

# CHARTER AUTHORIZERS: What they are & why they matter

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Charter schools are semi-autonomous public schools that operate under a written contract with a charter school authorizer. The contract — known as a charter — contains details about how the school will be organized and managed, how the school will be held accountable for student learning and how success will be measured. Authorizers oversee a school's compliance with the terms of the charter contract, which includes monitoring school performance and ensuring that the schools adhere to criteria in state law. In addition, authorizers grant or deny charter applications and revoke charters when appropriate.

This publication provides basic information on authorizers and their role in charter school accountability, as well as two examples of states with strong authorizing policies.



## Why Do Authorizers Matter?

According to the National Association of Charter School Authorizers (NACSA), quality authorizing is essential to ensure that charter schools are successful in providing a high-quality education to public school students. Successful authorizers ensure that charter schools use the flexibility they are granted under state law to meet their students' needs and spend tax dollars appropriately. NACSA states, "Authorizers are ultimately responsible for the overall performance of their portfolios of schools. By deciding which proposals are good enough to be approved and which schools are good enough to stay open, authorizers have tremendous powers that determine the overall quality of charter schools in every city and state."

## Who Can Be an Authorizer?

Different states allow different types of organizations to serve as charter school authorizers. These include entities such as school districts, state education agencies, independent charter boards, higher education institutions, mayors and municipalities, and nonprofit organizations. In some states, there are multiple types of authorizers, while other states' policies allow only one type. Many states have a statewide authorizing body, which may give charter school applicants more than one option when submitting a charter school application. However, in some of these states, the statewide authorizer is the authorizer of last resort, only serving as an authorizer on appeal of another authorizer's denial of an application. NACSA reports that more than 90 percent of authorizers across the country are school districts, but most oversee a small number of schools — between one and five. A few authorizers oversee a very large number of schools — more than 100.

## How Do Authorizers Hold Charter Schools Accountable?

Authorizers play a critical role. In addition to providing oversight, they are responsible for holding charter schools accountable for student performance. Oversight begins with review of applications for new charter schools and approval or denial of the application based on its adherence to criteria set forth in state law. Once a charter school has been approved, authorizers begin their job of holding the charter schools they authorize accountable by monitoring performance and, when the term of the charter ends, deciding whether to renew the school's charter. In some states, when a charter school's performance does not meet the expectations set forth in the charter contract or the school is rated poorly in the state's accountability system, state policies require authorizers to revoke the charter and close the school.

## How Are Authorizers Held Accountable?

Generally, state boards of education or state departments of education hold authorizers accountable. Many states require authorizers to submit annual reports on the performance of the schools they authorize, often including information on student achievement, financial compliance and in some states, information about the number of new schools approved and the number of schools closed. In addition, some states have sanctions in place for authorizers that do not meet certain criteria. Sanctions generally include revocation of authorizing authority.

## State Examples of Strong Authorizing Policies

**Indiana** law requires authorizers to request approval from the state board of education to gain chartering authority. The request must contain explanations of:

- A strategic vision for chartering.
- Budget and personnel capacity.
- Commitment to meeting the criteria for quality authorizing.
- How charter school applications will be solicited.
- The performance framework that will be used to guide establishment of charter contracts and for oversight and evaluation of its schools.
- A draft of the renewal, revocation and nonrenewal processes, and an assurance that the authorizer will fulfill “the expectations, spirit and intent” of the law and will fully adopt standards of quality charter school authorizing.

To hold Indiana charter schools and authorizers accountable for student academic performance, the authorizer must submit an annual report on each school that contains specified information on student achievement and growth, attendance, graduation rates and enrollment. In addition, authorizers must close charter schools that do not meet specified performance criteria for three consecutive years.

Similar to Indiana, **Nevada** law requires authorizers to submit an application to the state department of education that must be approved before they can authorize charter schools. In addition, the department must conduct a comprehensive review of authorizers at least once every three years and use the results of the review to determine whether to continue or revoke authorizing authority. To hold its schools accountable, an authorizer must collect, analyze and report pupil performance on statewide assessments to determine whether the school meets achievement and proficiency goals set forth in the performance framework in the charter contract. Finally, an authorizer must terminate a charter contract or restart a school under a new charter contract if the school receives the lowest possible rating in the state’s accountability system for three years in any period of five consecutive school years.

## AUTHOR

Jennifer Thomsen is the director of the Knowledge and Research Center with Education Commission of the States. Jennifer spent many years as non-partisan staff at the Colorado legislature prior to joining Education Commission of the States, so she knows how the sausage is made. Contact Jennifer at [jthomsen@ecs.org](mailto:jthomsen@ecs.org) or **303.299.3633**.

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