A Commitment to Quality

National Charter School Policy Forum Report

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INTRODUCTION

Charter schooling began in 1991 with an enticing promise: new public schools—with the freedom to be better and held accountable for results—could offer excellent choices for families and stimulate the entire public school system to improve. Now, more than 15 years later, charter schools are no longer an idea but also a reality. The sector has expanded to over 4,300 schools in 40 states and the District of Columbia, serving more than 1.2 million students—about 3 percent of all public school children. In some cities, charter schools' "market share" is even higher, exceeding 50 percent in New Orleans and 25 percent in Washington, D.C. And charter schools have not yet filled the demand for quality school choice options; tens of thousands of families are on waiting lists to enroll in charters.[1]

From these 4,300 schools, many dramatic success stories have emerged. Consider:

- Amistad Academy in New Haven, where 84 percent of the middle-schoolers are low-income, outperforms Connecticut's students in both reading and math based on the average state test scores, with 80–85 percent of students passing the tests.[2]

- During the 2006–07 school year, 100 percent of the third- and fourth-graders—90 percent of whom are from low-income families—at Carl C. Icahn Charter School in the Bronx scored proficient and above on the state mathematics exam, compared to 61 percent of third-graders and 52 percent of fourth-graders in the district.[3]

- According to a 2008 RAND study of Chicago's charter schools, 49 percent of eighth-grade charter school students who go on to attend a charter high school are likely to enroll in college five years later. Only 38 percent of eighth-grade charter school students who transfer to a district high school are likely to do so.[4]

These charter schools and others like them reinforce Deputy Secretary of Education Ray Simon's declaration that "charter schools are providing innovative learning environments and getting results, breaking apart the myth that some kids just can't learn."

To meet the demand for quality public education for all of America's children, the U.S. Department of Education (ED) has vigorously supported the expansion of school choice options. In the last eight years, ED has provided $1.8 billion in start-up money for individual schools and over $320 million in facilities funding.

Even with rapid growth and considerable success, the charter sector stands at a crossroads. Unfortunately, not all charters are as successful as Amistad and Icahn. While many charter schools are performing at the highest levels, some struggle to provide the quality education our students deserve. To a degree, this should not come as a complete surprise: any system that provides flexibility and encourages innovation will have a distribution of results. However, all successful systems, regardless of the field or industry, allow successful models to expand and replicate, enable middling performers to improve, and force persistently low performers to exit. For charter schools to have an increasingly

positive impact on our nation's system of public education, all members of the charter sector must embrace academic excellence as the ultimate goal and maintain the commitment to accountability in exchange for flexibility.

At the U.S. Department of Education, we believe that charter schools can do much better, fulfilling their promise as an engine of educational innovation and quality for students across the country. We envision a charter sector in which dramatic success stories are much more common, the average charter school performs much better, struggling charters get the assistance they need to improve, and charter schools that fail to serve their students well are closed and replaced quickly by new and better schools. We envision a charter sector that is large enough and producing significant academic achievement consistently enough to exert a strong, positive effect on public education more broadly.

To realize that vision, many different actors have vital roles to play. State and district policymakers need to substantially improve the policy environment in which charter schools operate. Charter school authorizers need to enhance their capacity to approve and oversee high-quality charter schools. A range of organizations engaged in supporting charter schools need to improve the services and resources they provide and expand their ability to advocate successfully for strong charter policies. Charter schools themselves need to redouble their efforts to achieve excellence, even against the odds. And federal-level programs must continue to expand and enhance their support for a vibrant, high-quality charter sector across the United States.

In order to engage the charter school community in a discussion of these issues, the U.S. Department of Education's Office of Innovation and Improvement held the National Charter School Policy Forum (Forum) in May 2008. The event gathered nearly 100 of the foremost leaders from throughout the charter sector—including charter school operators, leaders of charter support organizations, researchers, policy experts, and philanthropists and other funders—to share lessons learned and outline future directions for the charter sector.

At the Forum, the charter sector's leaders shared a vision of and vital commitment to quality—a commitment that can usher in the changes and supports necessary to create the high-quality sector that the Forum's participants envision. As Gerard Robinson, president of the Black Alliance for Educational Options, noted at the Forum: "Ten years ago, the word was 'innovation.' Two or three years ago the movement focused on 'accountability,' and now has moved to 'quality.'"

Drawing on discussions from the Forum and 15 years of research and experience with chartering, this report summarizes our vision of the future of the charter sector in the U.S.—and what needs to happen to achieve that vision.

Our Vision: An Unapologetic Commitment to Quality

For the charter movement to fulfill its compelling promise, all stakeholders must embrace an unapologetic commitment to quality in all aspects of chartering. We envision a charter sector in which:

- Charter schools achieve excellence early in their operations;

- Charter schools improve their performance year in and year out;

- Charter schools that achieve consistently strong results can expand and replicate;

- An infrastructure of improvement grows in its capacity to intervene in low-performing charter schools;

- Authorizers address chronic underperformance by closing the school and opening superior options swiftly; and

- Charter schools strengthen all corners of public education by sharing successful practices and fostering choice and competition among schools.

Living up to all six of these tenets will require the entire sector to change the way it does business. Matt Candler, chief executive officer of New Schools for New Orleans, advocated for charter sector leaders at the Forum to "change the paradigm of the charter movement" by moving away from viewing charter schools as an undifferentiated mass. Rather, Candler suggested, the sector must focus more intently on providing high-quality options to students by demanding excellence at each school and refusing to tolerate comparability to poor-performing district schools as an acceptable standard by which to evaluate charter school results. In addition to holding individual schools to a high standard, the sector must focus on improving the processes by which it creates schools, sustains schools, and acts on poor results.

Creating New High-Quality Schools

Every year, 300 to 500 new charter schools open nationwide.[5] This constant inflow of new options can be the lifeblood of quality for the charter sector—but only if the charter development and authorization processes all support the creation of high-quality new schools. Policymakers and practitioners need to concentrate on three critical levers: the policy environment in which the schools are created; the authorizers approving new schools; and the founding groups designing and opening the schools.

