reported for the 2011 AYP.

COLLEGE ENTRANCE/PLACEMENT EXAMS

- The College entrance/placement exams category will be added once data had been reported.

POST SECONDARY		
Content Area	Points Earned	Points Eligible
Graduation Rate (96.0%)	5	5
Advanced Opportunity	5	5
Percentage of points: $10 / 10 = 100.0\%$		
Total points for this area: 30 out of 30		

PARTICIPATION	
Was 95% participation met? Yes	

To determine the Graduation Rate Eligible Points, take your reported graduation rate, find the range and then find the associated points.

For the example school, they had a rate between 90%-100%, so their points eligible =5

Participation is directly pulled from the ISAT and ISAT-ALT. If you did not make participation, you will automatically lose 1 star rating. The example school met participation; therefore, they will not lose a star.

Graduation Rate Eligible Points	
Graduation Rates	Points Eligible
90% - 100%	5
81% - 89%	4
71% - 80%	3
61% - 70%	2
≤ 60%	1

Accountability Area 5: Participation

- All schools and districts must have at least a 95% participation rate on the ISAT/ISAT-Alt for all of their students (including all subgroups) or the Star Rating for the school or district will drop by one star.
- The participation data is taken directly from the ISAT/ISAT-ALT tests.

THE FINAL RATING

- Every section is totaled and presented in the Overall Star Rating Area.
- The number of stars are determined using the following scale:

The screenshot shows a web interface for viewing school star results. At the top, there are navigation links: COMMUNICATION, RESOURCES, DATA COLLECTION, and ADMINISTRATORS. Below these is a header with a 'Log Off' button and a user profile icon. The main content area is titled 'Star Results for' followed by a dropdown menu showing 'Your School Name Here'. Below this is a link to 'View District Summary'. The 'OVERALL STAR RATING' section displays '4 Star' and '82 out of 100 points'. A red callout box points to this section, stating: 'Overall Rating: This is the School's Star Rating. The school's total points earned from each category are totaled and displayed here.' Below the overall rating is the 'ACHIEVEMENT' section, which contains a table with the following data:

Content Area	Percent Proficient / Advanced	Points Earned	Points Eligible
Reading	93.1%	4	5
Math	90.8%	4	5
Language	86.7%	4	5

Below the table, it shows the 'Percentage of points: 12 / 15 = 80.0%' and 'Total points for this area: 16 out of 20'.

Star Rating Point Range	
Star Rating	Total Point Range
★ ★ ★ ★ ★	83-100
★ ★ ★ ★	67-82
★ ★ ★	54-66
★ ★	40-53
★	<39