Policy Environment for New Schools

To ensure that large numbers of new, high-quality charter schools can open, policymakers must remove arbitrary caps on the number of charter schools or charter school students and remove one of the greatest barriers to starting a charter school: the lack of facilities financing. While state and local officials establish most of the policies on these issues, federal policymakers can continue to encourage

a supportive policy environment by insisting that Charter Schools Program (CSP) funding flows only to states where policymakers have enabled chartering to thrive.

Allowing New Charter Schools to Open

State policymakers should lift charter school caps, allowing new charter schools to open to meet the demand of families for better options for their children. Twenty-six states now impose some kind of cap on the number of charter schools or charter school students. These limits, however, serve as a blunt policy tool and are of little value in the quest for quality; charter caps are no replacement for dealing directly with the level of quality in existing schools. Caps prevent new charter schools, no matter how proven or promising, from opening. Further, caps can freeze a state's charter sector into a stagnant state, undermining the dynamism that is so critical to the success of charter schooling. Doug Mesecar, assistant deputy secretary in the Office of Innovation and Improvement, has argued that, "Charter caps only serve to ration innovation and opportunity. If caps are not removed, states should at least allow proven, high-quality charter school operators to open additional schools above any arbitrary caps." A sensible state policy would enable authorizers to approve new charter schools as needed to meet demand, while insisting that authorizers uphold high standards of quality in their approval processes.

Facilities Financing

To maximize the chance that more great charter schools will open, charter schools, like all public schools, should have equitable access to facilities funding. According to a 2007 report from the Local Initiatives Support Corporation, in nearly three-quarters of the states with charter laws, charter schools receive no per-pupil allocation for facilities. They must, instead, pay for their buildings from their per-pupil operating funds; that is, out of funds intended to pay for teaching and learning. Expressing the frustration experienced by charter school operators across the nation, Julie Clark-Goodyear, executive director of the Foundation for a Greater Opportunity, lamented, "These are public school children: it's not clear to me why there are not facilities provided for them." This funding inequity is particularly onerous for newly opened charter schools because school leaders must spend a significant portion of their time and budget in the important early years of operation on finding and funding facilities in which to operate.

Exacerbating this disparity is the fact that new charter schools face a distinct disadvantage in obtaining facility loans at favorable rates. Without the backing of a district or town credit rating, holding a charter to operate for only a limited number of years and facing closure in the event of poor performance, charter schools pose an increased credit risk to lenders. This risk can prevent charter schools from obtaining financing, discouraging otherwise qualified charter starters from launching their schools.

The charter facilities landscape has improved significantly since the advent of charter schooling. At the federal level, the Bush administration and Congress have provided over $320 million dollars in facilities funding assistance for charter schools. Some state and local governments provide help for facilities as well, and an increasingly strong network of charter-friendly lenders has allowed more charters to obtain quality facilities. These initiatives, however, are dwarfed by the need. Facilities' challenges and related financial limitations remain a significant barrier to creating and sustaining quality charter schools.

At the federal level, ED along with other federal agencies must continue to increase their support for facilities financing solutions and experiment with new ways of helping charter schools meet these challenges. The Department of Education's own programs are vital, but in January 2006, Secretary of Education Margaret Spellings called for all federal agencies to include charter schools as eligible recipients of funds under appropriate programs. Ultimately, though, the solution to the facilities dilemma lies at the state level. States should enact policies that provide equitable per-pupil facilities funds for charter schools, offer credit enhancement for charter school loans, and require districts to offer vacant space to charter schools.

AUTHORIZERS

Since authorizers are the linchpin of quality in the charter sector, substantially increasing the number and capacity of authorizers willing and able to charter excellent schools is a critical element of advancing charter school quality. Authorizers decide which individuals and organizations receive charters in the first place. They establish the performance contracts that govern how charter schools are held accountable for results. As the gatekeepers and overseers of school operations, authorizers are often in a position to notice minor problems before they morph into major problems and therefore can implement systems to identify early indicators of potential problems and take action when they arise. Furthermore, authorizers are the agencies that ultimately decide whether to renew each school's charter.

Because of their central position in the sector, fostering strong authorizers must be a high priority for policymakers and charter advocates. Multiple authorizers armed with the tools necessary to effectively approve and oversee charter schools in ways that promote quality is one key to strengthening the charter sector.

Availability of Voluntary, Capable Authorizers

States must ensure that charter applicants statewide have access to one or more charter authorizers who are both amenable to chartering and equipped with the tools to recognize and authorize only the most promising charter school plans. As Derrell Bradford, deputy director of Excellent Education for Everyone warned at the Forum, "If you have only one authorizer, you're very dependent on that one authorizer being good and actually wanting to authorize you." In many states, the local educational agency (LEA) remains the only charter school authorizer. In too many cases, LEAs are reluctant authorizers at best, with little interest in opening new schools that will compete with them for students. As a result, many highly promising charter applicants have little chance of receiving a green light to open, and students miss the chance to have a high-quality, new educational option.

States should seek to establish quality-oriented authorizers within their boundaries. One method of increasing quality-oriented authorizers is to confer authorizing power on a variety of entities. In contrast to LEAs acting as the sole charter authorizers within a state, including universities, state boards of education, single-purpose statewide chartering boards, and others as charter authorizers can provide a much-needed counterbalance to any single authorizing entity uncommitted to charter school excellence. Having multiple authorizers does not, however, automatically guarantee quality. Similarly, there are notable examples of high-quality single authorizers. Nevertheless, the existence of multiple authorizers has the potential to enhance charter quality in three ways: 1) by increasing the likelihood that high-

potential charter starters will find authorizers that truly support the charter concept; 2) by forging a network within which authorizers can learn from one another and share best practices; and 3) by creating the opportunity to increase authorizer accountability by allowing the removal of an authorizer with a poor track record—without simultaneously shuttering the single source of charter authorizing in a state or region.

Tools and Support for Authorizers

Multiple authorizers will do little to enhance charter quality unless authorizers themselves have the capacity for excellence. The sector should increase efforts to improve the tools, resources, and information available to authorizers. Devoting increased federal, state, and private resources to authorizing will enhance the likelihood that authorizers will approve strong initial charters and close those schools that fail to perform.

Authorizers often do not have the capacity to meet their myriad responsibilities. Charter authorizers have four key responsibilities: 1) conduct due diligence to authorize promising school models; 2) establish performance expectations; 3) collect data and evaluate school performance; and, 4) close schools that fail to produce promised academic gains. Fulfilling these four distinct responsibilities can be onerous, especially if the authorizer is not willing and able from the outset.

As the sector has realized the importance of quality authorizing, the extent of support available to authorizers has grown markedly. Authorizers themselves formed the National Association of Charter School Authorizers (NACSA), which provides a wide range of services and supports to authorizers across the country. In some states, authorizers have formed statewide networks to do the same. Susan Miller Barker, vice president of research and evaluation at NACSA, encouraged Forum participants to remain cognizant, however, of "staving off a complicated bureaucracy" when considering new ways to ramp up authorizer capacity. As charter advocates invest in training, how-to guides, and other resources that help authorizers succeed, it is important to remember as well that the charter sector is designed to create an innovative space free from many of the traditional bureaucratic responsibilities found in a district setting.

PIPELINE OF NEW SCHOOLS

The creation, expansion, and strengthening of a robust set of organizations capable of fueling a pipeline of new high-quality charter schools is critical. A strong policy environment and top-notch authorizing only create an opportunity. For students to reap the benefits, charter school starters must seize that opportunity by opening excellent new charter schools. That essential pipeline, however, will not just flow naturally. As a nation, we must cultivate two vital sources of charter start-ups: the replication of existing, successful charter schools; and the launch of schools based on promising new models.

Replication of Successful Charter Schools

With hundreds of successful charter schools now in operation, it should be a national priority to replicate these schools in order to serve as many children as possible with their effective models. Prioritizing replication alone will not bring multiple new successful charter programs to fruition. Funders—both private and public—should dedicate resources to researching effective replication methods. In addition, substantial investment in the organizational infrastructure is necessary to support continued replication by charter management organizations (CMOs), education management organizations (EMOs), and other networks with the capacity to take successful models to scale. CMOs and EMOs that can serve as central support networks, provide established academic programs, and develop economies of scale may increase the long-term sustainability of newly opened charters under their brands.

While there are many examples of successful replication under way, even with significant support, replication efforts can and do fail. Frederick M. Hess, director of education policy studies at the American Enterprise Institute, noted that it is important to remember that replication is very hard; the private sector hires consultants to study high-performing organizations and carefully plan replication efforts. Acknowledging the art and science of successful replication, Hess remarked: "It is not necessarily the right recipe, the right people, or the right motives but it's a relatively combustible mix of context, talent, incentives, and environment" as well. Nevertheless, the right response to these challenges is not to avoid replication but to develop ever-improving strategies for doing it well.

As Congress considers reauthorizing the Charter Schools Program, it should seek to ensure that CSP funds can be used for replication of high-quality charter schools. The current statute allows states to set aside 10 percent of CSP funds for "dissemination" by successful charter schools, but there is little evidence that this funding has resulted in substantial diffusion of effective charter practices. Instead, states should be empowered to use CSP funds for high-quality replication to take successful schools to scale.

Launch of Schools Based on Promising New Models

As charter school stakeholders strive to replicate success, the sector must also invest substantially in the next generation of new school models, some of which can then be replicated as well. Most of the schools that are worthy of replication began as stand-alone schools with great ideas. The charter sector must seed the next generation of break-the-mold approaches like these. In addition, focusing only on replicating schools that are currently top performers ignores the basic tenets of school choice—that different or innovative models of education are necessary to reach the diverse population of students our country has a responsibility to educate. For these reasons, funders and authorizers must remain open to promising new ideas. Make no mistake: their selection criteria should hold applicants to high standards. The challenge is setting those standards in ways that leave the door open for schools proposing to try approaches that are new but highly likely to work with the target population.

As with any new venture, there is a risk of failure with brand new start-ups. Not all new or exciting charter models will succeed in improving student performance. In the long run, not all will become replication worthy. But, some schools will succeed, and an expanding pipeline of those models is

necessary to better serve America's schoolchildren and continue to strengthen not only the charter sector but also public education more broadly.

Federal, state, and private funders must also commit resources to organizations that can help new, stand-alone charter schools get off the ground. Charter supporters should not expect large numbers of excellent new models to appear quickly or fully developed; the sector needs to openly acknowledge and build systems around the reality that high-quality schools are usually not formed whole from the start but are nurtured.   Federal, state, and philanthropic investments must cultivate a new breed of organization capable of seeking out qualified operators. The organizations would help potential developers "incubate" their ideas and provide them with the support they need to launch them. Whether these organizations are existing charter support organizations (such as charter school associations and resource centers) or new entities created for this specific purpose, investing in these efforts is vital to ushering in the next wave of promising new schools.

SUSTAINING HIGH-QUALITY SCHOOLS

As important as new schools are to the quality of the sector, the charter sector must continue to attend to the quality of the over 4,300 schools that already exist. As discussed below, some of these schools undoubtedly need to be closed or replaced due to chronic low performance. Most charter schools, however, are providing a valued choice to families and students and should remain open. With high-quality support, these schools can continue to improve year after year. In order to facilitate this continued improvement, the sector must build a stronger infrastructure of support, develop an operating environment conducive to charter school viability, stimulate an in-flow of ever-increasing leadership and teaching talent, and enhance the "voice" of the charter school community in the public sphere.

INFRASTRUCTURE OF IMPROVEMENT

The development of a robust charter support infrastructure to promote the long-term sustainability and success of charter schools is essential. Charter schools—as independent public schools—lack access to the support infrastructure inherent in a district setting. Yet, charter leaders still need an array of services—including finance, insurance, and legal supports—to operate effectively. Although some charter support organizations (CSOs) and other resources have developed to provide or advocate for these services, the need outstrips the supply. As Nelson Smith, president of the National Alliance for Public Charter Schools, noted, "The frontline support for most of the non-affiliated, free-standing charters is weak; total budgets [of charter support organizations nationwide] are between $35 and $38 million, which is a drop in the bucket compared to the need. Further, a lot of CSOs are heavily philanthropically dependent and sustainability in the long-run is in question."

Too often, charter schools must turn for support to their authorizers or school districts, sources of help that create special challenges. Where authorizers are the main source of charter support services, the challenge is that school leaders may be reluctant to seek help, revealing their weaknesses to the entity that can close their schools. When districts are the primary source of services, charter schools may face a different challenge: if districts require them to purchase services that do not meet their needs, precious funds are squandered. These scenarios may hinder schools from accessing the specific supports that will help them succeed in providing a high-quality education for their students. An infrastructure

that is voluntary, responsive, diverse, and dynamic will best meet the needs of charter schools while continuing to promote school autonomy and agility.

The response to the significant need for charter program supports must come from a variety of sources, including CSOs, independent service providers, government agencies, and funders. And for charter schools to remain independent and fully leverage their autonomy, the support infrastructure must not simply reproduce the standard district centralized model. Instead the ideal charter support infrastructure should be:

- Voluntary—charter schools access only those services that they require;

- Responsive—providers supply supports and services based on identified needs;

- Diverse— charter leaders choose from a diverse pool of supports and services to best meet their priorities; and

- Dynamic—new providers emerge and those that do not meet needs exit the support infrastructure.

Finally, all of the organizations in the support infrastructure must serve not only as advocates for charter schools but also, more importantly, as advocates for excellence. Support without accountability works against sectorwide efforts to promote quality.

OPERATING ENVIRONMENT

In addition to a strong infrastructure of improvement, charter schools must operate in a policy environment that promotes autonomy, accountability, and equity for these public schools.

Autonomy and Accountability

Policymakers must provide charter schools wide latitude to establish their instructional programs, allocate resources, and manage their staffs and operations in ways that meet the needs of the students who attend them. The charter sector began on the premise that autonomy from the district's central office bureaucracy would create the opportunity to open better schools and, consequently, improve student outcomes. And in many charter school success stories, autonomy in fact plays a central role in the school's ability to introduce successful practices. Only by working outside constraints that hinder existing public schools (e.g., rigid scheduling and centralized human resource decision-making) have the charter sector's leading examples of success been able to forge a new path.

Autonomy alone does not guarantee quality. "We probably all started this game believing too intently that freedom from bureaucracy would, in itself, lead to gains," noted Ted Mitchell, chief executive officer of NewSchools Venture Fund and president of the California State Board of Education. "We saw early on that autonomy is only a necessary precondition." Today, however, even this "necessary

precondition" is under threat. Forum participants noted that states and other agencies have tended to see a problem in one school and to create a new rule or set of reporting requirements for all charter schools.

This regulatory creep can undermine quality in two ways. First, constraints on how charter schools spend their funds, whom they can hire, or how they use time can prevent them from doing what is needed to achieve results with students. Second, the administrative burden of onerous compliance requirements can take time, money, and attention away from what matters most: educating students to meet high standards. Without the support of district central offices, charter school administrators bear the full weight of compliance, a load that can distract them from instructional leadership. Central to the concept of charter schools is the promise of autonomy based on a sound charter application and corresponding high-stakes accountability should the school not meet explicit performance expectations.

Of course, charter schools must be held accountable; autonomy cannot mean the complete absence of oversight or public accountability. Authorizers need to do much more to hold charter schools accountable—but to hold them accountable for results with children rather than for compliance with reams of regulations.

Funding Equity

As public schools, charter schools should receive 100 percent of the federal, state, and local tax dollars generated by their students, without exceptions. A central tenet of school choice policy is that funding should "follow the child" to the school he or she chooses to attend. Yet charter schools do not typically receive the full per-pupil operating allocation enjoyed by their district counterparts. The culprit often lies in state policies that deny charter schools access to certain funding streams, such as locally generated tax dollars or select grant programs. To give charter schools a full opportunity to succeed, policymakers at all levels must redouble their efforts to ensure that charter schools have access to all of the public school dollars that their students generate.

As discussed earlier, equitable facilities funding is one key component in supporting charter school quality. Inadequate facilities funding is the most egregious element of the charter school funding gap. Equity is not important because shiny new buildings are not necessary for excellent schooling. Indeed, many of the best charter schools operate in highly unconventional facilities; it is what goes on inside the walls that counts for children. More detrimental is the practical reality that under current funding systems, charter schools must dig into their already scarce operating funds to pay for bricks and mortar, leaving even less money to provide the instruction and support their students need. In addition, charter school leaders and board members spend an inordinate amount of time and energy dealing with facilities issues—time better spent on enhancing the quality of teaching and learning in schools. Continued federal support for charter facilities and a new state commitment to facilities funding equity for charter schools are essential to both sustain and improve charter school quality.

HUMAN CAPITAL

Increased investment is vital in the development of a human capital pipeline that provides continual inflows of effective teachers, leaders, and board members, including community members who reflect the diversity of the areas charter schools serve. Decades of research have shown that teacher quality

is the single most important in-school factor in the quality of education a child receives.[6] Finding, developing, and supporting enough high-quality teachers to fill charter classrooms should be a key priority for the charter sector. In addition, charters rely heavily on the presence of strong leaders to provide both instructional and operational leadership and to help navigate the myriad of unique challenges that charter schools face.

Investment in organizations that pioneer new approaches to drawing talent into the charter sector can serve to better develop the pipeline of human capital. Organizations such as New Leaders for New Schools and Building Excellent Schools are already preparing and training leaders and potential founders of charter schools. Leadership pipeline development is especially critical work given the shortage of such leaders the sector will face if charter growth continues at its current pace.

To develop the teacher pipeline, High Tech High has gained authority to certify teachers and is now providing a graduate program for people to earn master's degrees while working full-time in charter school classrooms. In addition to stand-alone approaches like High Tech High's, collaborative approaches can leverage resources to develop a teacher pipeline. Uncommon Schools, Achievement First, and the Knowledge Is Power Program (KIPP) have undertaken such an effort by developing a teacher institute called 'TeacherYOU" in collaboration with Hunter College in New York. While these initiatives are promising, the charter sector needs to ramp up this kind of activity substantially in order to meet the vast need for talent.

In addition to recruiting and developing teachers and leaders, the charter sector should continue its growing commitment to improve the governance provided by charter boards. For charter schools, a strong, diverse board that draws on local talent and represents the community it serves is an unparalleled asset. As Richard Barth, chief executive officer of KIPP Foundation, noted at the Forum, there are many advantages to having local leaders who are "wired into" the community work with their local charter schools; local involvement can strengthen community buy in and even student performance. Because boards hold the charters for their schools, set policy for the schools, and identify, hire, and hold accountable the school leader who will make important management decisions on a daily basis, good schools can become great schools under the guidance and oversight of a strong board. Poor-performing schools can often be the result of a contentious board or a board that does not possess the skills and experience necessary to efficiently handle the financial, legal, ethical, and academic challenges all schools face. The sector must invest heavily in recruiting an excellent pipeline of board members and then training boards to carry out their responsibilities well.

CHARTER VOICE

For the charter sector to thrive, there must be a stronger, more unified charter-sector voice focused on strengthening charter quality. There is a need for greater charter-sector communication that shares successes more broadly, draws more stakeholders into the conversation about charter school quality, and provides a counter-voice to anti-charter sentiment in order to build support for charter schools. Alex Johnston, executive director of Connecticut Coalition for Achievement Now (ConnCAN), highlighted at the Forum the dearth of funding and support for advocacy-related efforts in the charter sector. Some participants suggested that may be changing, as there is increasing recognition among charter supporters

that charter schools are, in the words of one Forum participant, "more than a little bit political" and that this necessitates a more unified voice of the sector. More attention should focus on:

- **Improving documentation and wider dissemination of charter success stories.** The "Innovations in Education" guides that ED has published in recent years on charter success are one example, but collecting charter success stories and sharing them with stakeholders—families, communities, and political leaders—will help others understand what chartering is accomplishing for their home towns.

- **Increasing efforts to educate and rally the support of parents**—including parents of current charter students as well as parents who would like their children to attend a charter. But the demand outstrips the supply of schools. Parents need to understand the issues—like charter caps—that limit chartering in their areas so that they can become more informed advocates.

- **Engaging and educating elected officials,** civic groups, and others that represent the communities served by charter schools about the value of education and services charter schools provide. Several Forum participants noted that most charter school leaders are focused on running their schools and not on advancing the charter sector at large. Few are adept at navigating local politics or influencing those who enact education policies. For the charter sector to remain viable, it is important that local government representatives be aware of the services charter schools are providing to their constituents.

- **Strengthening charter advocates' commitment to quality,** which includes highlighting and intervening when a school fails to produce results. Every community with charter schools needs gatekeepers—community advocates from various organizations committed to quality chartering—to hold CMOs, EMOs, and individual school leaders accountable for their promise to provide a quality education to children. The charter sector's leadership has turned strongly in this direction in recent years.

ACTING ON RESULTS

ADDRESSING STRUGGLING SCHOOLS

In an innovative sector like chartering, there will be some schools that are not ultimately successful. Working to develop the various supports outlined above will do much to enable weak charters to improve student achievement. Even with help, however, the first three to five years are a difficult period for most charter schools: some may need further assistance to achieve their missions. Different possible sources of this help exist. Some authorizers are able to provide intensive assistance to the schools they chartered. Some support organizations discussed earlier can roll up their sleeves and get involved in revamping a schools' academic program with data-driven approaches. Some successful charter schools have even stepped in and taken over poor-performing schools to turn them

around.   Because families trust their children to charter schools, the charter sector needs intervention strategies like these to give charter schools the best possible chance of fulfilling their promise to families and children. Yet, Deborah McGriff, a longtime official of Edison Schools who is now a partner at NewSchools Venture Fund, pointed out at the Forum how difficult it is to strike a delicate balance: giving struggling charters time to change but also recognizing when turnarounds have not been successful. If charter schools are unable to produce strong academic results within the first five years of opening, authorizers and the charter community must take action to close down the poor-performing schools.

CLOSE LOW-PERFORMING SCHOOLS

The charter sector cannot fully promote quality without a commitment to closing those schools failing to produce results for students. Opening new schools and giving them wide latitude to operate is a promising way to foster excellent options for families, but inevitably some new schools will fall far short of expectations. Too often, authorizers have allowed these low performers to persist, shortchanging their students. Charter advocates must hold authorizers accountable for all of their schools, build the will to close low-performing schools, and promote the development of high-quality school options for the students and families whose schools close.

Authorizer Accountability

Just as authorizers must hold schools accountable, ED believes that states must do much more to hold charter authorizers accountable for the performance of schools in their portfolios. At the Forum, the Charter School Growth Fund's John Lock captured this sentiment when he asked: "If we are going to give money to authorizers or SEAs [state educational agencies], what happens to them if they don't do a good job? We need to be thinking about these things because there really is no penalty in that case." Instead, the sector needs to provide effective incentives and consequences for the level of quality in authorizers' schools because currently few exist, and this hampers increasing quality across the movement.

At the very least, states should track and make publicly available clear information about how each charter authorizer's portfolio is performing. When authorizers fail to close or replace chronically struggling schools, this inaction should be transparent to the public and policymakers. States should continue to experiment with systems that make the continued power to authorize contingent on the performance of an authorizer and its schools. At the same time, as several Forum participants cautioned, the sector must work against the impulse to develop larger bureaucracies in the quest to hold charter authorizers accountable. Identifying means to hold authorizers (and schools) accountable while maintaining the sector's vital flexibility remains a critical challenge for charter policy.

Building Political Will for Closure

States and local charter supporters should pioneer new ways of creating the political will to close failing charter schools—a tough task. Andrew Rotherham, co-director of Education Sector and member of the Virginia Board of Education, recognized that when dealing with low-performing charter schools, "Closure is political, but necessary, and few authorizers are good at it. There is a big disincentive to closing because systems gravitate to stability." To counter forces that lead to poor-performing charters

continuing to operate, some charter leaders have recommended that closure of poor-performers requires a specialized entity responsible for closure decisions only. Such a position could serve to insulate this function from the other roles for which authorizers are already responsible—identifying, authorizing, and overseeing charter programs.

Another option could involve state action in the event that an authorizer allows a failing school to languish, such as making its own closure decision or assigning the school to an alternate authorizer. A third option is to simply shine a bright light on the problem in the form of a public posting of failing schools kept open by specific authorizers. While it is not clear which of these approaches—or others—will be effective, vigorous experimentation with new strategies is needed to uphold this critical side of the charter school bargain.

Promoting School Choice Options

In some instances, authorizers are reluctant to close poor-performing charter schools because they perceive that alternatives are even worse than the local charter option. Indeed, many parents advocate for failing charters because they believe their options are limited. At the Forum, Justin Cohen, director of the Office of Portfolio Management for the District of Columbia Public Schools, highlighted that such parental support for poor-performing schools is a "demand-side issue that harms quality" in a school choice market. Authorizers and charter supporters should respond to this situation not by tolerating failure, but by aggressively seeking to replace the failing charter school with a better option. The support and development of a strong pipeline of charter programs could ease the transition from a failing model to a promising alternative while maintaining a school choice for families. Further, promoting varied, high-quality school choices—charter or not—in a community would provide families with greater control over their children's education and options in the event of a charter closure.

Finally, although authorizers are the primary agents of closure, charter support organizations and other charter advocates should take the gatekeeper role in identifying charter schools that are not fulfilling their promise. Gatekeepers could stay a step ahead of the authorizer, intervening in salvageable schools and encouraging the unsalvageable to exit voluntarily.

States must identify which of these or other options would help them build the will to tackle the unpleasant, but necessary, duty of closing—or turning around—a failing school. The charter sector needs to make significant advances in this area to fully commit—sectorwide—to improving charter quality and the educational opportunities of public charter school students.

CONCLUSION

When opening the National Charter School Policy Forum, Education Secretary Margaret Spellings extolled the "rigorous, vigorous, robust accountability approach" the charter sector has adopted. This rigorous approach has paid off in many areas of the charter sector. In several states—including Tennessee, Massachusetts, Alaska, Idaho, Rhode Island, and Utah—more than 70 percent of charter schools had reading proficiency rates for their low-income students that exceeded statewide rates for low-income students in 2006–07. These schools demonstrate that high standards and a strong commitment to accountability can get results for those students traditionally most underserved by the public school system. In addition, outstanding charter schools are among the best schools in the country. Although comprising less than 4 percent of the nation's public schools, 13 charters were included in *Newsweek's* 2008 listing of the top 100 high schools in America. High performers like these are the best of what the sector has to offer and should be taken to scale.

In her address to the Forum, Secretary Spellings cautioned, however, that without this commitment to accountability for excellence, "the motivation for, the interest in, and the need for a charter school movement will wane." As the charter sector enters a new era, the Department of Education calls for a tapestry of efforts from all charter leaders, advocates, and families to renew their commitment to excellence, to create and sustain high-quality charter schools, and to act swiftly in the case of poor results. The ability to take the successes of the charter sector to scale depends upon this commitment to quality.

States need to support this commitment to accountability by providing much more consistent access to performance data about charter schools. The limited availability of such data at the state level frequently creates difficulties in comparing charters to their district counterparts, other charter schools, or schools nationwide. Ease of access to performance data would shed light on ineffective authorizers failing to maintain the quality of their school portfolios, identify schools for potential replication more readily, and inform parental decisions when choosing among local school options.

In addition to greater access to performance data, the sector needs more research and evaluation on all aspects of chartering to lay the groundwork for future quality improvements. Research and evaluation will be of particular interest in those areas of the country where charter schools have developed a large market-share of local public schools. Cities with a high market share—like New Orleans, Dayton, Ohio and Washington D.C.—are critical laboratories for studying the effects of choice-based education on students and on wider school reform and improvement.

As an outcome of the Forum, ED is working to develop new ways to recognize a select group of outstanding charter schools to leverage what these charters have learned to the larger education community. This effort will focus on identifying those schools and models that have achieved the greatest growth in student achievement, especially for minority and low-income students. We look forward to working with the charter community in developing the best ways to recognize and share these achievements.

In places where charter schools have been prevented by restrictive policies from pursuing this kind of high market share, the imperative is to overcome these barriers and create an environment where charter

schools can thrive. The ongoing resistance to change by the defenders of the status quo, in the face of overwhelming evidence that change is needed, is worse than misguided: it is educational malpractice.

It is equally important to build on lessons learned and effective models that exist currently. Stephanie Sanford of the Bill and Melinda Gates Foundation spoke at the Forum about the transition the Gates Foundation has made to participating in funding consortia that minimize conflicting demands on grant recipients and allow grantees in the charter sector to focus more on their core mission of educating children. This is just one example of how charter supporters and advocates have begun to work in concert to achieve the aspirations of the charter sector.

At the Forum, Sanford also shared an African proverb that highlights the necessity for the charter movement and its supporters to work together for long-term sustainability: "If you want to go fast, go alone. If you want to go far, go together." Together, if charters and their supporters share an unapologetic commitment to excellence, charter schools can achieve their promise to improve public education not only by educating their own students but also by serving as beacons of excellence for public education as a whole.

Appendix A

Forum Moderators, Discussants and Framework
May 5, 2008
The Intersection of Charter Schools and Philanthropy

Moderator:
David Dunn
Then-Chief of Staff, U.S. Department of Education

Discussants:
Stefanie Sanford
Deputy Director, Bill & Melinda Gates Foundation

Julie Clark-Goodyear
Executive Director, Foundation for a Greater Opportunity

Ted Mitchell
Chief Executive Officer, NewSchools Venture Fund

Topic: The intersection of charter schools and philanthropy in developing and expanding strong systems of high-quality charter schools and increasing parental options

Topic description

The philanthropic community has supported the charter school movement from the beginning. Based on the promise of creating choices for families, stimulating competition for district schools, and developing innovative educational programs, philanthropists have seen charter schools as a powerful change agent in which to invest resources. Funders have supported the charter movement in several ways. They have backed individual charter schools as well as networks of charter schools, such as charter school management organizations. They have invested in solutions to pressing operational challenges, such as facilities financing and leadership development. And they have made grants to develop charter school support organizations locally, regionally, and nationally that have, in many ways, strengthened the movement. As charter schools move from a small experiment to a significant portion of public schools in many communities, philanthropies have become increasingly interested in finding ways to promote quality in the charter sector. Foundations are taking on a greater role in defining and demanding quality from their grantees, and charter schools are increasingly accountable to their funders for student achievement, strong governance, and fiscal and operational solvency. In addition, donors have sought to move beyond funding individual schools to address large "system" issues that will shape the charter sector over time, such as public policy, authorizing, human capital, and finance. This increasing role for funders in defining quality and forging the charter sector's systems is a topic of lively discussion among charter advocates, raising questions about the best ways for philanthropists to contribute to a growing, successful charter movement.

Key Questions

- How have your foundations promoted the development of high-quality charter schools?

- How have your foundations promoted the scale-up of successful charter models?

- How have you balanced scale with quality?

Potential Questions

- How have your foundations selected the schools you have funded? What are the indicators of a successful grantee? Have those indicators changed as the charter sector has matured?

- How have philanthropic efforts in the charter sector changed—more broadly—since chartering began?

- How have your foundations pursued your missions/agendas through charter school funding? What successes have you experienced?

- Beyond schools themselves, what other kinds of organizations have you and other funders supported related to charter schools?

- How can philanthropists themselves and/or their foundations contribute to a positive policy climate for charter schools?

- What role should philanthropy play in the charter sector as it matures and moves beyond the concept of "experiment" and becomes a more permanent aspect of the public school landscape?

- Given philanthropy's importance in the charter movement, are there any pitfalls of philanthropic involvement that should be considered? Do private funders wield too much control? Not enough?

Recommended Reading

General background reading:

Jump-starting the Charter School Movement: A Guide for Donors. (2004). Washington, D.C.: Philanthropy Roundtable. (An updated version is due for publication in 2008). Available at: http://www.philanthropyroundtable.org/store_product.asp?prodid=174 .

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Case studies of specific funders' approaches:

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Transforming Urban School Districts through Choice: Foundation for Education Reform and Accountability. (2007). Boston: Pioneer Institute. Available at: http://pioneer institute.org/pdf/ ROE20.pdf.

Hassel, Bryan C. & Toch, Thomas. (November 2006). *Big Box: How the Heirs of the Wal-Mart Fortune Have Fueled the Charter School Movement*. Washington, D.C.: Education Sector. Available at: http://www.educationsector.org/usr_doc/CTDWalton.pdf.

Increasing Charter School Capacity in Urban Centers

Moderator:
Raymond Simon
Deputy Secretary, U.S. Department of Education

Discussants:
Frederick M. Hess
Director of Education Policy Studies, American Enterprise Institute

John Lock
President and CEO, Charter School Growth Fund

Richard Barth
Chief Executive Officer, KIPP Foundation

Derrell Bradford
Deputy Director, Excellent Education for Everyone (E3)

Topic: Increasing charter school capacity in urban centers through strategic partnerships, authorizing practices and replication of successful models

Topic description

Educational outcomes in our nation's central cities are persistently low, seriously impairing the future of many urban children and their families. Under these circumstances, it is not surprising that charter schools serve a predominantly urban population. But in most cities, demand by parents for school options outstrips the supply of charter schools. As a result, developing the capacity of urban centers to open more and support existing charter schools is a priority for the charter sector. Some important pillars for capacity include:

Authorizing. Cities need authorizers that have both the technical ability and the legal power to charter and oversee high-quality schools. Some states have expanded the number and types of charter authorizers, recognizing that school boards alone may not provide a supportive environment for charter schools. At the same time, other states have constrained authorizing by capping the number of new schools. Whatever entities have the power, improving authorizing quality has been a strategic goal of the charter sector in recent years.

Strategic partnerships. If urban charter schools can develop effective partnerships, they can take advantage of the myriad opportunities afforded by an urban setting and provide their students with wider access to their cities. Managing such strategic partnerships well and ensuring that the supports provided by outside organizations do not create more difficulties than benefits should be an important goal for capacity building in urban charter schools.

Replication and growth. When charter schools succeed, finding ways to expand their reach to more children is an important capacity challenge. Even proven programs have sometimes had difficulty maintaining quality and meeting diverse needs as they serve more communities. And whether the goal is to replicate an existing model or launch a new approach, finding talented people to lead charter schools is an ongoing challenge. Overcoming these barriers is an important priority for authorizers, policymakers, and charter advocates.

Key Question

What policies and strategies have the potential to significantly increase the number of quality charter schools in big cities?

Potential Questions

- How can charter support organizations promote urban capacity building?

- What can mayors do to make their cities conducive environments for a strong charter sector? How can mayors include charter schools in their larger education reform agendas? In states with charter school caps, what can be done to lift or modify them?

- What strategies would increase the pipeline of top-notch charter founders in cities? What about the pipeline of high-quality charter schools founded and led by people of color?

- How should authorizers fulfill a commitment to quality without over-regulating schools? What policies could promote authorizer quality while protecting charter school autonomy?

- What strategic partnerships should urban schools develop? Given the availability of healthcare, social services, arts, sports, professional, and governmental organizations in urban centers, how should charter schools prioritize their community partnerships?

- Partnerships between area charter schools can facilitate economies of scale with fiscally and operationally challenging areas such as providing special education services and developing professional and leadership skills among staff. What can be done to help charter schools develop such strategic partnerships among themselves?

- What policies could help successful charter schools replicate? What is the right mix between new start-up schools and replication of existing schools?

Recommended Reading

General background reading:

Rotherham, Andrew J. (December 2007). "Smart Charter School Caps: A Third Way on Charter School Growth." In Robin J. Lake (Ed.), *Hopes, Fears, & Reality: A Balanced Look at American Charter Schools in 2007* (pp. 65-74). Seattle, Wash.: National Charter School Research Project, Center on Reinventing Public Education, University of Washington. Available at: http://www.crpe.org/cs/crpe/download/csr_files/pub_hfr07_web.pdf.

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Strategic Partnerships:

Wohlstetter, Priscilla, Smith, Joanna, Malloy, Courtney L., & Hentschke, Guilbert C. (2005). *Charter School Partnerships … 8 Key Lessons for Success*. Los Angeles: Center on Educational Governance-University of Southern California. Available at: http://www.usc.edu/dept/education/cegov/publications/Final_charter_schools.pdf

Wohlstetter, Priscilla & Smith, Joanna (February 2006). "Improving Schools Through Partnerships: Learning from Charter Schools." *Phi Delta Kappan*. Available at: http://www.usc.edu/dept/education/cegov/improving_schools_kappan.pdf.

Authorizing Practices:

Principles and Standards for Quality Charter School Authorizing. (2007). National Association of Charter School Authorizers. Available at: http://www.qualitycharters.org/files/public/final_PS_Brochure.pdf

Supporting Charter School Excellence Through Quality Authorizing. (2007). Washington, D.C.: U.S. Department of Education, Office of Innovation and Improvement. Available at: http://www.ed.gov/nclb/choice/charter/authorizing/authorizing.pdf.

Managing School Performance: a new working paper series from the Center on Reinventing Public Education's National Charter School Research Project and Doing School Choice Right Project.   This collection of nine working papers provides research-based practical guidance to authorizers across the whole range of authorizer practices, from building supply and selecting applicants, through oversight and support, to intervening in and closing failing schools. Developed through CRPE's "Providing Public Oversight" research initiative in partnership with Public Impact. Available at: http://www.crpe.org.

Destler, Katharine. (December 2006). "Charter Authorizing: It's a Dirty Job, but Somebody's Got to Do It." In Robin J. Lake & Paul T. Hill (Eds.), *Hopes, Fears, & Reality: A Balanced Look at American Charter Schools in 2006* (pp. 49-59). Seattle, Wash.: National Charter School Research Project, Center on Reinventing Public Education, University of Washington. Available at: http://www.crpe.org/cs/crpe/download/csr_files/hfrdec1_web.pdf.

Replication:

Colby, Susan, Smith, Kim & Shelton, Jim. (September 2005). *Expanding the Supply of High-Quality Public Schools*. San Francisco: The Bridgespan Group. Available at: http://www.bridgespangroup.org/PDF/ExpandingtheSupplyofHighQualityPublicSchools.pdf

Lake, Robin J. (May 2007). *Identifying and Replicating the "DNA" of Successful Charter Schools: Lessons from the Private Sector.* Seattle, Wash.: National Charter School Research Project, Center on Reinventing Public Education, University of Washington. Available at: http://www.crpe.org/cs/crpe/download/csr_files/brief_ncsrp_dna_may07.pdf.

Quantity Counts: The Growth of Charter School Management Organizations. (August 2007). Seattle, Wash.: National Charter School Research Project, Center on Reinventing Public Education, University of Washington. Available at: http://www.crpe.org/cs/crpe/download/csr_files/pub_ncsrp_quancount_aug07.pdf.

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Ensuring Charter School Quality Over Mediocrity

Moderator:
Doug Mesecar
Assistant Deputy Secretary, Office of Innovation and Improvement

Discussants:
Andrew J. Rotherham
Co-director, Education Sector

Matt Candler
Chief Executive Officer, New Schools for New Orleans

Gerard Robinson
President, Black Alliance for Educational Options

Nelson Smith
President, National Alliance for Public Charter Schools

Topic: Ensuring charter school quality over mediocrity in the design and implementation of high-quality charter schools in urban and rural areas, especially in areas where the need for the highest quality schools is most pressing.

Topic description

The charter school movement began in 1992 largely with an emphasis on opening numerous schools in order to serve a large number of children and create a critical mass of charter schools in public school systems. Today, 15 years on, charter schools have had some spectacular successes. Yet the sector has also hosted some miserable failures and a great deal of mediocrity in outcomes. At the same time, the charter community has become much more knowledgeable about how to support the development and implementation of high-quality charter schools. Recognizing that charter schools have various needs across their lifecycle—from developing the pipeline of high-quality applications and founding groups, through shaping the critical start-up years, to supporting the long-term viability of established schools—numerous organizations have begun to provide services and supports that meet these various needs and promote quality simultaneously. While these efforts have helped, many charter advocates think more needs to be done to promote quality in the ranks of charter schools: clearing away remaining policy barriers to success, leveling the funding playing field with district schools, and improving charter authorizing without over-regulating. The field has become increasingly aware that despite the best efforts of charter founders and supporters, some schools will fail. Closing these schools has proven more challenging than expected due to blunt performance measures, significant legal challenges and opposition from some vocal stakeholders. Finding ways to overcome these challenges is vital to fulfilling the accountability side of the charter bargain.

Key Question

A high-quality charter sector depends on two approaches, effectively defining and promoting "quality" for charter schools and getting serious about closing bad charter schools. What specific steps can policymakers, authorizers, and advocates take to make both happen?

Potential Questions

- What policies and strategies have the potential to increase the quality of charter schools?

- Is insufficient funding—especially for capital needs—a constraint on charter quality? What policies show the most promise of addressing the facilities financing challenge?

- Have restrictions placed on charter schools significantly limited their ability to improve school quality? What aspects, specifically, of charter laws or policies are restraining schools? What can't charters do that has an effect on quality

- What issues are states and authorizers dealing with related to virtual charter schools and specifically, what steps need to be taken to create and sustain high-quality virtual charter schools?

- What strategies are necessary to improve informed school choice by students and families?

- How can charter support organizations support charter school quality more effectively?

- What are the central constraints that make it difficult to close low-performing charter schools? What changes could policymakers, authorizers, or others make so that closures are more feasible?

Recommended Reading

A Framework for Academic Quality: A Report from the National Consensus Panel on Charter School Academic Quality. Building Charter School Quality Consortium. Available at: http://bcsq.org/downloads/BCSQ_Consensus_draft.pdf.

This framework is the result of a national consensus process that is part of Building Charter School Quality: Strengthening Performance Management among Schools, Authorizers, State Charter Support Organizations, and Funders (BCSQ), a National Leadership Activities Project funded by the U.S. Department of Education's Charter Schools Program. The consensus panel put forth this framework for charter school operators, authorizers, and funders to assess charter school academic performance and quality.

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